

Strategic Planning Board

Agenda

Date:	Wednesday, 28th March, 2018
Time:	10.30 am
Venue:	The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

Please note that members of the public are requested to check the Council's website the week the Strategic 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.

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 in the report.

It should be noted that Part 1 items of Cheshire East Council decision making and Overview and Scrutiny meetings are audio recorded and the recordings will be uploaded to the Council's website.

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

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 5 - 12)

To approve the minutes of the meeting held on 28 February 2018 as a correct record.

Please Contact: Sarah Baxter on 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **17/4034M-Outline Planning Permission (with all matters reserved except for access) for the erection of up to 232 dwellings, Land South of, Chelford Road, Macclesfield for Redrow Homes and Jones Homes North West (Pages 13 - 36)**

To consider the above application.

6. **17/5837M-Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space, Land West of, Alderley Road, Wilmslow for Royal London Mutual Insurance Society Ltd (Pages 37 - 56)**

To consider the above application.

7. **17/5838M-Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, highway improvements to Alderley Road, together with associated infrastructure and open space, Land East of, Alderley Road, Wilmslow for Royal London Mutual Insurance Society Ltd (Pages 57 - 80)**

To consider the above application.

8. **17/3892M-Demolition of existing on site buildings and erection of 67 dwellings with associated car parking and landscaping, Georgian Frost and Waterside Mills, Park Green, Macclesfield for Peaks and Plains Housing Trust (Pages 81 - 100)**

To consider the above application.

9. **17/5573C-Residential development of 131 dwellings, Land between Manchester Road and Giantswood Lane, Hulme Walfield for Bloor Homes (North West) Ltd (Pages 101 - 124)**

To consider the above application.

10. **17/1000C - Outline application with all matters reserved except for means of access for a development comprising up to 500 dwellings (use class C3), site for new primary school (use class D1) and local shopping facility (use class A1) together with associated open space, green infrastructure, pedestrian and cycle links for for land between Manchester Road and Giantswood Lane, Hulme Walfield (Pages 125 - 130)**

To consider the above report.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 28th February, 2018 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)

Councillors B Burkhill, S Edgar (Substitute), T Fox, S Hogben, D Hough,
J Macrae, S Pochin, B Roberts (Substitute), M Sewart, L Smetham and
L Wardlaw

OFFICERS IN ATTENDANCE

Mr P Hurdus (Highways Development Manager), Mr R Law (Principal Planning
Officer), Mr D Malcom (Head of Planning (Regulation)), Mrs P Radia (Senior
Planning Officer) Mr J Thomas (Senior Planning & Highways Solicitor) and Mr
P Wakefield (Principal Planning Officer)

85 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Hammond and J
Jackson.

86 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of application 17/5116C, Councillor
S Pochin declared that she no longer had any involvement in the business
and therefore no pecuniary interest.

Councillor B Roberts declared that he had pre determined application
17/4011N and in accordance with the Code of Conduct he would exercise
his right to speak as the neighbouring Ward Councillor under the public
speaking procedure and then remain in the public gallery during the
debate on the application.

In the interest of openness in respect of application 17/5637M, Councillor
S Hogben declared he was a Director of ANSA who were had been a
consultee, however he had not made any comments or discussed the
application.

In the interest of openness in respect of application 17/5367, Councillor T
Fox declared that she was the Ward Councillor.

In the interest of openness in respect of application 17/5116C, Councillor
G Merry declared that she received an email from Councillor S McGrory M

Parsons and B Walmsley which she had not read but would be read out by the Planning Officer later on in the meeting.

In the interest of openness Councillor D Hough declared that he was a Director of TSS who organised bus routes, however he had not discussed bus routes with anyone.

87 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 31 January 2018 be approved as a correct record and signed by the Chairman.

88 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

89 17/4011N-HYBRID PLANNING APPLICATION FOR-OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED EXCEPT FOR MEANS OF ACCESS AND LAYOUT FOR PRODUCTION AND MANUFACTURING FACILITY 2) FOR THE ERECTION OF 2 NO. PRODUCTION AND MANUFACTURING FACILITIES; TWO COVERED LINKS CONNECTING ONE OF THE PRODUCTION AND MANUFACTURING FACILITIES WITH BENTLEY'S EXISTING MANUFACTURING FACILITY; AN ENGINE TEST BED FACILITY TOGETHER WITH ASSOCIATED CAR PARKING, LANDSCAPING AND ASSOCIATED INFRASTRUCTURE. FULL PLANNING APPLICATION FOR THE ERECTION OF A GATEHOUSE, SECURITY FENCING, PEDESTRIAN TURNSTILE AND ASSOCIATED TURNING FACILITIES TO THE WEST OF THE EXISTING BENTLEY MOTORS SITE ON PYMS LANE; THE ERECTION OF A GATEHOUSE, SECURITY FENCE, PEDESTRIAN TURNSTILE, BIN STORE, RECONFIGURATION OF VISITOR PARKING AND ASSOCIATED TURNING FACILITIES TO THE EAST OF THE EXISTING BENTLEY MOTORS SITE ON PYMS LANE; THE ERECTION OF A GATEHOUSE, SECURITY FENCE, CYCLE STORE, PEDESTRIAN TURNSTILE AND ASSOCIATED TURNING FACILITIES

Consideration was given to the above application.

(Councillor B Roberts , the Ward Councillor and Jon Suckley, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- Financial contribution of £10,000 for Travel Plan Monitoring.

And subject to the following conditions:-

1. Standard 3 year time limit (Full Planning Details – Road Closure, gatehouses and associated works)
2. Standard outline time limit (Outline Details – Manufacturing and Production Buildings and Car Parks)
3. Submission of reserved matters (for Manufacturing and Production Buildings and Car Parks)
4. Accordance with approved plans
5. Materials to be submitted and approved
6. Development to be carried out in accordance with submitted noise impact assessment
7. Reserved matters to include a noise mitigation scheme
8. Reserved matters shall not exceed the floorspaces specified in this application
9. Further details of any fixed plant / noise generative equipment to be submitted and approved
10. Submission, approval and implantation of an Environmental Management Plan
11. Additional Phase II Land contamination investigations and assessments to be submitted and approved
12. Development to be carried out in accordance with submitted ecological surveys
13. Survey for nesting birds if works carried out during nesting season
14. Scheme to incorporate features suitable for breeding birds
15. Development to be carried out in accordance with submitted Flood Risk Assessment
16. Submission of a sustainable drainage management and maintenance plan / scheme
17. Details of foul water drainage to be submitted
18. Surface water drainage strategy to be submitted
19. Landscape scheme to be submitted with reserved matters and shall include retention of woodland planting in Target 11 as far is practicable or scheme for its replacement where there are losses
20. Tree and hedgerow protection scheme to be submitted with reserved matters
21. Piling method statement
22. Details of external lighting to be submitted and approved
23. Details of cycle parking to be submitted and approved
24. Travel Plan to be submitted and approved and shall include provision of an updated target on reducing single occupancy car trips over the forthcoming 5 year period and the provision of cycle and bus travel vouchers for staff (up to the value of £150)

25. No development to commence until details of a scheme to facilitate the flow of traffic along Minshull New Road north of its junction with Badger Avenue and the improvement at the West Street/Sunnybank Road junction are submitted to and approved and implemented prior to the closure of Pym's Lane and Sunnybank Road to through vehicular traffic and be retained for the life of the development.
26. Submission of a construction management plan to include:
 - A construction phasing plan.
 - A routing plan for construction traffic.
 - Compound and parking arrangements for site operatives.
 - Wheel wash facilities
27. Scheme of dust control to be submitted
28. Provision of electric vehicle charging infrastructure

Informatives to include:

1. Informative to include s278 agreement to facilitate the design and implementation of highway schemes along Minshull New Road and the junction of West Street/Sunnybank Road.
2. An application under S247 of the Town & Country Planning Act 1990 to permit the stopping up of Pym's Lane and Sunnybank Road will need to be secured by the applicant.

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

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) 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.

(During consideration of the application, Councillor L Wardlaw arrived to the meeting. In accordance with the Code of Conduct she did not take part in the debate or vote on the application).

- 90 **17/5116C-ERECTION OF 2 NO. EMPLOYMENT BUILDINGS (USE CLASSES B2 AND B8) INCLUDING A SECURITY GATEHOUSE, VEHICLE ACCESS OFF POCHIN WAY AND ERF WAY AND ASSOCIATED CAR PARKING, TRAILER PARKING AND LANDSCAPING. PLOT 1A, MA6NITUDE 160, MIDPOINT 18, POCHIN WAY, MIDDLEWICH. FOR DBS POCHIN LLP**

Consideration was given to the above application.

(Jon Suckley, the agent for the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out by the Officer on behalf of Councillors S McGrory, M Parsons and B Walmsley, the Ward Councillors).

RESOLVED

That for the reasons set out in the report and in the written update to the Board, the application be approved subject to the completion of a Section 106 Agreement for a contribution of £11,010.67 for loss of biodiversity and the following conditions:

1. Standard time limit (3 years)
2. Accordance with plans
3. Accordance with submitted materials
4. Parking provided prior to first use
5. Accesses constructed in accordance with submitted details prior to first use
6. A scheme for improvements to Footpath F19 to be submitted for approval and implemented
7. Prior to commencement a detailed GCN Mitigation Strategy to be submitted for approval and implemented
8. Survey for nesting birds
9. A further otter and kingfisher survey to be undertaken and submitted to the LPA prior to any works being undertaken within 20m of the brook.
10. Submission of an updated Badger survey including the planting of fruit trees prior to commencement of development
11. Submission of a lighting scheme in relation to impact on bats
12. Details of enhancements and a 10 year management plan of habitats on site, including the area of the site edged blue
13. Submission of a Framework Travel Plan
14. Provision of electric vehicle infrastructure
15. Provision of low emission boilers
16. Submission of a scheme to minimise dust emissions
17. If during the course of development, contamination not previously identified is found to be present, no further works shall be undertaken in the affected area and the contamination shall be reported to the Local Planning Authority as soon as reasonably practicable (but within a maximum of 5 days from the find). Prior to further works being carried out in the identified area, a further assessment shall be made and appropriate remediation implemented in accordance with a scheme also agreed in writing by the Local Planning Authority. Prior to first occupation/use of the development, confirmation should be provided to the LPA that no such contamination was found, and if so what remedial measures were agreed and implemented.

18. Submission of a Brine Assessment to inform the details of the foundations
19. Compliance with the flood risk assessment
20. Submission of a revised landscaping plan with details of woodland planting in the south west corner of the site
21. Implementation of landscaping scheme
22. Piling and method statement
23. Floor floating method statement

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chairman (or in her absence the Vice Chairman) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) 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.

(The meeting adjourned from 12.30pm until 1.00pm for lunch).

91 **17/5637M-THE ERECTION OF 161 DWELLINGS, ASSOCIATED ACCESS, DRAINAGE, AND THE PROVISION OF PUBLIC OPEN SPACE AND LANDSCAPING, LAND AT HEATHFIELD FARM, DEAN ROW ROAD, WILMSLOW FOR TAYLOR WIMPEY UK LIMITED**

Consideration was given to the above application.

(Town Councillor C Dodson, representing Wilmslow Town Council and Caroline Musker, the agent for the applicant attended the meeting and spoke on respect of the application).

RESOLVED

That for the reasons set out in the report and in the verbal update to the Board the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- Education contributions of £466,882
- Indoor sports contribution of £22,500
- Recreation and outdoor sports contribution of £1,000 per market family dwelling and £500 per two bed space market apartment
- Healthcare contribution of £167,652
- 30% affordable housing

And subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Details of materials to be submitted
4. Construction specification/method statement (trees)
5. Obscure glazing requirement
6. Development to be carried out in accordance with Arboricultural Impact Assessment
7. Written scheme of archaeological investigation to be submitted
8. Nesting bird survey to be submitted
9. Incorporation of features into the scheme suitable for use by breeding birds and roosting bats - details to be submitted
10. Proposals for the provision of brash/wood piles or hedgehog domes and the incorporation of gaps for hedgehogs in garden or boundary fencing to be submitted
11. Badger survey to be submitted
12. Details of Electric Vehicle Infrastructure to be submitted
13. Scheme to minimise dust emissions to be submitted
14. Phase II ground investigation and risk assessment to be submitted
15. Verification Report to be submitted
16. Imported soil to be tested for contamination
17. Unforeseen contamination
18. Revised travel plan to be submitted
19. Construction management plan to be submitted
20. Development to be carried out in accordance with FRA
21. Detailed design and associated management and maintenance plan of surface water drainage to be submitted. Investigation of the culvert to also be included.
22. Public Right of way details to be submitted
23. Links through to Dean Row Road and Browns Lane to be for pedestrians and cyclists
24. Foul and surface water shall be drained on separate systems.
25. Management details for all areas of public open space to be submitted
26. Broadband
27. Revised scheme for acoustic mitigation to be submitted and agreed
28. A Conservation and Environment Management Plan to be submitted and agreed
29. Submission of a Landscaping Scheme
30. Implementation of a Landscaping Scheme
31. Boundary treatment to include details around play area and apartment block.

(During consideration of the application, Councillor M Sewart left the meeting and did not return.

In accordance with Section 100B (4)(b) of the Local Government Act 1972 the Chairman of the Board agreed to allow consideration of the following item as a matter of urgency due to the impending appeal timescales and the need for a speedy resolution of the s106 agreement decision which is needed by Friday 2 March).

92 URGENT ITEM OF BUSINESS-UPDATE FOLLOWING THE RESOLUTION OF MINDED TO REFUSE APPLICATION 12/3747N - RESIDENTIAL DEVELOPMENT UP TO A MAXIMUM OF 189 DWELLINGS; LOCAL CENTRE (CLASS A1 TO A5 INCLUSIVE AND D1) WITH MAXIMUM FLOOR AREA OF 1800SQM GROSS INTERNAL AREA (GIA); EMPLOYMENT DEVELOPMENT (B1B, B1C, B2 AND B8) WITH A MAXIMUM FLOOR AREA OF 3,700SQM GIA; PRIMARY SCHOOL; PUBLIC OPEN SPACE INCLUDING NEW VILLAGE GREEN, CHILDREN'S PLAY AREA AND ALLOTMENTS; GREEN INFRASTRUCTURE INCLUDING ECOLOGICAL AREA; NEW VEHICLE AND PEDESTRIAN SITE ACCESS POINTS AND ASSOCIATED WORKS, LAND BETWEEN AUDLEM ROAD/BROAD LANE & PETER DESTAPLEIGH WAY, STAPELEY AND 12/3746N - NEW HIGHWAY ACCESS ROAD, INCLUDING FOOTWAYS AND CYCLEWAY AND ASSOCIATED WORKS, LAND OFF PETER DESTAPLEIGH WAY, NANTWICH

Consideration was given to the above report.

RESOLVED

That the Heads of Terms (as indicated in paragraph 4.2 of the report) of the S106 legal agreement for: Outline planning permission for Residential development up to a maximum of 189 dwellings; local centre (Class A1 to A5 inclusive and D1) with maximum floor area of 1800sqm Gross Internal Area (GIA); employment development (B1b, B1c, B2 and B8) with a maximum floor area of 3,700sqm GIA; primary school; public open space including new village green, children's play area and allotments; green infrastructure including ecological area; new vehicle and pedestrian site access points and associated works and: New highway access road, including footways and cycleway and associated works, Land off Peter Destapleigh Way, Nantwich be noted and approved.

The meeting commenced at 10.30 am and concluded at 2.40 pm

Councillor G Merry (Chairman)

Application No: 17/4034M

Location: LAND SOUTH OF, CHELFORD ROAD, MACCLESFIELD

Proposal: Outline Planning Permission (with all matters reserved except for access) for the erection of up to 232 dwellings.

Applicant: Redrow Homes and Jones Homes North West

Expiry Date: 14-Mar-2018

SUMMARY

The site is allocated within the Local Plan for residential use and consists of the entire LPS16 allocation. The development accords with the Local Plan policy relating to its allocation by providing housing.

The applicant is providing financial contributions required in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future. It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

As the application is in outline certain matters are left unresolved at this stage and will be fully addressed as part of any future reserved matters application.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It has been demonstrated the development will not have a detrimental impact on the local highway network on the basis contributions are made for the junction improvements at Broken Cross. The trees on and around the site and local ecology are not harmed although some matters must be dealt with by way of conditions at this stage.

It is considered that the proposal represents sustainable development and accords with the development plan policies outlined in the report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

SUMMARY RECOMMENDATION: Approve subject to Section 106 Agreement and conditions.

PROPOSAL

The application is for outline planning permission for the erection of up to 232 dwellings with associated works. Access is to be approved as part of this application whilst all other matters are reserved for future approval.

The access will be from a new roundabout between 64 and 66 Chelford Road.

SITE DESCRIPTION

The application site consists of 5 fields last in agricultural use and a field at the northern end of the site that is mainly covered in vegetation. The section of land adjoining Chelford gently increases in ground level. The fields within the site are separated by hedgerows and a number of mature trees are located within the site and along its boundaries. The site adjoins residential properties in places along its northern boundary and at the north eastern corner of the site. Pexhill Road forms the eastern boundary of the site and open land is located to the south and west.

RELEVANT HISTORY

None relevant in the consideration of this application.

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Cheshire East Local Plan Strategy

The following are considered relevant material considerations as indications of the emerging strategy:

- 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
- SE1 Design
- SE2 Efficient use of land
- SE 3 Biodiversity and Geodiversity
- SE 4 The Landscape
- SE 5 Trees, Hedgerows and Woodland
- SE 6 Green Infrastructure
- SE 13 Flood Risk and Water Management
- CO 1 Sustainable Travel and Transport
- CO 4 Travel Plans and Transport Assessments
- SC 1 Leisure and Recreation

SC 2 Outdoor Sports Facilities
SC 3 Health and Well Being
SC 4 Residential Mix
SC 5 Affordable Homes
IN 1 Infrastructure
IN 2 Developer Contributions

Directly relevant to this site is the following allocation;

Site LPS 16 Land south of Chelford Road, Macclesfield

The application site is contained entirely within the confines of the allocation but does not cover the allocation in its entirety.

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. Macclesfield Local Plan policies are set out below.

NE3 – Protection of Local Landscapes
NE11 – Protection and enhancement of nature conservation interests
NE17 – Nature Conservation in Major Developments
RT5 – Open Space Standards
DC3 – Amenity
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC15 – Provision of Facilities
DC17 – Water Resources
DC35 – Materials and Finishes
DC36 – Road Layouts and Circulation
DC37 – Landscaping
DC38 – Space Light and Privacy
DC40 – Children’s Play Provision and Amenity Space
DC41 – Infill Housing Development

Other Material Considerations:

National Planning Practice Guidance (NPPG)

CONSULTATIONS

Environmental Health – No objection. Conditions have been requested relating to noise, air quality electric vehicle charging points and contamination. These will be included on the decision notice.

Highways – No objection. The comments made by the highway engineer and all highway matters are addressed in full later in this report.

Housing Strategy – No objection. The development triggers an affordable housing requirement

Flood Risk – No objection. A condition relating to a scheme for surface water drainage to be submitted.

Education – No objection. This is based upon the applicant committing to pay a financial contribution for the provision of additional school places generated by the development. This is addressed in detail later in this report.

ANSA (Open Space) – No objection. This is subject to a financial contribution being agreed in respect of recreation open space, indoor recreation provision and the detailed layout going forward providing a LEAP and the required amount of open space within the site based on the number of units proposed. This matter is addressed later in this report.

Countryside Rights of Way – No objection. A condition has been requested relating to a signage scheme within the site directing users to local cycle and footpath routes.

Manchester Airport – No objection

VIEWS OF THE PARISH / TOWN COUNCIL

Macclesfield Town Council

Macclesfield Town Council does not support the development of green belt or green field sites on the periphery of the town, such as this site.

However, as the site has been identified for development within the Cheshire East Local Plan, should the application be approved the following measures must be enforced within any associated planning consent:

Air Quality – this proposal must be considered in parallel to 17/4277M, on land facing, on the opposite side of Chelford Road. The proposals total 367 dwellings, impacting on road traffic and associated air pollution. Provision must be made to ensure all measures are in place to reduce air pollution / improve air quality. Significant on site provision for electric vehicle charge points must be mandated. Safe cycling and walking routes for ingress and egress must be prioritised to make sustainable transport a wholly accessible and safe option.

Impact on traffic – the current highways are heavily congested at peak times. Additional motor traffic generated by up to 367 new homes will exacerbate this situation. A full traffic survey, the data for which is fully open to scrutiny, must be carried out over a statistically relevant period prior to any consent being granted such that it can properly inform sustainable integrated transport consideration for the site.

Community infrastructure – any proposed development of scale must make suitable contribution to the provision of community infrastructure and enhancement as a condition of development. This contribution to be informed by community consultation.

Development impact – residents directly affected by the proposed development must be consulted on mitigation relating to disturbances caused by development, to include, but not

exclusively, clear access and uninterrupted easement to property, noise control, dust and particle control, no on street parking for site related vehicles (to include works, delivery, professional and customer vehicles).

Cycle access – To meet with the Cheshire East sustainable transport strategy and the Cheshire East Cycle Strategy, any proposed developments must make significant provision for site navigation, access and egress on bikes.

Henbury Parish Council Lengthy objections have also been received from and the points of objection are summarised as follows;

- The application should be considered alongside the applications to the north of Chelford Road.
- The traffic impact of the development has been carried out incorrectly and does not take into account other developments.
- The Parish Council has had their own transport assessment carried out that comes forward with a different conclusion and has identified issues with the submitted information.
- The introduction of a new roundabout on Chelford Road to access the site will affect traffic flow.
- The proposed changes to Broken Cross junction have not yet been properly modelled either from a highway or air quality perspective.
- Lack of school places and medical facilities in the area.
- The development will lead to a worsening of the existing air quality problems along Chelford Road towards Broken Cross and no mitigation has been put forward to overcome this.
- Impact of the development on the Local Wildlife Site.

As part of the representations reports in respect of traffic impacts and air quality were commissioned by the Parish Council and submitted to support their comments. The contents of these submissions were taken into account when additional information was submitted to support the application. The points raised are addressed in the highway and air quality sections later in the report.

OTHER REPRESENTATIONS

Representations were received from 82 properties over two periods of consultation. The point of objection are summarised as follows;

- Increase in traffic / Impact on local highway impact
- Replacing the roundabout at Broken Cross with traffic lights will make the traffic worse.
- Disturbance from the construction process
- Loss of Green Belt
- Impact on local ecology, including the local wildlife site and protected species.
- Lack of school places locally
- Impact on local infrastructure
- Impact on air quality which is already an issue in the area
- Lack of local health facilities

- Scale of development proposed
- Plenty brownfield sites are available for development
- Pumping station is inappropriately located
- Site is prone to flooding
- The affordable housing provided will not be genuinely affordable.
- Impact on amenity / overlooking
- The proposal is for more dwellings than the allocation
- Loss of agricultural land

APPRAISAL

Key Issues

- Principle of development
- Sustainability
- Affordable Housing and Housing Mix
- Education
- Open Space and Recreation
- Health Provision
- Residential Amenity
- Impact on Local Highway Network / Access
- Design and Layout
- Ecology
- Trees
- Air Quality
- Flood Risk
- Economic Sustainability
- Section 106 agreement
- CIL
- Representations
- Conclusions
- Recommendation

PRINCIPLE OF DEVELOPMENT

On 27th July the Council adopted the Cheshire East Local Plan Strategy. Accordingly the new Local Plan now forms part of the statutory development plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”* This is the test that legislation prescribes should be employed on planning decision making.

The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means *“approving development proposals that accord with the development plan without delay”*

As a consequence where development accords with the adopted Local Plan Strategy the starting point should normally be that it should be approved – and approved promptly.

The Inspector's Report on the Local Plan was published on 20 June 2017 and signalled the Inspector's agreement to the plans and policies of the Local Plan Strategy. The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

"I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years"

The Inspector's conclusion that the Council had a 5 year supply of deliverable housing land was based on the housing land supply position as at 31 March 2016.

Following the adoption of the Local Plan Strategy, the Council released its annual Housing Monitoring Update, in August 2017. It sets out the housing land supply as at 31 March 2017 and identified a deliverable housing land supply of 5.45 years.

On 8 November 2017, an appeal against the decision of the Council to refuse outline planning permission for up to 400 homes at White Moss Quarry, Alsager (WMQ) was dismissed due to the scheme's conflict with the Local Plan settlement hierarchy and its spatial distribution of development.

However, in his decision letter, the WMQ Inspector did not come to a clear conclusion whether Cheshire East had a five year supply of deliverable housing land. His view was that it was either slightly above or slightly below the required 5 years (4.96 to 5.07 years). In this context, the Inspector engaged the 'tilted balance' set out in the 4th Bullet point of paragraph 14 of the National Planning Policy Framework (NPPF). This introduces a presumption that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

On 4 January 2018, an appeal against the non-determination of an outline planning permission for up to 100 homes at Park Road, Willaston was dismissed due to conflict with Local Plan policies that sought to protect designated Green Gap, open countryside and rural character. The Inspector also took the view that the housing land supply was either marginally above or below the required 5 years (4.93 to 5.01 years). On this basis, he adopted a 'precautionary approach' and assumed a worst case position in similarly engaging the 'tilted balance' under paragraph 14 of the Framework.

The Council is continuing to update its evidence regarding housing land supply to ensure that decisions are taken in the light of the most robust evidence available and taking account of recent case law.

For the purpose of determining current planning applications it is therefore the Council's position that there is a five year supply of deliverable housing land.

The application site consists of part of the LPS 16 allocation (land south of Chelford Road) that was a site released from the Green Belt in order to assist the Council in achieving a five year supply of housing. Therefore the principle of residential development is acceptable in this

location and subject to all other matters being satisfied the application should be determined without delay.

The allocation is expected to deliver the following;

- 1. The delivery of around 200 new dwellings;*
- 2. Provision of new road junction to Chelford Road, and construction of an access road to the southern perimeter of the site;*
- 3. Incorporation of green infrastructure and public open space;*
- 4. Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities;*
- 5. On site provision, or where appropriate, relevant contributions towards highways and transport, education, health, open space and community facilities; and*
- 6. A master plan should be submitted so the site may be planned in a co-ordinated and comprehensive manner. Development must be in accordance with an agreed masterplan which must detail how a recognisable Green Belt boundary would be reinforced that will endure in the long term.*

SUSTAINABILITY

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

SOCIAL SUSTAINABILITY

AFFORDABLE HOUSING

The Cheshire East Local Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) states 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. 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.

This is a proposed development of 232 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 70 dwellings to be provided as affordable dwellings. Based on 232 units 46 of the proposed units should be provided as Affordable rent and 24 units as Intermediate tenure. The exact location and tenure split will be finalised at Reserved Matters.

The SHMA 2013 shows the majority of the annual need in Macclesfield up to 2018 is for 103x 2 bedroom, 116x 3 bedroom dwellings for General Needs and 80x 1 bedroom for Older Persons via Flats, Bungalows, Cottage Flats or Lifetime Homes.

The current number of those on the Cheshire Homechoice waiting list with Macclesfield as their first choice is 1,349. This can be broken down to 528x 1 bedroom, 546x 2 bedroom, 237x 3 bedroom and 38x 4+ bedroom dwellings, therefore a mix of 1, 2, 3 and 4 for general needs and 1 bedroom Older Person's dwellings on this site would be acceptable.

The Cheshire East Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings.

The affordable housing is secured by way of a S106 agreement, which: -

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

Given the above the proposal complies with the requirements of Local Plan Policy SC5.

EDUCATION PROVISION

The development of 232 dwellings is expected to generate:

- 43 primary children (232 x 0.19) – 1 SEN
- 34 secondary children (232 x 0.15) – 1 SEN
- 3 SEN children (232 x 0.51 x 0.023%)

The development is expected to impact on both primary school and secondary school places in the immediate 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 primary schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that a shortfall of school places still remains.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. The Service acknowledges that this is an existing concern, however the 3 children expected from the application will exacerbate the shortfall. The 2 Special Education Need (SEN) children, who are thought to be of mainstream education age, have been removed from the calculations above to avoid double counting. The remaining 1 SEN child is expected to be 1 Early Years Foundation Status (EYFS) child. The Service does not claim for EYFS at present, therefore the child cannot be removed from the calculation above.

To alleviate forecast pressures, the following contributions would be required:

43 x £11,919 x 0.91 = £466,390 (primary)

$34 \times \pounds 17,959 \times 0.91 = \pounds 555,651$ (secondary)

$3 \times \pounds 50,000 \times 0.91 = \pounds 136,500$ (SEN)

Total education contribution: $\pounds 1,158,541.00$

The contribution has been agreed by the applicant and is subject to change when the final form of development is known and will be delivered through the s106 agreement.

PUBLIC OPEN SPACE AND RECREATION

Until the housing schedule is finalised it is not possible to accurately calculate the Public Open Space (POS) requirements. However, in line with the Policy SE6 of the CEC Local Plan, there is a public open space requirement of 65m² per family dwelling. On a development of this size this will be provided on site.

Amenity greenspace should be functional and flexible space, adaptable over time and should reflect local heritage/culture/wildlife to create distinctive, high quality spaces that compliment and strengthen the identity of the overall development and wider community as well and encouraging community cohesion. They should be large enough to accommodate informal recreation activities without disturbing residents of neighbouring properties. Therefore narrow buffers around the perimeter will not be considered amenity green space.

The provision and maintenance of the open space on the site will be controlled through the s106 agreement.

There is a requirement to provide Recreation and Outdoor Sport (ROS) in line with Policy SC2 of the Local Plan and the playing Pitch Strategy. In this instance the developer has opted to make a contribution rather than on-site provision. This contribution will equate to $\pounds 1,000$ per dwelling (excluding the affordable properties) with the final contribution determined upon the final number of properties on site.

Policies SC1 and SC2 of the Local Plan Strategy provide a clear development plan policy basis to require developments to provide or contribute towards both outdoor and indoor recreation

The Indoor Built Facility Strategy has identified that any existing shortfalls for Macclesfield should look to focus on improvement of provision at Macclesfield Leisure Centre. Whilst new developments should not be required to address an existing shortfall of provision, they should ensure that this situation is not worsened by ensuring that it fully addresses its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand is not sufficient to require substantial indoor facility investment through capital build there is currently a need to improve the quality and number of health and fitness stations at Macclesfield Leisure Centre to accommodate localised demand for indoor physical activity.

The requirement is calculated as follows;

- 232 houses at 1.61 people per residence = a population increase of 374

- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 160 additional “active population” due to the new development in Macclesfield
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional six stations. Requirement for - 3 running machines (£6,500 per treadmill) and 3 resistance / weight pieces (£3,000 per piece). Total £28,500

The applicant has accepted the need for this contribution although the level of contribution may change based on the number of houses eventually approved on site. The contribution will be delivered through the s106 agreement but the overall level of contribution may change depending on the number of dwellings that come forward as part of the reserved matters application.

ACCESS TO HEALTH FACILITIES

There are six NHS GP practices within Macclesfield, all located within one building at the Waters Green Medical Centre. Based on the current local population, the Waters Green Medical Centre has sufficient capacity to manage currently registered patients. However, with the known planned housing developments, the local population is predicted to increase by approximately 19% over the next 10 years. In order to be able to continue to provide the current high level of primary care services to the local population the six GP practices will be required to review their current model of working. Even with modifications to the existing Waters Green Medical Centre, it is anticipated that the GP practices and NHS Community Services will need to expand out into an additional building.

It is suggested that the Section 106 funding for the planning application under consideration is based on a calculation consisting of occupancy x number of units in the development x £360. This is based on guidance provided to other CCG areas by NHS Property Services.

Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1008 per 3 bed unit
4 bed unit	3.5 persons	£1260 per 4 bed unit
5 bed unit	4.8 persons	£1728 per 5 bed unit

Allocated Section 106 funding would be used to contribute towards modification to Waters Green Medical Centre or towards expanding services to an additional building. It is envisaged that multiple Section 106 funding allocations obtained from the various local housing developments planned in the Macclesfield area will be pooled to maximize the potential scope of the development of the above proposals. .

The applicant has agreed to a financial contribution in respect of this issue and this will be based on the number and size of dwellings that come forward as part of the reserved matters application.

RESIDENTIAL AMENITY

In order for the proposals to be acceptable, it is important that they do not have a detrimental impact on the amenities of existing residents. Local Plan policies DC3, DC38 and H13 seek to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property.

Many of the issues relating to overlooking, impact on privacy, and overshadowing will be addressed as part of any reserved matters application. Highway matters are addressed separately in this report.

Environmental Health has commented on the application and has raised no objections with regard to contaminated land, noise and vibration subject to conditions. It is inevitable that some disturbance will occur as part of the construction process. However this will be for a temporary period only and separate legislation is in place to ensure this does not occur.

Social Sustainability Conclusion

The proposals for the residential development will make an affordable housing contribution through the provision of 70 units of the correct tenure. The scheme does make a valuable contribution towards affordable housing which will be secured through a Section 106 agreement.

The proposed development will make a full education contribution, health contribution and will make a contribution towards open space, indoor recreation and outdoor sport. The affordable housing provision will meet the requirements

Overall the provision of a reasonable mix of housing for the community as part of a large strategic allocation along with on site affordable housing and education and open space and outdoor recreation contributions which can be provided by the development are considered to be socially sustainable.

ENVIRONMENTAL SUSTAINABILITY

IMPACT ON HIGHWAY NETWORK/ACCESS

The site is a Local Plan site and the infrastructure requirements were considered in the Local Plan where the expectations for accessing the site were set out. It was envisaged that this site would provide a joint access with other Local Plan sites to allow a potential future connection between Chelford Road and Congleton Road.

The access to the site is provided by a new roundabout on the A537 Chelford Road, the roundabout has an ICD of 34m and has splitter islands that incorporates pedestrian crossing

points. The roundabout design also includes an access stub on the northern side of the roundabout to serve possible future development. A capacity assessment of the proposed new roundabout has been undertaken in 2022 with the development traffic added and it also includes likely future development on the safeguarded land indicated in the Local Plan. The results indicate that the roundabout operate well within its capacity.

The scope of the traffic impact of the development has been agreed with CEC and the main junctions to be assessed were the Chelford Road site access and the A537 Chelford Road/A537 Broken Cross/Fallibroome Road roundabout at Broken Cross. There is no vehicular access to the site proposed from Pexhill Road.

The level of traffic generation predicted has been submitted by the applicant and in the peak hours the sites is forecast to generate around 146 trips in PM peak being the worse case, this information has been taken from Trics. The predicted trips have then been distributed on the road network with a 35%- 65% split, with most traffic travelling east from the site access.

Although the original TA submitted included a capacity test of the Broken Cross roundabout the modelling results did not in CEC's view replicate the existing queue lengths and as such the 2022 predictions would be not representative. The extent of the existing queue lengths at the Broken Cross roundabout has been assessed by a consultant acting on behalf of Henbury Parish Council and does also indicate that existing queue lengths at the Broken Cross roundabout is more extensive than assessed in the Transport Assessment.

Following discussions with the applicant regarding the operation of Broken Cross roundabout, a technical note has been submitted that reviews the roundabout junction in the light of the comments made by CEC. The Local Plan states that LPS 16 is expected to contribute towards off-site infrastructure and as the development will have a direct impact upon the Broken Cross junction, this is where the mitigation measures need to be focused.

An improvement scheme has been submitted that removes the existing roundabout and replaces it with a traffic signal control junction. The junction would have two lanes on both the A537 approach to the junction and would operate under MOVA control. As the junction would be signalised, pedestrian crossing facilities can replicate the pedestrian facilities that would be removed. The capacity of the junction has been tested, the peak hour traffic flows include committed development, growth and also the development north of Chelford Road.

The results show that the junction would be operating slightly over capacity in the morning but within capacity in the evening. These results need to be compared with the current junction arrangement, the queue lengths are considerably shorter than the Do Minimum (existing) scenario without this development added. As developments are required only to mitigate the effects of their own impact, the proposed improvement does more than provide capacity benefits to the junction and does also allow capacity for other development traffic.

It is proposed that the improvement scheme would be fully funded jointly by this development and those on the allocated site on the north of Chelford Road and it is proposed to remove the roundabout and introduce a signal controlled scheme at the junction that replicates existing pedestrian facilities.

The Local Plan policy indicates that this site would be expected to contribute to off-site infrastructure and in the case the contribution would be to the improvement scheme at Broken Cross. The level of contribution has been based upon the number of units proposed in the planning application and this equates to £221,000.

Therefore, the proposals are considered acceptable subject to a S106 Agreement to provide a financial contribution to off-site mitigation works.

DESIGN AND LAYOUT

The importance of securing high quality design is specified within the Framework. Paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

This approach is fully consistent with CELPS Policy SE1 and the recently adopted Cheshire East Design Guide.

The application is in outline and details of layout, scale and appearance will be dealt with as part of any reserved matters application.

The illustrative site plan shows a layout that is unacceptable in Urban Design terms and contrary to adopted Design Guide. It shows no incorporation of green infrastructure and proposes the use of standard house types. As the site is located along a main route into Macclesfield a design of the highest quality will be expected on this site.

As a result a condition will be included on the decision notice that requires the submission and agreement of a design code. This will be required to be submitted in advance of any reserved matters application to meet the requirements of the Design Guide. A condition is also required in relation to materials.

Given the stage the proposals are at the proposals are acceptable subject to the above conditions.

ECOLOGY

The application is accompanied by a comprehensive ecological assessment with subsequent addendums that address the following issues;

Cock Wood Local Wildlife site

Part of this local wildlife site, which includes a proportion of ancient woodland habitat, falls within the red line boundary of this application. The local plan policy for this specific site requires a 30m buffer to be provided around the ancient woodland within and adjacent to the

site and woodlands and other habitats of Local Wildlife Site quality must be retained and buffered.

The updated ecological assessment includes a revised illustrative layout which excludes all development from the boundary of the local wildlife site and includes a 3m undeveloped buffer to the boundary of the Local Wildlife Site.

There are two small areas of marshy grassland on site. Only relatively limited information is provided on the species composition of these habitats, but they could potentially be of nature conservation value. These habitats are located close to the boundary of the Local Wildlife site therefore the Local Wildlife Site buffers be extended to ensure that these features are retained.

Otter and water vole

Whilst only a single survey visit has been undertaken in respect of these species, however they are unlikely to be present or affected by the proposed development.

Badgers

Three minor badger setts were recorded on site during the submitted surveys. Depending on the final design produced at the reserved matters application it may potentially be possible to retain one sett on site, but the other two are likely to require closure under the terms of a Natural England licence to avoid any disturbance of badgers during the works.

The precise impacts of the proposed development on badgers will depend on the level of badger activity on site and the precise layout formulated at the time of any future reserved matters application. It is therefore recommended a condition shall be attached which requires any future reserved matters application be supported by an updated badger survey and mitigation strategy.

Breeding Birds

A number of breeding bird species were recorded on site, including a number of species which are considered a priority for nature conservation. The priority species are represented by only low numbers of breeding pairs, however to minimise the impacts of these species the proposed development must seek to maximise the retention of scrub and hedgerows habitats and the illustrative layout plant should include proposals for replacement planting to compensate for any avoidable losses.

Again, the buffer zone required along the boundary of the Local Wildlife Site would also serve assist in reducing the potential impacts of the development upon breeding birds.

Barn Owl

There are records of this protected species within 1km of the application site. Two trees on site have been identified as offering potential habitat for roosting barn owls. No evidence of barn owl presence was recorded during the submitted surveys, the two identified trees were however only viewed from the ground and during the bat activity surveys.

As barn owls are known to occur within the broad locality of this application site and the proposed development would have the potential to result in the disturbance of barn owls even if the trees were retained that these two trees be subject to a closer inspection in the form of

an aerial/climbing inspection and a further report submitted as part of any subsequent reserved matters application.

Bats

Most bat activity recorded during the initial two survey visits is associated with 'stop 5', 'stop 12' and 'walk 12'. Any detailed design submitted at the reserved matters stage should seek to maximise the retention of habitats in these parts of the site.

A number of trees on site have been identified as having potential to support roosting bats. One of these trees (37T) will be lost as a result of the proposed development and another tree (36T) may require pruning. These trees have been subject to a detailed inspection and are unlikely to support roosting bats. Roosting bats are unlikely to be affected by the proposed development.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. In addition Hedgerows 1-11 & 13-15 are 'Important' under the Hedgerow Regulations, predominantly due to the presence of native bluebell.

The submitted illustrative layout plan retains the majority of hedgerows on site, but there would still be some losses from a number of hedgerows to facilitate the site access roads. This includes losses from a number of hedgerows identified as being Important. In the event that planning permission is granted it must be ensured that any unavoidable losses of hedgerow are compensated for by means of replacement hedgerows as part of any future reserved matters application. This matter may be dealt with by means of a planning condition in the event that planning permission is granted.

Bluebell

This species, which is a priority species and hence a material consideration, is likely to be adversely affected by the removal of hedgerows as part of the proposed development. In the event that planning permission is granted I recommend that a condition be attached which requires the submission of a bluebell translocation method statement in support of any future reserved matters application.

Hedgehog

Hedgehogs are a biodiversity action plan priority species and hence a material consideration. There are records of hedgehogs in the broad locality of the proposed development and so the species may occur on the site of the proposed development. Features for hedgehogs should be provided with any future reserved matters application. This can be dealt with by means of the ecological enhancement condition described below.

Veteran Tree

A veteran tree (alder 54T) has been identified on site. Based on the submitted arb and layout plans it appears feasible for this tree to be retained as part of the development proposals.

A condition will be attached to the decision notice which requires the retention of this tree as part of any layout proposed as part of a reserved matters application.

Great Crested Newts and Common Toad

No evidence of great crested newts was recorded during the submitted detailed surveys. Additional initial appraisals have been undertaken of the two ponds not covered by the original assessment. These initial assessment were undertaken at a poor time of year however, on balance this species is not reasonable likely to be present or affected by the proposed development.

Ecological Enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development. A condition should be attached which requires the submission of an ecological enhancement strategy in support of any future reserved matters application. The strategy should include proposals for the provision of features for nesting birds and roosting bats, gaps for hedgehogs in garden and boundary fencing, brash piles, a wildlife pond and native hedgerow and shrub planting.

Conditions

If outline planning permission is granted the following conditions are required:

- Submission of proposals for the safeguarding and buffering of the adjacent Local Wildlife Site and adjacent marshy grassland habitats.
- Reserved matters application to be supported by updated bat, badger and bat surveys.
- Retention of veteran tree.
- Submission of ecological enhancement strategy.
- Submission of bluebell translocation method statement with reserved matters application.

IMPACT ON TREES/HEDGEROWS

Trees and woodland in and adjacent to the application site are not currently protected by a Tree Preservation Order or lie within a designated Conservation Area. Cock Wood located on adjacent land to the west of the site is designated as Ancient Semi Natural Woodland and a designated Local Wildlife Site.

The application is supported by an Tree Survey Report and an Arboricultural Impact Assessment. The Assessment has identified 60 individual trees, 13 groups and 7 hedges located within the application site. These have been identified within the retention categories defined in BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations as 11 High (A) category trees, 45 Moderate (B) category trees and 24 Low (C) category specimens.

One moderate (B) category tree, a mature Oak (37T) which the report states is showing some physiological decline will require removal to accommodate the access to the site from Chelford Road. Other proposed tree removals are confined to a low (C) category group of Goat Willow and Hawthorn (26G) to accommodate the new access road and the partial removal of two further low (C) category groups of self seeded Oak/Cherry (25G) and Holly (42G) to accommodate the access road footpath.

The Assessment has identified a potential Veteran tree (Alder 54T) which is located to the south of the site, if verified as a Veteran, a minimum distance of 15 metres from the tree stem

to any built development will be required to secure retention. This will be included as a condition on any approval.

The Assessment further states that the rooting environment of a High (A) category Oak (36T) will be affected due to the construction of the main access road into the site. As this is the only means of access into an allocated site there is no scope for any significant amendment to avoid these impacts. Proposed ground level changes that will be required and retaining structures probably discount any reduced or no dig solutions therefore the loss of both the Oaks (36T and 37T) will have to be accepted with suitable replacement planting in mitigation.

Whilst accepting that the layout is only indicative, with some exceptions the design in terms of the relationship/social proximity to retains trees appears reasonably favourable. The site has some challenges as there are significant changes in level across the site and needs to be carefully considered in more detail at reserved matters stage (BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations para 5.3.1 states the default position as regards construction and RPA's).

BS5837:2012 paras 5.2.2, 5.2.3, 5.2.4 and 5.3.4 make reference to above ground constraints and that consideration is given to ensure that trees can be successfully retained with a harmonious relationship to buildings. The Council's Design Guide also pays particular attention to the quality of living accommodation and the need to retain existing trees of landscape value and enhance the setting of the new development. Particular regard will be given to these matters when the final layout is submitted at Reserved Matters stage and it will be expected that these matters will be considered in full within a Arboricultural Impact Assessment/Method Statement and Tree Protection Plan

AIR QUALITY

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

Air quality impacts have been considered within the air quality assessment submitted in support of the application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads to model NO₂ and PM₁₀ impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

A number of modelled scenarios have been considered within the assessment. These were:

- 2016 verification
- 2022 – opening year do-minimum (predicted traffic flows should the proposals not proceed)
- 2022 – opening year do-something (predicted traffic flows should the proposals be completed)

The assessment concludes that the impact of the future development on the chosen receptors will be 'not significant' with regards to both NO₂ and PM₁₀ concentrations, with one

of the receptors experiencing a slight adverse effect for NO₂, another experiencing a moderate adverse effect and the remaining 26 a negligible effect. However, several of the receptors are located within the nearby Broken Cross AQMA and it is considered that any increase in concentrations within an AQMA is considered significant as it is directly converse to our local air quality management objectives, the NPPF and the Council's Air Quality Action Plan.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. The developer has already submitted a Travel Plan submitted in support of the development which this office deems acceptable and the proposals in the Travel Plan will be refined as part of the reserved matters proposals.

Improvements to the road at the Broken Cross junction have been proposed comprising the replacement of the existing roundabout with a traffic signal junction. The capacity assessments have shown that the improvements would provide a notable reduction in queue lengths. As such, with the new road improvements in place it can be advised with confidence that the predicted NO₂ impacts as a result of the proposals at the sensitive receptors within the Broken Cross AQMA would be expected to reduce.

As well as the Travel Plan requirement conditions relating to dust management and the provision of electric vehicle charging points will also be included on the decision notice.

A consultant acting on behalf of Henbury Parish Council has submitted technical points of objection to the proposal and the submitted air quality assessment. The key aspect of this assessment is scenario 7 which covers the 'do-everything' option, i.e. both developments take place and the Broken Cross junction improvements take place. The comparison of these results shows an overall improvement in air quality with many receptors seeing a decrease in the nitrogen dioxide concentrations and no new breaches in the air quality objective

The submitted documents state some concerns over public health when walking to and from places such as shops and schools etc. These scenarios would be of concern if the short term hourly objective was being breached, which stands at 200 µg/m³. However, the annual average results do not indicate that this is the case so this is not considered to be a reason to substantiate refusal of the application.

To conclude it is therefore considered the proposal will not have a detrimental impact on the air quality of the area and considered acceptable.

FLOOD RISK

The site is classified as Very Low Risk (former EA Flood Zone 1), which is land that has a less than 0.1% chance of flooding (less than 1:1000). The Council's Flood Risk Team have considered the submitted Flood Risk Assessment and the further submitted information and have raised no objections to the proposals.

Conditions have been requested that requires the submission of a detailed strategy for surface water drainage, the development be carried out in accordance with the flood risk assessment and details of levels. These will be included on approval.

Environmental sustainability conclusions

It is considered that the proposed development is environmentally sustainable. The proposed design of the site is acceptable, there are conditions required in respect environmental matters raised above.

ECONOMIC SUSTAINABILITY

Employment

The proposed development will provide employment in the short term during the clearance and construction of the development in the area.

Economy of the wider area

The addition of 232 units within the town will undoubtedly boost the economy in the local area through the increased use of shops and services making them more sustainable, which is especially important in Macclesfield Town Centre to be sustainable into the future. Additional population can create more demand for local services, increasing the likelihood that they will be retained into the future and improvements and investment made.

Economic sustainability conclusions

The proposals will result in additional employment in the sort term through the construction of the site along with an economic boost locally through the increase in population to this area of the town. It is considered that the proposals will make efficient use of the site which is part of a wider strategic allocation.

SECTION 106

A section 106 agreement will accompany the application and is required to secure the following:

- Provision of 30% affordable units, of these dwellings 65% will be social rented and 35% intermediate housing.
- Educational contribution towards secondary and SEN provision of £1,158,541 based on 232 dwellings being built on site.
- Contribution towards ROS £1,000 per open market house.
- Contribution towards health provision, the final figure is dependent on the number and size of properties that come forward at reserved matters.
- Contribution towards indoor recreation of £28,500 based on 232 dwellings being built on site.
- Management Plan for the on-site public open space and LEAP
- Contribution of £221,000 towards improvements to the Broken Cross junction
- Contribution for monitoring of Travel Plan £5,000

CIL REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

COMMENT ON REPRESENTATIONS

The majority of the points of objection have been addressed in the main body of the report or are issues that will be considered as part of the future reserved matters application.

A number of representations objected on the grounds the site is within the Green Belt and therefore should not be developed. However, on adoption of the Local Plan the site was removed from the Green Belt and is now allocated for residential use.

CONCLUSION AND PLANNING BALANCE

The site forms the majority of allocated site LPS15. The proposed development accords with the Local Plan policy relating to its allocation by providing housing and all the other policy requirements. Shortfalls in health and education provision are mitigated through financial contributions to improve existing facilities. The applicant is providing further financial contributions in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future.

It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

The improvements to Broken Cross will be delivered in the s106 agreement and the applicant has agreed a financial contribution to ensure this takes place.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It is considered that the proposal represents sustainable development and accords with the development plan policies mentioned in the policies section of this report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

RECOMMENDATION

Approve subject to a legal agreement to secure

- Provision of 30% affordable units, of these dwellings 65% will be social rented and 35% intermediate housing.
- Educational contribution towards secondary and SEN provision of £1,158,541 based on 232 dwellings being built on site.
- Contribution towards ROS £1,000 per open market house.
- Contribution towards health provision, the final figure is dependent on the number and size of properties that come forward at reserved matters.
- Contribution towards indoor recreation of £28, 500 based on 232 dwellings being built on site.
- Management Plan for the on-site public open space and LEAP
- Contribution of £221,000 towards improvements to the Broken Cross junction
- Contribution for monitoring of Travel Plan £5,000

And the following conditions

1. Standard contaminated land condition
2. Importation of soil
3. Unexpected contamination
4. Positive and proactive
5. Time period to implement permission.
6. Approve reserved matters details
7. Plans
8. Details of surface water drainage
9. Pedestrian and cycle signage
10. Submission and implementation of Travel Plan
11. Submit arboricultural impact assessment
12. Implement access
13. Levels
14. Carry out development as per the FRA
15. Construction environment management plan
16. Ecological enhancement strategy
17. Safeguarding the ecological buffer to the LWS

18. Boundary details
19. Dust control
20. Provision of Electric Vehicle Charging Points
21. Updated badger and bat surveys
22. Implement noise recommendations
23. Implement landscaping scheme
24. Noise Impact Assessment as part of RM application.
25. Details of materials
26. Details of play area
27. Retention of hedgerows
28. Retention of veteran tree
29. Bluebell Translocation Assessment
30. Submission of archaeological assessment
31. Submission of design code before submission of reserved matters.

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

Application No: 17/5837M

Location: Land West Of, ALDERLEY ROAD, WILMSLOW

Proposal: Outline permission for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space

Applicant: Royal London Mutual Insurance Society Ltd

Expiry Date: 30-Mar-2018

SUMMARY

The site is allocated within the Local Plan for residential use as part of the site identified as LPS54. This application is only for the parcel of land located to the west of Alderley Road. The development accords with the Local Plan policy relating to its allocation by providing housing.

The applicant is providing financial contributions required in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make the development sustainable in the future. It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

As the application is in outline certain matters are left unresolved at this stage and will be fully addressed as part of any future reserved matters application.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It has been demonstrated the development will not have a detrimental impact on the local highway network, the trees on and around the site or to local ecology. Although some matters must be dealt with by way of conditions at this stage.

It is considered that the proposal represents sustainable development and accords with the development plan policies outlined in the report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

SUMMARY RECOMMENDATION

Approve subject to Section 106 Agreement

PROPOSAL

The application is for outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space.

Layout, scale, appearance and landscaping are reserved for future approval.

SITE DESCRIPTION

The application site consists of a piece of agricultural land located between Alderley Road along the eastern boundary and residential properties along the northern and western boundaries. Fulshaw Park South forms the southern boundary of the site. The site rises in ground level from Alderley Road towards the residential properties to the west. A number of trees are located within the site, some of which are protected and a hedge is located along the boundary with Alderley Road.

RELEVANT HISTORY

The site has been subject to applications in the past; however they are not relevant to the consideration of this application.

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Cheshire East Local Plan Strategy

The following are considered relevant material considerations as indications of the emerging strategy:

- 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
- SE1 Design
- SE2 Efficient use of land
- SE 3 Biodiversity and Geodiversity
- SE 4 The Landscape
- SE 5 Trees, Hedgerows and Woodland
- SE 6 Green Infrastructure
- SE 13 Flood Risk and Water Management
- CO 1 Sustainable Travel and Transport
- CO 4 Travel Plans and Transport Assessments
- SC 1 Leisure and Recreation

SC 2 Outdoor Sports Facilities
SC 3 Health and Well Being
SC 4 Residential Mix
SC 5 Affordable Homes
IN 1 Infrastructure
IN 2 Developer Contributions

Directly relevant to this site is the following allocation for the entire site:

- Site LPS 54 Royal London including land west of Alderley Road, Wilmslow.

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. Macclesfield Borough Local Plan policies are set out below.

NE3 – Protection of Local Landscapes
NE11 – Protection and enhancement of nature conservation interests
NE17 – Nature Conservation in Major Developments
RT5 – Open Space Standards
DC3 – Amenity
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC15 – Provision of Facilities
DC17 – Water Resources
DC35 – Materials and Finishes
DC36 – Road Layouts and Circulation
DC37 – Landscaping
DC38 – Space Light and Privacy
DC40 – Children’s Play Provision and Amenity Space
DC41 – Infill Housing Development

Other Material Considerations:

National Planning Practice Guidance (NPPG)

CONSULTATIONS

Environmental Health – No objection. Conditions have been requested relating to noise, air quality electric vehicle charging points and contamination. These will be included on any approval.

United Utilities – No objections. Conditions have been requested in respect of surface water drainage from the site and that the site shall be drained on separate systems.

Highways – No objection. The comments made by the highway engineer and all highway matters are addressed in full later in this report.

Environment Agency – No objection.

Housing Strategy – No objection. The development triggers an affordable housing requirement and this matter is addressed in detail later in this report.

Flood Risk - A response is awaited and will be reported in an update report.

Education – No objection. This is based upon the applicant committing to pay a financial contribution for the provision of additional school places generated by the development.

ANSA (Open Space) – No objection. This is subject to a financial contribution being agreed in respect of recreation open space, indoor recreation provision and the detailed layout going forward providing a LEAP and the required amount of open space within the site based on the number of units proposed.

Countryside Rights of Way – No objection. Conditions are requested in respect of submission of a Travel Plan and a scheme for signage for pedestrians and cyclists within the site.

VIEWS OF THE PARISH / TOWN COUNCIL

Wilmslow Town Council – *Wilmslow Town Council's Planning Committee recommend refusal of this proposal and is opposed to this development.*

OTHER REPRESENTATIONS

Representations were received from 86 properties. The main points of objection relate to the following;

- Impact of the proposal on highway safety and an increase in traffic in an already congested area.
- Too many access points along Alderley Road
- The site was meant to be protected from development.
- Loss of an open field
- The site is in the Green Belt
- The site is subject to a covenant restricting development.
- Local schools are already over-subscribed.
- Impact on protected species that use the site.
- Lack of capacity in local doctors and dental practices.
- The affordable housing is not really affordable
- No need for additional housing
- The proposal doesn't meet all the requirements of the local plan policy.
- The proposal should comply with the Wilmslow Neighbourhood Plan.
- Loss of trees and hedgerows
- Increased risk of flooding

The following points in support of the proposals were also made;

- Welcome the provision of affordable housing within the development.
- Increase in footpath and cycle routes is welcomed

- Local housing market is too constrained.

APPRAISAL

Key Issues

- Principle of development
- Sustainability
- Affordable Housing and Housing Mix
- Education
- Public Open Space and Recreation
- Access to Health Facilities
- Residential Amenity
- Impact on Local Highway Network / Access
- Design and Layout
- Ecology
- Impact on Trees / Hedgerows
- Flood Risk
- Economic Sustainability
- Section 106 agreement
- CIL Regulations
- Representations
- Conclusions
- Recommendation

PRINCIPLE OF DEVELOPMENT

On 27th July the Council adopted the Cheshire East Local Plan Strategy. Accordingly the new Local Plan now forms part of the statutory development plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”* This is the test that legislation prescribes should be employed on planning decision making.

The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means *“approving development proposals that accord with the development plan without delay”*.

As a consequence where development accords with the adopted Local Plan Strategy the starting point should normally be that it should be approved – and approved promptly.

The Inspector’s Report on the Local Plan was published on 20 June 2017 and signalled the Inspector’s agreement to the plans and policies of the Local Plan Strategy. The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

“I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years”

The Inspector's conclusion that the Council had a 5 year supply of deliverable housing land was based on the housing land supply position as at 31 March 2016.

Following the adoption of the Local Plan Strategy, the Council released its annual Housing Monitoring Update, in August 2017. It sets out the housing land supply as at 31 March 2017 and identified a deliverable housing land supply of 5.45 years.

On 8 November 2017, an appeal against the decision of the Council to refuse outline planning permission for up to 400 homes at White Moss Quarry, Alsager (WMQ) was dismissed due to the scheme's conflict with the Local Plan settlement hierarchy and its spatial distribution of development.

However, in his decision letter, the WMQ Inspector did not come to a clear conclusion whether Cheshire East had a five year supply of deliverable housing land. His view was that it was either slightly above or slightly below the required 5 years (4.96 to 5.07 years). In this context, the Inspector engaged the 'tilted balance' set out in the 4th Bullet point of paragraph 14 of the National Planning Policy Framework (NPPF). This introduces a presumption that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

On 4 January 2018, an appeal against the non-determination of an outline planning permission for up to 100 homes at Park Road, Willaston was dismissed due to conflict with Local Plan policies that sought to protect designated Green Gap, open countryside and rural character. The Inspector also took the view that the housing land supply was either marginally above or below the required 5 years (4.93 to 5.01 years). On this basis, he adopted a 'precautionary approach' and assumed a worst case position in similarly engaging the 'tilted balance' under paragraph 14 of the Framework.

The Council is continuing to update its evidence regarding housing land supply to ensure that decisions are taken in the light of the most robust evidence available and taking account of recent case law. The Council believes it can demonstrate a five year supply and will accordingly be presenting further updated evidence at the forthcoming Stapeley Inquiry.

For the purpose of determining current planning applications it is therefore the Council's position that there is a five year supply of deliverable housing land.

The application site consists of part of the LPS 54 allocation (land to the west of Alderley Road) that was a site released from the Green Belt in order to assist the Council in achieving a five year supply of housing. Therefore the principle of residential development is acceptable in this location and subject to all other matters being satisfied the application should be determined without delay.

In addition to around 175 dwellings across the whole allocation and around 75 dwellings on this part of the site the development is expected to deliver the following in respect of this parcel of the site;

- Incorporation of green infrastructure and the provision of public open space at the southern end of the land west of Alderley Road;
- Improve pedestrian and cycling links in the area.
- High quality design and appropriate landscaping / green infrastructure should be provided within the site in order to preserve the character of the area and ensure an acceptable relationship between residential and employment uses. The design must respect the site's location as a key entrance into Wilmslow.
- A new public open space at the southern end of land west of Alderley Road
- Retention and enhancement of features within the site that are of amenity value, where feasible, specifically the mature wooded area to the west of the site, the brook, the ponds that are present, and the tree and hedge lined frontages to Alderley Road.
- Provide health and education contributions.
- Provide affordable housing in line with SC5.

The Royal London Development Framework was endorsed by Cabinet on 10 October 2017. This framework is a guide in determining planning applications on the whole of the Royal London site. The application site is identified in the framework as being developed for residential use and therefore the application is in compliance with this framework.

SUSTAINABILITY

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

Social sustainability

AFFORDABLE HOUSING

The Cheshire East Local Plan Policy SC5 states in Settlements with a population of 3,000 or more the 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. A ratio of 65/35 between social rented and intermediate housing is required.

The SHMA 2013 shows the majority of the demand in the Sub Area of Handforth and Wilmslow Per Year until 2018, is for 49x 3 and 5x 4 bedroom General Needs dwellings. The SHMA also shows a need for 13x 1 bedroom and 3 x 2 bedroom dwellings for Older Persons. This can be via bungalows, lifetime homes, cottage style flats and flats.

The current number of those on the Cheshire Homechoice waiting list with Wilmslow as their first choice is 123. This can be broken down to 53x 1 bedroom, 44x 2 bedroom, 19x 3 bedroom and 7x 4 bedroom dwellings, therefore a mix of 1, 2, 3 and 4 bedroom dwellings for General Needs and 1 and 2 bedroom dwellings for Older Persons on this site would be acceptable.

This is a proposed development of around 60 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 18 dwellings to be provided as affordable dwellings. 12 units should be provided as Affordable rent and 6 units as Intermediate tenure. The applicant has agreed to make this provision.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration. This issue will be addressed through the reserved matters application.

The affordable housing should be provided no later than occupation of 50% of the open market dwellings and this will be addressed within the s106 agreement. The s106 agreement also ensures the following;

- requires the affordable units to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

Given the above the proposal complies with the requirements of Local Plan Policy SC5.

EDUCATION PROVISION

The Local Plan is expected to deliver 36,000 houses in Cheshire East; which is expected to create an additional 6,840 primary aged children and 5,400 secondary aged children. 422 children within this forecast are expected to have a special educational need. This development of around 60 dwellings is expected to generate the following need:

10 primary children (60 x 0.19) – 1 SEN (Special Education Need)

9 secondary children (60 x 0.15)

1 SEN children (60 x 0.51 x 0.023%)

The development is expected to impact on both secondary school and SEN 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 analysis undertaken has identified that a shortfall of secondary school and SEN school places still remains.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. This is an existing concern, however the 3 children expected from this development will exacerbate the shortfall. The 2 SEN children who are thought to be of mainstream education age have been removed from the calculations above to avoid double counting. The remaining 1 SEN child is

expected to be 1 Early Year Foundation Status (EYFS) child. The Service does not claim for EYFS or Sixth Form at present therefore those children cannot be removed from the calculation above.

To alleviate forecast pressures, the following contributions would be required:

$9 \times £17,959 \times 0.91 = £147,084.00$ (secondary)

$1 \times £50,000 \times 0.91 = £45,500.00$ (SEN)

Total education contribution: £192,584.00.

The contribution has been agreed by the applicant and is subject to change when the final form of development is known and will be delivered through the s106 agreement.

PUBLIC OPEN SPACE AND RECREATION

Until the housing schedule is finalised it is not possible to accurately calculate the Public Open Space (POS) requirements. However, in line with the Policy SE6 of the CEC Local Plan, there is a public open space requirement of 40m² per family dwelling. On a development of this size it would be expected all of this space on site.

Play must be provided as part of this development, either within the residential area or within the proposed area of POS. Any play area should not be located directly adjacent to a busy main road or restricted to areas beneath retained mature trees. Further consideration on how the POS can be laid out and what features it can comfortably contain is required and this will be included as a condition that requires these details to be submitted as part of any subsequent reserved matters application.

Amenity greenspace should be functional and flexible space, adaptable over time and should reflect local heritage/culture/wildlife to create distinctive, high quality spaces that compliment and strengthen the identity of the overall development and wider community as well and encouraging community cohesion. They should be large enough to accommodate informal recreation activities without disturbing residents of neighbouring properties. Therefore narrow buffers around the perimeter will not be considered amenity green space.

There is a requirement to provide Recreation and Outdoor Sport (ROS) in line with Policy SC2 of the Local Plan and the playing Pitch Strategy. In this instance the developer has opted to make a contribution rather than on-site provision. This contribution will equate to £1,000 per dwelling (excluding the affordable properties) with the final contribution determined upon the final number of properties on site. At the moment options are being assessed to determine where this contribution will be spent.

Policies SC1 and SC2 of the Local Plan Strategy provide a clear development plan policy basis to require developments to provide or contribute towards both outdoor and indoor recreation

The Indoor Built Facility Strategy has identified that any existing shortfalls for Wilmslow should look to focus on improvement of provision at Wilmslow Leisure Centre. Whilst new developments should not be required to address an existing shortfall of provision, they should

ensure that this situation is not worsened by ensuring that it fully addresses its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand is not sufficient to require substantial indoor facility investment through capital build there is currently a need to improve the quality and number of health and fitness stations at Wilmslow Leisure Centre to accommodate localised demand for indoor physical activity.

The requirement is calculated as follows:

- 60 houses at 1.61 people per residence = a population increase of 97
- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 41 additional “active population” due to the new development in Handforth
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional 2) stations. Therefore a requirement exists for a contribution of £8,330.

The applicant has accepted the need for this contribution although the level of contribution may change based on the number of houses eventually approved on site. The contribution will be delivered through the s106 agreement.

ACCESS TO HEALTH FACILITIES

Eastern Cheshire has the fastest growing over 65 and over 85 populations in the North West with more than one in five people being over 65 which will become nearer to one in four people by 2021. The number of very elderly people is growing even more rapidly, with a higher estimated average annual growth rate when compared to England (2.7% vs. 2.3%). The overall population is forecast to grow by 28,000 (14%) by 2035.

Both Kenmore Medical Centre and Wilmslow Health Centre are open to further development of their sites for the benefit of the local patient population, and there is an expectation that further development will be needed in order to meet the projected increase in local population over the next 5-10 years. Both GP practices are therefore actively engaged with the CCG in investigating potential primary care estates development opportunities. Both GP practices have identified estates development work which, if funding can be sourced, would allow for further expansion and greater utilisation of the buildings. The s106 contribution would go towards the construction of a raised parking structure in order to meet the increased demand for car parking spaces in the Wilmslow Health Centre car park and the development of a large first floor void space into usable clinical space at the Wilmslow Health Centre.

It is suggested that the Section 106 funding for the planning application under consideration is based on a calculation consisting of occupancy x number of units in the development x £360. This is based on guidance provided to other CCG areas by NHS Property Services.

Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit

3 bed unit	2.8 persons	£1008 per 3 bed unit
4 bed unit	3.5 persons	£1260 per 4 bed unit
5 bed unit	4.8 persons	£1728 per 5 bed unit

The applicant has agreed to a financial contribution in respect of this issue and this will be based on the number and size of dwellings that come forward as part of the reserved matters application.

RESIDENTIAL AMENITY

In order for the proposals to be acceptable, it is important that they do not have a detrimental impact on the amenities of existing residents. Local Plan policies DC3, DC38 and H13 seek to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property.

Many of the issues relating to overlooking, impact on privacy, and overshadowing will be addressed as part of any reserved matters application. Highway matters are addressed separately in this report.

Environmental Health has commented on the application and has raised no objections with regard to contaminated land, air quality or noise and vibration subject to conditions. It is inevitable that some disturbance will occur as part of the construction process. However this will be for a temporary period only and separate legislation is in place to ensure this does not occur.

Social Sustainability Conclusion

The proposals for the residential development will make an affordable housing contribution through the provision of 18 units of the correct tenure. The scheme does make a valuable contribution towards affordable housing which will be secured through a Section 106 agreement.

The proposed development will make a full education contribution, health contribution and will make a contribution towards open space, indoor recreation and outdoor sport. The affordable housing provision will meet the requirements

Overall the provision of a reasonable mix of housing for the community as part of a large strategic allocation along with on site affordable housing and education and open space and outdoor recreation contributions which can be provided by the development are considered to be socially sustainable.

Environmental sustainability

IMPACT ON HIGHWAY NETWORK/ACCESS

There is a single point of access proposed for this site, a ghost island priority junction arrangement that includes a pedestrian island. The 1.5m wide advisory cycle lanes on both

sides have been retained with the right turn lane. The submitted design is in accordance with DMRB (Design Manual for Road and Bridges) and has been subject to safety audit, the proposed access is considered acceptable. This access arrangement has also to be considered with the access to the residential site to the east of Alderley Road in place. The applicant has submitted an access drawing that indicates the two ghost right turn lanes operating together, this arrangement has also be subject to a safety audit and does operate acceptably in combination.

A development framework has been prepared for the Royal London Campus that covers the whole of the site, this includes a indicative masterplan of site layout. In addition, to this application there is a current application submitted for up to 120 dwellings within the Royal London Campus on land to the east of Alderley Road. In addition to the Transport Assessment the applicant has submitted a further Transport Addendum on transport matters.

Although this application has relatively small numbers in terms of dwellings the assessment needs to take into account the committed office development on the Royal London campus and also the other residential application that has been submitted. The scope of impact of the development was agreed with the applicant and considers that principal junctions on Alderley Road that would likely be affected by the development traffic.

As part of the new office scheme approval, a mitigation scheme was agreed for Alderley Road that increased the number of approach lanes southbound to the Melrose Way roundabout thereby improving capacity on the arm that experienced the longest delay. As there is uncertainty that this scheme will in fact come forward, this application has assessed the impact without this mitigation in place and considered the existing road network.

The capacity assessments undertaken at the Royal London site accesses show that the development has a very small impact on the junctions between 1% and 2% and these would work within capacity. Similarly, the impact at the Bedells Lane roundabout is small and whilst the junction will be operating at capacity in 2022 with the combined residential developments added, the impacts are not considered significant.

The A34 Melrose Way roundabout does suffer from congestion, especially during the evening peak where long queues form. The base capacity assessment undertaken confirms that the junction would operate over capacity in 2022 with long queues on the Alderley Road north arm of the junction. The base plus combined development assessment does increase queue lengths in 2022 but this is a limited impact of 10 vehicles and adds only 2 vehicles if just this application is considered. The other arms of the Melrose Way roundabout are largely unaffected by the development traffic and operate at capacity in 2022.

In summary, the traffic impact of the combined developments is confined to the A34 Melrose Way roundabout and in particular the Alderley Road (N) approach. The junction already has capacity problems on this approach and it the extent of the impact from the developments that needs to be considered. Although this development proposal will increase the queue lengths it is only a very minor impact and does not constitute a severe impact to warrant a traffic impact reason for refusal.

Highway Conclusion

The principal highway consideration arising from this application is the impact the site will have on existing congestion levels on Alderley Road. The capacity assessments undertaken show that Alderley Road approach to the Melrose Way roundabout has significant queues in the evening peak hour without the mitigation measures agreed as part of the office development.

The level of congestion on Alderley Road is a concern to the Highway Authority although it is not considered that an objection can be sustained on traffic impact grounds, as this development of 60 units on its own will add some 2-3 vehicles to the queue lengths in the peak and is well within the daily variation in traffic that uses Alderley Road.

The access proposals to the site are acceptable and does include a provision for pedestrian to cross Alderley Road, the existing on carriageway cycle provision is unaffected by the access proposals.

In summary, there are no highway objections to the development, the access details will be subject to a S278 Agreement to be implemented by the applicant.

DESIGN AND LAYOUT

The importance of securing high quality design is specified within the Framework. Paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

This approach is fully consistent with CELPS Policy SE1 and the recently adopted Cheshire East Design Guide.

The application is in outline and details of layout, scale and appearance will be dealt with as part of any reserved matters application.

The illustrative site plan shows a layout that is unacceptable and contrary to the adopted Design Guide. It shows no incorporation of green infrastructure and proposes the use of standard house types. The site is located along a main route into Wilmslow so it would be expected that any design solution would be of the highest quality.

The Design Guide advocates submission and agreement of a design code and as a result a condition will be included on any approval. This will be required to be submitted in advance of any reserved matters application. A condition is also required in relation to materials.

Given the stage the proposals are at the proposals are acceptable subject to the above conditions.

ECOLOGY

The application is accompanied by a comprehensive ecological assessment within the Environmental Statement that addresses the following issues;

Badger

No badger setts were recorded on site during the surveys submitted to inform the ES but some evidence of badger foraging activity was present. The proposed development is therefore likely to result in the loss of an area of badger foraging habitat. This impact is likely to be relatively minor, but would lead to a more significant cumulative impact on badgers when the development to the east of Alderley Road is also considered. The impacts of this loss would be partially mitigated through the retention of part of the site as public open space.

As the status of badgers on a site can change within a short timescale a condition will be included on the decision notice requiring an updated badger survey to be undertaken in support of any future reserved matters application.

Bats

A single tree (T10) was identified as having potential to support roosting bats. No evidence of roosting bats was recorded during detailed surveys of this tree. It is therefore unlikely bats will be directly affected by the proposed development.

A low/Moderate level of bat activity was recorded on site. The diversity of bat species and the level of activity recorded is as would be expected for a site of this type. The submitted ES anticipates a minor adverse impact on bats which are considered to be of Local value in the absence of mitigation.

In order to mitigate the potential impacts of the proposed development upon roosting bats it is important that any detailed design proposed at the reserved matters stage seeks to retain boundary features and provide additional native planting in the open space area. Wildlife sensitive lighting would also be required to minimise impacts on bats.

Great Crested Newts

No evidence of great crested newts was recorded during the submitted surveys, therefore it is unlikely to be affected by the proposed development.

Common Toad

This priority species was recorded during the submitted reptile surveys. The proposed development will result in the loss of an area of low quality habitat potentially utilised by this species. In order to provide compensation for this loss and provide an enhancement for biodiversity in general a wildlife pond should be provided within the open space scheme. This matter can be dealt with by means of an ecological enhancement condition.

Hedgerows

Native species hedgerows are a priority habitat and hence a material consideration. The proposed access points off Alderley Road are likely to result in the loss of sections of hedgerow. In the event that outline permission is granted it must be ensured that adequate compensatory planting is provided at the reserved matters stage to address any losses. This matter may be dealt with by means of an ecological enhancement condition.

Hedgehog and Pole Cat

These two priority species have been recorded in the broad locality of the application site and may appear on the application site on at least a transitory basis. The proposed development will result in the loss of an area of low quality habitat potentially utilised by these species. The detailed design should include features for these two species. In the event that outline permission is granted this matter may be dealt with by means of an ecological enhancement condition.

Ecology Conclusion

The proposal will not have a detrimental impact on any protected species, subject to the inclusion of the following conditions;

- Updated badger survey to be submitted in support of any future reserved matters application.
- Wildlife friendly lighting
- Submission of ecological enhancement strategy.

IMPACT ON TREES/HEDGEROWS

Part of the site specific principles of the strategic site designation identify the requirement for high quality design and appropriate landscaping/green infrastructure to be provided to preserve the character of the area; and the retention and enhancement of features within the site that are of amenity value, where feasible - including the tree and hedge lined frontages to Alderley Road.

Selected trees within the site are afforded protection by the Wilmslow Urban District Council (Fulshaw Park) No.2 Tree Preservation Order 1972 and are a material consideration in this application.

The application is supported by a Preliminary Arboricultural Impact Assessment (ES Volume 3 Appendix 5.1) which follows the format of BS5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*. The Tree Survey at para 3.8 has identified 51 individual trees, 3 groups of trees and 5 hedgerows. Since the Order was made a number of protected trees have been removed or died and only four individual trees (Oak T30, Oak T31, Oak T33 and Ash T34) now remain. These trees are located to the south of the site within the proposed designated open space and are broadly unaffected by the proposals.

The proposed access will utilise the existing field access off Alderley Road which will require widening and Alderley Road reconfigured to include localised widening and realignment of the pavement. The realignment will result in the loss of three unprotected trees, a London Plane T8, Oak T9 within the hedgerow and Whitebeam T13 located on the highway verge. Whilst both the Oak and London Plane are prominent road frontage features, both are heavily covered in ivy. The submitted Arboricultural Assessment states that these are moderate (B) category trees, however they are not significant or outstanding specimens and their loss can be adequately compensated elsewhere.

The impact of the development on the remaining trees will be considered as part of the reserved matters application. As it stands there are no constraints to the retention of these trees and a condition will be included on the decision notice that the reserved matters application shall be supported by an Arboricultural Impact Assessment.

FLOOD RISK

The site is classified as Very Low Risk (former EA Flood Zone 1), which is land that has a less than 0.1% chance of flooding (less than 1:1000). The Environment Agency and the Council's Flood Risk Team have considered the submitted Flood Risk Assessment and further submitted information and have raised no objections to the proposals. A condition has been requested that requires the submission of a detailed strategy for surface water drainage and this will be included on the decision notice.

United Utilities have commented on the application and raised no objections to the proposals subject to the above condition.

Environmental sustainability conclusions

It is considered that the proposed development is environmentally sustainable. The proposed design of the site is acceptable, there are conditions required in respect environmental matters raised above.

Economic Sustainability

Employment

The proposed development will provide employment in the short term during the clearance and construction of the development in the area.

Economy of the wider area

The addition of 60 units within the town will undoubtedly boost the economy in the local area through the increased use of shops and services making them more sustainable, which is especially important in Wilmslow Town Centre to be sustainable into the future. Additional population can create more demand for local services, increasing the likelihood that they will be retained into the future and improvements and investment made.

Economic sustainability conclusions

The proposals will result in additional employment in the short term through the construction of the site along with an economic boost locally through the increase in population to this area of the town. It is considered that the proposals will make efficient use of the site which is part of a wider strategic allocation.

SECTION 106

A section 106 agreement will accompany the application and is required to secure the following:

- Provision of 30% affordable units, of these dwellings 65% will be social rented and 35% intermediate housing.

- Educational contribution towards secondary and SEN provision of £192,584 based on 60 dwellings being built on site.
- Contribution towards ROS £1,000 per open market house.
- Contribution towards health provision, the final figure is dependent on the number and size of properties that come forward at reserved matters.
- Contribution towards indoor recreation of £8,330 based on 60 dwellings being built on site.
- Management Plan for the on-site public open space and LEAP
- Contribution for monitoring of Travel Plan £5,000

CIL REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

COMMENT ON REPRESENTATIONS

The majority of the points of objection have been addressed in the main body of the report or are issues that will be considered as part of the future reserved matters application.

A number of representations objected on the grounds the site is within the Green Belt and therefore should not be developed. However, on adoption of the Local Plan the site was removed from the Green Belt and is now allocated for residential use.

One issue raised in a number of representations was the potential presence of a restrictive covenant that restricts development on the site. A covenant is a restriction on what can be done with land or property. Planning permission can be granted for development that breaches the terms of a restrictive covenant but the granting of planning permission does not over-ride the covenant itself. A landowner or developer with a planning permission may still be unable to develop land because of a restrictive covenant. Whether a covenant is enforceable or not is not a matter for the Council to determine or become involved in.

Numerous representations made the point the development should be considered against the Wilmslow Neighbourhood Plan. However the Neighbourhood Plan is at a relatively early stage in its preparation and no detailed policies have yet to be produced, therefore the application cannot be considered against the emerging Neighbourhood Plan.

CONCLUSION AND PLANNING BALANCE

The site forms the part of the allocated site LPS54. The proposed development accords with the Local Plan policy relating to its allocation by providing housing and all the other policy requirements. Shortfalls in health and education provision are mitigated through financial contributions to improve existing facilities. The applicant is providing further financial contributions in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future. It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It is considered that the proposal represents sustainable development and accords with the development plan policies mentioned in the policies section of this report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

RECOMMENDATION

Approve subject to a legal agreement to secure the following and the conditions listed below.

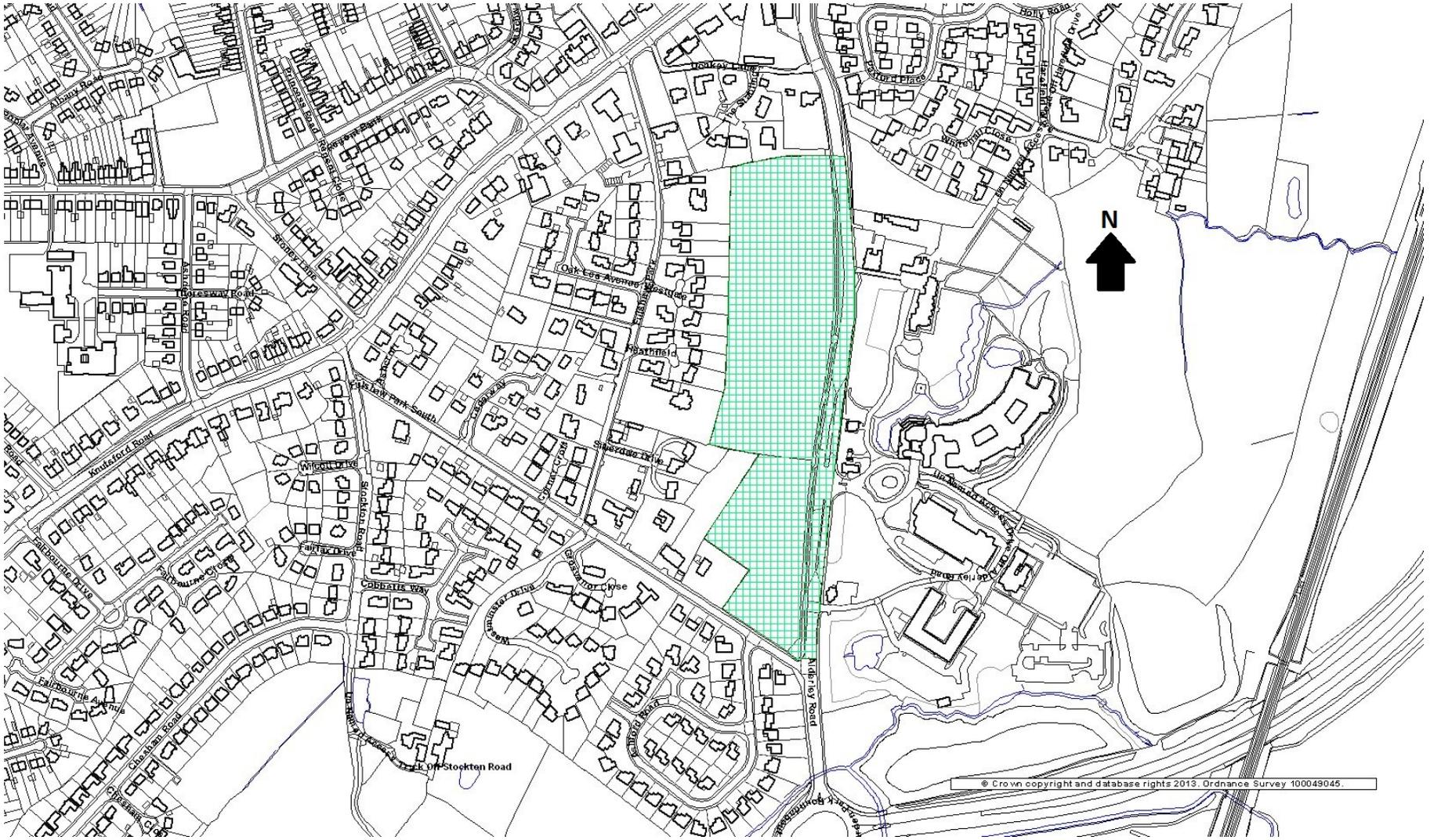
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- Contribution towards ROS £1,000 per open market house.
- Contribution towards health provision, the final figure is dependent on the number and size of properties that come forward at reserved matters.
- Contribution towards indoor recreation of £8,330 based on 60 dwellings being built on site.
- Management Plan for the on-site public open space and LEAP
- Contribution for monitoring of Travel Plan £5,000

And the following conditions:-

1. Standard contaminated land condition
2. Importation of soil
3. Unexpected contamination
4. Positive and proactive
5. Time period to implement permission.

6. Approve reserved matters details
7. Plans
8. Details of surface water drainage
9. Pedestrian and cycle signage
10. Submission and implementation of Travel Plan
11. Submit arboricultural impact assessment
12. Implement access
13. Levels
14. Carry out development as per the FRA
15. Construction environment management plan
16. Bat friendly lighting scheme
17. Ecological enhancement strategy
18. Landscape and habitat management plan
19. Boundary details
20. Dust control
21. Provision of Electric Vehicle Charging Points
22. Updated otter and badger survey
23. Implement noise recommendations
24. Implement landscaping scheme
25. Noise Impact Assessment as part of RM application.
26. Details of materials
27. Details of play area
28. Retention of hedgerows
29. Submission of design guide prior to submission of reserved matters application

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



Application No: 17/5838M

Location: LAND EAST OF, ALDERLEY ROAD, WILMSLOW

Proposal: Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, highway improvements to Alderley Road, together with associated infrastructure and open space.

Applicant: Royal London Mutual Insurance Society Ltd

Expiry Date: 30-Mar-2018

SUMMARY

The site is allocated within the Local Plan for residential use and consists of the part of the site identified as LPS 54. This application is for a part of the undeveloped site to the east of Alderley Road. The development accords with the Local Plan policy relating to its allocation by providing housing.

The applicant is providing financial contributions required in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future. It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

As the application is in outline certain matters are left unresolved at this stage and will be fully addressed as part of any future reserved matters application.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It has been demonstrated the development will not have a detrimental impact on the local highway network, the trees on and around the site or to local ecology. Although some matters must be dealt with by way of conditions at this stage to ensure adequate mitigation is put in place.

It is considered that the proposal represents sustainable development and accords with the development plan policies outlined in the report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

SUMMARY RECOMMENDATION
Approve subject to Section 106 Agreement

PROPOSAL

The application is for outline permission for residential development, with all matters reserved except for means of access off Alderley Road, highway improvements to Alderley Road, together with associated infrastructure and open space.

Access is proposed to be taken from Alderley Road to the north of the property know as The Coach House. Layout, scale, appearance and landscaping are reserved for future approval.

SITE DESCRIPTION

The application site consists mainly of a piece of land that is located to the north and east of the existing Royal London Campus that is located between Alderley Road and the West Coast Main Line. Part of the application site adjoins Alderley Road between the properties on Whitehall Close and The Coach House. Some trees are located in this part of the site. The site then extends eastwards towards the railway on land in use for agriculture. Open land is located to the south of the site that has permission for a new office development. Mature trees are located at various locations throughout the site.

RELEVANT HISTORY

The site has been subject to applications in the past; however they are not relevant to the consideration of this application.

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Cheshire East Local Plan Strategy

The following are considered relevant material considerations as indications of the emerging strategy:

- 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
- SE1 Design
- SE2 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 The Historic Environment
SE 13 Flood Risk and Water Management
CO 1 Sustainable Travel and Transport
CO 4 Travel Plans and Transport Assessments
SC 1 Leisure and Recreation
SC 2 Outdoor Sports Facilities
SC 3 Health and Well Being
SC 4 Residential Mix
SC 5 Affordable Homes
IN 1 Infrastructure
IN 2 Developer Contributions

Directly relevant to this site is the following allocation that covers the entire application site and beyond:

- Site LPS 54 Royal London including land west of Alderley Road, Wilmslow.

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. Macclesfield Local Plan policies are set out below.

NE3 – Protection of Local Landscapes
NE11 – Protection and enhancement of nature conservation interests
NE17 – Nature Conservation in Major Developments
BE2 – Preservation of Historic Fabric
RT5 – Open Space Standards
DC3 – Amenity
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC15 – Provision of Facilities
DC17 – Water Resources
DC35 – Materials and Finishes
DC36 – Road Layouts and Circulation
DC37 – Landscaping
DC38 – Space Light and Privacy
DC40 – Children’s Play Provision and Amenity Space
DC41 – Infill Housing Development

Other Material Considerations:

National Planning Practice Guidance (NPPG)

CONSULTATIONS

Environmental Health – No objection. Conditions have been requested relating to noise, air quality electric vehicle charging points and contamination. These will be included on the decision notice.

United Utilities – No objection. Conditions have been requested in respect of surface water drainage from the site and that the site shall be drained on separate systems.

Highways – No objection. The comments made by the highway engineer and all highway matters are addressed in full later in this report.

Environment Agency – No objection.

Housing Strategy – No objection. The development triggers an affordable housing requirement and this matter is addressed in detail later in this report.

Flood Risk – No objection. A condition is requested relating to submission of a scheme to manage surface water.

Education – No objection. This is based upon the applicant committing to pay a financial contribution for the provision of additional school places generated by the development. This is addressed in detail later in this report.

ANSA (Open Space) – No objection. This is subject to a financial contribution being agreed in respect of recreation open space, indoor recreation provision and the detailed layout going forward providing a LEAP and the required amount of open space within the site based on the number of units proposed. This matter is addressed later in this report.

Countryside Rights of Way – No objection. Conditions are requested in respect of submission of a Travel Plan and a scheme for signage for pedestrians and cyclists within the site. Concerns were raised over a footpath link to the north of the site but this will be dealt with through a condition on the decision notice.

Natural England – No objection.

VIEWS OF THE PARISH / TOWN COUNCIL

Wilmslow Town Council – Wilmslow Town Council recommend refusal on the grounds of the traffic highways issues that would be created by access to the site at the proposed location and that the existing entrance to the Royal London development would be better used during both the construction phase and subsequently. Wilmslow Town Council has no confidence that robust scrutiny has taken place with regard to the Highway Assessment and would call for independent assessment of this.

The Town Council also requests that the conditions listed in the responses by regulatory services and healthcare providers are applied. The Town Council welcomes the proposed layout of the Whitehall Brook roundabout but felt that this does not remove its objections, only exacerbated by the granting of planning permission for a car wash in that area of Alderley Road. Finally, should approval be granted, the Town Council would request that a condition be placed on any planning permission to ensure that all contractor parking is accommodated within the site itself.

Alderley Edge Parish Council - The Parish council recommends refusal as it is inappropriate development in the greenbelt and despite its local in Wilmslow will put strain on Alderley Edge infrastructure.

OTHER REPRESENTATIONS

Representations were received from 72 properties over the course of two periods of consultation. The points of objection relate to the following;

- Impact of the proposal on highway safety and an increase in traffic in an already congested area.
- Too many access points along Alderley Road
- The site was meant to be protected from development.
- Loss of an open field
- The site is in the Green Belt
- Local schools are already over-subscribed.
- Impact on protected species that use the site.
- Lack of capacity in local doctors and dental practices.
- The affordable housing is not really affordable
- No need for additional housing
- The proposal should comply with the Wilmslow Neighbourhood Plan.
- Loss of trees and hedgerows
- Increased risk of flooding
- The buildings on site will be too large.
- Impact on local air quality.
- Royal London are leaving the site so the houses are not needed.
- Impact on residential amenity / overlooking
- Adverse impact on heritage assets.
- Disturbance caused during the construction process.

The following points in support of the proposals were also made;

- Welcome the provision of affordable housing within the development.
- Increase in footpath and cycle routes is welcomes
- Local housing market is too constrained.

APPRAISAL

Key Issues

- Principle of development
- Sustainability
- Affordable Housing and Housing Mix
- Education
- Open Space and Recreation
- Health Provision
- Residential Amenity
- Impact on Listed Buildings.
- Impact on Local Highway Network / Access
- Design and Layout
- Ecology
- Trees

- Flood Risk
- Economic Sustainability
- Section 106 agreement
- CIL
- Representations
- Conclusions
- Recommendation

PRINCIPLE OF DEVELOPMENT

On 27th July the Council adopted the Cheshire East Local Plan Strategy. Accordingly the new Local Plan now forms part of the statutory development plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that *“where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.”* This is the test that legislation prescribes should be employed on planning decision making.

The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means *“approving development proposals that accord with the development plan without delay”*.

As a consequence where development accords with the adopted Local Plan Strategy the starting point should normally be that it should be approved – and approved promptly.

The Inspector’s Report on the Local Plan was published on 20 June 2017 and signalled the Inspector’s agreement to the plans and policies of the Local Plan Strategy. The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

“I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years”

The Inspector’s conclusion that the Council had a 5 year supply of deliverable housing land was based on the housing land supply position as at 31 March 2016.

Following the adoption of the Local Plan Strategy, the Council released its annual Housing Monitoring Update, in August 2017. It sets out the housing land supply as at 31 March 2017 and identified a deliverable housing land supply of 5.45 years.

On 8 November 2017, an appeal against the decision of the Council to refuse outline planning permission for up to 400 homes at White Moss Quarry, Alsager (WMQ) was dismissed due to the scheme’s conflict with the Local Plan settlement hierarchy and its spatial distribution of development.

However, in his decision letter, the WMQ Inspector did not come to a clear conclusion whether Cheshire East had a five year supply of deliverable housing land. His view was that it was either slightly above or slightly below the required 5 years (4.96 to 5.07 years). In this context, the Inspector engaged the ‘tilted balance’ set out in the 4th Bullet point of paragraph

14 of the National Planning Policy Framework (NPPF). This introduces a presumption that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

On 4 January 2018, an appeal against the non-determination of an outline planning permission for up to 100 homes at Park Road, Willaston was dismissed due to conflict with Local Plan policies that sought to protect designated Green Gap, open countryside and rural character. The Inspector also took the view that the housing land supply was either marginally above or below the required 5 years (4.93 to 5.01 years). On this basis, he adopted a 'precautionary approach' and assumed a worst case position in similarly engaging the 'tilted balance' under paragraph 14 of the Framework.

The Council is continuing to update its evidence regarding housing land supply to ensure that decisions are taken in the light of the most robust evidence available and taking account of recent case law.

For the purpose of determining current planning applications it is therefore the Council's position that there is a five year supply of deliverable housing land.

The application site consists of part of the LPS 54 allocation (land to the east of Alderley Road) that was a site released from the Green Belt in order to assist the Council in achieving a five year supply of housing. Therefore the principle of residential development is acceptable in this location and subject to all other matters being satisfied the application should be determined without delay.

In addition to around 175 dwellings across the whole allocation and around 120 dwellings on this part of the site the development is expected to deliver the following in respect of this parcel of the site;

- 1. The retention of the existing Royal London Campus unless buildings become surplus to the requirements of existing occupiers, in which case the council will consider their suitability for reuse or redevelopment for a range of alternative uses;*
- 2. The delivery of around 175 dwellings (around 80 on land to the east of the existing campus, around 20 to the north of the existing campus and around 75 on land west of Alderley Road);*
- 3. The provision of 5 ha of employment land for up to around 24,000 square metres of B1 employment space and a hotel;*
- 4. Incorporation of green infrastructure and the provision of public open space at the southern end of the land west of Alderley Road;*
- 5. Retention and extension of the existing Wilmslow High School playing fields for educational use in the area marked as protected open space on the map. This may include additional buildings for education use provided they do not harm the integrity of the open space overall;*
- 6. Provision of at least 1 ha of land set aside for use as school playing fields within the land to the east of the existing campus, in addition to the areas marked as protected open space on the map, and an appropriate level of amenity open space and children's play space; and*
- 7. Pedestrian and cycle links and associated infrastructure.*

The Royal London Development Framework was endorsed by Cabinet on 10 October 2017. This framework is a guide in determining planning applications on the whole of the Royal

London site. The application site is identified in the framework as being developed for residential use and therefore the application is in compliance with this framework.

SUSTAINABILITY

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

SOCIAL SUSTAINABILITY

AFFORDABLE HOUSING

The Cheshire East Local Plan Policy SC5 states in Settlements with a population of 3,000 or more the 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. A ratio of 65/35 between social rented and intermediate housing is required.

The SHMA 2013 shows the majority of the demand in the Sub Area of Handforth and Wilmslow Per Year until 2018, is for 49x 3 and 5x 4 bedroom General Needs dwellings. The SHMA also shows a need for 13x 1 bedroom and 3 x 2 bedroom dwellings for Older Persons. This can be via bungalows, lifetime homes, cottage style flats and flats.

The current number of those on the Cheshire Homechoice waiting list with Wilmslow as their first choice is 123. This can be broken down to 53x 1 bedroom, 44x 2 bedroom, 19x 3 bedroom and 7x 4 bedroom dwellings, therefore a mix of 1, 2, 3 and 4 bedroom dwellings for General Needs and 1 and 2 bedroom dwellings for Older Persons on this site would be acceptable.

This is a proposed development of around 120 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 36 dwellings to be provided as affordable dwellings. 23 units should be provided as Affordable rent and 13 units as Intermediate tenure. The applicant has agreed to make this provision.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration. This issue will be addressed through the reserved matters application.

The affordable housing should be provided no later than occupation of 50% of the open market dwellings and this will be addressed within the s106 agreement. The s106 agreement also ensures the following;

- requires the affordable units to transfer any rented affordable units to a Registered Provider

- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

Given the above the proposal complies with the requirements of Local Plan Policy SC5.

EDUCATION PROVISION

The Local Plan is expected to deliver 36,000 houses in Cheshire East; which is expected to create an additional 6,840 primary aged children and 5,400 secondary aged children. 422 children within this forecast are expected to have a special educational need. This development of around 120 dwellings is expected to generate the following need:

22 primary children (60 x 0.19) – 1 SEN
18 secondary children (60 x 0.15)
1 SEN children (60 x 0.51 x 0.023%)

The development is expected to impact on both secondary school and SEN 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 analysis undertaken has identified that a shortfall of secondary school and SEN school places still remains.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. This is an existing concern, however the 1 child expected from this development will exacerbate the shortfall. The 1 SEN child who is thought to be of mainstream education age have been removed from the calculations above to avoid double counting. The Service does not claim for Early Years Foundation Status (EYFS) or Sixth Form at present therefore those children cannot be removed from the calculation above.

To alleviate forecast pressures, the following contributions would be required:

18 x £17,959 x 0.91 = £294,168.00 (secondary)
1 x £50,000 x 0.91 = £45,500.00 (SEN)
Total education contribution: £339,668.00.

The contribution has been agreed by the applicant and is subject to change when the final form of development is known and will be delivered through the s106 agreement.

PUBLIC OPEN SPACE AND RECREATION

Until the housing schedule is finalised it is not possible to accurately calculate the Public Open Space (POS) requirements. However, in line with the Policy SE6 of the CEC Local

Plan, there is a public open space requirement of 40m² per family dwelling. On a development of this size it would expect to see all of this space on site.

Play must be provided as part of this development, either within the residential area or within the proposed area of POS. Any play area should not be located directly adjacent to Alderley road, beneath retained mature trees or by the West Coast Main Line. Further consideration on how the POS can be laid out and what features it can comfortably contain is required and this will be included as a condition that requires these details to be submitted as part of any subsequent reserved matters application.

Amenity greenspace should be functional and flexible space, adaptable over time and should reflect local heritage/culture/wildlife to create distinctive, high quality spaces that compliment and strengthen the identity of the overall development and wider community as well and encouraging community cohesion. They should be large enough to accommodate informal recreation activities without disturbing residents of neighbouring properties. Therefore narrow buffers around the perimeter will not be considered amenity green space.

The LPS policy requires at least 1 hectare of land to be set aside for playing fields for Wilmslow High School. This has been shown on the indicative layout submitted with the application and is considered to be in the most appropriate location.

There is a requirement to provide Recreation and Outdoor Sport (ROS) in line with Policy SC2 of the Local Plan and the playing Pitch Strategy. In this instance the developer has opted to make a contribution rather than on-site provision. This contribution will equate to £1,000 per dwelling (excluding the affordable properties) with the final contribution determined upon the final number of properties on site.

Depending on the nature of the discussion in respect of the s106 on the delivery of the playing field it may be appropriate to waive the contribution for ROS if the Council is gifted the land for the playing field. The s106 agreement will be drafted to ensure delivery of the playing field as part of the development or the financial contribution will have to be made. This approach is considered appropriate at this stage as discussions need to take place over the transfer of the land and with Wilmslow High School over its future management.

Policies SC1 and SC2 of the Local Plan Strategy provide a clear development plan policy basis to require developments to provide or contribute towards both outdoor and indoor recreation

The Indoor Built Facility Strategy has identified that any existing shortfalls for Wilmslow should look to focus on improvement of provision at Wilmslow Leisure Centre. Whilst new developments should not be required to address an existing shortfall of provision, they should ensure that this situation is not worsened by ensuring that it fully addresses its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand is not sufficient to require substantial indoor facility investment through capital build there is currently a need to improve the quality and number of health and fitness stations at Wilmslow Leisure Centre to accommodate localised demand for indoor physical activity.

The requirement is calculated as follows;

- 120 houses at 1.61 people per residence = a population increase of 193
- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 41 additional “active population” due to the new development in Wilmslow.
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional 3 stations. Therefore a requirement exists for a contribution of £16,670.

The applicant has accepted the need for this contribution although the level of contribution may change based on the number of houses eventually approved on site. The contribution will be delivered through the s106 agreement.

ACCESS TO HEALTH FACILITIES

Eastern Cheshire has the fastest growing over 65 and over 85 populations in the North West with more than one in five people being over 65 which will become nearer to one in four people by 2021. The number of very elderly people is growing even more rapidly, with a higher estimated average annual growth rate when compared to England (2.7% vs. 2.3%). The overall population is forecast to grow by 28,000 (14%) by 2035. Although deprivation levels in Eastern Cheshire are lower than the national average people living in these more deprived local areas experience worse health outcomes than those living in areas identified locally as least deprived.

Both Kenmore Medical Centre and Wilmslow Health Centre are open to further development of their sites for the benefit of the local patient population, and there is an expectation that further development will be needed in order to meet the projected increase in local population over the next 5-10 years. Both GP practices are therefore actively engaged with the CCG in investigating potential primary care estates development opportunities. Both GP practices have identified estates development work which, if funding can be sourced, would allow for further expansion and greater utilisation of the buildings. The s106 contribution would go towards the construction of a raised parking structure in order to meet the increased demand for car parking spaces in the Wilmslow Health Centre car park and the development of a large first floor void space into usable clinical space at the Wilmslow Health Centre.

It is suggested that the Section 106 funding for the planning application under consideration is based on a calculation consisting of occupancy x number of units in the development x £360. This is based on guidance provided to other CCG areas by NHS Property Services.

Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1008 per 3 bed unit
4 bed unit	3.5 persons	£1260 per 4 bed unit
5 bed unit	4.8 persons	£1728 per 5 bed unit

The applicant has agreed to a financial contribution in respect of this issue and this will be based on the number and size of dwellings that come forward as part of the reserved matters application.

RESIDENTIAL AMENITY

In order for the proposals to be acceptable, it is important that they do not have a detrimental impact on the amenities of existing residents. Local Plan policies DC3, DC38 and H13 seek to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property.

Many of the issues relating to overlooking, impact on privacy, and overshadowing will be addressed as part of any reserved matters application. Highway matters are addressed separately in this report.

Environmental Health has commented on the application and has raised no objections with regard to contaminated land, air quality or noise and vibration subject to conditions. A key aspect of this is the impact the access road into the site will have on the amenity of residents to the north. As only the details of the access into the site are for approval at the moment a condition will be included on the decision notice requiring submission of a noise impact assessment. This will identify any appropriate mitigation that may be required.

It is inevitable that some disturbance will occur as part of the construction process. However this will be for a temporary period only and separate legislation is in place to ensure this does not occur.

IMPACT ON LISTED BUILDINGS

Two listed buildings are located just outside of the application site, these are Fulshaw Hall and its neighbouring building. Both are Grade II listed with the hall currently in use as offices and the other building in use as a staff restaurant. The allocation within the Cheshire East Local Plan 54, at point (h) says “ respect for the setting of the listed buildings on Fulshaw Hall”.

A Heritage Assessment has been submitted with the application and whilst this is lacking in the assessment on the impact of the proposals on the heritage assets these are issues that can be considered in further detail as part of a future reserved matters application. Therefore a condition will be included on the decision notice requiring a full heritage assessment to be carried out and submitted with any reserved matters application.

Social Sustainability Conclusion

The proposals for the residential development will make an affordable housing contribution through the provision of 36 units of the correct tenure. The scheme does make a valuable contribution towards affordable housing which will be secured through a Section 106 agreement.

The proposed development will make a full education contribution, health contribution and will make a contribution towards open space, indoor recreation and outdoor sport. The affordable housing provision will meet the requirements

Overall the provision of a reasonable mix of housing for the community as part of a large strategic allocation along with on site affordable housing and education and open space and outdoor recreation contributions which can be provided by the development are considered to be socially sustainable.

ENVIRONMENTAL SUSTAINABILITY

IMPACT ON HIGHWAY NETWORK/ACCESS

This application has been submitted in conjunction with another residential scheme on land to the west of Alderley Road, the assessment submitted includes both sites and also the committed office development on the Royal London campus. The scope of impact of the development was agreed with the applicant and considers that principal junctions on Alderley Road that would likely be affected by the development traffic.

A development framework has been prepared for the Royal London Campus that covers the whole of the site, this includes a indicative masterplan of site layout. In addition, to this application there is a current application submitted for up to 60 dwellings on land to the west of Alderley Road. In addition to the Transport Assessment the applicant has submitted a further Transport Addendum on transport matters.

As part of the new office scheme approval, a mitigation scheme was agreed for Alderley Road that increased the number of approach lanes southbound to the Melrose Way roundabout thereby improving capacity on the arm that experienced the longest delay. As there is uncertainty that this scheme will in fact come forward, this application has assessed the impact without this mitigation in place and considered the existing road network.

The capacity assessments undertaken at the Royal London site accesses show that the development has a very small impact on the junctions between 2% and 3% and these would work within capacity. The Bedells Lane roundabout with traffic growth added and the combined development traffic is indicating that its capacity is being reached in 2022 especially in the AM peak on Alderley Road (N) approach. However, the queue lengths are not extensive at the junction and the introduction of the combined residential developments only have a minor impacts on capacity and are not considered significant. The A34 Melrose Way roundabout does suffer from congestion, especially during the evening peak where long queues form. The base capacity assessment undertaken confirms that the junction would operate over capacity in 2022 with long queues on the Alderley Road north arm of the junction. The base plus combined development assessment does increase queue lengths in 2022 but the development only has a limited impact on the length of queues and is not of a sufficient impact that could be considered severe and warrant a refusal reason. The other arms of the Melrose Way roundabout are largely unaffected by the development traffic and operate at capacity in 2022.

Despite the applicant's view the development will not have a significant traffic impact they have submitted an improvement to the A34 Melrose Way roundabout, this scheme is a similar but smaller version of the improvement scheme approved in the office scheme. The improvement provides an additional lane on the Alderley Road approach to the roundabout by increasing road width, this scheme can be extended further back in the future. The improvement scheme only forms part of this application and not for the 60 unit scheme on the land west of Alderley Road.

In summary, the traffic impact of the combined developments is confined to the A34 Melrose Way roundabout and in particular the Alderley Road (N) approach. In mitigation of the impact on this approach there is an improvement scheme submitted.

Access

There is a single point of access to this site, a ghost island priority junction arrangement, the access width is 6.75m wide with 12m radii and the 1.5m wide advisory cycle lanes on both sides have been retained with the right turn lane. The submitted design is in accordance with DMRB (Design Manual for Road and Bridges) and has been subject to safety audit, the proposed access is considered acceptable. This access arrangement has also to be considered with the access to the residential site to the west of Alderley Road in place. The applicant has submitted an access drawing that indicates the two ghost right turn lane operating together, this arrangement has also been subject to a safety audit and does operate acceptably in combination.

Highways Conclusion

The principal highway consideration arising from this application is the impact the site will have on existing congestion levels on Alderley Road. The capacity assessments undertaken show that Alderley Road approach to the Melrose Way roundabout has significant queues in the evening peak hour. Despite the length of existing queues the additional traffic generated by this development does not materially enlarge the existing queues and it is not considered that this results in a severe impact on the road network.

Although the application has a limited impact, the applicant has submitted a mitigation scheme that improves the capacity of the A34 Melrose Way roundabout that both mitigates the impact of this application and reduces the existing delay at the junction. The access proposals to the site are acceptable, the existing on carriageway cycle provision is unaffected by the access proposals.

In summary, there are no objections to the development, the access details will be subject to a S278 Agreement to be implemented by the applicant as well as being subject to a condition on the decision notice requiring these works be carried out before any houses approved as part of this application are first occupied.

DESIGN AND LAYOUT

The importance of securing high quality design is specified within the Framework. Paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations.

Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

This approach is fully consistent with CELPS Policy SE1 and the recently adopted Cheshire East Design Guide.

The application is in outline and details of layout, scale and appearance will be dealt with as part of any reserved matters application.

The illustrative site plan shows a layout that is unacceptable and contrary to the adopted Design Guide. It shows no incorporation of green infrastructure and proposes the use of standard house types. The site is located along a main route into Wilmslow so it would be expected that any design solution would be of the highest quality.

The Design Guide advocates submission and agreement of a design code and as a result a condition will be included on any approval. This will be required to be submitted in advance of any reserved matters application. A condition is also required in relation to materials.

Given the stage the proposals are at the proposals are acceptable subject to the above conditions.

ECOLOGY

The application is accompanied by a comprehensive ecological assessment within the Environmental Statement that addresses the following issues;

Northern ditch and water voles

Water vole, a protected species, was historically recorded at the ditch on the northern boundary of the site. Whilst no evidence of this species was recorded during the surveys undertaken to inform this application only a single survey visit was completed. So whilst the results tend to suggest that this species is absent insufficient survey has been undertaken to completely discount the presence of this species. That said provided the northern ditch is retained and safeguarded within an 8m undeveloped buffer zone the proposed development would not be likely to have a significant impact upon this species.

A condition will be attached requiring the provision and safeguarding of an 8m undeveloped buffer adjacent to this ditch. A further detailed survey is also required at the reserved matters stage if any works affecting the ditch are proposed as part of the detailed design.

Common Toad

This priority species was recorded during the submitted reptile surveys and was also recorded within one of the ditches on site during the great crested newt survey. The proposed development will result in the loss of an area of terrestrial habitat and the ditch where it was recorded. In order to provide compensation for this loss and provide an enhancement for biodiversity in general a wildlife pond should be provided within the open space scheme. This pond should be separate to and additional to any SUDS scheme for the site. This matter will be dealt with by means of an ecological enhancement condition as described below.

Reptiles and Great Crested Newts

No evidence of these protected species was recorded during the surveys undertaken in support of this application and reptiles and great crested newts are not reasonable likely to be present or affected by the proposed works.

Badgers

A number of minor badger setts have been recorded on site. Based upon the current level of badger activity on site it is likely that some of these setts could be retained as part of the development proposals, but three setts may be directly affected by the proposed development. To avoid badgers being harmed during the works the submitted report advises that these setts should be closed under the terms of a Natural England license. This approach is acceptable.

The precise impact of the scheme on badgers would depend upon the detailed design proposed at the reserved matters stage and the level of badger activity occurring on the site at that time. The proposed development will however result in the loss of an area of badger foraging habitat. This impact is likely to be relatively minor, but would lead to a more significant cumulative impact on badgers when the adjacent proposed developments are also considered. The impacts of this loss would be partially mitigated through the retention of part of the site as public open space and the incorporation of fruit trees into the landscaping scheme for the site.

In the event that planning permission is granted a condition will be attached to the decision notice which requires an updated badger survey to be submitted in support of any future reserved matters application.

Bats

A number of trees were identified as having low bat roost potential. The ES states that no trees with bat roost potential would be removed as part of the proposed development. However, based on the illustrative layout plan it appears that a number of these trees would be affected by the proposed access road through the site.

A low/Moderate level of bat activity was recorded on this site. The diversity of bat species and the level of activity recorded is as would be expected for a site of this type. The submitted ES anticipates a minor adverse impact on bats which are considered to be of Local value in the absence of mitigation. In order to mitigate the potential impacts of the proposed development upon roosting bats it is important that any detailed design proposed at the reserved matters stage seeks to retain boundary features and provide additional native planting in the open space area. Wildlife sensitive lighting would also be required to minimise impacts on bats.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The proposed development is likely to result in the loss of Hedgerow 3 which runs north to south through the site. Whilst hedgerow planting is shown on the key for the submitted illustrative landscape master plan, it is not clear where this would be provided on site. A condition will be included on the decision notice to ensure adequate mitigation is provided within any reserved matters application.

Polecat hedgehog and brown hare

These three priority species have been recorded in the broad locality of the application site and hedgehog and polecat may appear on the application site on at least a transitory basis. The proposed development will result in the loss of an area of habitat potentially utilised by these species.

In order to compensate for this loss the detailed design should include features for these two species. This matter is dealt with by means of an ecological enhancement condition.

Barn Owl

There are records of barn owls in this broad locality. A number of trees were identified during the bat survey as having cracks that lead to an internal cavity. The submitted addendum ES states that none of the trees examined have potential to support barn owls. However, only trees that would be lost as a result of the proposed development have been surveyed. The development of this site may result in the significant disturbance of barn owls even if the trees supporting a roost were retained.

Further information is awaited in respect of this matter and will be addressed either in the form of an update report or verbally at the committee meeting.

Ponds

The proposed development is likely to result in the loss of a pond. The loss of this pond should be compensated for through the creation of a replacement wildlife pond. This pond is also required to address the loss of habitat for common toad as discussed above. This matter will be dealt with by means of an ecological enhancement condition.

Plantation woodland

There is a network of tree planting throughout the site including areas of mix and broadleaved plantation woodland. The submitted parameters plan now shows the retention of the plantation woodland. A condition will be attached to the decision notice which requires the retention of the existing woodland on site.

Ecological Mitigation and Enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development. It is recommended a condition should be attached to the decision notice which requires the submission of an ecological enhancement strategy.

Ecology Conclusion

The proposal will not have a detrimental impact on any protected species, subject to the inclusion of the following conditions;

- Updated badger survey to be submitted in support of any future reserved matters application.
- Wildlife friendly lighting
- Stand off requirement from the ditch on the northern boundary
- Retention of woodland
- Submission of ecological enhancement strategy

IMPACT ON TREES/HEDGEROWS

The Royal London site is identified as a Strategic site within the Cheshire East Local Plan Strategy (LPS54). Site specific principles of development include:-

- High quality design and appropriate landscaping/green infrastructure to be provided to preserve the character of the area and acceptable relationship between residential and employment uses.
- Provision of open space within the scheme.
- Retention and enhancement of feature within the site that are of amenity value, where feasible, specifically the mature wooded area to the west of the site and the tree and hedge lines frontages to Alderley Road

Selected individual trees, groups and areas of trees are protected by the Macclesfield Borough Council (Wilmslow - Harefield/Fulshaw Hall) Tree Preservation Order 1975 and is a material consideration.

An Environmental Statement Addendum has been submitted which assesses the updated scheme and includes an Arboricultural Impact Assessment. There are a number of trees scheduled within the TPO located within and immediately adjacent to the site which are relevant to this application.

The scheme includes a highway proposal to the north of the site to accommodate the widening of the highway and improvement works to the Alderley Road (Whitehall Bridge) roundabout. This includes widening of the road to provide 3 lanes, realignment of the existing footway/cycleway and extending the existing culvert to include a new headwall and trash screen. The Improvements to the junction of Alderley Road approach to the roundabout formed part of the highways improvement scheme approved under a previous planning application (16/2314M).

The proposed access off Alderley Road will require the removal of 3 False Acacia, 1 Sycamore and a group of Cypress protected within Group G3 of the TPO. The trees have been categorised as Moderate and Low Category in the submitted Arboricultural Impact Assessment (AIA). It is considered that given the site constraints, including avoiding the northern residential boundary, the Coach House to the south and retaining more significant adjacent trees, including a High category protected Beech (T126) and protected Lime (T150), the position of the proposed access was deemed the least harmful. The impact of this tree loss is considered to be slightly adverse, localised, and not have a significant wider impact on the landscape/townscape.

A road link to the existing Fulshaw Hall car park from the internal access road is proposed and will require the removal of a group of 15 protected trees, (TPOG4/G96). The majority of these trees are Moderate (B) category specimens, although there have been previous removals from the protected group in the past and others are mutually suppressed. The group is internal to the site and is not significantly visible to wider public views. A larger Beech tree located to the east of the group was identified as a valuable tree within the group and is to be retained.

The internal route of the access is to be determined and it will be necessary to remove a number of unprotected moderate and low category groups of trees. These include a low value Holly (G8e), a standing dead tree (T12) and early mature Alder, Holly and Sycamore (G9e).

The submitted drainage strategy identifies potential locations for swales, culverts and attenuation ponds. The Arboricultural Statement identifies that a protected tree (part of TPOG6/G11e), two low (C) category trees (T100, T101) and three groups (G51, G52 and G53) will require removal to accommodate an attenuation pond and new culvert route. The removal of these protected trees is a worse case scenario and following further discussions with the applicant's Arboriculturist it has been suggested that some modifications to the attenuation ponds could be undertaken in order to retain some of these trees. The drainage details are subject to a condition requiring details to be submitted as part of any reserved matter application.

The removal of these trees presents a minor-slightly moderate adverse impact but no significant impact upon the wider amenity of the area. Their loss should be expected to be adequately compensated by replacement planting as part of a wider landscape scheme for the site.

Any future reserved matters application should therefore be supported by an Arboricultural Impact Assessment that addresses the above issues and a Tree Protection Scheme and Arboricultural Method Statement in accordance with BS5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*. On this basis the proposals are considered overall not to have a detrimental impact on the amenity of the area as a result of tree loss. Replacements will be sought as part of the reserved matters application.

FLOOD RISK

The site is classified as Very Low Risk (former EA Flood Zone 1), which is land that has a less than 0.1% chance of flooding (less than 1:1000). The Environment Agency and the Council's Flood Risk Team have considered the submitted Flood Risk Assessment and further submitted information and have raised no objections to the proposals. A condition has been requested that requires the submission of a detailed strategy for surface water drainage and this will be included on the decision notice for submission as part of any reserved matters application.

United Utilities have commented on the application and raised no objections to the proposals. No objections have been raised in relation to flooding and drainage subject to suitably worded conditions.

Environmental sustainability conclusions

It is considered that the proposed development is environmentally sustainable. The proposed design of the site is acceptable, there are conditions required in respect environmental matters raised above.

ECONOMIC SUSTAINABILITY

Employment

The proposed development will provide employment in the short term during the clearance and construction of the development in the area.

Economy of the wider area

The addition of 120 units within the town will undoubtedly boost the economy in the local area through the increased use of shops and services making them more sustainable, which is especially important in Wilmslow Town Centre to be sustainable into the future. Additional population can create more demand for local services, increasing the likelihood that they will be retained into the future and improvements and investment made.

Economic sustainability conclusions

The proposals will result in additional employment in the sort term through the construction of the site along with an economic boost locally through the increase in population to this area of the town. It is considered that the proposals will make efficient use of the site which is part of a wider strategic allocation.

SECTION 106

A section 106 agreement will accompany the application and is required to secure the following:

- Provision of 30% affordable units, of these dwellings 65% will be social rented and 35% intermediate housing.
- Educational contribution towards secondary and SEN provision of £192,584 based on 60 dwellings being built on site.
- Contribution towards ROS £1,000 per open market house or delivery of the playing field.
- Contribution towards health provision, the final figure is dependent on the number and size of properties that come forward at reserved matters.
- Contribution towards indoor recreation of £8,330 based on 60 dwellings being built on site.
- Management Plan for the on-site public open space and LEAP
- Contribution for monitoring of Travel Plan £5,000

The final levels of contributions will be determined on the make up of the development that comes forward in the reserved matters application.

CIL REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial

requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

COMMENT ON REPRESENTATIONS

The majority of the points of objection have been addressed in the main body of the report or are issues that will be considered as part of the future reserved matters application.

A number of representations objected on the grounds the site is within the Green Belt and therefore should not be developed. However, on adoption of the Local Plan the site was removed from the Green Belt and is now allocated for residential use.

Some representations referred to the fact Royal London are intending to relocate and on that basis the development is not needed. Royal London leaving the site is not a material planning consideration as the site is allocated within the Local Plan for development.

Numerous representations have made the point the development should be considered against the Wilmslow Neighbourhood Plan. However the Neighbourhood Plan is at a relatively early stage in its preparation and no detailed policies have yet to be produced, therefore the application cannot be considered against the emerging Neighbourhood Plan.

CONCLUSION AND PLANNING BALANCE

The site forms the part of the allocated site LPS54. The proposed development accords with the Local Plan policy relating to its allocation by providing housing and all the other policy requirements. Shortfalls in health and education provision are mitigated through financial contributions to improve existing facilities. The applicant is providing further financial contributions in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future. It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It is considered that the proposal represents sustainable development and accords with the development plan policies mentioned in the policies section of this report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

RECOMMENDATION

Approve subject to a s106 legal agreement to secure

- Provision of 30% affordable units, of these dwellings 65% will be social rented and 35% intermediate housing.

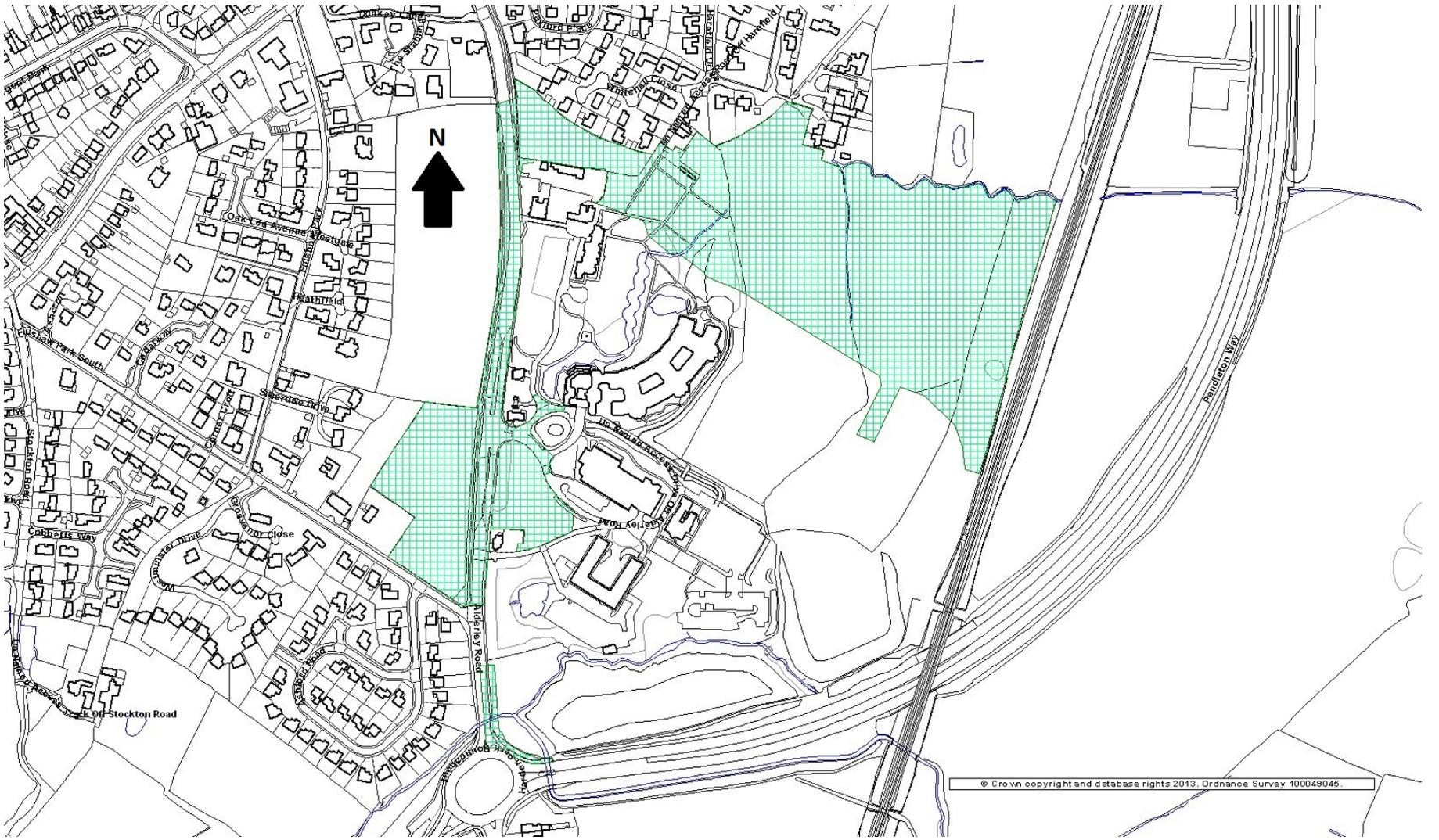
- Educational contribution towards secondary and SEN provision of £192,584 based on 60 dwellings being built on site.
- Contribution towards ROS £1,000 per open market house or delivery of the playing field.
- Contribution towards health provision, the final figure is dependent on the number and size of properties that come forward at reserved matters.
- Contribution towards indoor recreation of £8,330 based on 60 dwellings being built on site.
- Management Plan for the on-site public open space and LEAP
- Contribution for monitoring of Travel Plan £5,000

And the following conditions:

1. Standard contaminated land condition
2. Importation of soil
3. Unexpected contamination
4. Access available for use before occupation
5. Positive and proactive
6. Time period to implement permission.
7. Approve reserved matters details
8. Plans
9. Details of surface water drainage
10. Pedestrian and cycle signage
11. Submission and implementation of Travel Plan
12. Submit arboricultural impact assessment
13. Implement access
14. Levels
15. Carry out development as per the FRA
16. Construction environment management plan
17. Bat friendly lighting scheme
18. Ecological enhancement strategy
19. Landscape and habitat management plan
20. Boundary details
21. Dust control
22. Provision of Electric Vehicle Charging Points
23. Updated otter and badger survey

- 24.Noise Impact Assessment,
- 25.Implement landscaping scheme
- 26.Noise Impact Assessment as part of RM application.
- 27.Details of materials
- 28.Details of play area
- 29.Retention of hedgerows
- 30.Submission of heritage impact assessment.
- 31.Details and implementation of cycle way and footpath
- 32.Buffer zone for water voles
- 33.Submission of design code
- 34.Retention of woodland
- 35.Submission of design code before submission of reserved matters application.

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



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Application No: 17/3892M

Location: GEORGIAN, FROST AND WATERSIDE MILLS, PARK GREEN, MACCLESFIELD, CHESHIRE, SK11 7NA

Proposal: Demolition of existing on site buildings and erection of 67 dwellings with associated car parking and landscaping

Applicant: Peaks and Plains Housing Trust

Expiry Date: 05-Dec-2017

SUMMARY

Macclesfield is one of the principal towns and growth areas of the Borough where national and local plan policies support sustainable development. This proposal would bring economic, environmental and social benefits through the delivery of 67 no. residential units in a highly sustainable location, investment in the area and by bringing a prominent vacant brownfield site into viable use on one of the key gateways into Macclesfield Town Centre.

The principle of the proposed development is found to be acceptable having regard to the constraints of the site and would deliver housing development appropriate to its location. The application site also falls within a Mixed Use Area and the Park Green Town Centre Regeneration Area where the proposed use and redevelopment of the site would support these designations.

The design, layout and character of the scheme (as amended) would provide an attractive form of development within its context that would respond positively to the Park Green Conservation Area as well as other adjoining designated heritage assets.

Whilst there would be a shortfall in parking provision against recommended standards, it is important to have regard to the location of the site within a sustainable town centre location where access to other modes of transport is good. The disbenefits of parking provision are outweighed by the benefits of the scheme i.e. namely providing sustainable housing on a redundant brownfield site.

The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for the new occupants. The application would offset the impact on public open space through the provision of financial contributions. The applicants have demonstrated general compliance with national and local guidance in a range of areas including ecology, flood risk, noise and air quality.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy and the saved policies of the Macclesfield Borough Local Plan and advice contained within the NPPF.

The application is therefore recommended for approval subject to the imposition of appropriate conditions and the necessary Section 106 obligation.

SUMMARY RECOMMENDATION

Approve subject to conditions and S106 Agreement

DESCRIPTION OF SITE AND CONTEXT

The application site lies in the Park Green Conservation Area and covers roughly 0.37ha. The site is located at the southern end of the town centre and currently consists of industrial buildings. The site lies to the southeast of Park Green and to the west of the Silk Road (A523) which occupies an elevated position relative to the site. The River Bollin runs through the middle of the site. The Grade II Listed 'Gradus Mill' sits to the north. The neighbouring buildings are made up of a variety of architectural styles and uses, which include retail, warehouses and residential

DETAILS OF PROPOSAL

This application seeks full planning permission the demolition of the existing on site buildings and erection of 67 dwellings with associated car parking and landscaping on land referred to as 'Georgian, Frost and Waterside Mills', Park Green, Macclesfield.

RELEVANT HISTORY

14/5176M - Variation of condition 18 (renewable energy) on 11/3347M - Demolition of Mill and erection of Development Comprising 36 apartments - Undetermined

11/3347M – Demolition of Existing Mill and Erection of Development Comprising 36 Apartments – Approved 27-Mar-2014

10/3545M - Extension of time to full planning permission 06/0236P mixed use development comprising 87 no apartments and 1077sq m business floorspace with associated car parking, access and servicing arrangements (Full Planning) – Undetermined

10/3614M - Extension of time for permission 06/0234P - part demolition of non-listed buildings for redevelopment (Conservation Area Consent) – Undetermined

10/3615M - Extension of time for permission 06/0235P - demolition of extension and porch on Georgian Mill with external and internal alterations including windows, replacement roof and removal of internal partitions and staircases (Listed Building Consent) - Undetermined

08/2361P - Demolition of existing mill. Erection of mixed use development comprising 31 apartments and office floor space at Park Green Mill – Approved (Subject to S106) 14.05.09

08/2359P - Change of use of former mill to office use (B1). Erection of replacement office development and formation of a new River Bollin walkway / cycleway at Georgian and

Waterside Mill – Was awaiting the signing of S106 Agreement before issuing Decision Notice, however, Georgian Mill was destroyed in a fire in June 2011 and so the decision was not formally issued

08/2357P - Demolition of Waterside Mill and Georgian Mill – Conservation Area Consent – was to be issued on completion of 08/2359P

08/2356P - Demolish extension and porch. Internal and external alterations including windows, replacement roof and removal of internal partitions and staircase (Listed Building Consent) – was to be issued on completion of 08/2359P

06/0234P - Part demolition of non-listed buildings for redevelopment (Conservation Area Consent) - Approved 26.09.07

06/0236P - Mixed use development comprising 87 no. apartments and 1077 sq. m. business floorspace with associated car parking, access and service arrangements (Full Planning) – Approved 26.09.07

06/0237P - Formation of 61 no affordable apartments with associated parking at Jack Lee Mill, Knight Street, Macclesfield - Approved 26.09.07

There have been numerous applications on the site prior to 2006, which relate to the industrial use of the site, but none of direct relevance to this current scheme.

POLICIES

Development Plan

Cheshire East Local Plan Strategy

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability
SE13 Flood risk and water management
CO1 Sustainable travel and transport
CO3 Digital connections
CO4 Travel plans and transport assessments

Macclesfield Borough Local Plan (saved policies)

NE9-11 (Protection of River Corridors, Conservation of River Bollin and Nature Conservation)
BE2 (Preservation of Historic Fabric and Conservation Area)
BE15 (Listed Buildings)
BE21 (Site of Archaeological Importance)
BE23 (Development affecting Archaeological Importance)
BE24 (Development of Archaeological Sites)
RT5 (Open Space Standards)
RT7 (Cycleways, Bridleways and Footpaths)
H6 (Town Centre Housing)
H9 (Occupation of Affordable Housing)
E11 (Mixed Use Areas)
MTC18 (George Street Mill Area)
MTC19 (Housing)
MTC27 (River Bollin)
DC3 (Amenity)
DC6 (Circulation and Access)
DC8 (Landscape)
DC17 (Water Resources)
DC20 (Contamination of Watercourses)
DC35 (Materials)
DC37 (Landscaping)
DC38 (Space, Light and Privacy),
DC40 (Children's Play Provision and Amenity Space)
DC63 (Contaminated Land)

Other Material Considerations

National Planning Policy Framework (The Framework)
National Planning Practice Guidance
Cheshire East Design Guide

CONSULTATIONS

ANSA and CEC Leisure – No comments received.

Cheshire Archaeology Planning Advisory Service - No objection subject to a condition requiring the submission of a programme of archaeological mitigation.

Environmental Protection – No objections subject to conditions relating to noise mitigation, schemes for piling and floor floating, electric vehicle infrastructure, a travel plan, dust control and contaminated land and informatives relating to construction hours.

Flood Risk Manager – No objection subject to conditions requiring compliance with the submitted Flood Risk Assessment, submission of a drainage strategy and scheme of surface water drainage. Parts of the site adjacent to the River Bollin are at risk of flooding from surface water. This will need to be appropriately managed as part of the development. Any works affecting the River Bollin will need to be permitted by the Environment Agency.

Housing Strategy & Needs Manager – No objection. The Housing Strategy and Needs Manager has confirmed that no affordable housing is required as part of this application having regard to the planning history of the site and the delivery of affordable units on the adjacent Jack Lee Mills development.

Head of Strategic Infrastructure – No objection.

Public Rights of Way – No objections – the proposal does not affect a definitive public right of way.

United Utilities – No objection subject to foul and surface water drainage being connected on separate systems and submission of a surface water drainage scheme.

VIEWS OF THE MACCLESFIELD TOWN COUNCIL

No objection but asked that:

- i. adequate provision of parking is given full consideration;
- ii. consideration is given to air quality

OTHER REPRESENTATIONS

Representations have been received from 7 addresses, 5 objecting to the proposal and 2 supporting it. The grounds for objection are summarised as follows:

- Impact on an important area of the town including the war memorial & the other adjacent period buildings
- Mill could be rebuilt with its iconic clock, retaining the original 'look' of the area
- Full archaeological building survey should be made and be included in the planning conditions before it disappears completely
- Elevation facing Park Green must be redesigned
- Design of the proposals will age badly and needs to be more fitting for the area
- Proposed car parking will conflict with parking associated with neighbouring businesses
- Will impact on access to neighbouring property
- Insufficient parking which will affect amenity, increase roadside parking and increase congestion
- Car ownership is increasing whilst bus service provision is being cut
- Will set a precedent

The grounds for support are summarised as follows:

- Another Macclesfield eye-sore bites the dust

- Council should concentrate on sites like this first, rather than building on rich farm land around the edges
- Will bring more life into the town
- Hope that the car parking requirement will not become an objective to its approval
- Will reduce pressure on the green belt
- Should not reject a town centre brownfield development for reasons of parking provision
- The residents of affordable accommodation have a less than average likelihood to need or own cars, and the location is most highly served by public transport
- Site is highly sustainable
- Car parking standard is an out-dated tool

OFFICER APPRAISAL

Background

This application relates to a key gateway site occupying a prominent position at the southern approach to Macclesfield Town Centre and the Park Green Conservation Area. The site has lain vacant for a number of years and in its present derelict state, serves to detract from the visual amenity of the area including the adjoining designated heritage assets.

The site has a complex history. The planning history shows that since 2006, there has been an appetite to re-develop this key brownfield site for residential use (albeit earlier iterations have included a proportion of business floor space too). Unfortunately, the larger Grade II Listed mill building that once stood to the north of the site was destroyed in a fire in June 2011 and was subsequently demolished. Later that year, detailed planning approval was given for a scheme of 36 no. apartments (planning ref; 11/3347M refers).

The site formed part of a larger development which incorporated the revitalisation of Georgian Mill, Waterside Mill and Jack Lee Mill. However, following the fire and subsequent demolition of the Grade II Listed Georgian Mill, consent was granted under planning ref; 11/3347M for the demolition of all the Park Green Works between the River Bollin and Maydews Passage (with the exception of 42 Park Green which was to be retained) and the construction of a new 3 storey building fronting Park Green, continuing alongside the River Bollin through to Brook Street.

It is important to note that when this site was considered as part of the larger development, the full affordable provision was provided within Jack Lee Mill. Taking the two sites together, the overall level of affordable provision would be in excess of that required by Policy.

Principle of Development

Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*".

Macclesfield is identified as one of the principal towns in Cheshire East where CELPS Policy PG 2 seeks to direct 'significant development' to the towns in order to 'support their revitalisation, recognising their roles as the most important settlements in the borough.

Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport'.

The application site also falls within a Mixed Use Area and the Park Green Town Centre Regeneration Area where saved Policies MTC12, MTC13 and MTC18 are applicable. Policy MTC12 is permissive of residential uses and Policy MTC13 states that the Borough Council will encourage the re-use and selective redevelopment of sites within the Park Green area primarily for offices, cultural and community uses.

MBLP Policy MTC18 states that proposals specifically in the George Street Mill area will be encouraged where they would result in 'the revitalisation of the area principally by the reuse of existing buildings for employment (B2) and offices (B1) together with enhancement of the River Bollin corridor'. It is accepted that Policy MTC18 states that the regeneration of the area will be principally achieved by the reuse of buildings for employment (B2) and offices. However, it does not specifically preclude housing as an appropriate use and Policy MTC19 permits housing in the town centre where a satisfactory housing environment can be achieved.

In this case, the site has already been accepted as being suitable for residential purposes owing to the previous planning consents. It is considered that the site is unsuited to industrial uses and there are adequate opportunities for offices in the designated Regeneration Areas and Mixed Use Areas elsewhere in the town centre. The site has remained vacant and in a poor state of repair for a significant number of years and therefore its redevelopment would serve as an efficient use of brownfield land within a highly sustainable location. This proposal will secure the redevelopment and regeneration of an important site within the Park Green area which will bring direct and indirect benefits to the local economy, town centre, conservation area and the community through the delivery of housing.

The general principle of the development is therefore found to be acceptable. As per para 14 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable development (economic, social and environmental) and compliance with the Development Plan.

SOCIAL SUSTAINABILITY

Housing Land Supply

On 27 July 2017, the Council adopted the Cheshire East Local Plan Strategy. This followed an extensive public examination led by an independent and senior Planning Inspector.

The Inspector's Report on the Local Plan was published on 20 June 2017 and signalled the Inspector's agreement to the Plans policies and proposals. The Local Plan Inspector confirmed that, on adoption, the Council was able to demonstrate a 5 year supply of housing land. In his Report he concluded:

"I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years"

The Inspector's conclusion that the Council had a 5 year supply of deliverable housing land was based on the housing land supply position as at 31 March 2016.

Following the adoption of the Local Plan Strategy, the Council released its annual Housing Monitoring Update, in August 2017. It sets out the housing land supply as at 31 March 2017 and identified a deliverable housing land supply of 5.45 years.

On 8 November 2017, an appeal against the decision of the Council to refuse outline planning permission for up to 400 homes at White Moss Quarry, Alsager (WMQ) was dismissed due to the scheme's conflict with the Local Plan settlement hierarchy and its spatial distribution of development.

However, in his decision letter, the WMQ Inspector did not come to a clear conclusion whether Cheshire East had a five year supply of deliverable housing land. His view was that it was either slightly above or slightly below the required 5 years (4.96 to 5.07 years). In this context, the Inspector engaged the 'tilted balance' set out in the 4th Bullet point of paragraph 14 of the National Planning Policy Framework (NPPF). This introduces a presumption that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

On 4 January 2018, an appeal against the non-determination of an outline planning permission for up to 100 homes at Park Road, Willaston was dismissed due to conflict with Local Plan policies that sought to protect designated Green Gap, open countryside and rural character. The Inspector also took the view that the housing land supply was either marginally above or below the required 5 years (4.93 to 5.01 years). On this basis, he adopted a 'precautionary approach' and assumed a worst case position in similarly engaging the 'tilted balance' under paragraph 14 of the Framework.

The Council is continuing to update its evidence regarding housing land supply to ensure that decisions are taken in the light of the most robust evidence available and taking account of recent case law. The Council believes it can demonstrate a five year supply and will accordingly be presenting further updated evidence at the forthcoming Stapeley Inquiry.

For the purpose of determining current planning applications, it is therefore the Council's position that there is a five year supply of deliverable housing land.

Whilst the Council can now demonstrate a 5 year supply of land for housing, it is important to note that this proposal would deliver 67 no dwellings within one of the Principal Towns in the Borough. It is important to keep the supply rolling and proposals to redevelop redundant brownfield sites such as this one will assist in relieving pressure on other edge of settlement sites and the countryside. As such, this is a key benefit of the scheme.

Affordable Housing

Policy SC 5 of the CELPS states that "in developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres of the Borough, at least 30% of all units are to be affordable". Thus, a scheme of 67 units would normally be expected to provide

20 no. affordable units. However, as stated earlier, this site was considered as part of a larger development which included Jack Lee Mill. On the Jack Lee Mill part of the site, all of the 61 no. affordable units were delivered in 2010.

The s106 agreement relating to the larger development precluded the development of Georgian Mill until Jack Lee Mill had commenced, and restricted the occupation of no more than 10 units on Georgian Mill until 30 of the units at Jack Lee Mill were complete and no more than 20 of the residential units were to be occupied until all the units at Jack Lee Mill were completed. The extant consent for the Georgian Mill part of the site approved 36 units (Planning ref; 11/3347M) and so the s106 carried the caveat that if there was a subsequent increase on any further phases of development on the sites that are linked together (i.e. Georgian Mill or Waterside Mill) which resulted in the 61 units provided at the Jack Lee Mill site being less than 30% of the overall development on the sites, then further affordable housing would be necessary to meet the 30% requirement.

In the case of this application, taking the two sites together, the overall level of affordable provision would be in excess of that required by Policy SC 5. This is a proposal for 67 units bringing the total number of units provided at all 4 mills to 103 units. 30% provision of affordable housing would equate to 31 units. Given that the development at Jack Lee Mill has already provided 61 units as part of wider development, there is therefore no requirement for provision of affordable housing on this site. As such, the scheme is found to be acceptable in this regard and is supported by the Council's Strategic Housing Section.

Public Open Space

Policies RT5 and DC40 of the MBLP set out the amenity open space requirements for housing development (per dwelling). The requirements for amenity open space would be 20 square metres per dwelling. As this proposal would not comprise of 'family dwellings', there would be no requirement for informal / formal children's play provision.

Apart from the route adjacent to the River Bollin, there would be minimal private or public amenity space accommodated on site. As such, the proposals would place a greater burden on open space and recreational facilities in the area and accordingly, the applicants would be expected to make a financial contribution towards the Borough Council's sports, recreational and open space facilities in lieu of on-site provision. The Macclesfield S106 Supplementary Planning Guidance on S106 Agreements provides the formulae for calculating off site financial contributions.

In the case of this proposal, the financial contributions would be as follows:

- Amenity Open Space - £1500 per bed space (124 bed spaces x £1500 = £186,000)
- Recreation / Outdoor Sports Provision - £500 per 2+ bed space (113 2+ bed spaces = £56,500)

Subject to the above being secured by way of a legal agreement, the scheme is found to accord with MBLP Policies RT5 and DC40.

ENVIRONMENTAL SUSTAINABILITY

Design, Character and Appearance

The NPPF and CELPS Policy SE 1 emphasises the importance of securing high quality design appropriate to its context. Policy SD 2 of the CELPS expects all development to “*Contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of:*

- a. Height, scale, form and grouping;*
- b. Choice of materials;*
- c. External design features;*
- d. Massing of development - the balance between built form and green/public spaces;*
- e. Green infrastructure; and*
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood;”*

The character of the area is essentially made up of tightly packed buildings, with few public open spaces save for Park Green. Most of the buildings are built tight to the back of pavements. There is a mixture of two, three and four storey commercial and residential uses in the locality. These buildings are interspersed with traditional industrial buildings which are five and six storeys in nature.

The proposed design has followed discussions with the Local Planning Authority. These discussions have resulted in an amended design which would provide 2 principal blocks of accommodation in traditionally designed and proportioned structure, which would be punctuated by contemporary elements. The design seeks a modern expression of the traditional mill form without resulting in a pastiche form. The proposal is appropriate in scale and size having regard to the existing mills and warehouses in Macclesfield. The building incorporates larger openings, entrances, bays and contemporary insertions. The fenestration (doors and windows) establish a vertical rhythm along the elevations and as amended, are well proportioned.

In reference to the history of the site and the area, the proposal would utilise a ‘saw-tooth’ roof arrangement within the eastern (Waterside) half of the development. This would reference the industrial roofs that would have once characterised this area of Macclesfield. The eastern apartment block along the Bollin would open up the river corridor and would promote passive surveillance. The block and elevations facing Park Green would achieve good presence and dominance and would respond well to the character of the area forming a heritage style block. This proposal would incorporate elements of metal perforated cladding which would provide a contemporary approach which would assist in separating the old from the new and also assist in breaking up the massing of the elevations.

The proposed design would be partly contemporary in terms of its appearance and the use of materials. However, it would provide an attractive form of development in an important area of Macclesfield Town Centre and would respond positively to the Park Green Conservation Area. The design is therefore found to be acceptable and in accordance with Policies SE 1 and SD 2 of the CELPS.

Heritage Assets

This property lies within the Park Green Conservation Area where there is a need to respect and enhance the character and appearance of the area. The present view from the Silk Road is of backs of buildings, sheds and neglected yards. An opportunity exists to significantly improve the views from Park Green and those from along the river corridor. The existing buildings on site make a negative contribution to the conservation area and the setting of adjoining listed buildings. Although the views within and out of the conservation area will be altered by this development, subject to the use of high quality materials, the impact will be positive by regenerating a derelict site on a key gateway into Macclesfield Town Centre whilst bringing the site into viable use.

Archaeology

The site is located within the Macclesfield Area of Archaeological Potential as defined in the MBLP. The application area sits within Zone 3 of this area which is characterised by the town's industrial development during the 18th and 19th centuries. In March 2006, the Cheshire Archaeology Planning Advisory Service (APAS) commented on the earlier application to develop this site (06/0236P) which was supported by an archaeological desk-based assessment.

This assessment identified the extension to the Georgian Mill as an area where significant below ground archaeological remains were likely to be present. These related specifically to the power systems of the mill including engine houses, boiler houses, wheel pits and gas holders. The report recommended a programme of pre-determination evaluation in order to examine the extent of these archaeological remains and the need for further archaeological mitigation.

The evaluation work was undertaken during which the trenches revealed evidence of the features described above. As a result it was agreed that should planning permission be granted for the scheme, that further archaeological mitigation would be required, which could be secured by condition. It was agreed that this work would comprise of an archaeological excavation targeting the engine house, boiler house and wheel pit and a photographic survey, commensurate with a Historic England Level 1 record of the remaining standing mill structures. It was also noted that the lifting of concrete slab in archaeologically sensitive areas would need to be carried out under archaeological supervision to avoid damage to the underlying strata.

Whilst the mill has since been destroyed by fire, it is the opinion of APAS the agreed scope of a previous Written Scheme of Investigation is still relevant. The Cheshire Archaeology Planning Advisory Service (APAS) has therefore recommended that that an appropriate programme of archaeological mitigation be undertaken and secured by condition. Subject to this, the proposal is found to be acceptable in this regard and compliant with Macclesfield Borough Local Plan Policies BE23, BE24 and SE 7 of the Cheshire East Local Plan.

Trees and Landscaping

Owing to the previously developed nature of the site, the only tree specimens and soft landscaping on the site is located along the Mill Lane frontage. The existing specimens are poor quality and are not worthy of retention, save for one specimen at the far north-western corner of the site. This specimen could be retained if deemed necessary. This detail would be

secured by condition by way of a landscaping condition. The Council's Principal Landscape Officer does not consider that the proposals will result in any significant landscape or visual impacts.

Highways and Parking

Vehicular access to the site would be maintained directly off Park Green in between the site and Gradus Mill to the north east. This would provide access to the internal courtyard and car parking areas. Having regard to the lawful use of the site for B2 and previous residential consents, it is considered that the vehicle movements advocated with the proposed development could be accommodated by the proposed site access and existing highway network.

With respect to parking provision, Appendix C of the Cheshire East Local Plan Strategy outlines the car parking standards for particular types of proposed development. For residential accommodation within Principal Towns such as Macclesfield, the recommended car parking standard for 1 bedroom units would be 1 space per dwelling and for 2 and 3 bedrooms it would be 2 spaces per dwelling. Appendix C advises that these standards 'will apply where there is clear and compelling justification that it is necessary to manage the road network'.

In this case, the proposals would comprise of 67 units made up of 11 no. 1 bed units, 55 no. 2 bed units and 1 no. 3 bed unit. This would equate to a need. This would equate to a need for 123 spaces according to the car parking standards. This proposal would provide 23 car parking spaces. It is recognised that this is well below the recommendations in the parking standards. However, it is important to have regard to the location of the site within the Town Centre of one of the Principal Towns in the Borough.

Further residents will be aware of the site location and parking constraints when purchasing these units. The site is located in a highly sustainable location with access to all facilities within walking distance but also is within 0.3 miles of Macclesfield Railway Station (5 minute walk along Sunderland Street). The site is also adjacent to existing bus stops on Mill Lane and the site is accessible by other public transport links serving the wider area.

The Head of Strategic Infrastructure (HSI - Highways) has assessed the application has offered no objection to the application on highways or parking grounds. Accordingly, it is not considered a refusal could be sustained on parking grounds in this case.

Residential Amenity

Saved policy DC38 of the Macclesfield Borough Local Plan (MBLP) states that new residential developments should generally achieve a distance of between 21 metres and 25 metres between principal windows and 14 metres between a principal window and a blank / flank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties, unless the design and layout of the scheme and its relationship to the site and its characteristics provide a commensurate degree of light and privacy between buildings.

Whilst the properties on the opposite side of Mill Lane to the west are predominantly commercial / retail, there are some residential uses at the upper floors which have windows facing the site. At its closest point, the separation between these adjacent properties and the proposed west facing elevation would be 18 metres. Thus, the proposal falls short of the recommended standards. However, given that the area is characterised by a traditional tight urban grain where there are examples of similar separation distances, and taking account of the benefits associated with the removal of the unneighbourly lawful uses and the general benefits of the scheme, it is not considered that a refusal could be sustained on amenity grounds.

Elsewhere, the proposal would meet with the separation standards and the amenity afforded to future residents (in terms of light and outlook) of the proposed scheme would be acceptable having regard to the character of the area and the town centre location, subject to further considerations relating to noise.

Noise

The application is supported by a noise impact assessment which details noise mitigation measures in order to ensure that occupants of the proposed dwellings are not adversely affected by current and future traffic noise in the vicinity of the site, having particular regard to the Silk Road. Provided that the noise mitigation measures as detailed in the noise impact assessment are implemented, it is considered that there should be no adverse impacts on health and quality of life of the future residents resulting from road traffic or other noise in the area. Subject to conditions, it is considered that the proposal complies with Policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing.

Air Quality

Policy SE 12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy. When assessing the impact of a development on Local Air Quality, regard is had to the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality May 2015).

The application is supported by an Air Quality Screening Assessment which has been reviewed by the Council's Environmental Protection Unit. The screening report does not contain a detailed assessment into the impacts of NO₂ and PM₁₀ during the operational phase as one is not required in accordance with EPUK and IAQM criteria based on the predicted development flows. Nonetheless, it should be noted that the report uses local diffusion tubes for its conclusions and the values attributed to them for the years used (2014 and 2015) are slightly higher than the current most up to date figures. Whilst these differences are significant, the actual data used is effectively an over-prediction of the developments effects and can be considered a 'worst case scenario'.

The report concludes that the development's impact is considered negligible and that the existing air quality levels, given the proximity to the London Road AQMA, were predicted to be below the air quality objective at the proposed development. That being said, there is still a

need for the Local Planning Authority to consider the cumulative impact of a large number of developments in the area with particular reference to the impact of transport related emissions on Local Air Quality.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. Air Quality Monitoring undertaken in Macclesfield indicates that the annual mean nitrogen dioxide limit value has been exceeded for the years 2014 – 2015 in the areas around Broken Cross and Park Lane, and the area around Hibel Road for 2014. The Council is currently undertaking a verification process in accordance with the Local Air Quality Management regime including the need to declare an Air Quality Management Area and the due process involved in that decision. Macclesfield also already has one Air Quality Management Area and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

Based on the above, it is considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. This can be achieved by conditions relating to travel planning, dust control and the provision of electric vehicle infrastructure, which are accordingly recommended. Subject to these conditions, the proposal will comply with policy SE 12 of the CELPS.

Ecology

Macclesfield Borough Local Plan Policy NE11 and CELPS Policy SE 3 seek to protect nature conservation interests and indicate that where development would adversely affect such interests, permission should be refused. The application is supported by a Phase 1 Habitat Survey which concludes that the site is generally low in terms of its nature conservation value. The proposal would be unlikely to affect statutory or local wildlife sites in the local area. The Council's Nature Conservation Officer has reviewed the submitted survey and agrees with its findings. Subject to conditions to safeguard breeding birds, the proposal is considered to comply with policy NE11 of the MBLP and SE3 of the CELPS.

Flood Risk and Drainage

The River Bollin runs through the site and consequently, parts of the site fall within Flood Zones 2 and 3 as defined by the Environment Agency indicative flood maps. Flood Zone 2 is considered to have a medium probability of flooding (between a 1 in 100 and 1 in 1,000 annual probability of river flooding (1% – 0.1%)) whilst Flood Zone 3 has a high probability of flooding (land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%). Flood Zone 3 can be split into either Flood Zone 3a or 3b. Flood Zone 3b is classified as 'functional flood plain', which is land where water has to flow or be stored in times of flood.

The NPPF Technical Guidance includes a table / matrix (Table 3 refers) which advises on the 'flood risk vulnerability and flood compatibility' of uses dependent on the flood zone it finds itself in. It states that more vulnerable development (including residential) are appropriate within Flood Zones 1 and 2 and is also appropriate in Flood Zone 3a subject to an exception test. It states that development for more vulnerable uses should not be permitted within Flood Zone 3b (functional floodplain). The application is supported by a Flood Risk Assessment

which confirms that those parts of the site that are within Flood Zone 3 are entirely 3a and therefore none of the site from part of a floodplain.

Para 103 of the NPPF states that:

“When determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that:

- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and*
- development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.”*

In terms of the sequential test, the submitted FRA concludes that there are no sequentially more preferable sites comparable to this one. Further, the site is identified within the Cheshire East Strategic Housing Land Availability Assessment (SHLAA - site 923) as developable for such uses. In terms of the exception test, owing to the flood mitigation measures and given that the submitted FRA confirms that subject to mitigation, the proposals will not increase the risk of flooding elsewhere, the benefits of the scheme do outweigh the harm relating to flood risk. The Environment Agency, Council’s Flood Risk Manager and United Utilities have been consulted on this application and have raised no objection to the development on flood risk or drainage grounds subject to conditions. Therefore the development is considered to be acceptable in terms of its flood risk and drainage impact and will comply with policy SE 12 of the CELPS.

Contaminated Land

The submitted Phase I Preliminary Risk Assessment has been assessed by the Council’s Environmental Protection Unit, who have offered no objection. Any risk from further contamination not already identified can be picked up and by a Phase II investigation secured by appropriate conditions. Consequently the proposal complies with policy DC63 of the MBLP and CELPS Policy SE12.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Macclesfield including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

S106 HEADS OF TERMS

As noted above, comments are awaited from ANSA and discussions regarding the potential contribution towards the Open Space are ongoing. Therefore, a s106 agreement is currently

being negotiated to secure the requisite Public Open Space and Sports and Recreation provision in lieu of on-site provision.

CIL Regulations

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

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

The provision of public open space and sport and recreation (financial) mitigation directly relates to the development, is necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

CONCLUSIONS

Macclesfield is one of the principal towns and growth areas of the Borough where national and local plan policies support sustainable development. This proposal would bring economic, environmental and social benefits through the delivery of 67 no. residential units in a highly sustainable location, investment in the area and by bringing a prominent vacant brownfield site into viable use on one of the key gateways into Macclesfield Town Centre.

The principle of the proposed development is found to be acceptable having regard to the constraints of the site and would deliver housing development appropriate to its location. The application site also falls within a Mixed Use Area and the Park Green Town Centre Regeneration Area where the proposed use and redevelopment of the site would support these designations.

The design, layout and character of the scheme (as amended) would provide an attractive form of development within its context that would respond positively to the Park Green Conservation Area as well as other adjoining designated heritage assets.

Whilst there would be a shortfall in parking provision against recommended standards, it is important to have regard to the location of the site within a highly sustainable Town Centre location where access to other modes of transport is good. The disbenefits of parking provision are outweighed by the benefits of the scheme i.e. namely providing sustainable housing on a redundant brownfield site.

The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for the new occupants. The application would offset the impact on public open space through the provision of financial contributions. The applicants have demonstrated general compliance with national and local guidance in a range of areas including ecology, flood risk, noise and air quality.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy and the saved policies of the Macclesfield Borough Local Plan and advice contained within the NPPF. The application is therefore recommended for approval subject to the imposition of appropriate conditions and the necessary Section 106 obligation.

RECOMMENDATION

APPROVE subject to conditions and a S106 Agreement / Unilateral Undertaking making provision for:

Public Open Space comprising of:

- **Amenity Open Space - £1500 per bed space (124 bed spaces x £1500 = £186,000)**
- **Recreation / Outdoor Sports Provision - £500 per 2+ bed space (113 2+ bed spaces = £56,500)**

And the following conditions:

1. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. Construction of access prior to first occupation
4. Landscaping scheme to be submitted and approved
5. Landscaping scheme to be implemented
6. Protection for breeding birds during bird nesting season
7. Details of ground levels to be submitted, approved and implemented
8. Details of external facing materials to be submitted, approved and implemented
9. Details of boundary treatments to be submitted, approved and implemented
10. Development to be carried out in accordance with submitted noise survey
11. Development to be carried out in accordance with submitted Flood Risk Assessment. Finished floor levels of the proposed apartments are set no lower than 134.915 m above Ordnance Datum (AOD)
12. Phase II contaminated land survey to be submitted, approved and implemented
13. Remediation of contaminated land to be carried out
14. Bin storage to be provided prior to first occupation
15. Cycle storage to be provided prior to first occupation
16. Details windows to be submitted, approved and implemented
17. Details of pile foundations to be submitted, approved and implemented
18. Electric Vehicle Infrastructure (2 rapid charge points) to be provided prior to first occupation
19. Submission, approval and implementation of Travel Plan Packs
20. Scheme of dust control to be submitted, approved and implemented
21. Submission, approval and implementation of a scheme of archaeological mitigation
22. Foul and surface water drainage to be connected on separate systems
23. Scheme of surface water drainage to be submitted, approved and implemented
24. No drainage systems for the infiltration of surface water drainage into the ground is permitted, unless otherwise agreed

25. Submission, approval and implementation of a Construction Environmental management Plan

In order to give proper effect to the Board's/Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.



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Application No: 17/5573C

Location: Land Between Manchester Road And, GIANTSWOOD LANE, HULME WALFIELD

Proposal: Residential development of 131 dwellings

Applicant: Bloor Homes (North West) Ltd

Expiry Date: 06-Feb-2018

SUMMARY

The site is an allocated site in the Cheshire East Local Plan Strategy (LPS 28) for the delivery of around 150 houses. The site is currently being developed for 96 dwellings under the plans granted reserved matters approval (16/3107C). This scheme increases the numbers of units on the site by 35 dwellings, by including an additional area of land to the rear of Walfield Avenue not previously incorporated, resulting in an increased overall number of dwelling (131 in total) . The scheme involves a reduction in the numbers of 4 bed housing variants allowing an increased number of 3 bed variants on the enlarged site.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” The National Planning Policy Framework, also advises Councils as to how planning decisions should be made. The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means “approving development proposals that accord with the development plan without delay”

Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of policy compliant affordable housing provision and would help in the Councils delivery of 5 year housing land supply. Mitigation for the education and health impacts of the 35 additional units is provided. The impact upon infrastructure would be neutral as it is mitigated.

Public Open Space and play area provision this is considered to be acceptable. There is a minor impact upon the operations of the Jodrell Bank Telescope, which is a detrimental impact against the proposal. This needs to be assessed in the overall balance.

Environmental Sustainability

The external appearance of the dwellings is considered to be acceptable and carry on the principles from the approved scheme. Highway impacts of the additional 35 units are mitigated via additional S106 payments.

The development would not have any significant impact upon ecology, the trees and hedgerows on this site subject to the mitigation provided.

Economic Sustainability

The development of the site would provide a number of economic benefits in the residential use of the site from future residents living/ working and spending in the local economy.

RECOMMENDATION

Approve subject to conditions and the completion of a S106 Agreement and subject to a 21 day notification period to the University of Manchester (Jodrell Bank) of the intention to grant planning permission.

PROPOSAL

This application seeks full permission for the development of the site for 131 units. The scheme has been reduced from 135 units as originally applied for to accommodate a play area.

The development would consist of 1 to 4 bedroom units. The development would consist of the following mix:

- 1 bed – 10 no (all affordable)
- 2 bed - 26 no (16 affordable units)
- 3 bed - 44 no (12 affordable)
- 4 bed – 51 no (1 affordable)

SITE DESCRIPTION

The application site measures 5.60 ha and presently comprises a housing development of 96 units being undertaken by Bloor Homes. This site comprises the original approved site and an additional parcel of land sandwiched between the on going development site and Walfield Avenue.

The site is allocated a strategic site for housing within the Cheshire East Local Plan Strategy comprising the delivery of around 150 dwellings.

The field is located behind rows of houses along Giantswood Lane, Manchester Road and Walfield Avenue. The pattern of development along Giantswood Lane and Walfield Avenue is built up with large detached properties and a car sales business in a more dispersed pattern along Manchester Road.

There is a group of protected trees adjacent to Manchester Road and Hulme Walfield FP2 (public footpath) bisects the site East to West which leads to Hulme Walfield FP3 to the North which would meet the junction with Manchester Road.

The site slopes steeply from the South to North with a change in levels of some 18m towards the existing stream on the site. The Manchester Road frontage is at a significantly lower land level than the site where it backs on to houses on Giantswood Lane.

Trees are to perimeter of the site along the North, East and Southeast boundaries with hedgerow to the remainder.

RELEVANT HISTORY

Deed of Variation to S106 Agreement sealed 30 March 2016 – allows for minor changes to wording of social housing clauses to original S106 Agreement.

16/3107C - Reserved matters of outline approval 14/3107C for 96 dwellings granted permission 15/5/2017 - This scheme is implemented. To date, as required by the S106, the full highways mitigation payment has been provided. Other requirements of the S106 have yet to be triggered

14/1680C – Outline application with access provided for up to 96 units – permission granted subject to S106 Agreement 15 Sept 2015.

POLICIES

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56 – 68. Requiring good design

Local Plan Policy

Cheshire East Local Plan Strategy

PG2 – Settlement Hierarchy

PG5 - Open Countryside

PG6 – Spatial Distribution of Development

SC4 – Residential Mix

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE3 – Biodiversity and Geodiversity

SE5 – Trees, Hedgerows and Woodland

SE 1 - Design

SE 2 - Efficient Use of Land

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 3 - Biodiversity and Geodiversity

SE 13 - Flood Risk and Water Management

SE 6 – Green Infrastructure

SE10 - Jodrell Bank

IN1 – Infrastructure

IN2 – Developer Contributions

LPS 28 - Giantswood Lane South Congleton

Saved Policies Congleton Borough Local Plan

PS8 Open Countryside
NR4 Non-statutory sites
GR5 Landscaping
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
PS10 Jodrell Bank
NR1 Trees and Woodland
NR3 habitats
NR5 Habitats
H6 Residential Development in the Open countryside
H13 affordable Housing and low cost housing

Hulme Walfield and Somerford Booths Neighbourhood Plan
(Made February 2018)

HOU1 - New Housing development
HOU5 - Housing design
INF1 - Infrastructure

Other Material Considerations

National Planning Policy Guidance
Cheshire East Residential Design Guide

CONSULTATIONS

Jodrell Bank: Objection. The proposed 35 units (over and above approved development) will have minor impact upon the operation of the Telescope

Strategic Highways Manager: No objection subject to a financial contribution of £118,750 based on £3,125/unit in the existing Agreement for infrastructure improvements on the A34 Manchester Road/A534 Macclesfield Road.

Strategic Housing Manager: No objection; the proposal includes a policy compliant amount of affordable housing including 1 no four bed unit which addresses local need.

Environmental Protection (Cheshire East Council) – No objections, subject to a number of conditions including travel planning, electric vehicle charging, low emission boilers; compliance with noise report; remediation strategy

Flood Risk Manager (Cheshire East Council) – No objection subject to conditions

Education (Cheshire East Council) – This development of 35 additional dwellings is expected to generate:

7 primary children (35 x 0.19)
5 secondary children (35 x 0.15)
0 SEN children (35 x 0.51 x 0.023%)

To alleviate forecast pressures, the following contributions would be required:

7 x £11,919 x 0.91 = £75,924.00 (primary)
5 x £17,959 x 0.91 = £81,713.00 (secondary)

Total education contribution: £157,637.00

Eastern Cheshire Clinical Commissioning Group: This development of 35 additional dwellings is expected to impact upon the operations of the local doctors surgery. A commuted sum of £32,112 is requested

ANSA (Public Open Space): No objections to the landscaping proposal in general. No objection to the NEAP design, siting or equipment

PROW Unit: No Objection. A diversion is currently in progress for the diversion of Public Footpaths Hulme Walfield Nos. 2 and 3

VIEWS OF THE PARISH/TOWN COUNCIL

Hulme Warfield Parish Council: Comment that the density has increased significantly and the proposal should return to original density with pro rata increase in density with the incorporation of the additional land to rear of Walfield Avenue

Congleton Town Council: No objection subject to adequate assessment of amenity for neighbours

OTHER REPRESENTATIONS

16 objections have been received from local households and other households in the Congleton area raising the following points;

- bungalows should be provided to provide a balance against all the 2 storey housing
- work is already in progress
- Traffic congestion on the A34
- Infrastructure, schools, doctors should be in place before more housing built
- Scheme should be left as originally approved
- FP2 will be upgraded to a Bridleway as part of this development, but what is the point if it leads to a pedestrian only footpath - it should all be cycleway
- Closure of the PROW whilst the development proceeds
- Overlooking of houses on Giantswood Lane
- Additional housing not needed
- Lack of buffer zone as per the previously approved plans

- The additional 38 houses proposed can only lead to greater traffic access onto the A34 and consequent hazard.
- Greater density of development out of keeping with locality
- Loss of wildlife corridor
- Location of the sewer easement to the rear of Giantswood Lane
- Loss of privacy to residents on Walfield Avenue
- Those large housing developments have brought the town to a standstill

OFFICER APPRAISAL

Principle of Development

The application site is identified a site for housing (site LPS28 Giantswood Lane South Congleton) within the Cheshire East Local Plan Strategy. The strategy (inter alia) envisages:

'The development of Giantswood Lane South over the Local Plan Strategy period will be achieved through:

1. *The delivery of 150 new homes (at approximately 30 dwellings per hectare)*

Site Specific Principles of Development

- a. *Contributions towards the delivery of the Congleton Link Road.*
- b. *Contributions towards complementary highway measures on the existing highway network.*
- c. *Pedestrian and cycle links set in green infrastructure to be provided to new and existing employment, residential areas, shops, schools, health facilities the town centre. This should include the retention of existing Public Rights of Way into a landscaped corridor to provide enhanced pedestrian connectivity.*
- d. *The provision of a network of open spaces for nature conservation and recreation. Development should retain and enhance areas of landscape quality / sensitivity.*
- e. *The timely provision of physical and social infrastructure to support the development at this location*
- f. *The achievement of high quality design reflecting the prominent landscape location of the site and creating a vibrant destination and attractive public realm.*
- g. *The site should be developed comprehensively consistent with the allocation of uses set out in Figure 15.30 and the principles of the North Congleton Masterplan. Development should integrate with the adjacent existing and proposed uses, particularly through sustainable transport, pedestrian and cycle links*
- h. *The delivery of appropriate public transport links to connect with employment, housing and retail / leisure uses in the town.*
- i. *The Local Plan Strategy Site will provide affordable housing in line with the policy requirements set out in Policy SC5 (Affordable Homes).*
- j. *Future development –should consider the use of SUDs to manage surface run off from the site.*
- k. *A desk-based archaeological assessment should be undertaken, with appropriate mitigation, if required.*
- l. *Future development should consider Policy SE14 Jodrell Bank.*
- m. *Contributions to education and health infrastructure*
- n. *The visual, noise and pollution assessment of development should be undertaken with the assumption that the link road is in situ and suitable screening/mitigation provided accordingly*

o. A minimum Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the site is, or could be made, suitable for use should it be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the site.

p. Future development should provide an east to west Greenway with pedestrian and cycle links across the site linking together proposed and existing leisure uses, local retail and other community facilities at this site with other sites to the north of Congleton.

q. Any replacement and /or new sports provision should be in accordance with the adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy

Congleton has been identified as a Key Service Centre for Cheshire East. The focus for Congleton over the Local Plan Strategy period will be that of high quality employment led growth to accommodate the expansion of existing businesses and attract new investment into the town.

The provision of new housing is seen as important as part of balanced and integrated portfolio of development to support the town centre, ensure balanced and sustainable communities and support the delivery of the Congleton Link Road.

Congleton is therefore expected to accommodate in the order of 24 hectares of employment land and 3,500 new homes up to 2030. This site is one of the sites that has been allocated to contribute towards the required future housing need to 2030.

The location of the town's existing employment sites to the north of the settlement, the ambition to create a link road to the north of the town and the constraints presented by the South Cheshire Green Belt have led to the selection of a range of Local Plan Strategy Sites and Strategic Locations located to the north of Congleton. These sites offer the most effective means to support the expansion of existing successful business locations and make sure that new residential development is not only located within easy access of these employment sites but also to facilities and services in Congleton without the need to remove land from the South Cheshire Green Belt.

It is considered that this application is in keeping with the requirements of allocation LPS28 and that the principle of this application is acceptable

Housing Land Supply

On 27 July 2017, the Council adopted the Cheshire East Local Plan Strategy. This followed an extensive public examination led by an independent and senior Planning Inspector.

The Inspector's Report on the Local Plan was published on 20 June 2017 and signalled the Inspector's agreement to the Plans policies and proposals. The Local Plan Inspector confirmed that, on adoption, the Council was able to demonstrate a 5 year supply of housing land. In his Report he concludes:

"I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years"

The Inspector's conclusion that the Council had a 5 year supply of deliverable housing land was based on the housing land supply position as at 31 March 2016.

Following the adoption of the Local Plan Strategy, the Council released its annual Housing Monitoring Update, in August 2017. It sets out the housing land supply as at 31 March 2017 and identified a deliverable housing land supply of 5.45 years.

On 8 November 2017, an appeal against the decision of the Council to refuse outline planning permission for up to 400 homes at White Moss Quarry, Alsager (WMQ) was dismissed due to the scheme's conflict with the Local Plan settlement hierarchy and its spatial distribution of development.

However, in his decision letter, the WMQ Inspector did not come to a clear conclusion whether Cheshire East had a five year supply of deliverable housing land. His view was that it was either slightly above or slightly below the required 5 years (4.96 to 5.07 years). In this context, the Inspector engaged the 'tilted balance' set out in the 4th Bullet point of paragraph 14 of the National Planning Policy Framework (NPPF). This introduces a presumption that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

On 4 January 2018, an appeal against the non-determination of an outline planning permission for up to 100 homes at Park Road, Willaston was dismissed due to conflict with Local Plan policies that sought to protect designated Green Gap, open countryside and rural character. The Inspector also took the view that the housing land supply was either marginally above or below the required 5 years (4.93 to 5.01 years). On this basis, he adopted a 'precautionary approach' and assumed a worst case position in similarly engaging the 'tilted balance' under paragraph 14 of the Framework.

The Council is continuing to update its evidence regarding housing land supply to ensure that decisions are taken in the light of the most robust evidence available and taking account of recent case law. The Council believes it can demonstrate a five year supply and will accordingly be presenting further updated evidence at the forthcoming Stapeley Inquiry.

For the purpose of determining current planning applications it is therefore the Council's position that there is a five year supply of deliverable housing land

Sustainability

The National Planning Policy Framework definition of sustainable development is:

"Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment"

The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

These roles should not be undertaken in isolation, because they are mutually dependent.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the local area including additional trade for local shops and businesses by virtue of people living in the houses, and the economic benefits during the construction phase including jobs in construction and economic benefits to the construction industry supply chain.

SOCIAL SUSTAINABILITY

Housing Mix

Paragraph 50 of the Framework sets out that Council’s should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix).

The proposed mix when compared to the implemented approved mix is -

The current application

1 bed – 10 no (all affordable)
2 bed - 26 no (16 affordable units)
3 bed - 44 no (12 affordable)
4 bed – 51 no (1 affordable)

Approved scheme (16/3107C)

1 bed - 6 no (all affordable)
2 bed - 15 no (9 affordable)
3 bed - 17 no (12 affordable)
4 bed - 58 no (0 affordable)

It is considered that this proposal provides an appropriate range of units across size and tenures to satisfy the requirements of Policy SC4 and satisfactorily contributes to the social arm of sustainability.

Affordable Housing

This is a proposed development of 131 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 40 dwellings to be provided as affordable dwellings in a 65:35 split.

The SHMA 2013 evidenced a requirement for 58 new affordable dwellings per annum. Broken down the SHMA identified a need for 27 x 1 bed, 10 x 3 bed, 46 x 4 bed and 37 x 1 bed older person dwellings – with an evidenced oversupply of both 2 bed general needs and older person dwellings.

The current number of those on the Cheshire Homechoice waiting list with Congleton as their first choice is 312. This can be broken down to 133x 1 bedroom, 112x 2 bedroom, 53x 3 bedroom and 14x 4 bedroom dwellings, therefore a mix of 1, 2,3 and 4 bedroom dwellings for General Needs and 1x bedroom dwellings for Older Persons on this site would be acceptable. The Older Person's accommodation can be via flats, cottage style flats and bungalows.

26 units should be provided as Affordable rent and 14 units as Intermediate tenure.

Children and Young Persons Play Provision

A Neighbourhood Area of Play (NEAP) is provided in accordance with policy. This will be maintained by Residents Management Company. Overall the Greenspace Officer is satisfied with the location within the site. The Future maintenance of all POS and the NEAP on site would be on the basis of a private management regime, via S106, which would need to be approved by the Council.

Education

It has to be borne in mind that 96 units within this development have been previously granted permission and the educational impact has already been assessed. The previous permission for 96 units has been implemented. The educational impacts of this scheme therefore relates to the additional impact of 31 dwellings.

An application of 31 dwellings is expected to generate 7 primary aged children and 5 secondary aged children.

1	Development	Manchester Rd / Giantswood	Number of Dwellings	35				
2	Planning App Number	17/5573C	Primary Yield	7				
3	Date Prepared		Secondary Yield	5				
4			SEN Yield	0				
5			PUPIL FORECASTS based on October 2016 School Census					
6	Primary Schools	NET CAP May-18	2017	2018	2019	2020	2021	Comments
7	Astbury St Mary's CofE Primary School	133	114	110	108	100	97	
8	Black Firs Primary School	315	292	315	336	357	363	
9	Buglawton Primary School	206	205	212	218	222	232	
10	Daven Primary School	210	182	200	212	220	228	
11	Havannah Primary School	203	203	207	208	206	209	
12	Marfields Primary School	210	212	234	263	281	288	
13	Saint Mary's Catholic Primary School	210	193	198	201	210	212	
14	The Quinta Primary School	330	355	368	388	397	403	
15	New school (Giantswood)	115						New School - Giantswood
16								
17	Total Schools Capacity	1,932						
18	Developments with S106 funded and pupil yield included in the forecasts	118						
19	Developments pupil yield not included in the forecasts						92	
20	Pupil Yield expected from this development						7	
21	OVERALL TOTAL	2,050	1,756	1,844	1,934	1,993	2,131	
22	OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP		294	206	116	57	-81	

The above table indicates that by the year 2021 there is a projected deficit of 81 primary places as a result of this and other developments.

	NET CAP May-18	PUPIL FORECASTS based on October 2016 School Census						
Secondary Schools		2017	2018	2019	2020	2021	2022	2023
Eaton Bank Academy	900	627	708	751	791	796	775	784
Congleton High School	900	988	1,052	1,086	1,136	1,151	1,190	1,199
Total Schools Capacity	1,800	Please Note; All figures quoted exclude any allowance for 6th Form Pupils						
Developments with S106 funded and pupil yield included in the forecasts	95							
Developments pupil yield not funded and not included in the forecasts								111
Pupil Yield expected from this development								5
OVERALL TOTAL	1,895	1,615	1,760	1,837	1,927	1,947	1,965	2,099
OVERALL SURPLUS PLACES PROJECTIONS		280	135	58	-32	-52	-70	-204

In terms of secondary provision there is a 204 place deficit in the same period. To alleviate forecasted pressures, the required mitigation is :

$$7 \times \pounds 11,919 \times 0.91 = \pounds 75,924.00 \text{ (primary)}$$

$$5 \times \pounds 17,959 \times 0.91 = \pounds 81,713.00 \text{ (secondary)}$$

Total education contribution: $\pounds 157,637.00$

Both education contributions will be secured via a S106 Agreement should the application be approved

Health

Policy SC3 of the CELPs states that the Council will seek contributions towards new or enhanced health and social care facilities from developers if the proposals would generate possible health impacts.

The NHS Eastern Cheshire Clinical Commissioning Group have advised that the planned growth in housing numbers in the Plan period to 2030 will have an impact upon the 3 doctors surgery in Congleton. All 3 surgeries are operating beyond capacity and will require extensions to cater for the additional demand as the additional planned housing becomes occupied.

The NHS advised that a financial contribution based on the following calculation is appropriate

No of beds	Persons assumed	Health need per unit
1	1.4	£504
2	2	£720
3	2.8	£1008
4	3.5	£1260

In this case, the Health Care contribution is sought for the additional 35 dwellings over and above the existing permission. A total contribution of £32,112 is sought. This equates to a contribution for 11 x 2bed and 24 x 3 bed houses.

It is advised that this sum would be used to provide funding to contribute towards the approved extension of Lawton House Surgery, a development that forms part of the Health Service Delivery Plan for the area. The extension to the doctors surgery will facilitate a greater level of capacity for the delivery of Primary Care Services to the local population.

In this respect, the contribution is considered to be CIL compliant.

Residential Amenity

In this case the Congleton Borough SPG requires the following separation distances:

21.3 metres between principal elevations

13.8 metres between a non-principal and principal elevations

Houses adjoining the site on Giantswood lane are a minimum of 50 metres away from any elevation of the closes house within the proposed layout, which also is sloping away from the 2/3m higher land level at Giantswood Lane.

Houses on Walfield Avenue are a minimum distance of 30 metres from the new houses proposed. Accordingly, the siting of the proposed dwellings accords fully with the SPG

Noise

The site is located on a busy arterial route into and out of Congleton. Properties at the mouth of the site (Plots 2 - 5), closest to Manchester Road are those at greatest risk from traffic noise.

The applicant submitted an acoustic report in support of the previous application which recommends mitigation in the form of an earth bund and acoustic fence (2.5m overall) to this part of the site.

The proposed layout at plots 2 - 5 is identical to the permitted scheme. The proposed mitigation measures in this area should be identical as the permitted scheme. A condition can be imposed

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

Congleton has three Air Quality Management Areas, and as such the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

An Air Quality Assessment has been submitted. The assessment concludes that the impact of the future development on the chosen receptors in Congleton will be not significant with regards to NO₂ and PM₁₀ concentrations, with none of the receptors experiencing greater than a 1% increase relative to the AQAL.

That being said 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. Taking into account the uncertainties with modelling, the impacts of the development could be significantly worse than predicted.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact.

Jodrell Bank

Jodrell Bank advise that they oppose this development. Their view is that the impact from the additional potential contribution to the existing level of interference coming from the direction of this site will be relatively minor. Jodrell Bank now opposes development across a significant part of the consultation zone as a matter of principle, in order to protect the efficiency of the Jodrell Bank radio telescope's ability to receive radio emissions from space with a minimum of interference from electrical equipment. This is the case here.

This objection is relevant to the additional 35 units over the approved development scheme granted outline permission for 96 units (ref 14/1680C is an important material consideration given that the associated reserved matters for 96 units is currently being built out).

Radio telescopes at Jodrell Bank carry out a wide range of astronomical observations as part of national and international research programmes, involving hundreds of researchers from the UK and around the world. The telescopes are equipped with state-of-the-art cryogenic low-noise receivers, designed to pick up extremely weak signals from space. The location of Jodrell Bank was chosen by Sir Bernard Lovell in 1945 as a radio-quiet rural area away from the interference on the main university campus in Manchester.

The Congleton Borough Local Plan and the Cheshire East Local Plan Strategy states that development within the Jodrell Bank Radio Telescope consultation zone will not be permitted if it can be shown to impair the efficiency of the Jodrell Bank radio telescope in terms of its ability to receive radio emissions from space with a minimum of interference from electrical equipment.

Equipment commonly used at residential dwellings causes radio frequency interference that can impair the efficient operation of the radio telescopes at Jodrell Bank. This evaluation is based on the definition of the level of harmful interference to radio astronomy specified in ITU-R.769, the International Telecommunications Union 'Protection criteria used for radio astronomical measurements', which has been internationally adopted and is used by Ofcom and other bodies in the protection of parts of the spectrum for radio astronomy.

The social adverse impacts of this scheme would therefore be the relatively minor impact the development would have upon the efficiency of the Jodrell Bank Radio Telescope, which is of international significance. The site is, however, allocated for 150 units in the Local Plan Strategy.

The LPA will have to notify Jodrell Bank of the intention to grant planning permission under the existing Jodrell Bank Direction for a period of 21 days prior to the issuing of a Decision Notice which grants permission. Jodrell Bank have the ability under the terms of the Direction to ask the Secretary of State to cause a Public Inquiry to be heard.

It should also be taken into account, that, whilst it cannot mitigate the impact or overcome the objection, the level of the relatively minor impact can be moderated by the use of electromagnetic screening measures within the development. This could be attached as a condition.

Social Sustainability Conclusion

Social benefits in the form of the provision of market and affordable dwellings on an allocated site within the adopted and up to date development plan. In addition, no significant neighbouring amenity concerns would be created. Subject to the satisfactory completion of a S106 Agreement, the scheme mitigates for its educational and health impact and a policy compliant level of on site play and open space is provided.

It is considered that the impact upon Jodrell Bank, given the site allocation and 'relatively minor' impact, should be given limited weight against the scheme in the planning balance.

As such, it is considered that on balance the proposal would be socially sustainable.

ENVIRONMENTAL SUSTAINABILITY

Highways

Saved Policy GR9 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

Vehicular access to the site is to be taken from Manchester Road, the details of which were granted at outline stage for the previously approved 96 units. This scheme has been implemented. The S106 highways mitigation, for the local highway network) payment of £300,000 (indexed linked from July 2015) for the 96 dwellings has been received. This assessment therefore considers only whether the approved access can be utilised for the additional 35 units and the mitigation necessary for the additional 35 unit impact

The internal layout of the road system is based on the original approved layout.

The Council's Head of Strategic Infrastructure (HSI – Highways) has confirmed that the proposed road layout does meet highway standards in regards to road width and pedestrian footways provided and as such are considered acceptable.

With reference to parking provision, the parking provision is 200% for the all of the units. This provision accords with the current parking standards. As such, the internal road layout and the parking provision is considered to be acceptable and policy compliant.

Financial contribution to highways has been already achieved on this site for 96 units scheme. In the light of the additional 35 dwellings further contributions are required to mitigate for that impact. The Strategic Highways Manager raises no objection subject to a S106 contribution of £118,750 based on £3,125/unit in the existing Agreement for infrastructure improvements on the A34 Manchester Road/A534 Macclesfield Road.

Public Rights of Way (PROW)

Hulme Walfield Footpath No. 2 is being diverted and upgraded to bridleway status so that it can be used by cyclists. The bridleway section from Giantswood Lane is proposed to terminate at the estate road. Onward westerly journeys for pedestrians would be along the footpath/pavement of the estate road. Onward westerly journeys for cyclists/horse riders would be on the estate road. This is identical to the previously approved scheme.

Flood Risk and Drainage

The application site is within Flood Risk Zone, however there are topographic low spots within this site as indicated by the Environmental Agency's (EA) mapping system. The risk of flooding from this source will need to be appropriately mitigated before development can commence on site and must ensure surface water flooding is not increased to existing developments.

The Council's Flood Risk Officer has reviewed the supporting information and advises that he has no objections, subject to conditions.

Ecology

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones, but the proposed development is not of a type which Natural England have identified as being likely to have an impact upon the interest features for which surrounding SSSIs were designated. It is therefore not necessary to consult Natural England in this instance.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. Hedgerow 4 has been identified by the submitted ecological assessment as potentially being Important under the Hedgerow Regulations. This hedgerow would be lost under the current development proposals. This hedgerow was however assessed as part of the outline application and not found to be Important under the regulations.

Hedgerow 4 is however relatively species rich. The scheme has been revised to retain as much as possible to the satisfaction of the Ecologist.

Pond

As with the previous consent a new wildlife pond is proposed. This proposal is welcomed and is in accordance with the details approved under discharge of conditions application 17/3176d.

Bats and barn owls

The submitted ecological assessment identifies a number of trees with potential to support roosting bats. These trees may also have potential to support barn owls.

The applicant has now confirmed that the remaining trees in the vicinity of target note 2 on the habitat plan are to be retained.

To avoid any impacts on foraging bats resulting from additional lighting associated with the development a condition regarding lighting is required

The submitted Ecological Assessment recommends bat activity surveys be undertaken to determine the extent of bat activity associated with hedgerow 4. This hedgerow is shown as being removed under the current development proposals.

A report of this recommended survey has not been submitted in support of the application. The applicant has advised that this survey cannot be commenced until April.

The additional hedge planting on the sites western boundary was envisioned under outline consent 14/1680C as offering additional foraging habitat for bats and for wildlife in general. To achieve this the proposed new hedgerow must be allowed to grow tall and relatively bushy. A Habitat Management Plan will be required by condition.

Breeding Birds

The application site is likely to support a number of species of birds potentially including the more widespread farmland species which are a priority for conservation. The retention of the existing hedgerows and proposed new hedgerows would assist in mitigating and compensating for the potential impacts of the proposed development upon many bird species.

Evidence of breeding by Skylark was however recorded during the submitted ecological assessment. This is a ground nesting open country bird and so the proposed development would result in the loss of habitat for this species.

Off-site habitat provision be considered as a means of compensating for the impacts on this species resulting from the proposed development. The applicant has asked if they could contribute to a conservation project for this species. However, the Council is not aware of any conservation projects being undertaken specifically for skylark. We would however consider a commuted sum to be used for habitat creation/enhancement elsewhere in the borough.

If planning consent is granted standard conditions will be required to safeguard nesting birds

Design and Layout

The Council has adopted Supplementary Design Guidance 'Cheshire East Design Guide' which is an important material consideration to which significant weight is attached in this case.

Congleton is a Silk Town within the Guide. It has a hilly topography which adds to its character in the centre, which is characterised by terraced properties that creates well defined streets that also create the strong townscape in the centre. Brick and render are the traditional material. Traditional detailing varies depending on house type. Terraced housing is simply detailed, tall vertical windows, chimneys, wedge lintels. Embellishments include string courses in brick or stone, bay windows, dentilling bricking to corbals, eaves brackets. Larger semi and detached houses comprise more ornate detailing including moulded stonework, decorative brickwork, mock-tudor effects to gables.

The NPPF attaches great importance to the design of the built environment with paragraph 64 indicating that 'permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area'. Nevertheless consideration must also be given to paragraph 60 which emphasizes that 'decisions should not attempt to impose architectural styles or particular tastes' but should 'seek to promote or reinforce local distinctiveness'.

It should be borne in mind that the lower parts of the site to the position of the NEAP follow the previously approved reserved matters layout. This comprises 3 density zones, the boundaries to the site set within a green buffer (some of which is drainage easement) and an internal general road layout, off a linear gently undulating spine road. The scheme put forward mirrors the building envelope and the linear layout of the same spine road. The proposals are all 2 storey dwellings or flats that have the appearance of dwellings.

Levels on the site drop away by @ 15m from Giantswood Lane to Manchester rd. This is a significant issue, which allied to the landscaping (hard and soft) needs to be assessed.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

In this case there are a variety of house types and styles, ranging from 1 bed flats to 4 bed detached dwellings. All properties are a max of 2 storeys in height. Key focal units turn corners with bay windows. The positive and externally orientated perimeter dwellings are welcomed with all areas of open space, the NEAP, footpaths and highways well overlooked by the proposed dwellings, giving high levels of passive surveillance.

In terms of the detailed design the proposed dwellings include canopies, bay windows, cill and lintel details. Whilst brick facings are the predominate material, there are a number of focal point properties within the street scene that utilise render as a design tool.

The design of the proposed dwellings are in keeping with the semi rural nature of the area and their scale is considered to be acceptable and would not detract from this part of Congleton.

The landscape of the area is also considered to be a priority consideration in the overall design of this site. The site levels elevate in a northerly direction toward Giantswood Lane and there are a

number of mature and attractive trees within the site and to its periphery, particularly Manchester Road, which are retained. Hedgerows also predominate.

Internally within the site the proposed development would be include a mix of car-parking solutions. The amount of car-parking to the front of the proposed dwellings would be limited with the majority provided to the side/rear of the dwellings. There would also be parking in the form of rear courtyards to certain plots.

In terms of the landscaping within the development this is discussed elsewhere within the report and includes a comprehensive scheme of tree-planting including a high number of street trees to the avenue.

The Hierarchy of streets is not defined as you go through the site, however, this is a legacy of the previous planning permission on the site, which pre-dates the design guide. In this context, whilst the layout of the streets is in keeping with the approved parameters and the layout approved at reserved matters stage, it is important that hard landscaping and street detailing is sympathetically dealt with specific regard to the hard landscaping materials used. A condition is suggested to ensure this layout improves the street layout and quality of materials

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

Yes - a Bridal way is provided via the upgrading of the PROW that runs through the site from Giantswood Lane to Manchester Road. The route and design is identical to the previous implemented permission.

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

The site is allocated within the adopted development Plan. It is considered to be in an accessible location. The Eaton Bank Secondary School is close by as is Havannah primary school

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

Yes, Manchester Road has a bus stop close by with buses to Macclesfield and Congleton town centre and onwards

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

Yes. There are 1,2,3 and 4 bed units catering for all housing needs in this location. Since the previous permission there has been an increase in smaller units and a reduction in the numbers of 4 bed units on this site

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

Yes, the scheme utilises the sloping nature of the site and retains importance landscape features and trees

Car parking

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

Internally within the site the proposed development would be include a mix of car-parking solutions. The amount of car-parking to the front of the proposed dwellings would be limited with the majority provided to the side/rear of the dwellings. There would also be parking in the form of rear courtyards to certain plots.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

There is a centrally located NEAP and a corridor of open space adjoining the bridleway through the site from Giantswood Lane to Manchester Road and this would be well-overlooked. It is considered that the development would create an attractive and safe area of public open space.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

The submitted plan shows that all units on the proposed development would have private amenity space with rear access. Cottage style units also have shared rear garden space. Together with the proposed garaging there would be adequate space for future occupiers to store their bins/cycles.

Design Conclusion

On the basis of the above Design Guide/Building for Life assessment it is considered that the proposed development represents an acceptable design solution.

Trees and Landscaping

Important trees to the Manchester Road frontage are retained as part of the proposals. The Tree Officer has assessed the detailed proposals and advises that there are no tree implications resulting from the proposals.

The submission includes landscape proposals. Whilst there are landscaping proposals submitted, there remain issues about the boundary treatments and landscape details. The council's landscape officer has suggested conditions with regard to more details to be submitted pertaining to boundary treatment and landscaping. Subject to conditions this scheme is acceptable

Environmental Sustainability Conclusion

Subject to conditions as suggested in terms of this detailed layout, together with the S106 mitigation already achieved and also proposed the scheme would not create any significant issues in relation to; landscape, trees, highway safety and congestion, drainage or flooding and ecology. On this basis the layout is considered to comprise an environmentally sustainable form of development

Levy (CIL) Regulations

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

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

The education contribution is necessary having regard to the oversubscription of local primary, secondary schools given the demand that this proposal would add to the local provision. This is considered to be necessary, fair and reasonable in relation to the development.

The Healthcare contribution is necessary having regard to the over-capacity of the local doctors surgeries and the approved project to address the capacity issue. This scheme will add to that demand.

The highways contribution is necessary to mitigate for the impact of the development on the local highway network and in that regard is fair and reasonable. The PROW payment is necessary to mitigate for the impacts upon the PROW adjoining the site

The above requirements are considered to be necessary, fair and reasonable in relation to the development. The S106 recommendation is compliant with the CIL Regulations 2010.

Planning Balance

The majority of this site is currently being developed as part of an allocation for housing within the Local Plan Strategy for 96 units.

The proposed development of 131 units will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply, providing a mix of affordable and market housing in an area of continuing need. This is in accordance with the adopted Local Plan Strategy

It also mitigates for the highways, educational and health impact of the additional 35 units which are now proposed, over and above the numbers of units currently being implemented.

The design, layout and landscaping of the scheme are considered to be of sufficient quality with appropriate conditions suggested. The ecological and arboricultural impacts are considered to be neutral as mitigation is provided. Drainage/flood risk issues are also conditioned.

The proposed access point is acceptable for the additional traffic impact of the additional 35 units. The internal design of the highway layout/parking provision is acceptable to the Head of Strategic Infrastructure (Highways).

There is a relatively minor impact upon the operations of Jodrell Bank, who oppose the development on this basis. This is a negative impact in the overall balance

In this instance, it is considered that the benefits of the scheme in terms of the additional market and affordable housing provided, particularly in the light of the allocation of the site for around 150 dwellings would outweigh the impacts of the proposal to Jodrell Bank. The proposal is considered to be a sustainable form of development.

It is therefore recommended that permission be granted

Subject to a 21 day notification period to the University of Manchester (Jodrell Bank) of the intention to grant planning permission.

Approve subject to completion of a S106 Agreement to secure the following:

1. Detailed residential management agreement for the on going maintained of the Open Space/Children's play space be submitted and approved.
2. Detailed habitat management plan for on going management
3. 30 %Affordable Housing in 65:35 split
4. Education Contribution
5. Health Care Contribution of £32112
6. A highways contribution of £118,750 based on £3,125/unit in the existing Agreement for infrastructure improvements on the A34 Manchester Road/A534 Macclesfield Road.

And, the following conditions;

1. Time
2. Plans
3. Materials as submitted
4. Submission and approval of land Verification report
5. unforeseen contamination
6. Garden soil testing for contamination prior to implementation
7. Overall detailed strategy / design limiting the surface water runoff generated by the proposed development, associated management / maintenance plan and managing overland flow routes for the site has been submitted to and approved
8. Construction and Environmental Management Plan, inc wheel washing – Prior submission/approval; piling, dust control
9. NEAP details.
10. Approved landscaping implementation
11. Removal of PD rights for alterations and extensions (Classes A-E) for Plots - 27-40; 43-45; 129-131

12. Design and surfacing of streets and areas of hardscape (including driveways) shall be submitted to and agreed in writing by the LPA to comply with Design Guide
13. Public Rights of Way scheme of management shall be submitted to and approved
14. Hedgehog Gaps
15. Breeding birds and roosting bat features – Prior submission/approval
16. Contaminated Land Phase I, unexpected contamination, importation of soil
17. Residential travel plan inc residents information pack
18. Car charging for each dwelling
19. Tree and hedgerow Protection scheme – Prior submission/approval
20. Scheme for the incorporation of electromagnetic screening measures (protection of Jodrell Bank telescope)
21. Ultra Low Emission boilers
22. Permitted development removal - fences/means of enclosure forward of building line
23. detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage to be submitted
24. Minimum 2 m high acoustic fence and a 0.5m high earth bund (2.5m overall height when measured from Manchester Road (close boarded with no gaps minimum density 15kg/m²) to be provided prior to occupation of plots 2-5
25. Lighting details to be submitted/approved
26. 10 year habitat management plan to be submitted and agreed (inc wildflower meadows)
27. levels proposed and existing
28. Superfast broadband provision
29. Piling details
30. Landscaping scheme (ornamental scheme) to be submitted/approved

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their absence the Vice Chairman) of the Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should the application be subject to an appeal approval is given to enter into a S106 Agreement to secure the Heads of Terms as detailed above.



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CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD REPORT

Date:	28 March 2018
Report of:	David Malcolm Head of Planning (Regulation)
Title:	17/1000C - Outline application with all matters reserved except for means of access for a development comprising up to 500 dwellings (use class C3), site for new primary school (use class D1) and local shopping facility (use class A1) together with associated open space, green infrastructure, pedestrian and cycle link, for Land between Manchester Road and Giantswood Lane, Hulme Walfield

1.0 Purpose of Report

- 1.1 Planning application 17/1000C was considered by Strategic Planning Board on 25th October, 2017 where it was resolved to approve the application subject to the signing of a Section 106 Agreement and conditions.
- 1.2 The report is to reconsider one of the conditions relating to the secondary access which is a major issue to the applicant as set out below.

2.0 Decision Required

- 2.1 To remove condition 30 from the forthcoming decision notice on planning approval 17/1000C.

3 Background

- 3.1 The minutes from the meeting are as follows:

RESOLVED

That for the reasons set out in the report and in the written update to the Board, the application be approved subject to the completion of a Section 106 Agreement securing the following:-

That for the reasons set out in the report and in the written update to the Board, the application be approved subject to the completion of a Section 106 Agreement securing the following:-

- 17.5% of the dwellings to be affordable at 80% discounted market sale. Affordable Homes should be pepper-potted (in clusters is acceptable)
- Provision of POS consisting of 12,000sq m (1.2ha) new AGS based on 2.4 persons per dwelling and a NEAP(1000sqm) /destination play

facility as indicated on the parameter plan, a Green gym with a minimum of 5 items & 4 LAPS minimum.

- A commuted sum of £3,200,000 towards Education provision along with a levelled and fully serviced site to allow the construction of a new primary school.
- S106 contribution of £150,000 for the making of any Traffic Regulation Orders and to install traffic management measures to Giantswood Lane, Mill Lane and Smithy Lane – this contribution has a trigger event of a new highway link between Local Plan site CS45 and Giantswood Lane receiving planning approval and the commencement of development of said access.
- A S106 contribution of £100,000 towards the delivery of a Toucan crossing of the A34 prior to the occupation of the 80th dwelling.
- A S106 contribution of £50,000 towards upgrade of the footway adjacent to the A34 from the Northern boundary of the site to the new underpass of the A34. The trigger event is the occupation of the 50th dwelling.
- A S106 contribution £15,000 per dwelling to the Congleton Link Road in lieu of the full Affordable housing provision (To be provided at 17.5%) as provided for in the submitted Local Plan Strategy. £600,000 of this will be paid prior to occupation of the 30th dwelling. An additional £1.5M will be paid on the occupation of the 125th dwelling, an additional £1.3M will be paid on the occupation of the 200th dwelling. The Balance of monies (calculated as the total number of dwellings approved at reserved matters stage, minus the cumulative contributions paid) will be paid on occupation of 70% of the dwellings approved at the reserved matters application.
- A contribution of £300,000 towards the provision of a new bus service linking this site to the town centre on the occupation of the 100th dwelling.
- Ecological offsetting and sports provision.

And subject to the following conditions

1. Commencement of development (3 years) or 2 from date of approval of reserved matters
2. Reserved matters to be approved
3. Approved Plans
4. Materials
5. Landscaping
6. Implementation of landscaping
7. Tree/Hedgerow Protection Measures
8. Construction Management Plan to be submitted prior to commencement.
9. Travel Plan to be submitted prior to occupation of the first dwelling.
10. The main spine road for the new site will need to be designed to accommodate bus services and a minimum width of 6.5m is required.
11. Approval of a Public Rights of Way Management Scheme
12. Arboricultural Impact Assessment in accordance with Section 5 of BS5837:2012 Trees in Relation to Design, Demolition and

Construction – Recommendations which shall include a Tree Protection Scheme

13. Submission of a management plan for the Woodland
14. Submission of an updated Badger Survey as part of and reserved matters application.
15. Bridge design to minimise habitat losses over water course.
16. Approval of lighting to avoid impacts on bats
17. Air pollution damage cost calculation and associated mitigation works.
18. Electric Vehicle Charging points.
19. Submission of an acoustic mitigation scheme as part of any reserved matters
20. Submission of a post demolition Phase II ground contamination and risk assessment together with a remediation report.
21. Control of soils brought onto site.
22. Measures to address contamination should it be expectantly be found during works.
23. Jodrell Bank mitigation measures.
24. Approval of levels.
25. Development to accord with the recommendations of the submitted flood risk assessment
26. Drainage strategy/design in accordance with the appropriate method of surface water drainage chosen.
27. Foul and surface water drained on separate systems.
28. Cycle storage and bin provision
29. No more than 40 houses can be occupied until the Council has entered into a construction contract for the full construction of the Congleton Link Road
30. **The secondary access shown on the parameters plan shall be closed to vehicular traffic once the main access off Manchester Road becomes available for use.**

3.2 The decision notice has not yet been issued as the Section 106 Agreement – whilst at an advanced stage, has not yet been signed.

3.3 The final condition (No. 30) relating to the secondary access is a major issue to the applicant as set out below, and the applicant is looking to have this condition removed before a decision is issued on the application.

The applicants case:

3.4 “This condition was not recommended by officers and the applicants are of the opinion that it is unreasonable and if imposed would be likely to make the site less attractive to any prospective developer. This opinion is based on the fact that in discussions with officers both before and after submission of the application it has always been made clear and accepted that the access strategy for this site would include a secondary permanent vehicular link to the site to the south east currently being developed by Bloor Homes. This link would lead to the

main site access onto Manchester Road permitted under application Ref 14/1680C. Effectively the site subject of application Ref 17/1000C would have the benefit of two access points onto Manchester Road.

- 3.5 I would draw your attention to the information contained within the Transport Assessment prepared by Croft Transport Solutions and submitted in support of the application. I have enclosed a copy of the Transport Assessment for reference. (Copy attached to application file).
- 3.6 Prior to the application being submitted, Crofts prepared a Technical Note dated January 2015 entitled 'Consideration of Access Strategy' for the site which included the secondary access as an integral part of the overall scheme. This was subsequently agreed with highway officers before commencing work on the application. It is reproduced at Appendix 1 in the Transport Assessment. The proposals in the application were based entirely on this access strategy and the use of the secondary access into the Bloor Homes site is referred to in several paragraphs in the TA. It is also included in the calculations for junction capacities.
- 3.7 Under para 2.5.3 in the Transport Assessment it is clearly stated that in addition to the primary site access there would be a vehicular connection to the consented land to the south of the application site. Thus the application site would be served also by the consented access into the Bloor site along Manchester Road as well as the primary access. The Transport Assessment points out in para 2.5.4 that the now adopted Local Plan Strategy requires provision to be made for managed linkages through the site between Manchester Road and Giantswood Lane and this secondary access is designed to meet this criterion.
- 3.8 Section 6 of the Transport Assessment deals entirely with the assessment of the traffic impact of the proposed development based on extensive modelling in respect of various junctions. Para 6.7.5 states that the first phase of 40 dwellings will be accessed via a spur from the already consented residential development to the south of the application site and therefore capacity assessments of this junction were included. Paras 6.8.24 to 6.8.26 and Table 6.8 provide justification for the capacity of the access consented as part of 16/1680C including traffic from the current application site.
- 3.9 The use of the secondary access clearly forms a key part of the Transport Assessment and overall access strategy for the site and fulfils the Local Plan Strategy's requirement for linkages between sites. There is no suggestion in any of the documentation submitted with the application that the secondary access would only be a temporary measure. Whilst it is accepted that the primary access into the site from Manchester Road has been designed in technical terms to serve the proposed development of 500 dwellings, primary school and shop, to limit this development to only one access is not logical when two

well designed main access points exist onto Manchester Road. To limit one access to 500 dwellings and the other to circa 100 dwellings only makes no sense. In practical terms residents of the Bloor development would have to exit onto Manchester Road, turn left and then turn left again to access the primary school and shop if the secondary access was closed to vehicular traffic.

- 3.10 In summary, the use of the secondary access into this site is an integral part of the overall access strategy as demonstrated by the Transport Assessment. It also has the support of Cheshire East's highway officers for the reasons set out above. On that basis the applicants request that you refer this matter back to the Chair and Vice Chair of the Strategic Planning Board to have the condition rescinded prior to a decision notice being issued and to allow the site to be marketed unfettered by such a restriction.”

4. Updated position – Officer appraisal

- 4.1 This matter has been discussed with colleagues in Highways and they have confirmed that they concur with the applicant's assessment, as it will allow direct vehicular access from the Bloor site to proposed retail facility and school negating the need for vehicles to traverse the A34 Manchester Road. In effect there are two issues with the proposed link:
- Safe access onto Manchester Road (A34) and
 - Internal circulation within the site
- 4.2 Based on the vehicular flows set out in the applicant's Transport Assessment, Highways have confirmed they have no objections to both access points being used to access the two sites, the Bloor Homes site already consented, and the application subject to this report. There are no concerns on highway safety grounds, as set out in their comments on the application.
- 4.3 Having a link between the two sites allows for better internal circulation, and would allow occupants of the Bloor Homes site to access the school and retail facilities without the need to use the A34.

5 Recommendation

- 5.1 To remove condition 30 from the forthcoming decision notice on planning approval 17/1000C

6 Financial Implications

- 6.1 There are no financial implications.

7 Legal Implications

- 7.1 None

8 Risk Assessment

8.1 There are no risks associated with this decision.

9 Reasons for Recommendation

9.1 To delete Condition 30 from the list of recommended conditions.

For further information:

Portfolio Holder: Councillor Ainsley Arnold
Officer: Adrian Crowther – Major Applications Team Leader
Tel No: 01625 383704
Email: Adrian.crowther@cheshireeast.gov.uk

Background Documents:

- *Application 17/1000C*