

# Strategic Planning Board

## Agenda

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**Date:** Wednesday, 25th April, 2018  
**Time:** 10.30 am  
**Venue:** The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

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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 Two Meetings** (Pages 3 - 16)

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

To approve the minutes of the previous two meetings held on 28 March 2018 and 4 April 2018 as a correct record.

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. **17/3853M-Outline planning application with means of access to be determined (all other matters reserved for subsequent approval) for the erection of up to 190 dwellings (Class C3); the provision of serviced land for allotments; a community orchard, a playing pitch, landscaping and open space; new internal highways, car and cycle parking; sustainable drainage measures including surface water retention ponds, provision of utilities infrastructure; earthworks and all ancillary enabling works, Land North of, Northwich Road, Knutsford for Mr Steve Melligan, The Crown Estate (Pages 17 - 58)**

To consider the above application.

6. **18/0228N-Construction of two 7,200sqm, 4 storey office blocks and related external works, Bentley Motors Ltd, Pyms Lane, Crewe for Mr Andrew Robertson, Bentley Motors Ltd (Pages 59 - 72)**

To consider the above application.

7. **Draft National Planning Policy Framework (Pages 73 - 88)**

To consider the above report.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 28th March, 2018 at The Capesthorpe Room - Town  
Hall, Macclesfield SK10 1EA

### **PRESENT**

Councillor G Merry (Chairman)

Councillors B Burkhill, L Durham (Substitute), S Edgar (Substitute), T Fox, S Hogben, D Hough, J Jackson, M Sewart, L Smetham, L Wardlaw and M J Weatherill (Substitute)

### **OFFICERS IN ATTENDANCE**

Ms S Dillon (Senior Lawyer), Mr K Foster (Principal Planning Officer), Mr N Jones (Principal Development Officer), Mr R Law (Principal Planning Officer) and Mr D Malcolm (Head of Planning (Regulation))

### **93 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Hammond, J Macrae and S Pochin.

### **94 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 17/3892M, Councillor J Jackson declared that she was a member of Macclesfield Town Council however she was not present for any discussions.

In the interest of openness in respect of application 17/3892M, Councillor J Jackson declared that she was the Ward Councillor but she would speaking and voting on the application.

In the interest of openness in respect of applications 17/5837M, 17/5838M, 17/3892M and 17/5573C, Councillor S Hogben declared he was a Director of ANSA who had been a consultee, however he had not made any comments or discussed the applications.

In the interest of openness in respect of application 17/3892M, Councillor L Durham declared that she was a member of Macclesfield Town Council Planning Committee who had considered the application, however she had not taken part in any of the discussions.

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.

In respect of applications 17/5573C and 17/1000C, Councillor L Wardlaw declared that she had pre determined them as she had expressed a view and therefore left the room prior to the consideration of the applications and did not return.

It was noted that Members had received correspondence in respect of a number of applications on the agenda.

**95 MINUTES OF THE PREVIOUS MEETING**

**RESOLVED**

That the minutes of the meeting held on 28 February 2018 be approved as a correct record and signed by the Chairman subject to the removal of the word 'were' from Councillor S Hogben's declaration of interest.

**96 PUBLIC SPEAKING**

**RESOLVED**

That the public speaking procedure be noted.

**97 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**

This item was withdrawn by Officers from the agenda prior to the meeting.

**98 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**

Consideration was given to the above application.

(Councillor R Menlove, the Ward Councillor, Town Councillor Watkins, representing Wilmslow Town Council, Manuel Golding, an objector, Tracie Reyner, a supporter and Gary Halman, 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:-

- Provision of 30% affordable units, of these dwellings 65% will be social and/or affordable 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, using the formula Occupancy x Dwellings x £360, 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 subject to the following conditions:-

1. Standard contaminated land condition
2. Importation of soil
3. Unexpected contamination
4. Time period to implement permission.
5. Approve reserved matters details
6. Plans
7. Details of surface water drainage
8. Pedestrian and cycle signage
9. Submission and implementation of Travel Plan
10. Submit arboricultural impact assessment
11. Implement access
12. Levels
13. Carry out development as per the FRA
14. Construction environment management plan
15. Bat friendly lighting scheme
16. Ecological enhancement strategy
17. Landscape and habitat management plan
18. Boundary details
19. Dust control
20. Provision of Electric Vehicle Charging Points
21. Updated otter and badger survey
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. Submission of design guide prior to submission of reserved matters application
29. Up to 60 dwellings
30. Broadband

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.

**99 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**

Consideration was given to the above application.

(Councillor R Menlove, the Ward Councillor, Town Councillor Watkins, representing Wilmslow Town Council, Ian Nahapiet, an objector, Andy Lusk, a supporter and Gary Halman, the agent for the for the applicant attended the meeting and spoke in respect of the application).

**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:-

- Provision of 30% affordable units, of these dwellings 65% will be social and/or affordable rented and 35% intermediate housing.
- Educational contribution towards secondary and SEN provision of £339,668.00 based on 120 dwellings being built on site.
- Contribution towards ROS £1,000 per open market house or delivery of the playing field.
- Contribution towards health provision, using the formula Occupancy x Dwellings x £360, the final figure is dependent on the number and size of properties that come forward at reserved matters.
- Contribution towards indoor recreation of £16,670 based on 120 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 subject to the following conditions:-

1. Standard contaminated land condition
2. Importation of soil
3. Unexpected contamination
4. Access available for use before occupation
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 badger survey
23. Noise Impact Assessment,
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 heritage impact assessment.
30. Details and implementation of cycle way and footpath
31. Buffer zone for water voles
32. Submission of design code
33. Retention of woodland
34. Submission of design code before submission of reserved matters application.
35. Up to 120 dwellings
36. Broadband before construction
37. Off site highway works prior to occupation
38. Alderley Road widening to be carried out prior to occupation

(It was agreed that an informative be added to include retention of as much of the wall as possible to be incorporated into the landscaping scheme and pepper potting relating to affordable housing).

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.

(The meeting was adjourned for lunch from 1.30pm until 2.00pm).

100      **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**

Consideration was given to the above application.

(Town Councillor Gareth Jones, representing Macclesfield Town Council and Nigel Bennett, the applicant attended the meeting and spoke in respect of the application).

**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/ 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 subject to 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 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.

101        **17/5573C-RESIDENTIAL DEVELOPMENT OF 131 DWELLINGS, LAND BETWEEN MANCHESTER ROAD AND GIANTSWOOD LANE, HULME WALFIELD FOR BLOOR HOMES (NORTH WEST) LTD**

Consideration was given to the above application.

(Ben Pycroft, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be approved subject to completion of a S106 Agreement to secure the following:-

1. Detailed residential management agreement for the on going maintenance Public of the Open Space/Children's play space be submitted and approved.
2. 30 %Affordable Housing in 65:35 split
3. Education Contribution of £75,924.00 (primary) and £81,713.00 (secondary) to be paid before occupation of the 97th house
4. Health Care Contribution of £32112 to be paid before occupation of the 97th house
5. A highways contribution of £300,000 to be paid either to the proposed section of the Congleton Link road between the A34 and the A54 or improvements to the A34/A54 traffic signal junction at Rood Hill and £118,750 for infrastructure improvements on the A34 Manchester Road/A534 Macclesfield Road to be paid upon the commencement of development of the 97th house;

less any sum already received under permission 14/1680C

And subject to 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/m<sup>2</sup>) 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.

- 102      **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 LAND BETWEEN MANCHESTER ROAD AND GIANTSWOOD LANE, HULME WALFIELD**

Consideration was given to the above report.

**RESOLVED**

That condition 30 from the forthcoming decision notice on planning approval 17/1000C be removed.

The meeting commenced at 10.30 am and concluded at 3.05 pm

Councillor G Merry (Chairman)

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## CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 4th April, 2018 at The Capesthorne Room - Town Hall,  
Macclesfield SK10 1EA

### **PRESENT**

Councillor G Merry (Chairman)

Councillors B Burkhill, L Durham (Substitute), T Fox, H Gaddum (Substitute), S Hogben, D Hough, J Jackson, S Pochin, M Sewart, L Smetham and L Wardlaw

### **OFFICERS IN ATTENDANCE**

Ms S Dillon (Senior Lawyer), Mr S Hannaby (Director of Planning & Environment), Mr N Jones (Principal Development Officer), Mr G Nancarrow (Minerals Planning Contractor) and Miss E Williams (Principal Planning Officer)

### 103      **APOLOGIES FOR ABSENCE**

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

### 104      **DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of application 17/3605W, Councillor S Pochin declared that she knew one of the objectors speaking on the application by virtue of the fact that the speaker was her husband's aunt, however she had not discussed the application with any member of her family including the speaker. Other members of her family lived near to the application site on New Platt Lane, however she had come to the meeting with an open mind and felt it was completely appropriate for her to consider the application.

In the interest of openness, in respect of application 17/3605W, Councillor L Smetham declared that she was acquainted with Sibelco as she had a quarry in her Ward and she attended liaison meetings.

In the interest of openness, in respect of application 17/3605W, Councillor L Wardlaw declared that she was acquainted with Sibelco as she had a quarry in her Ward and she attended liaison meetings.

It was noted that the majority of Members had received correspondence in respect of application 17/3605W.

### 105      **PUBLIC SPEAKING**

**RESOLVED**

That the public speaking procedure be noted.

106        **17/3605W-SILICA SAND EXTRACTION AND ASSOCIATED DEVELOPMENT, MINERAL EXTRACTION BY DREDGING, PROGRESSIVE RESTORATION, MINERAL PROCESSING AND DESPATCH, LAND AT RUDHEATH LODGE, NEW PLATT LANE, CRANAGE AND ALLOSTOCK, CHESHIRE FOR MR M HURLEY, SIBELCO UK LTD**

Consideration was given to the above application.

(Councillor A Kolker, the Ward Councillor, Parish Councillor Mike Cohen, representing Cranage Parish Council, Gareth Woods, an objector, Mrs Jane Lanni, an objector, Nigel Hennerley, an objector and Michael Hurley, representing the applicant who attended the meeting and spoke in respect of the application).

**RESOLVED**

Having considered the report, accompanying plans, update report and draft Consultation Response to Cheshire West & Chester Council, that, subject to the Secretary of State deciding not to call-in the application as a Departure from the Development Plan, planning permission be granted subject to the following conditions:-

1. Commencement & notification
2. Approved plans
3. Cessation of mineral working and restoration within 15 years of commencement
4. Hours of working
5. Access
6. Soils handling
7. Depth of extraction
8. Phased working
9. Advance Landscape works and planting
10. Annual progress and review meeting and report
11. Noise limits
12. Noise management plan
13. Dust management plan
14. Archaeological mitigation strategy
15. Environmental protection scheme
16. Pollution prevention measures
17. Contaminated land scheme
18. Unexpected contamination
19. Lighting scheme
20. Surface water management plan
21. Drainage scheme

22. Drainage monitoring
23. Stability monitoring
24. Additional boreholes for stability monitoring
25. Protection of trees/vegetation
26. Plant and machinery
27. Site maintenance and emergency repairs
28. Progressive species surveys and mitigation proposals
29. Groundwater monitoring and mitigation
30. Storage of materials harmful to water quality
31. Liaison Committee
32. Provision of footpaths
33. Prior approval of a control of radio emission plan
34. Compliance with a bandwidth power emissions limit (using ITU –R P.452)
35. A scheme for a liaison forum between the operator, LPA and University of Manchester with annual meetings
36. Scheme for testing equipment and plant prior to operation
37. Scheme to secure mitigation measures
38. Scheme for monitoring radio emissions
39. Operator to implement the control of radio emissions plan at all times
40. Scheme of controls, mitigation and review for protection of Jodrell Bank Telescope
41. Submission of a Traffic Management Plan

The Board had no objection to the draft Consultation Response to Cheshire West and Chester Council appended to the update report.

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 Committee 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.

- 107      **WITHDRAWN FROM THE AGENDA BY OFFICERS-17/4277M-  
OUTLINE APPLICATION FOR THE ERECTION OF UP TO 135  
DWELLINGS WITH ACCESS FROM CHELFORD ROAD AND WHIRLEY  
ROAD AND ASSOCIATED OPEN SPACE, LAND BETWEEN  
CHELFORD ROAD AND WHIRLEY ROAD, CHELFORD ROAD,  
HENBURY FOR FREDERIC ROBINSON LTD**

This item was withdrawn by Officers from the agenda prior to the meeting.

The meeting commenced at 10.30 am and concluded at 1.30 pm

Councillor G Merry (Chairman)



Application No: 17/3853M

Location: LAND NORTH OF, NORTHWICH ROAD, KNUTSFORD

Proposal: Outline planning application with means of access to be determined (all other matters reserved for subsequent approval) for the erection of up to 190 dwellings (Class C3); the provision of serviced land for allotments; a community orchard, a playing pitch, landscaping and open space; new internal highways, car and cycle parking; sustainable drainage measures including surface water retention ponds, provision of utilities infrastructure; earthworks and all ancillary enabling works

Applicant: Mr Steve Melligan, The Crown Estate

Expiry Date: 18-May-2018

### **SUMMARY**

The application is an outline planning application for the development of 190 dwellings. With all matters reserved save for access. As part of the application a parameters plan has been submitted, along with an illustrative masterplan.

The site forms part of a strategic allocation for the North West Knutsford LPS 36(A). The policy sets out an allocation of 175 dwellings as part of a wider allocation of *around* 500 dwellings. This planning application submission demonstrates that the site can accommodate 190 dwellings and mitigation ensures that the town can accommodate the additional 15 units. It is considered that the proposed development accords with the Local Plan policy relating to its allocation.

The applicant is providing 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. 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 outlined in the report and national planning policy and guidance.

### **SUMMARY RECOMMENDATION**

Approve subject to Section 106 Agreement – to be signed within 6 months – if the agreement remains unsigned the application is delegated back to officers in consultation with the Chair of Strategic Planning Board to refuse the application.

## DEFERRAL

The application was deferred during the meeting of 20<sup>th</sup> December 2017 for the following reason:

*In order for further discussions to take place regarding the number of houses being proposed.*

During the passage of time following the deferral, the applicant has submitted a revised scheme which reduces the number of units from 260 to 190, a reduction of 70 units across the site.

This number is closer to that as set out in the allocation of 175, than the original proposal. The number of units is considered to be acceptable, and the application is recommended for approval based on the amended scheme submitted.

The changes to the scheme include a revised illustrative layout and accompanying plans, which increase the amount of green space on the site and it follows that the developed area of the site is at a much lower density than previously proposed.

As a result of the reduction in units, a number of contributions set out in the heads of terms for the Section 106 agreement have been reduced pro-rata as these are formula based. The revised figures are set out in the report.

The amount of affordable housing to be delivered by the scheme has also been reduced to reflect the amendments.

## PROPOSAL

Following amendments, the application is an outline planning application for the development of 190 dwellings at a density of approximately 23 dwellings per hectare (dph) across the developed area of the site, with all other matters reserved save for access. As part of the application a parameters plan has been submitted, along with an illustrative masterplan.

The application proposes dwellings, infrastructure, including a roundabout to the southwest of the site on Northwich Road, within the site a playing field is proposed in the northwest corner of the site with allotments along the eastern boundary which are to be adopted by the Town Council. These features are a requirement of the allocation for the site. The site is allocation LPS 36(A) Land North of Northwich Road (175 dwellings) which forms part of the wider North West Knutsford allocation consisting of several sites.

The application now proposes 57 affordable units 20 intermediate tenure units and 133 market units, all being provided as houses.

## SITE DESCRIPTION

The application site extends to approximately 15.65ha located to the north of Northwich Road. The site is a greenfield site in arable production. The site is bounded by hedgerows with a strong hedgerow along the boundary with Northwich Road. The site has Warren Avenue and

Spinney Lane to the east, Acacia Avenue and Lilac Avenue across Northwich Road to the south, with open fields to the north and west. The site is currently accessed off Northwich Road. However the access point will be further to the west where a new roundabout will be created. Two local schools are located to the south of Northwich Road. The town centre is located approximately 850m from the southern portion of the site. Knutsford Railway Station is located approximately 1.07km from the site as the crow flies.

### RELEVANT HISTORY

None

### RELEVANT PLANNING POLICY

#### **Cheshire East Local Plan Strategy 2010-2030 July 2017**

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

SE 1 Design

SE 2 Efficient Use of Land

SE 3 Biodiversity and Geodiversity

SE 4 The Landscape

SE 5 Trees, Hedgerows and Woodland

SE 9 Energy Efficient Development

SE 12 Pollution, Land Contamination and Land Instability

SE 13 Flood Risk and Water Management

CO 1 Sustainable Travel and Transport

CO 2 Enabling Business Growth Through Transport Infrastructure

CO 4 Travel Plans and Transport Assessments

SC 1 Leisure and Recreation

SC 2 Outdoor Sports Facilities

SC 5 Affordable Homes

IN 1 Infrastructure

IN 2 Developer Contributions

PG 1 Overall Development Strategy

PG 2 Settlement Hierarchy

PG 3 Green Belts

EG 1 Economic Prosperity

EG 5 Town Centres First

LPS 36 Northwest Knutsford

Requirements of Northwest Knutsford Sites.

2. Appropriate retail provision to meet local needs;

3. Appropriate:

i contributions towards educational facilities; and

ii. Provision of open space, and provision of / contributions toward sports and leisure facilities;

4. Incorporation of green infrastructure where required, including:

i. Allotments; and

ii. Community orchard or community gardens; and

5. Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities;
6. The existing sports grounds situated between Mereheath Lane and Manchester Road to the south of LPS 36(C) are removed from the Green Belt. These are identified as protected open space within LPS 36 as shown on Figure 15.43 and will be retained in their entirety as such, and enhanced if possible.

The existing allotment gardens to the east of Mereheath Lane remain in the Green Belt as protected open space.

Site Specific Requirements of LPS 36(A)

- a. Protection and enhancement of the setting of Tatton Park.
  - b. The sites will deliver housing which will contribute to the local character of Knutsford through the use of appropriate density, architecture, style, form and materials and reference to CEC most up to date Design Guidance.
  - c. A mix of housing types, sizes and tenures to comply with Policy SC 4.
  - d. Proposals will be expected to be of a high quality design that respects the setting of nearby designated heritage assets, parkland and the character of the surrounding area. Development adjacent to the Toll House on Northwich Road must be set back from the road by a buffer zone of mature planting to mitigate the visual impact of development on the Toll House.
  - e. Proposals will be expected to include a Landscape Character Assessment to guide the scale and massing of new development.
  - f. Provide a comprehensive landscaping scheme which retains existing mature trees and hedgerows where possible, or provide appropriate mitigation.
  - g. Any replacement and/or new sports provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy and with Policy SC 2 'Indoor and Outdoor Sports Facilities'.
  - h. Provision of additional community facilities.
  - i. Contributions to health infrastructure.
  - j. Improve the connectivity and accessibility into and out of the sites to the town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages.
  - k. Creation of a network of green infrastructure and accommodation of SuDS requirements.
  - l. Provision of high quality landscaping to enhance ecological features.
  - m. Provision of new woodland belts within the sites and to create site boundaries.
- Improvements at the junction of A50/Northwich Road and Canute Place and Improvement to the A50 Corridor. Provision within LPS 36(A) and LPS 36(B) for a principal access road which, in the longer term, would connect Northwich Road to Manchester Road and ensure connectivity within the North West Knutsford sites.
- o. An archaeological pre-determination evaluation will be required for these sites in addition to a desk based archaeological assessment.
  - p. Any development that would prejudice the future comprehensive development of the adjacent safeguarded land will not be permitted (site references LPS 39 / LPS 40).
  - q. The Local Plan Strategy site is expected to provide affordable housing in line with the policy requirements set out in Policy SC 5 'Affordable Homes'.
  - r. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the sites are, or could be made, suitable for use should they 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 sites.

s. The sites will be developed only where it can be demonstrated that there is no adverse impact on the Midland Meres and Mosses Phase 1 Ramsar, Rostherne Mere Ramsar and Tatton Mere SSSI particularly in relation to changes in water levels and quality and recreational pressures. This should include a Habitats Regulations Assessment of the direct and indirect impacts of the development on the features of special interest. Where impacts cannot be avoided, appropriate mitigation measures will be required to ensure no adverse effects on the integrity of the sites.

### **Macclesfield Borough Local Plan**

In addition to the now adopted LPS, saved policies of the Macclesfield Borough Local Plan also form part of the development plan.

The relevant Saved Policies are: -

#### Environment

GC1 – Green Belts

NE3 – Protection of Local Landscapes

NE11 – Protection and enhancement of nature conservation interests

NE17 – Nature Conservation in Major Developments

#### Housing

H9 – Occupation of Affordable Housing

Recreation and Tourism

RT5 – Open Space

RT6 – Allocated for additional Informal Recreational Facilities

RT7 – Recreation / Open Spaces Provision

#### Development Control

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

DC63 – Contaminated Land

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **National Policy:**

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

Of particular relevance are paragraphs 14, 23-27, 47, 89 and 90.

National Planning Practice Guidance

## **CONSULTATIONS (External to planning)**

**Housing** – No objections – updated comments received in relation to amended plans.

**Education** - The development of 190 dwellings is expected to generate:

35 primary children (190 x 0.19) – 1 SEN  
28 secondary children (190 x 0.15) – 1 SEN  
2 SEN children (190 x 0.51 x 0.023%)

The development is expected to impact on SEN school places in the locality. 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 2 children expected from the Land North of Northwich Road application 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.

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

$2 \times £50,000 \times 0.91 = £91,000$  (SEN)  
Total education contribution: £91,000

Without a secured contribution of £91,000, Children's Services raise an objection to this application.

This objection is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 2 SEN children would not have a school place. The objection would be withdrawn if the financial mitigation measure is agreed.

**Cheshire East Greenspaces Team** – No additional comments received as a result of re-consultation. The developer has provided an illustrative plan with indicative housing types and numbers. 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, we will expect 65m<sup>2</sup> POS per family dwelling. On a development of this size we would expect to see all the POS on site and that does seem to be reflected on the submitted plans. ROS is provided on site, no objections.

**Highways** – Comments following reconsultation - No objections subject to financial contribution towards Canute Place roundabout improvements and signalised pedestrian crossing across Northwich Road.

**Environmental Protection** – No additional comments following reconsultation - No objections subject to conditions

**PROW** – No additional comments following reconsultation - No objections subject to condition relating to information packs.

**Natural England** – Comments following reconsultation - Natural England has previously commented on this proposal and made comments to the authority in our letter dated 17 November 2017. The advice provided in our previous response applies equally to this amendment although we made no objection to the original proposal. Original comments below.

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.. Statutory nature conservation sites – no objection Natural England has assessed this application using the Impact Risk Zones data (IRZs) and is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which Tabley Mere SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

**United Utilities** – No objections subject to conditions.

**NHS England** – No comments received following reconsultation. Original comments: 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 (as identified within the CCG's 5 Year strategy) people living in these more deprived local areas experience worse health outcomes than those living in areas identified locally as least deprived, with some startling differences in terms of life expectancy ([www.easterncheshireccg.nhs.uk/downloads/publications/Strategies/NHSECCCG5YearStrategicPlan.pdf](http://www.easterncheshireccg.nhs.uk/downloads/publications/Strategies/NHSECCCG5YearStrategicPlan.pdf)). To address the above predicted population growth, the CCG aims to facilitate the transformation of local primary care services through modern primary care estate, digital innovation and whole system commissioning responsibility.

GP Practice Profile:

There are three GP practices within Knutsford:

Annandale Medical Centre ([www.annandalemedicalcentre.co.uk](http://www.annandalemedicalcentre.co.uk)) operates from leased premises on the North East side of Knutsford. With the premises being leased, development of the site is limited, however further expansion and development will be required over the coming years if the Medical Centre is to be able to meet current demands and additional local demands based solely on organic growth of the population. Housing developments in the local area will add additional pressure on the existing infrastructure.

Manchester Road Medical Centre ([www.manchesterroadmedicalcentre.co.uk](http://www.manchesterroadmedicalcentre.co.uk)) operates from GP owned premises on the North side of Knutsford Town centre. The GP practice has expanded over the years from an end terrace town house to occupy the current footprint of three adjoining premises. Capacity to meet current demands and additional local demands based on organic growth of the population are a concern. Housing developments in the local area will add additional pressure on the existing infrastructure. With the GP practice being in a built up area, parking spaces at the GP practice are limited and a concern for the GP practice.

Toft Road Surgery ([www.toftroadsurgery.co.uk](http://www.toftroadsurgery.co.uk)) operates from GP owned premises on the South side of Knutsford Town centre. Capacity to meet current demands and additional local demands based on organic growth of the population are a concern. Housing developments in the local area will add additional pressure on the existing infrastructure. Development of the site is an option with some potential space available at the rear of the building.

The national initiative to redesign Primary Care into a 'working a scale' model, incorporating Community Services, Social Services and some services currently delivered out of Secondary Care settings will require Primary Care estates needs to increase over the next 10 years.

The geography of this peer group area does support full colocation within one Primary Care hub site and the CCG is supportive of a single Primary Care site in Knutsford.

The CCG and GP practices would be supportive of Section 106 or Community Infrastructure Levy (CIL) funding, in order to modernise current Primary Care estate in Knutsford and meet future patient demand.

Space utilisation analysis across all three Knutsford GP practices has demonstrated that with regards to adequately providing primary care services to the existing patient population the three GP practices currently have a significant shortfall. Additional growth in patient numbers will add further pressures to the three GP practices, with an increase in clinical and non-clinical staff required in order to meet these future patient needs. Such an increase in clinical and non-clinical staffing numbers requires expansion and development of the three GP practices.

The CCG and Knutsford GP practices have an NHS Estates and Technology Transformation Fund (ETTF) bid provisionally approved for funding for a new Health and Wellbeing Centre build project in Knutsford. The focus of the bid is for the three GP practices to come together into one purpose built building, along with other health, wellbeing and community services also being delivered out of the building. Although this project remains supported by the CCG, there is a risk around scheme affordability which is currently being reviewed. A second option under consideration by the CCG is for the redevelopment or relocation of the Annandale Medical Centre, should our primary option not be achievable. This reserve plan is deemed required due to the risk of primary care services not being deliverable in the future out of the existing Annandale Medical Centre premises.

The NHS Eastern Cheshire CCG therefore ask the Planning Committee to consider utilisation of Section 106 to provide funding into the local healthcare economy to support development of the three GP practice premises within Knutsford and their ability to continue to provide the current level of primary care services to the local population of the Knutsford area.

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

Where a planning application has not provided a breakdown of the dwelling unit sizes in the proposed development, it is proposed that the average occupancy of 2.8 persons is used in the initial health calculation until such time as the size of the dwelling units are confirmed, at which point a revised and more accurate calculation can be confirmed.

For the planning application in question the CCG requests a contribution to health infrastructure via Section 106 of £262,080 based on a calculation of 2.8 persons x 260 dwelling units x £360.

Allocated Section 106 funding would be used to contribute towards the project to bring the three GP practices together within one building. Should this project not progress, allocated Section 106 funding would be used to contribute towards the redevelopment or relocation of the Annandale Medical Centre, in order to ensure that the required level of primary care services can continue to be delivered to the population of Knutsford.

## **VIEWS OF THE TOWN COUNCIL**

**Knutsford Town Council** – Original objection now removed following amendments:

The Council raises no objection to the application and wishes to thank the applicant for the reduction in units on this site following public feedback.

The Council requests the following conditions are included in an approval for this development: -

- Public open spaces are given long term protection ad infinitum.
- A small changing building and parking facilities to be provided with the sports facility, which would only be of use to immediate neighbours without these facilities.
- As part of the reserve matters, the layout plan should set back properties on the spine road of this development to protect residents from noise, vibration and fumes of traffic on a route which could become a link route to Manchester Road.
- A bus stop be provided within the development or in front of the site on Northwich Road.
- A cycle/pedestrian route should connect the north of the site (close to the play area) site to the North Cheshire Way and Tabley Lane, where a bus stop is currently provided.
- The proposed allotments be transferred to Knutsford Town Council
- Knutsford Town Council is consulted on the landscaping of the gateway roundabout to the site.
- Whilst outside the remit of the development, Knutsford Town Council requests that Cheshire East Highways consults with local residents and the Town Council regarding the details of the Canute Place roundabout development and how the S106 money is spent.

- Materials and design should pay due regard to the Emerging Design Guide of the Neighbourhood Plan, using materials which are vernacular to Knutsford and not exceeding 2 storeys on the exterior of the development including Northwich Road.
- Section 106 monies be allocated to community facilities such as the Scout Hut on the Moor, which would serve residents of this development.

**Tabley Parish Council** – No additional comments received following reconsultation. Tabley Parish Council met on 11<sup>th</sup> September 2017 and discussed the application above. I can advise that they object to this application on the following grounds.

1. The original quote was for 175 units, the plans now show 260 units. It is considered that this number is too high for the area.
2. The infrastructure as it is at present cannot sustain the addition of so many houses. The schools/GP surgeries/dentists currently struggle with the number of residents. The addition of so many houses would put a considerable strain on the current over-burdened facilities and they will not be able to cope with the influx of so many people.
3. The highways in the area are already at crisis point. The quantity of traffic in this area is already extremely high with congestions being part of the daily life. A further 260 houses, each with the probability of up to two cars, would further add to frustration to motorists using this area.
4. There must be a high percentage of affordable housing. It is essential that the site includes a high percentage of Affordable Housing”.
5. Overdevelopment in the Greenbelt area. The whole site is an overdevelopment in what is in fact a Greenbelt area.
6. If approved, the infrastructure must be in place before the houses are built. If this application is approved, then Tabley Parish Council would ask that the issues with the infrastructure are address prior to the commencement of the building of the houses. Tabley Parish Council concur with all the comments included in Knutsford Town Council's response.

## **REPRESENTATIONS**

### **Other, Resident Lead Sports & Leisure working group Knutsford Neighbourhood Plan:**

Comments made: I would like to maintain my objection to this application as the major opportunities for a sustainable development in terms of sustainable access has not been presented. This is surprising given my previous comments and those given during community consultation. The simple inclusion of these 4 requests would lead to a removal of my objection with other matters 5-7 comments for noting for further detail at reserved matters

- 1) Bus Travel infrastructure & contribution to service.
- 2) PROW/ Green corridor link requested.
- 3) there is an omission on the revised access plan that does not show the opportunity for a very effective northerly PROW route described in point 2) but it is detailed in the illustrated site layout.
- 4) Canute Roundabout design - survey of flow inadequate timing at evening peak as it does not include school pick up and has not been subject to public consultation. Focus on Vehicles not full consideration of pedestrians which would be against planning policy.

The proposed inclusion of more public open space and the re positioning of the LEAP is welcomed. Although it is noted and understood that this will be subject to further scrutiny at the next reserved matters application I wish to make comment here so that the matter can be fully considered before the next submission.

- 5) How will the POS be delivered, maintained, managed and protected as such in the future? A fields in trust dedication and/or local green space would be welcomed.
- 6) A playing pitch is included which has no club, changing rooms or car parking associated with it, so in effect it is amenity space, and releases the applicant/ future developer from any off site contributions to outdoor sports space. This needs to be reviewed.
- 7) Finally - there is no community hall proposed in this development and a shortage of such in the local area. It is suggested that a contribution is made to the Scout hut rebuild project on the Moor, which already has planning permission.

**North Knutsford Community Group and South Knutsford Residents Group** – No additional comments received as a result of reconsultation - OBJECT to application 17/3853M Land north of Northwich Road, Knutsford

1. The adopted Local Plan allocates 950 new dwellings including a 5% buffer to Knutsford, 925 of which are on strategic sites of more than 150 dwellings. The shortfall of 25 is more than made up by completions and commitments within the town which raise the number to over 1000.
  2. On the basis of well-documented Objectively Assessed Housing Need, the Local Plan allocates 175 dwellings for this site LPS36A but the application proposes 260, an increase of 85 dwellings [49%] over that required. The applicant cannot therefore argue that it is seeking to meet unmet need. The proposers have produced no statistical or market signal data to justify an increase in housing numbers on this site.
  3. Knutsford Community Groups argued successfully at the Examination in Public of the then draft Local Plan Strategy that all or virtually all of Knutsford's housing allocation should be accommodated on strategic sites. That was accepted by Planning Inspector and by Cheshire East and incorporated in the adopted Local Plan. It is well documented in the Examination proceedings. The arrangement is to allow the creation of new communities with their own distinct identities but well integrated into the town. It is to avoid a series of small 'bolt-on' estates around the periphery as awkward adjuncts to established areas.
  4. Therefore, the size of sites in Knutsford as allocated under the Local Plan is deliberately generous. It allows lower density and more extensive landscaping and tree planting in order to create architecturally attractive and generously proportioned layouts, including for 'affordable' housing. The new communities will thereby complement Knutsford's existing sense of place and 'rus in urbe' setting. These 'model' garden village developments are intended to be as attractive in their own right as the historic parts of Knutsford. In the process, the town will be strengthened as a visitor destination. Cheshire East officers have not indicated any change of planning approach to Knutsford Community Groups or the Town Council.
  5. The substantial increase in housing numbers will sabotage the carefully thought-out strategy for building a new community. It fails to respect the sense of place, especially as site LPS36A is the new western gateway into the town. Residents are surprised that additional numbers are now being sought.
  6. The sense of space and the 'greening' of the development is set at risk. The more crowded ambience will damage the fundamental spatial planning intentions for this part of the town.
  7. The proposers knew and understood these aspirations through their participation in constructive meetings held prior to the submission of planning applications. These intentions are being incorporated into the emerging Knutsford Neighbourhood Plan policies and are incorporated in the draft Knutsford Design Guide.
- Damage to infrastructure planning in Knutsford

8. Previously, the Town Council and Community Groups had a clear idea of the number of new homes to be located in north-west Knutsford [ie 500] and the necessary infrastructure improvements they would occasion. The small compensatory reduction proposed in this application for LPS36B Manchester Rd West still increases the overall number of dwellings. If this application is approved, the door will be open for a similar increase in density in Manchester Rd East LPS36C and this proposal hints at unconfirmed numbers of 275 units and an 80-place care home on this site.

9. Without certainty of numbers a piecemeal and haphazard response to infrastructure will be forced on the town instead of comprehensive solutions. The implications are not confined to essential road traffic improvements in the area and throughout the town.

10. The opportunity to reserve land is threatened for location or relocation of doctors' surgeries and health-related services; for convenience retail; for sport, leisure and community facilities; for necessary open spaces and green infrastructure; and for additional primary school places - at least one additional form of entry will be necessary by 2025. NB the present locations and sizes of primary schools in the town is inimical to accepting additional numbers from new housing in north-west Knutsford after 2025. [See Education Evidence paper for Knutsford Neighbourhood Plan]

11. No consideration has been given to the linking of the spine road in LPS36A with a possible spine road in LPS36B, not least because no firm proposals are evident for the Manchester Rd West site.

Such a road would relieve some pressure on the Canute Place bottleneck. The impact of additional traffic on this node from LPS36A Northwich Rd has yet to be resolved.

12. No masterplan exists for the 7.5ha of employment land on the northern section of LPS36B Manchester Rd West to show how the office accommodation there relates to housing in the southern section of the same site, which is also without a Masterplan. Equally, no agreement is evident on planned access to these two sites from A50 or to LPS36C Manchester Rd East. No Masterplan is currently published for that site either.

13. Overall, further increases in housing numbers will use up available land and either prevent essential infrastructure or force its location onto unsuitable or difficult-to-access sites.

14. The implication of the above factors threatens not only the sustainability of this site but also the soundness of the Local Plan itself. For example, the proposers argue that the site is too generous for 175 dwellings, yet their location of the access roundabout necessitates the release of more Green Belt land. Access could have been accommodated within the site area. It is noticeable that some plans show the area to the west of Sudlow Lane and south of Northwich Rd marked as 'development potential'. If exploited, a continuous built form will stretch from Lilac Avenue to the motorway service area.

15. Since the application was registered, McCarthy and Stone, retirement home specialists, are consulting with the community for their proposals for 46 one- and two-bedroom apartments on the site of the War Memorial Hospital adjacent to site LPS36A. If approved, this would bring the total number of units north of Northwich Road to 306.

16. The issues of flooding in the south-east corner of LPS36A are well-known and no doubt capable of solution by structural/mechanical means. However, the impact of an additional 85 dwellings on the foul water sewerage system will not be so easily solved and has major cost implications for the utility company and the local authority.

17. The number of additional dwellings and the increase in density puts in jeopardy compliance with key Local Plan policies such as SE1 Design. The higher proportion of buildings and smaller plot sizes limit the space to create an effective Sense of Place. They restrict the opportunities for Design Quality and Sustainable Urban Architecture [SE1] and

Landscape Design [SE4]. They reduce the opportunities to plant trees, create hedgerows between properties and create new spinneys of trees [SE5], and they thereby damage the opportunities for green corridors and green infrastructure [SE6].

18. Any additional emissions from heating systems, the planned rise in aircraft movements to and from Manchester Airport and additional vehicles on Knutsford roads will increase pollution in an area already subject to intermittent excessive exposure to levels of nitrogen dioxide and other air-born pollutants. They place policy SE12 at risk.

19. The allocation of children to primary schools in areas of the town beyond reasonable walking distance increases car travel, adds to congestion and threatens policy CO1 Sustainable Travel and Transport.

20. The effect of all the above factors demonstrates that the increased number of dwellings in this application has been proposed in isolation from consideration of the impact on the two other strategic sites in north-west Knutsford, from the infrastructure requirements for the local area and the town centre, and for the spatial strategy for the town as a whole. Residents wish the application to revert to the original number of dwellings or be at least deferred to allow full consideration of the implications, and plans and cost implications for necessary improvements.

**Nether Ward Community Group** – No additional comments received following reconsultation. 1. The Crown Estate (TCE) have stated in the Knutsford Guardian (November 9th 2017) "While this site was originally earmarked to deliver 175 new homes, further assessments, undertaken in close consultation with CEC, have shown that an increase to 260 would make a more efficient use of a site this size" (my italics). NWCG cannot let this statement pass unchallenged. That TCE/BW have persuaded CEC planners that the site is large enough to deliver more houses is not surprising BUT it insufficient grounds for changing the allocation specified in the Local Plan. It begs the question "why is the site so large?". There may be several answers; a mistake in the original outline of the site (the northern boundary is an arbitrary curve which bears no relation to existing field boundaries), an intention to provide land for a school or local retail provision (subsequently dropped), or maybe the land was needed so that the density of housing would be low enough to maintain Knutsford's landscape and street-scene characteristics, particularly its rural setting and its existing sense of place.

The third possibility seems most likely, given the evolution of the Local Plan and the assurances given to NWCG and other local groups during the various consultation periods and summarised in the Local Plan Development Strategy (at paragraph 5.51) as "Knutsford is one of the two key historic towns in Cheshire East and its heritage and distinctiveness need to be maintained and enhanced." Also the recently-adopted Local Plan (at paragraph 15.429) states "[sites in north west Knutsford] present an opportunity for high quality, sympathetic low density residential development with community facilities and the creation of open space." Whatever the reason, if that extra space (already released from the Green Belt by the Local Plan) were now to be used for more houses, it would not only contravene the Local Plan but fly in the face of any sense of "consultation" and make any assurances worthless. More than that, it could make future engagement seem worthless.

2. In the same Knutsford Guardian article, TCE say "We will continue to work closely with the council and the local community in order to make our plans for North West Knutsford a success." NWCG would encourage this.

NWCG has had several meetings with TCE and its agents Barton Willmore (BW) to discuss various aspects of the Local Plan and their proposals for their sites now designated LPS36A and LPS36B. Following those meetings, TCE/BW may feel entitled to say that they have consulted with the local community. They may even claim to have broad support for their plans... but this is not exactly the case. NWCG would like to make clear to CEC's Strategic Planning Board just where the limits of that "broad" support lie. While we recognise the efforts of TCE/BW to engage and we are appreciative of their interaction with the community in designing some details of the developments, we cannot accept this "out of the blue" figure of 260 houses on the Northwich Road site (LPS36A). It is beyond the numbers allocated in the Local Plan and it was never discussed with the community.

We urge TCE/BW to continue to work closely with the council and the local community in order to make the plans for North West Knutsford a success. As a starting point, NWCG suggest they revise the proposed number of houses downwards. NWCG ask that this planning application for up to 260 houses be refused.

**Combined response** – No comments received from any group following reconsultation.

Knutsford Conservation and Heritage Group (KCHG)

Nether Ward Community Group

North Knutsford Community Group

South Knutsford Residents Group

South East Knutsford Residents Association

Knutsford Community Spirit – Full response can be viewed on the planning file on the CEC website.

As previously, the CGs are aligned in our views. We object strongly to the application and recommend CEC refuses planning permission.

3. Grounds for refusal of planning permission:

3.1 Principle. In a national Plan-led Planning system, the centrepiece of the Cheshire East Local Plan is its Local Plan Strategy [LPS], adopted by CEC on 27 July 2017. The application exceeds significantly (by 49%) the LPS residential use provision for the site, in effect challenging the LPS. If this application were to be approved, CEC would be risking the "soundness" of the LPS, setting aside its development provisions and flying in the face of the Inspector's 20 June 2017 report on the LPS Examination.

3.2 Bad precedent. In Knutsford and perhaps elsewhere in the Borough, this case can be interpreted as a precedent in its significant variance from LPS provisions. Each planning application is determined on its merits by a local planning authority, but so soon after LPS adoption it is reasonable to assume developers and landowners will consider this case as a precedent.

3.3 Exceeding Knutsford's cumulative housing requirement, as assessed by CEC in its LPS working.

3.4 Lack of sustainability. For LPS adoption CEC Councillors were briefed that the LPS "will be a vital tool for achieving the aim of sustainable development in Cheshire East and will provide an up to date planning framework by which to assess and determine planning applications, providing increased certainty and supporting the wider aims and objectives of the Council and its partners"

1. This application makes insufficient highways and education

provision, and is inadequate in providing for no local retail use. Moreover the scale of proposed development exacerbates concerns as to the lack of availability and 'fitness for purpose' of health facilities in Knutsford.

5 letters of representation received following reconsultation:

- Flooding, floodwater does not drain well
- Highways issues
- What additional resource will allocated to local amenities?
- Estimated impact on school places seems low
- No definitive plan for

90 letters of representation received in relation to original scheme:

- Supports comments of NWCG
- Numbers too high not 175
- Slow rail service, pressure on schools, healthcare
- Overdeveloped with no infrastructure
- Increase in numbers never discussed with the community
- Pressure on road network unacceptable
- Wear and tear on historic fabric of the town
- Not sustainable
- CE has 5 year land supply extra numbers not required
- Normal level of affordable housing should be provided
- Site is susceptible to flooding
- Proposals will rip the town apart
- Air pollution, concerns over air quality particularly on existing air quality problem areas within the town
- A relief road is desperately needed
- Ruin the view from neighbouring property
- Concerns over insufficient GCN survey.
- Pressure on public car parks with increase in population
- Increase in cars will put pressure on Northwich Road during rush hour
- Overdevelopment of the site
- A bus stop should be provided
- Play area should have changing rooms
- Contributions to other formal sports should be encouraged
- Contributions to the leisure centre should be sought
- Loss of good quality agricultural land
- Knutsford has already had its fair share of development
- Building on greenfield land could harm the character of the town
- Will the towns events be able to cope with the change?
- A new road must be built as a by-pass
- Doctors and dentists oversubscribed
- Request that construction traffic be kept on site not on adjacent roads
- St Johns Knutsford and Toft in favour of application for following reasons:
  - Located in appropriate part of the town, provision of affordable homes, pleasant mix of green space, ecological measures and simple legible streets. Would like to see a community building as part of the proposals in order to establish an Anglican congregation in that part of the town.

## **APPLICANT'S SUPPORTING INFORMATION**

- Design and Access Statement
- Noise Impact Statement
- Planning Statement
- Transport Assessment
- Air Quality Statement
- Travel Plan
- Tree Information
- Agricultural Land Classification
- Habitats Regulations Assessment Screening Report
- Preliminary Ecological Appraisal
- Statement of Community Involvement
- Landscape Methodology
- LVIA
- Flood Risk Assessment
- Archaeology and Heritage Assessment
- Soil Infiltration Testing Information
- Geo-Environmental Report

## **APPRAISAL**

### **Key Issues**

- Principle of development
- Density
- Local Plan Update
- Affordable Housing and Housing Mix
- Education
- Public Open Space & Recreation
- Indoor Sport
- Highways
- Public Rights of Way/Access
- Urban Design
- Landscape Impact
- Trees
- Ecology
- Amenity
- Flood Risk
- Section 106 agreement
- Representations
- Conclusions
- Recommendation

### **Principle of development**

The site is located within Knutsford to the north of Northwich Road. The site forms part of the wider North West Knutsford allocation LPS36 in the newly adopted Cheshire East Local Plan. This site forms parcel LPS36(A) and has been allocated to deliver 175 dwellings. The policy



does not set this as a maximum figure, just that the site must deliver this number in order to be policy compliant. The principle of residential development is acceptable in this location being a parcel of a wider strategic allocation in the newly adopted local plan. The site is in agricultural use at the current time, and is classified historically as Grade 2 agricultural land which falls into the category of BMV agricultural land, which includes Grades 1, 2 and 3a. The application has been accompanied by an Agricultural Land Classification survey. This has determined through testing of the soils on the site that 82% of the site falls into subgrade 3a with the remainder as Grade 2.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

Paragraph 143 of the NPPF states that when preparing local plans, local authorities should: put in place policies to ensure worked land is reclaimed at the earliest opportunity, taking account of aviation safety, and that high quality restoration and aftercare of mineral sites takes place, including for agriculture (safeguarding the long term potential of best and most versatile agricultural land and conserving soil resources), geodiversity, biodiversity, native woodland, the historic environment and recreation.

Whilst the land does fall within Grades 2 and 3a, these are both BMV classifications, although the land is not as good quality as its original classification of 2 across the whole site. Through the Local Plan process at the allocation stage, the constraints and sustainability of the sites to be allocated was carefully considered and each site went through the SA/SEA process. The inspector agreed that this site be allocated for residential use, therefore the principle of the loss of BMV in this location has been agreed through the allocation of the site and is now set out in the Local Plan.

Unfortunately, significant areas of BMV agricultural land are adjacent to towns and therefore the loss of some of this land is inevitable if the town is to accommodate housing growth in a sustainable location adjacent to the edge of the settlement. The policy set out within allocation LPS36(A) states that the site must provide for residential development. The requirements also include those expected to be delivered through the other North West Knutsford Sites 36 (B) and 36 (C).

The policy sets out that the new developments must provide Allotments, further it must not have a detrimental impact on Tatton Park, it must provide appropriate landscaping including a buffer/woodland belt, new sports provision on site, contributions to health infrastructure, suitable connectivity and accessibility, green infrastructure and SUDs, an appropriate mix of housing types and tenures, provide affordable housing, contribute to the improvement of Canute place roundabout, must not have a detrimental impact on the SSSI and must not prejudice the future development of adjacent safeguarded land. The allocation, provides the location for the housing and associated infrastructure, however in order to provide the necessary infrastructure and connectivity of the site, a small part of land to the southwest of the site on Northwich Road is required to provide the roundabout. This parcel of land is located within the Green Belt.

Within the Green Belt there is a presumption against inappropriate development, however certain types of development are not restricted, those listed in paragraphs 89 and 90 of the NPPF and as set out in policy PG3 of the Cheshire East Local Plan.

Having assessed the proposals it is considered that the proposed roundabout and part of the access road into the site will cause a minor encroachment into the Green Belt as it will result in the widening of the Northwich Road which at that point is washed over by Green Belt. This also includes a triangular area of land to the southwest corner of the site which will provide for landscaping between the main access road into the site and the main Northwich Road, not included within the confines of the allocation. The area of land in question is proposed to be landscaped with a minor footpath running through it, save for the access road. The landscaped elements would not constitute development in their own right such as the planting of trees, and it is not considered that this area of greenspace would cause built development to encroach into the countryside.

Paragraph 90 of the NPPF states that the following is an acceptable form of development providing it maintains openness and does not conflict with the purposes of including land within the Green Belt:

- local transport infrastructure which can demonstrate a requirement for a Green Belt location;

As mentioned above it is considered that the proposed roundabout will cause a modest encroachment into the countryside through the introduction of hardstanding and associated infrastructure, therefore is contrary to paragraph 90 and would constitute inappropriate development by definition.

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances and Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt and any other harm must be clearly outweighed by other considerations, in order for development to be acceptable.

The roundabout proposed will serve the new development, however following discussions with Cheshire East Highways, the roundabout is also required to ensure a connection to the safeguarded land. Policy LPS36 of the CELPS states at point (p) that development that prejudices the future comprehensive development of adjacent safeguarded land will not be permitted. Therefore in order for the proposal to not prejudice but to help facilitate the safeguarded land and to serve the existing site, it is considered that the local transport infrastructure is required in this Green Belt location, and a roundabout is the most comprehensive solution. The proposed roundabout will ensure that there is sufficient capacity to serve the site and to serve the safeguarded land in the future. This is a material consideration that is judged to be of very substantial weight in the Green Belt balance.

It is considered that the harm to the Green Belt as a result of the proposals is moderate as it will maintain openness with a minor encroachment into the countryside. However, the harm and any other harm must be clearly outweighed.

Along with harm to the Green Belt through encroachment, additional harm as a result of the proposals would be the loss of BMV, loss of trees and landscape impact as set out in this report. All of these factors, as set out in the report, are of limited impact and carry only limited weight in terms of additional harm.

Any other harm as a result of the development can be sufficiently mitigated and is considered neutral in the Green Belt balance, and therefore does not weigh against the proposals. Similarly, the benefits of the development required by policy, such as the provision of Public Open Space and contributions towards local infrastructure, are neutral factors in the Green Belt balance.

It is considered that the benefits of the proposals through the delivery of an allocated housing site the delivery of the roundabout, to serve and not inhibit the delivery of safeguarded land in the future, and the preservation of openness of the Green Belt, in combination carry sufficient weight to clearly outweigh the harm by inappropriateness and the additionally identified limited harm to the Green Belt and loss of BMV land. . As a result it is concluded that the necessary Very Special Circumstances exist to justify a grant of planning permission.

### **Density**

The density proposed as part of the development was originally 30dph it is now 25dph following amendments, the original density was fairly standard density for new housing developments, the amendment is a lower than average density. This is acceptable providing that the development does not appear cramped and the relevant public open space and other infrastructure is provided. The application proposes 190 dwellings and the allocation is for 175 dwellings, however it is clear within the policy that this is not a ceiling, but that the site must accommodate at least this amount.

The proposal includes a playing pitch, considerable amounts of green infrastructure, a significant buffer to the east of the site of 50m, and from the illustrative layout will be able to accommodate varying house types, with detached units, semi-detached units and small terraces. These are all required on new developments to provide a reasonable inclusive mix of properties. It is important that new developments make efficient use of land especially allocations, as through providing additional numbers comfortably within the confines of the site prevents the pressure on the release of other land in the future.

Following the deferral of the application the number of dwellings proposed has been reduced. There were a significant number of objections to the original proposal in relation to the increased numbers, a number linked to pressure this would have put on existing services and infrastructure, not in relation to the site constraints itself. The illustrative layout shows a spacious development with adequate green space, especially along the boundaries of the site which will be most sensitive in the landscape from outside the site.

The local plan and NPPF do not set out ideal densities for new development, therefore an increased number of 15 dwellings following amendments on this large allocated site is not contrary to local or national planning policy. The increase in numbers by will help contribute to maintaining a 5 year housing land supply, and further will balance those sites across the borough where in some cases fewer houses than allocated are to be delivered on strategic sites, due to various site specific constraints. It will also provide higher numbers of affordable units which are desperately needed in the local area.

The final layout and design of the site will be agreed at the reserved matters stage but it is important that this maintains the concept as set out in the illustrative masterplan, as this way the density does not jeopardise the scheme.

The proposal will provide the necessary infrastructure to accommodate the additional numbers, through road improvements, and financial contributions towards, education, indoor sport and NHS England, all of which have been raised as points of concern by the public through the consultation process.

It is considered that the proposed density of 25dph is acceptable, and the increase in numbers would not be a reason to withhold planning permission as the site can accommodate the increase. The increase represents an efficient use of land which is an important matter when considering new development sites.

### **Local Plan Update**

On 27th July 2017 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 Council have recently released the Annual Housing Monitoring Update and this has shown that the Council now has a supply of 5.45 years.

On 8 November 2017 the White Moss Quarry (WMQ) appeal was dismissed due to conflict with the LPS settlement hierarchy and spatial distribution of development. The appeal related to an outline application for up to 400 homes as a second phase to the existing White Moss Quarry development.

However, the Inspector did not come to a clear conclusion whether Cheshire East has a five year housing land supply. His view was that there was a deliverable housing land supply of between 5.07 years (a headroom of 200 dwellings) and 4.96 years (a deficit of 130 dwellings). He concluded that on the evidence before him and the risk of the housing supply falling slightly below the 5-year requirement, he could not be confident that there is a sufficiently robust deliverable supply: “I conclude that it would be both cautious and prudent in the circumstances of this case to regard policies

for the supply of housing to be considered not up-to-date, thus engaging the tilted balance of paragraph 14 of the Framework.”

As the Council won the appeal, the decision will not be challenged by the Council. However, having reviewed it, there are serious concerns about the inspector’s findings that are material to your deliberation and which will form the basis for the Council’s case in relation to other appeals:

- the Council disagrees with the WMQ Inspector’s findings on the five year housing land supply;
- in several cases, the WMQ Inspector, reached incorrect conclusions on the evidence before him;
- the Council’s housing supply witness at the Park Road Inquiry was able to demonstrate a robust 5 year housing land supply;
- development lead-in time assumptions agreed by the Local Plan Inspector through the more extensive and inclusive Local Plan examination process should be followed, particularly so soon after the publication of the Local Plan Inspector’s report (June 2017);
- the Council’s approach on the deliverability of housing is consistent with the judgement of the Court of Appeal in St Modwen (20/10/17) which post-dated the White Moss Inquiry. This judgement confirmed that ‘deliverability’ in the context of NPPF paragraph 47 means a realistic prospect of the site being delivered. There is no need to demonstrate that every home in the five year supply will be built;
- updated information is now available to further support the Council’s judgements as to the contribution that particular sites will make towards the five year supply.

The Council has submitted to the Park Road Inspector that he should find that the Council can demonstrate a 5 year supply of deliverable housing land. There are material differences between the evidence that was before the WMQ Inspector and the evidence that is before the Park Road Inspector to warrant the Park Road Inspector reaching a different conclusion.

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. This position has also now been confirmed in a very recent appeal decision (10/04/18) relating to a site at New Road, Wrenbury.

### **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 and Housing Mix**

This is a proposed development of 190 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 78 dwellings to be provided as affordable dwellings.

This is a proposed development of 190 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 57 dwellings to be provided as affordable dwellings.

The SHMA 2013 shows the majority of the demand in Knutsford is for 8 x 1 bed, 34 x 2 bed, and 49 x 4 bedroom dwellings.

The current number of those on the Cheshire Homechoice waiting list with Knutsford as their first choice is 119. This can be broken down to forty eight 1 bed, forty eight 2 bed, seventeen 3 bed and six 4 bedroom dwellings, therefore 57 on this site would be acceptable.

37 units should be provided as Affordable rent and 20 units as Intermediate tenure.

On the above it is important to note that as the house prices for both sale and rent are so high in the Knutsford area, Housing would be looking to have Social rent over Affordable rent and also to have a larger discount on the Intermediates. This is to ensure the affordable housing is genuinely affordable.

The applicant on this outline application is intending to supply a compliant 30% Affordable housing with the required 65%/35% tenure split. The detail can be confirmed on the following reserved matters if outline permission is granted. Housing does not object to the outline application.

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 and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings. It is considered that the proposed affordable split is acceptable for a development of this size.

However the housing mix will be determined at the reserved matters level through details of houstypes. At the reserved matters stage the development will be expected to contribute towards meeting the shortfall identified above in the SHMA of affordable housing mix. Further the market mix will be expected to provide a genuine mix of dwellings which will be secured by condition at this outline stage.

### **Education**

A large number of objections raised relate to the inadequacy of the schools locally to be able to cope with the increased numbers proposed.

Notwithstanding this Education Services have been consulted on the application and the following is required by the development in order to make it acceptable. The mitigation required is sufficient to support the 190 dwellings proposed. The development of 190 dwellings is expected to generate:

35 primary children ( $190 \times 0.19$ ) – 1 SEN  
28 secondary children ( $190 \times 0.15$ ) – 1 SEN  
2 SEN children ( $190 \times 0.51 \times 0.023\%$ )

The development is expected to impact on SEN school places in the locality. 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 2 children expected from the Land North of Northwich Road application 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.

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

$2 \times £50,000 \times 0.91 = £91,000$  (SEN)

Total education contribution: £91,000

No contribution towards general educational needs is required by the proposed development.

### Healthcare Provision

Following consultation with the NHS on the application, it was considered that the proposal would have an impact on health service provision locally, in particular on doctors' surgeries. Analysis across all three Knutsford GP practices has demonstrated that with regards to adequately providing primary care services to the existing patient population the three GP practices currently have a significant shortfall. Additional growth in patient numbers will add further pressures to the three GP practices, with an increase in clinical and non-clinical staff required in order to meet these future patient needs. Such an increase in clinical and non-clinical staffing numbers requires expansion and development of the three GP practices. Therefore as a result a financial contribution is required by the development to mitigate this impact. As part of the NHS consultation response, a formula has been provided which has been applied to the amended scheme, therefore the contribution will be reduced from what was originally sought when the scheme proposed 260 dwellings. The revised financial contribution is £191,520. It is considered that based on the evidence provided by the NHS this contribution is directly related to the development and is required to mitigate impact of the proposals.

### Public Open Space and Recreation

Amenity greenspace must be functional, varied and flexible space, to serve the current and future needs of the community that it serves. Therefore, amenity greenspace should be a minimum width of 40m. Areas/buffers around the perimeter of the site of less than 40m wide will not be considered amenity greenspace. Allotment provision is included on site, in line with the Local Plan requirement and is within close proximity to existing allotments. Suitable boundary treatments need to be in place and suitable parking arrangements this information would form part of a reserved matters application.

As far as possible POS should be linked by accessible traffic free routes to encourage people of all abilities to access the spaces and make the most of the recreational opportunities they present. As highlighted by PRow these connections should link to the wider environment to encourage community cohesion and safe routes to important facilities in the town.

All POS should reflect local wildlife/heritage/culture to create distinctive, high quality spaces that compliment and strengthen the identity of the overall development and wider community, encouraging community cohesion.

There is a requirement to provide Recreation and Outdoor Sport (ROS) in line with policy SC2 CEC Local Plan. The ROS provision has been addressed with an on site grass football pitch. The developer needs to consider the associated infrastructure such as access and parking. It is therefore considered that subject to adequate detail at the reserved matters stage the POS and ROS requirements have been met through on site provision.

Therefore the development is policy compliant in this respect.

Indoor Sport Policy SC2 of the CELPS states that developments must 3. "Make sure that major residential developments contribute, through land assembly and financial contributions, to new or improved sports facilities where development will increase demand and/or there is a recognised shortage".

The development will increase the need for local indoor leisure provision and as such a financial contribution should be sought towards Knutsford Leisure Centre.

The Indoor Built Facility Strategy has identified that there are existing shortfalls in provision in Knutsford at the Leisure Centre as set out in the Assessment and supporting Strategy (page 37). In particular there is currently an identified under provision within the Knutsford Leisure Centre of health and fitness studio space and equipment (fitness stations). 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 190 houses at 1.61 people per residence = a population increase of 306. The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 131 additional "active population" due to the new development in Knutsford Based on an industry average of 25 users per piece of fitness equipment equates to five (5) additional stations. Requirement for - x3 running machines (£6,500 per treadmill), x 2 spin bikes (£4,500 per bike) Total £28,500. Funding to be allocated to Knutsford Leisure Centre.

### **Social Sustainability Conclusion**

The proposals for the residential development will make a 30% affordable housing contribution 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 and makes an on-site contribution for POS and ROS and a financial contribution towards indoor sport provision therefore it is considered that the proposal makes a positive contribution to the health and wellbeing of the future residents of the dwellings and the wider area.

Overall the provision of a reasonable mix of housing to be determined at the reserved matters stage, for the community as part of a large strategic allocation along with on site affordable



housing and education and open space and outdoor recreation and NHS contributions which can be provided by the development are considered to be socially sustainable.

### **ENVIRONMENTAL SUSTAINABILITY**

#### **Highways**

This is an outline application for up to 190 dwellings and the details to be determined are the access details only and not the internal layout of the site.

There is one main access point to the site and this will be via a new roundabout created at the existing junction of Northwich Road/Sudlow Lane. The main spine road is 6.75m wide with a footway/cycleway on both sides of the access. The capacity of the new roundabout/site access has been assessed and is shown to operate well within capacity with the development traffic added in both 2021 and 2026. The provision of a new roundabout access to serve the development is accepted and can operate without resulting in undue congestion problems.

#### Development Impact

The traffic impact of the development has been discussed with the applicant and the principal impact that the development will have is at the Canute Place roundabout. There are extensive queues in peak hours on the approaches to this roundabout that results in other inappropriate roads being used to avoid the junction. As this development would have a direct impact of the Canute Place roundabout, it is clear that if this development proposal can be supported a mitigation scheme is required at the junction that would at least mitigate the development traffic resulting from the development.

The applicant has submitted a further Technical Note that assesses the operational capacity of the existing junction using current traffic flow data and confirms that the junction is operating over capacity in all weekday periods and will worsen with the development traffic added.

To address the congestion issues at the junction a revised enlarged roundabout design has been submitted by the applicant and supported by a capacity model assessment. The design has been tested with the likely traffic generation from the north Knutsford LP sites added (Land north of Northwich Road, Land west of Manchester Road and Land east of Manchester Road), the results indicate that the roundabout would operate within capacity in 2021 and at capacity in 2026.

As development proposals are required only to mitigate the impact of their development, the roundabout design submitted more than mitigates the traffic impact of the application and in regard to traffic impact the revised roundabout is considered acceptable. In order to increase the capacity at the Canute Place roundabout, there is a requirement to reduce the number of arms that feed into the roundabout and the design submitted includes the closure of Gaskell Avenue to through traffic. In addition, the proposal includes the relocation the pedestrian crossings further away from the junction. It is likely that the location of the crossing on the King Edward Road arm would need to be closer to the junction than shown on layout plan due to the pedestrian desire lines.

### Site Accessibility

It is important that the site be linked to the footpath network and the new roundabout access does provide new footway/cycle facilities and will link with the existing footway network on Northwich Road. As the application is in outline the internal pedestrian/cycle links will be determined at reserved matters stage. There is a requirement that the site has a safe pedestrian link to the local schools that are located on the opposite side of Northwich Road that currently does not have any crossing facilities. Therefore, a new pedestrian crossing should be provided as part of the application and located on Northwich Road.

### Safeguarded land – Spine Road

The proposed access to this development site has been designed to accommodate the traffic generation from the safeguarded land that lies north of this site should they come forward. It is proposed that the internal site layout be designed so as to accommodate a future road link between Manchester Road and Northwich Road. The new road link would reduce the number of development trips having to use the Canute Place roundabout.

### Highways Summary and Conclusions

The details to be decided in this application relate to access only, it is important that the access provided is suitable to serve the development but also can provide access for the safeguarded land in the Local Plan. The roundabout proposed is of a scale that can accommodate the future levels of traffic that is expected to be generated by the new developments and as such there are no objections to the access proposal. The principal traffic impact of the development is at the Canute Place roundabout that has existing traffic congestion problems. To mitigate the impact that traffic associated with the development would have at this roundabout a new larger roundabout scheme has been submitted. CEC has identified this junction in the Local Plan as a key node that requires improvements to accommodate the planned development in Knutsford, the scheme submitted is capable of providing capacity to allow the north Knutsford development sites to come forward.

In summary, it is considered that the proposed new roundabout scheme will mitigate the development traffic impact and as such is accepted. As there are a number of developments in the north west area of Knutsford it is preferable if the development provides a financial contribution of £353,000 to a final scheme designed by CEC at this junction. In addition, a contribution of £60,000 to a signal controlled pedestrian crossing on Northwich Road.

Subject to the contributions being secured in a S106 Agreement there are no objections raised to the development.

### **Public Rights of Way/Access**

The development does not appear to affect a Public Right of Way recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

Proposed developments should present an opportunity to deliver and improve walking, cycling and equestrian facilities for transport and leisure purposes, both within the proposed development site and in providing access to local facilities for education, employment, health

etc. These aims are stated within the policies and initiatives of the Council's statutory Local Transport Plan and Rights of Way Improvement Plan and also within the Local Plan Strategic Priority 2. The application documents describe facilities for pedestrians and cyclists which would increase the permeability of the site to non-motorised users. The proposed routes for pedestrians and cyclists link the site with the existing highways network. The local user group Cycle Knutsford have identified key constraints on the network of routes for cyclists within the town, including the Canute Place roundabout and the A50 between Canute Place and the railway station.

One of these pedestrian/cyclists accesses is at the northeast of the site, presumably via Cheshire East Council owned land to Warren Street. The legal status, maintenance and specification of this route, and the finance for its construction, would need to be agreed with the Council and would be dealt with as a separate matter to the planning application.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use or segregated infrastructure, accessibility and natural surveillance, set within green infrastructure corridors to create a sense of Quality of Place. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians.

As part of the proposals a condition is required that new residents are provided with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

Detailed pedestrian and cycle links through the site will be provided at the reserved matters stage.

### **Urban Design**

The illustrative layout is a testing layout and suggests a design that addresses the basic urban design principles. The comments below highlight potential issues that need to be addressed at reserved matters stage (RM).

The site is an allocated site LPS 36(A) and lies to the western edge of Knutsford town centre. Adjacent sites are mainly residential with a scattering of local facilities towards the town centre.

The proposal is outward facing and provides a green buffer to the edges, softening the appearance from the long views over the adjacent landscape. The removal of two blocks to the North of the site has enabled an expanded area of POS, which again provides a buffer to this edge and will allow for flexibility within the layout at RM.

As before, prior to amendments, the access seems in a logical place and the addition of a roundabout provides the opportunity for a gateway not only into the development, but also into the town. The roundabout will naturally slow the traffic, making pedestrian connectivity to adjacent sites (particularly Knutsford Academy, Leisure centre, Health provisions and central Knutsford) easier. A change to the material on the main road could also further emphasise the gateway.

Connectivity throughout the site is good with pedestrian routes through to adjacent existing developments and future proofing the north/south route has been indicated. The provision of a cycle only access into the site from the South and East is a welcome improvement.

The density is lower than the allocated 30 units per hectare, at 25 units per hectare a GI rich layout will be able to be achieved to reflect the rural fringe location. As stated before, the adjacent existing housing estate is predominantly 1930 stock semi-detached dwellings of two storeys. This is reflected in the layout with a number of the units being of a similar type.

A clear hierarchy of streets has been illustrated, set by a tree-lined landscape to the main spine road and front of plot tree planting. The boundary treatment to the front of the properties could further enhance the hierarchy, with a more formal approach to the spine road and softer detailing to the rural/green edges of the site but this can be dealt with at RM. The set back of the units to the frontage have been altered to illustrate a diverse street scene providing clearer *genus loci*. Likewise the road layouts have been offset to reduce vehicle speeds throughout the development.

The terraced blocks have been broken up to ensure a diverse street frontage. Units to the corner need to be dual fronted to avoid blank gable ends and lack of surveillance facing side boundary treatments – again this will be addressed at RM.

With regard to materials, cues are to be taken from the local character/vernacular (see design guide), not necessarily to create a pastiche but to create a site unique design – secured at RM.

With regard to parking, there is a good mix of on/off road parking solutions throughout the layout. Courtyard parking has been reduced down to a couple of places on the layout. Spatially the courtyards are very well designed with adequate provision for landscaping and adequate over looking.

Parking provision for the allotment – condition to provide for local residents to restrict car journey and minimise parking provision requirements – secured at RM.

At this stage the affordable units have not yet been allocated but ideally:-

The units need to be pepper potted around the proposal and be detailed with the same quality as the rest of the development to ensure tenure blindness. The usual 'tell' with affordable housing is that the parking is commonly to the front of the units that make the car a dominant feature of the street scene. A more acceptable solution would be to break up the parking with soft landscaping. The new layout has ensured that any front of plot parking has been well landscaped so this will not be an issue. The larger units have been mixed in with the smaller units to potentially provide a more diverse community.

Overall the revised proposed development reduces the initial layout from 260 to 190. The illustrative layout shows this is possible, a reduction in the numbers enables a slightly less dense edge to the east side of the development and provides a more cohesive green infrastructure plan throughout to reflect the rural setting, particularly to the North of the site. The reduction in number has also allowed a more diverse mix of units throughout the site leading to a better layout.

## **Landscape Impact**

As part of the application a Landscape and Visual and Green Belt Impact Assessment has been submitted, based upon the recommendations and methodology in Guidelines for Landscape and Visual Impact Assessment 3rd Edition published by The Landscape Institute and the Institute of Environmental Management & Assessment in April 2013 (GLVIA3).

The LVIA identifies the baseline landscape character at the national, regional and county and district level, in this case Landscape Type 10: Lower Farms and Woods, and specifically the Arley Character area (LFW3). The Assessment indicates that across the site, vegetation losses would be limited, with a number of breaches to existing hedgerows and the loss of six trees. In terms of the visual impacts the assessment indicates that there would be limited adverse effects from the wider landscape to the south, west and north, and that the most adverse effects would be on those residential properties located to the east and south of the site. It should however be noted that the effects have been assessed taking into account the design parameters; if these parameters were to be changed or reduced, the effects may easily increase in adversity.

As the LVIA indicates, the site comprises roadway corridors and part of four fields, one being a very small fragment of a field to the north, and that the site has a gentle fall from the north western area to the east and the south and a small ridge along the western part of the site area. The assessment notes that the site is bound with hedgerows of native species, but with no hedgerow trees along the western boundary or along the southern Northwich Road boundary. The assessment indicates that the hedgerows within the site are of medium-high value and that the hedgerows around the site are of medium-high sensitivity, that trees within the site are of high value and are of medium –high sensitivity to the type of development proposed. those around the site. Whilst there is broad agreement with the LVIA, it is not agreed that the site is more closely associated with the urban area than the wider landscape to the west; while the presence of the urban area to the east is visible, the site clearly forms part of the wider rural landscape.

This is an outline application for up to 260 dwellings, and while the submission includes a Green Infrastructure Parameters Plan (Drawing No: RG-M-09), a Masterplan (Drawing RGM15) and an Illustrative Layout (Drawing RG-M-17) and reference to the Cheshire East Design Guide, it is important that as the proposals develop the Cheshire East Design Guide is followed closely so that the proposals do create a sense of place based on an enhance and coherent green infrastructure and achieve the aims as described in the submitted Design and Access statement.

No landscape objections are raised in respect of the application.

## **Trees**

The site is identified as a strategic site within the LPS (LPS 36A) Land North of Northwich Road. The allocation requires site specific principles for provision of buffer planting adjacent to Toll House on Northwich Road, a comprehensive landscape scheme that retains existing mature trees and hedgerows where possible (or appropriate mitigation) and provision of new

woodland belt. The justification requires any development to include the retention of valued trees and hedgerows, to contain development, provide habitat for wildlife and to respect the setting of Tatton Park.

The Macclesfield Borough Council (Knutsford – War Memorial Hospital) Tree Preservation Order 1992 protects groups of trees within the former War Memorial Hospital on Northwich Road locate adjacent to the site to the south.

The application is supported by a Tree Survey and Impact Assessment based upon the recommendations in BS5837:2012.

The Tree Survey identifies 61 individual trees within and immediately adjacent to the site, 3 groups of trees (those located offsite and protected by the TPO) and 6 Hawthorn hedgerows.

The Impact Assessment states that only trees affected by the proposed road junction (roundabout) will be affected. Nine individual trees and two sections of hedgerow are proposed to be removed either side of Sudlow Lane and along the northern section of Northwich Road. Of these, five trees are mature Oak which are classified as Moderate (B) category specimens in accordance with BS5837:2012 Tree Quality Assessment contributing to the landscape quality of the area. The remaining trees comprising of Holly, Oak and Elm are deemed to be low (C) category or have been classified as Category (U) whereby by virtue of their condition they cannot be realistically retained. These losses, whilst having a local adverse impact shall need to be considered in terms of the overall planning balance. In this regard the indicative layout suggests that there is adequate scope for new planting both around the new roundabout and within the site to potentially offset these impacts. Existing protected trees located offsite within the former War Memorial Hospital Site are unaffected by the proposals.

The illustrative layout provides areas of green infrastructure around the boundaries of the site which will provide for the retention of existing trees that are located to the eastern and northern boundary of the site. It is noted that the proposed SUDS is to be incorporated within these areas and consequently the rooting environment of existing trees need to be taken into consideration in the overall design.

The arboricultural officer has raised no objections subject to a condition.

## **Ecology**

### Designated Sites

This application falls within Natural England's SSSI Impact risk zones. An 'assessment of likely significant effects' under the Habitat Regulations has been completed by the applicant and submitted in support of this application. The submitted assessment concludes that the proposed development is unlikely to have a significant effect on Natura 2000 or Ramsar sites. Natural England have been consulted on this application and raised no objections in respect of statutory designated sites.

It is advised that the Council adopts the Assessment of Likely Effects prepared by the applicant and the planning officer's report should state that no likely effects on the Natura 2000 or Ramsar sites are likely and that an appropriate assessment under the Habitat regulations is not required.

### Great Crested Newts

A pond is located adjacent to the northern boundary of the application site. No evidence of great crested newts was recorded as part of the amphibian survey undertaken as part of the submitted ecological assessment.

The submitted report states that the amphibian surveys were undertaken under suitable weather conditions, and confirmation of this has been received from the applicant's ecological consultant. It is therefore advised that this species is not likely to be present or affected by the proposed development.

### Hedgerows

Hedgerows are a priority habitat and hence a material consideration.

It is likely that the proposed development will result in the loss of sections of hedgerow to facilitate the site access points and the proposed roundabout. In the event that planning permission is granted it must be ensured that sufficient hedgerow planting is incorporated into the detailed design produced at the reserved matters stage to compensate for that lost.

### Bats

A number of trees with bat roost potential were identified as part of the submitted ecological assessment. Suitable trees anticipated as being lost as part of the development of the site were subject to a climbing survey which did not identify any evidence of roosting bats. Whilst no impacts on roosting bats are anticipated at this stage it is possible that the status of roosting bats on site may change following the grant of planning permission and the impacts on the identified trees would depend on the detailed design proposed at the reserved matters stage.

It is therefore recommended that in the event that planning permission is granted a condition should be attached which requires an updated bat survey to be undertaken in support of any future reserved matters application of any trees to be removed as part of the development. Whilst no evidence of roosting bats was recorded during the tree survey, common bat species do commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development I recommend that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA as part of the reserved matters application.

Any proposed lighting should be low level and directional and the design of the lighting scheme informed by the advice in Bats and lighting in the UK- bats and the built environment series, (Bat Conservation Trust, 2009).

### Badgers

Two minor badger setts were recorded outside of the application site boundary. It is advised that these setts are unlikely to be affected by the proposed development. The proposed development will result in the localised loss of badger foraging habitat. It is recommended that this loss could be partly compensated through the incorporation of fruit trees into the

landscaping scheme for the site. It is recommended that this matter be dealt with by means of a condition in the event that planning permission is granted.

As the status of badgers can change in a short time scale it is recommended that in the event that outline planning permission is granted a condition should be attached which requires any future reserved matters application to be supported by an updated badger survey.

### Birds

A range of bird species have been recorded during the submitted survey including a number of species considered to be a priority for nature conservation. The retention of hedgerows would assist with mitigating the impacts of the scheme on some species, however there would still be a loss of habitat for ground nesting bird associated with open habitats. To compensate for this impact the applicant is proposing to provide off site compensatory habitat for ground nesting birds and to commit to managing this for a period of 10 years. It is advised that this approach is acceptable. In the event that planning permission is granted a condition securing this is required.

### Polecat and hedgehog

These two priority species have been recorded in the broad locality of the application site and may occur on the application site on a transitory basis. The application site is however unlikely to be of any particular importance for these species. A condition is recommended in respect of this.

### Ecological Enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development. It is therefore recommended that if outline planning permission is granted 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, a wildlife pond and native species planting.

### Japanese Knotweed

The applicant should be aware that Japanese Knotweed (*Fallopia japonica*) is present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause Japanese Knotweed to grow in the wild. Japanese knotweed may be spread simply by means of disturbance of its rhizome system, which extends for several meters around the visible parts of the plant and new growth can arise from even the smallest fragment of rhizome left in the soil as well as from cutting taken from the plant.

Disturbance of soil on the site may result in increased growth of Japanese Knotweed on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with Japanese Knotweed must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste.

### **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 and that the development is not located within an area which would harm the amenities of future residents, or the proposals would not cause undue harm by overlooking, loss of light or loss of privacy to future or existing residents.

### Aircraft Noise

The most recent 'Average Summer Day' aircraft noise contour plan, have been obtained from Manchester International Airport Planning Department for summer 2016. The government treats the 57dB LAeq 16 hour contour as the average level of daytime aircraft noise marking the approximate onset of significant community annoyance.

The application site is located outside the aviation noise contours giving rise to concern. Therefore aviation noise impact (as detailed in summer 2016 aircraft noise contour plan) at this location is not a material planning consideration.

### Traffic noise impact – Northwich Road (A5033)

Provided that the noise mitigation measures as detailed in the supporting noise impact assessment are applied in order to meet BS8233 and WHO noise limits; it is considered, that there should be no adverse impacts on quality of life resulting from road traffic and commercial noise at this location affecting future occupants.

The site is subject to amenable road and commercial noise impact. On balance, it is considered that the proposed location is suitable for the promotion of residential development. As the final layout of the site has yet not been confirmed; a detailed scheme of appropriate:

- acoustic glazing,
- acoustically treated ventilation and
- localised noise barriers

to reduce the noise from traffic in the worst affected outdoor living areas to Northwich Road, shall be prepared and submitted at the Reserved Matters application stage.

### Air Quality

Air quality impacts have been considered within the air quality assessment submitted in support of the application by BWB Consulting dated May 2017. 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 NO<sub>2</sub> and PM<sub>10</sub> 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 baseline – model verification
- 2021 without development
- 2021 with development

It should be noted that the report uses diffusion tubes CE40 and CE45 for its verification and the values attributed to them for the year in use (2014) is 33.4 and 31.1µg/m<sup>3</sup> respectively. These figures are marginally different than the most up to date figures for these tubes from 2014 which stand at 31.53 and 28.93 µg/m<sup>3</sup> respectively. 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. It should also be noted that the assessment uses a different year for the meteorological data than that of the diffusion tubes, although it is highly unlikely the use of the same year for both would alter the overall conclusions.

The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to both NO<sub>2</sub> and PM<sub>10</sub> concentrations, with one of the receptors experiencing a slight adverse effect for NO<sub>2</sub> and the rest a negligible effect.

However, one of the receptors, R5, is located within the nearby AQMA and it is this department's opinion 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.

Also 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.

Knutsford has an Air Quality Management Area, and as such the cumulative impact of developments in the town is likely to make the situation worse, unless managed. 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 manage air quality impact.

The report also states that the developer should implement an adequate demolition and construction dust control plan to protect sensitive receptors from impacts during this stage of the proposal and there has also been a Travel Plan submitted in support of the development.

However further robust mitigation measures are required to reduce the impact on sensitive receptors in the area. Therefore, the scheme is required to provide electric vehicle charging points for each dwelling with off road car parking and dust mitigation.

### Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

The application area has a history of agriculture including ponds which may have been infilled and therefore the land may be contaminated.

This site is currently adjacent to a hospital with tanks within its grounds therefore there is the potential for contamination of the site and the wider environment to have occurred. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site.

The Phase 1 Geo-environmental Assessment, produced by BWB, dated April 2017 submitted in support of the application recommends a ground investigation should be undertaken to confirm the ground model and quantify the identified pollutant linkages. Conditions are require in respect of contaminated land in order to make the development acceptable.

### Residential Amenity

The internal layout is not set at this stage by the outline application and will be dealt with at the reserved matters stage. The nearest existing residential dwellings to the proposed development are located on the eastern edge of the development. The eastern edge of the development has a buffer zone of 50m with neighbours at Warren Avenue and Spinney Lane which is a considerable distance from neighbouring dwellings. It is considered that the distances from dwellings on the opposite side of Northwich Road is sufficient with a set back of at least 15m from the road.

Therefore the proposals accord with policy DC3 of the Macclesfield Borough which aims to protect the amenity of existing and prospective residents of dwellings.

### **Flood Risk**

It is important that new developments are not at risk from flooding, or that the development itself would not exacerbate flooding in an area. The Flood Risk Team has commented that they have no objections in principle to the proposals, however we would request that the applicant submits finalised plans that propose a sustainable drainage system that does not increase the risk of flooding on or off site, which can be secured by a pre-commencement condition. The applicant should look to introduce flood risk management techniques to protect the private properties along the eastern boundary of the site in the event of the proposed swales overflowing in an intense storm event.

United Utilities has 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. It is considered that the proposal is environmentally sustainable subject to a suite of conditions and planning obligations to secure highway improvements.

## **ECONOMIC SUSTAINABILITY**

### **Employment**

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

### **Economy of the wider area**

The addition of 190 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 Knutsford 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 agreement**

The following planning obligations have been required through the application process these have since been amended following the reduction in housing numbers:

- Provision of 57 affordable units.
- Educational contribution of £91,000 towards SEN places.
- Allotments to be provided
- Recreation open space secured + management
- Public open space on site provision secured
- £353,000 to a final scheme designed by CEC for Canute Place junction.
- £60,000 to a signal controlled pedestrian crossing on Northwich Road
- £28,500 towards fitness equipment at Knutsford Leisure Centre
- £191,520 contribution towards bringing 3 Knutsford GP practices together, redevelopment or relocation of Annandale Medical Centre.

A total of £724,020 agreed.

## **Community Infrastructure Levy (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 particularly given the policy requirements of the allocation. 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.

## **Representations**

Following amendments, a small number of representations have been made, however as part of the original application a large number of representations were received, with strong objections in relation to the increased numbers. This matter has been addressed within this report and has been significantly reduced following the deferral of the application by the Strategic Planning Board. Many representations relate to the increased pressure housing will put on the road network, which is problematic in Knutsford. However, the proposals are considered to be acceptable in relation to highways matters subject to mitigation to be delivered to ease pressure on Canute Place. Issues in relation to Green Belt encroachment and the need for appropriate transport infrastructure have also been addressed.

There were also objections relating to flooding, loss of agricultural land, and particularly the impact on existing services such as doctors surgeries, and schools, which a site of 190

dwelling would inevitably do, however these matters can be effectively mitigated through financial contributions. Therefore these are not reasons to withhold planning permission, especially in outline stage on an allocated site.

Due to the sustainable location of the development, walking and the use of public transport is a realistic option which could reduce the demand of the private car on the site. Those comments relating to this scheme and its merits have been addressed in the main body of the report.

Having taken into account all of the representations received including internal and external consultation responses, the material considerations raised have been addressed within the main body of the report.

Paragraph 14 of the NPPF states that should be approved without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### **CONCLUSIONS**

The site forms part of a strategic allocation for the North West Knutsford LPS 36(A). Whilst the proposal does see an increase in numbers it is considered that the site can accommodate this and mitigation ensures that the town can accommodate the additional 15 units. It is considered that the proposed development accords with the Local Plan policy relating to its allocation by providing housing. The policy sets out an allocation of 175 dwellings as part of a wider allocation of around 500 dwellings. This planning application submission demonstrates that the site can accommodate 190 dwellings and mitigation ensures that the town can accommodate the additional 15 units. It is considered that the proposed development accords with the Local Plan policy relating to its allocation.

The proposal involves a relatively minor encroachment into the Green Belt to provide a roundabout and section of road into the housing development, but as set out in the report this is justified as very special circumstances are considered to exist to ensure acceptable transport infrastructure is provided and safeguarded land is not prejudiced.

The applicant is providing 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.

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 planning obligation to secure

- Provision of 57 affordable units.
- Educational contribution of £91,000 towards SEN places.
- Allotments to be provided
- Recreation open space secured + management
- Public open space on site provision secured
- £353,000 to a final scheme designed by CEC for Canute Place junction.
- £60,000 to a signal controlled pedestrian crossing on Northwich Road
- £28,500 towards fitness equipment at Knutsford Leisure Centre
- £191,520 contribution towards bring 3 Knutsford GP practices together, redevelopment or relocation of Annandale Medical Centre

and the following conditions:

1. Outline time limit
  2. Reserved matters to be submitted, to include landscaping, scale, layout, appearance
  3. Phasing plan to be submitted as part of reserved matters
  4. Approved Plan and document condition
  5. The development hereby permitted shall not commence until a full detailed drainage strategy detailing on and off site drainage works has been submitted to and approved in writing by the LPA. The strategy shall include a detailed maintenance regime of the proposed system. The strategy shall be implemented in accordance with the approved details before completion of the development. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.
  6. Foul and surface water to be drained on separate systems.
  7. Any future reserved matters application shall be supported by an Arboricultural Impact Assessment and Tree Protection Plan in accordance with para 5.4 and 5.5 of BS5837:2012 Trees in Relation to Design, Demolition and Construction Recommendations.
  8. Each phase of the development hereby approved shall incorporate a mix of units of -
    - 1 bed and/or 2 bed dwellings – between 10% and 30% of the number of dwellings
    - 3 bed dwellings – between 20% and 40% of the number of dwellings
    - 4 bed and/or 5 bed dwellings – between 20% and 40% of the number of dwellings, and
    - a minimum of 5 % of the units shall be bungalows or units for single storey living.
- The 1st reserved matters application shall provide a strategy for the distribution of all the housing across the site in accordance with these parameters. Thereafter the housing on each phase of development shall accord with the housing mix details provided unless otherwise approved in writing by the Local Planning Authority.
9. Major development construction phase environmental management plan
  10. At the reserved matters stage a noise impact report shall be submitted demonstrating that the residential properties can achieve:  
BS8233:2014:
    - Internal ambient noise levels for dwellings and
    - Design criteria for external noise
    - WHO 1999 Guidelines for Community Noise 45 dB LAmax for inside

bedrooms.

11. Hours of Construction

12. Piling method statement to be submitted

13. Dust control method statement

14. Prior to first occupation, a Residents' Travel Information Pack shall be submitted to and agreed by the LPA.

15. Electric vehicle charging point for every dwelling with dedicated off road parking.

16. Phase II Ground investigation to be completed.

17. Imported soils to be tested for contamination.

18. Reporting of unexpected contamination.

19. Broadband connection to be made available to all dwellings

20. Any future reserved matters application to be supported by a strategy for the creation of habitat suitable for ground nesting priority bird species. These proposals to be supported by a 10 year management plan. Proposals to include the following unless agreed in writing by the LPA:

- Habitat creation to be located on either arable land or temporary grassland in winter cereal fields with open aspects.

- Habitat creation plots a minimum of 1ha and a maximum of 5ha in size, in fields which must be a minimum of 5ha (or 10ha if woodland forms at least a quarter of the field boundary)

- Creation of the cultivated plots to be completed by 20 March each year

- Plots must be at least 100m away from woods, in-field and hedgerow trees, buildings, overhead power-lines, main roads and public rights of way, and at least 200m away from wind turbines.

- Where natural regeneration covers more than 70% of the plot by 30 April, restoration of suitable bare-ground nesting habitats to be undertaken.

- Habitat creation areas retained until 31 July each year. The agreed strategy to be implemented in full.

21. Updated bat and badger surveys to be undertaken and submitted in support of any future reserved matters application.

22. Reserved matters application to be supported by detailed specification for any additional lighting. Lighting to be designed so as to minimise impacts on wildlife.

23. Reserved matters application landscaping scheme to include planting of fruit trees to provide an additional food source for badgers.

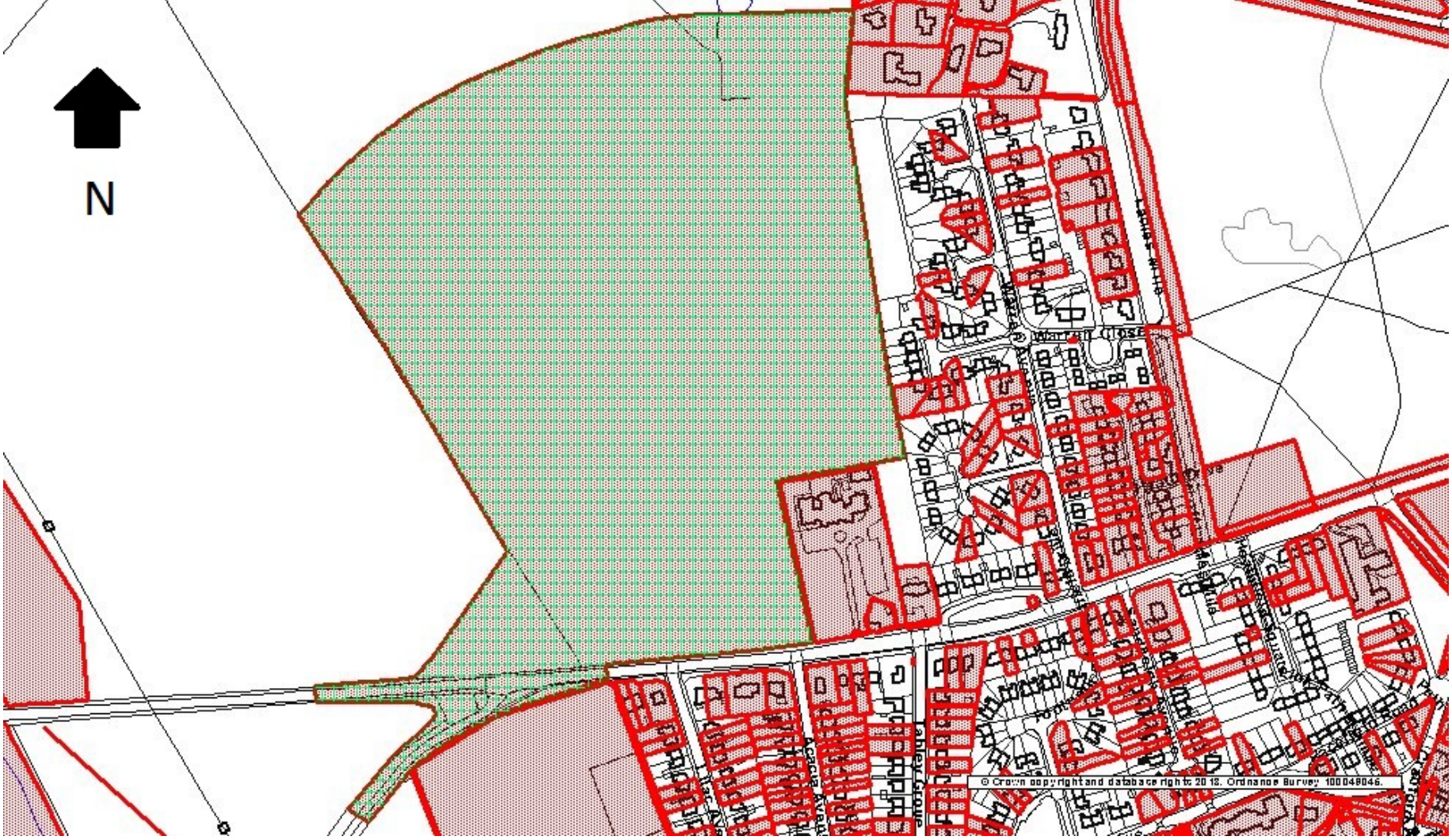
24. Reserved matters application to be supported by submission of a strategy for offsite habitat creation for ground nesting priority bird species.

25. Submission of ecological enhancement strategy – including provision for roosting bats and nesting birds, provision of a wildlife pond and native species planting.

26. Any future reserved matters application to be supported by proposals for the incorporation of gaps for hedgehogs to be incorporate into any garden or boundary fencing proposed. The gaps to be 10cm by 15cm and located at least every 5m. In order to give proper effect to the Committee's intentions and without changing the substances of the decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their absence Vice Chairman) of the Strategic Planning Board to correct any technical slip or omission in the wording of the resolution, including wording of conditions and reasons, between approval of the minutes and issue of the decision notice. Should the application be subject to any appeal, the following Heads of Terms should be secured as part of any S106 Agreement.

*In order to give proper effect to the Board'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: 18/0228N

Location: Bentley Motors Ltd, PYMS LANE, CREWE, CHESHIRE, CW1 3PL

Proposal: Construction of two 7,200sqm, 4 storey office blocks and related external works

Applicant: Mr Andrew Robertson, Bentley Motors Ltd

Expiry Date: 30-Apr-2018

**SUMMARY:**

This proposal would bring economic benefits and investment in an area with a longstanding association with the manufacture of motor vehicles. Bentley Motors are a major employer located within one of the principal growth areas of the Borough where national / local plan policies strongly support such development.

The proposal is compatible with the surrounding development and the design, scale and form of the buildings would not appear incongruous within their context owing to the character of the area and the construction of a similarly designed building to the east of the site. This proposal would occupy the position of a previously proposed five storey Engineering Technical Centre approved under planning ref; 16/0341N and instead would provide 2 smaller buildings which would have lesser impact in planning terms than the previously consented scheme.

The proposals will have a moderate effect on the landscape, which in time, will be mitigated by additional planting to the north of the site and in the fullness of time by potential development to the north of the site identified for development under Strategic Site Policy LPS 4 under the Cheshire East Local Plan Strategy.

The impact of the proposal on trees and hedges would not be significant and environmental considerations relating to flooding, drainage, land contamination (subject to further investigations) and ecology would be acceptable.

The impact on neighbouring residential amenity would be acceptable owing to the low impact nature of the use (predominately offices and research and development), the generous separation with neighbouring properties and having regard to the context of the area as a centre for automotive manufacturing.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network. Any additional vehicular movements and parking generated by the proposals could be accommodated by the existing highway network and the existing and proposed parking provision at the site.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to comply with the relevant saved policies of the adopted Borough of Crewe and Nantwich Local Plan, the policies of the Cheshire East Local Plan Strategy and advice contained within the NPPF. The application is therefore recommended for approval.

**RECOMMENDATION: APPROVE with Conditions**

### **PROPOSAL:**

This application seeks full planning permission for the construction of two 7,200 square metre (14,400 square metres in total) four storey office blocks in use class B1b (research and development) and related external works for Bentley Motors on land to the north of Pym's Lane, Crewe.

The proposed buildings would occupy the position of a previously proposed five storey Engineering Technical Centre approved under planning ref; 16/0341N.

### **SITE DESCRIPTION:**

This application relates to the site of Bentley Motors, a large industrial site for the manufacturing of motor vehicles located within the settlement boundary for Crewe. This application relates specifically to land on the north side of Pym's Lane directly opposite the main entrance to the plant.

The site measures some 1.1 hectares in size and comprises part of the former Council Waste Transfer Depot comprising primarily hard surfaced land and several industrial/storage units which are presently undergoing demolition.

The site is bound to the north by other land owned by Bentley Motors which benefits from planning permission to erect a proposed workshop building under planning ref; 16/0341N. Beyond this, the site is bound by 'Meadow Brook Cemetery', to the east by a 4 storey office building beyond which there are residential properties fronting Pym's Lane. To the south of Pym's Lane is the main production plant. Directly to the west of the site, are other industrial and commercial units and associated parking further along. There are other areas which are within the applicant's ownership for car parking, a showroom and ancillary development.

The site falls entirely within the settlement boundary of Crewe as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011. Land to the north of the site is identified as Strategic Site LPS 4 under the Cheshire East Local Plan Strategy. This seeks to promote the development of a new sustainable neighbourhood at Leighton West and promotes the creation of an automotive research, development and supply hub, in partnership with Bentley Motors, in order to provide new employment opportunities and expand the automotive related investment in Crewe and the wider area.

### **RELEVANT HISTORY:**

There is an extensive planning history for the Bentley Motors site. However, the only applications of relevance to this proposal are as follows:

12/4373N - New build showroom with associated car parking approved on 6<sup>th</sup> February 2013

12/3418N – Full planning permission approved to develop site to provide a permanent car park with a total of 478 parking spaces on 30<sup>th</sup> November 2012

12/4319N – Resolved to grant full planning permission (subject to S106 Obligation) for the erection of a two storey temporary office accommodation with links to an existing building to accommodate existing staff relocated on site on 1<sup>st</sup> May 2013

12/4426N - Proposed development of the site to provide a permanent car park with a total of 1817 car parking spaces plus lorry parking for up to 14 HGV's – Approved 03-Jun-2013

13/5114N - Variation of condition 2 (approved plans) on application 12/4426N (proposed development of the site to provide a permanent car park with a total of 1817 car parking spaces plus lorry parking for up to 14 HGV's) – Approved 18-Feb-2014

14/2944N - Construction of a new Painted Body Store Warehouse and ancillary accommodation totalling approximately 5060sqm gross internal floor area. The relocation of fuel tanks and a fuel filling location. The proposed building comprises a large warehouse with one and a half portal frame structure, a single storey office annex to the North elevation with rest and WC facilities, an enclosed link to the existing adjacent warehouse to the east and an enclosed bridge link above the private road to the adjacent property to the North. A 10m overhanging canopy will be provided for the full width of the building to the west elevation and a 2m deep canopy to the north side of the east link – Approved 29-Aug-2014

14/5262N - Proposed pre-fabricated building, complete with services to be installed as office and restrooms for lorry park on site at Bentley Motors – Approved 09-Feb-2015

15/3665N - Construction of a 4 storey office building on the site of an existing carpark – Approved 28-Oct-2015

15/3869N - It is proposed to convert the existing field into a private car park for Bentley Motors. The site is an existing green area which will be converted to hard standing material to suit the needs of a car park. The car park will be enclosed with fences. North east and south of the proposed car park, a 14m width band will be dedicated for planting – Approved 18-Mar-2016

15/4141N - Alterations to E1 Car Park, realignment of internal road, construction of a vehicle test building, relocation of Gate 3 Security Lodge and amendments to gate arrangement, installation of 5 No. entry gate positions and relocation of cycle and motor cycle shelters – Approved 18-Nov-2015

16/0341N - Demolition of all existing on-site buildings and structures, the construction of a five storey engineering technical centre comprising offices at the front of the building and warehousing at the rear, the construction of a two storey design centre comprising offices and a workshop together with associated works – Approved 27-Oct-2017



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 together with a further gate on Sunnybank Road – Resolved to approve at SPB meeting of 28/02/2018 subject to the signing of a s106 agreement

### **NATIONAL & LOCAL POLICY**

#### **National Policy:**

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

Of particular relevance are paragraphs 7, 9, 14, 17, 18, 19, 21, 28, 56, 65, 109, 111 and 118.

#### **Development Plan:**

#### **Borough of Crewe and Nantwich Local Plan Saved Policies:**

NE.5 (Nature Conservation and Habitats)  
NE.10 (New Woodland Planting and Landscaping)  
BE.13 (Buildings of Local Interest)  
BE.1 (Amenity)  
BE.3 (Accessing and Parking)  
E.4 (Development on Existing Employment Areas)  
TRAN.3 (Pedestrians)  
TRAN.6 (Cycle Routes)  
TRAN.8 (Existing Car Parks)

#### **Cheshire East Local Plan Strategy (CELPS):**

Policy MP 1 Presumption in Favour of Sustainable Development  
Policy PG 1 Overall Development Strategy  
Policy PG 2 Settlement Hierarchy  
Policy PG 7 Spatial Distribution of Development  
Policy SD 1 Sustainable Development in Cheshire East  
Policy SD 2 Sustainable Development Principles  
Policy LPS4 Leighton West  
Policy IN 1 Infrastructure  
Policy IN 2 Developer Contributions  
Policy EG 1 Economic Prosperity  
Policy EG 3 Existing and Allocated Employment Sites

Policy SE 1 Design  
Policy SE 2 Efficient Use of Land  
Policy SE 3 Biodiversity and Geodiversity  
Policy SE 4 The Landscape  
Policy SE 5 Trees, Hedgerows and Woodland  
Policy SE 6 Green Infrastructure  
Policy SE 7 The Historic Environment  
Policy SE 8 Renewable and Low Carbon Energy  
Policy SE 9 Energy Efficient Development  
Policy SE 13 Flood Risk and Water Management  
Policy CO 1 Sustainable Travel and Transport  
Policy CO 2 Enabling Business Growth Through Transport Infrastructure  
Policy CO 4 Travel Plans and Transport Assessments

**Other Material Considerations:**

National Planning Practice Guidance

**CONSULTATIONS:**

**Highways:** No comments received

**Environmental Protection:** No objection, subject to conditions / informatives restricting hours of construction, submission of details of noise mitigation for fixed plant etc, submission, compliance with the submitted travel plan and a further contaminated land survey/verification.

**Environment Agency:** No objection subject to conditions for remediation of unsuspected contamination and waste management.

**Flood Risk Officer:** No objection subject to submission of a surface water drainage scheme.

**Public Rights of Way Unit (PROW):** No objection. The proposals do not affect a public right of way.

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

**CREWE TOWN COUNCIL:**

No objection.

**REPRESENTATIONS:**

None received.

**OFFICER APPRAISAL:**

**ECONOMIC SUSTAINABILITY**



## Background

The area and site has a longstanding association with the manufacture and production of motor cars and as such, it is considered that the compatibility of the site and the area for such use is well established. More recently, the Local Planning Authority has considered and approved a number of planning applications to facilitate future investment at Bentley Motors at the Pym's Lane site, the most notable of which are:

- A 7,200 sq. m business building providing office and business space
- A 32,148 sq. m Engineering and Technical Centre containing workshop, design and technical centre

This application involves part of the site approved for the 32,148 sq. m Engineering and Technical Centre and seeks instead to provide 2 x no. 7,200sqm four storey office blocks in place of the previously approved Engineering and Technical Centre building.

In addition to this, Members will recall that at the meeting of the Strategic Planning Board on 28/02/2018, it was resolved to approve a Hybrid Planning Application (planning ref: 17/4011N refers) for the erection of 2 no. production and manufacturing facilities, two covered links, an engine test bed facility together with associated car parking, landscaping and associated infrastructure. The application also included the erection of security gatehouses resulting in the closure of Pym's Lane and Sunnybank Road to general traffic and pedestrians to "create an internal campus where manufacturing, design, research and development, and engineering operations are fully integrated within a single site" (Bentley Development Framework and Masterplan).

## Principle of Development

In terms of the Local Plan, the site is within the settlement boundary of Crewe where development is acceptable provided that it is compatible with surrounding uses and accords with other relevant local plan policies. Owing to the longstanding association with the manufacture and the production of motor cars in the area, it is considered that the compatibility of the site and the area for such use is well established.

It is important to recognise that Bentley Motors is a major employer in the area. This proposal forms part of a key component in the long term vision to invest in operations at the plant, which has previously been accepted by the Local Planning Authority. This proposal is an alternative proposal for the previously approved Engineering Technical Centre and would assist in the delivery of this part of the overall vision by providing 2 smaller separate buildings. Accordingly, there remain significant benefits arising from the scheme that would support future economic growth in the locality and the Borough.

The development of science, enterprise, manufacturing and advanced engineering is a key component of the economic vision for Cheshire East within the Cheshire East Local Plan Strategy (CELPS). The economy of Cheshire East is one of the most successful in the North of England and consequently a principal aim of the CELPS is to "*ensure the right foundations are in place to sustain this success over the next twenty years*", including capturing the success and

strengths of the *Crewe High Growth City/M6 Corridor*. Indeed, the Council's economic growth strategy seeks to secure *"a growth proposition for the south of the Borough centred around Crewe as a principal town but linking to a wider set of growth 'nodes' using the M6 Corridor as a key attractor and asset to support our ambition"*. It is considered that such benefits are in line with the local plan.

The NPPF requires Local Planning Authorities to adopt a positive and constructive approach towards planning applications for economic development. Planning applications that encourage sustainable economic development should be treated favourably and this view is further reinforced in Policy EG 1 of the Council's Local Plan Strategy. The proposal is therefore acceptable in principle subject to compliance with other relevant planning considerations.

### Design

The NPPF and local plan Policies and SE 1 and SD 2 emphasise the importance of securing high quality design appropriate to its context. NPPF 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."*

The proposed buildings would each have a floor-space of 7,200 square metres spread across four floors and would replicate the recently constructed office building to the east. The buildings would be of modular prefab construction and would measure 15.98 metres in height with a combined frontage to Pym's Lane of c185 metres. The buildings would be positioned to the west of the existing office building beyond which there is the beginning of residential development on the north side of Pym's Lane. The proposed buildings would be set back between 14 and 16 metres from the beginning of the highway which would allow for appropriate hard and soft landscaping to be accommodated to the front of the building.

With reference to the architectural detail, the buildings would be simple in terms of their form and shape. Owing to their size, the massing of the elevations would be broken up with sections of glazing and alternate coloured facing materials. This would improve the appearance of the buildings. It is important to note that the area is characterised predominantly by commercial and industrial premises including the similarly designed and recently constructed office building and as such, the proposed buildings would not appear incongruous within this context. The size, scale and general appearance of the building would not impact detrimentally on views of the locally listed buildings, which serve as the entrance to the main Bentley production plant on the opposite side of Pym's Lane.

To the west of the proposed buildings would be the lower two-storey height design centre approved under planning ref; 15/3665N, which coupled with the existing office building to the east, would ease the disparity in heights along the Pym's Lane frontage. To the rear of the site, a workshop building approved under planning ref; 15/3665N would adjoin the rear of the site but would be lower in terms of its height.

In terms of the wider visual impact on the area, the impact of the scale and height of the buildings would be moderate within the local context. The effects would be reduced by the hierarchy of buildings. Further, with mitigation planting outside of the site to the north, the visual impacts would be reduced over time. The proposal complies with CELPS Policies and SE 1 and SD 2 (Design).

### **Landscape**

The application is supported by a Landscape and Visual Impact Appraisal (LVIA). This is a review of the previously submitted LVIA for the already granted application (16/0341N). The review identifies that the main consented building that will form the subject of the revised planning application is the Engineering Technical Centre, a building that would be 23 metres in height, the two proposed buildings would be 16m in height, although with roof top cooling and ventilation equipment the height of each structure is actually 19m.

The landscape and Visual review identifies that the landscape baseline remains of Low value and that it is of Medium value, and indicates that the effects will be marginally less adverse compared to the effects assessed in relation to the original Engineering Technical Centre assessment. The visual assessment review indicates that since the proposed buildings are smaller and constrained, with a lower resulting skyline, that they will not have a greater level of visual effect compared to the originally assessed building. The Council's Principal Landscape Officer has confirmed that he broadly agrees with the review. However, the Principal Landscape Officer does not agree that this would merit the reduction to the already consented landscape mitigation, since it was the opinion of the LPA that the visual effects had been undervalued in the original assessment.

The proposals owing to their size, scale and location on the edge of Crewe, will have a moderate effect on the landscape, which in time, could be mitigated by additional planting to the north of the site and in the fullness of time by potential development to the north of the site identified for development under Policy Strategic Site LPS 4 of the Cheshire East Local Plan Strategy Submission Version. Subject to the mitigation planting, the proposal is found to be acceptable in landscape terms.

### **Trees**

The application site is set back behind a wide highway verge with grass strips, a footway and a line of trees along this part of Pym's Lane. The application is supported by a Tree Retention/Removal drawing which identifies three Low (C) category trees for removal on the Pym's Lane frontage. No other arboricultural details have been submitted, however, a planting plan has been submitted which indicates proposals for planting of some 35 Extra Heavy Standard trees along the frontage. The Council's Tree Officer has confirmed that the proposed planting would provide adequate mitigation for the loss of trees and as such, it is not considered that there are any significant forestry impacts arising from the current proposal.

### **Land Contamination**

The application site area has a history of previous development such as a council depot, electrical substation, car parking and a former pit; therefore the land contamination cannot be

ruled out. Part of a known landfill site that has the potential to create gas is located partially on land to the east and extends to the north. A number of reports relating to land contamination have been submitted in support of the application. The Council's Environmental Protection Unit has assessed these and is satisfied that subject to further post demolition Phase II ground investigation and risk assessments (which would be secured by conditions), the considerations in respect of land contamination are acceptable.

### **Parking, Highway Safety and Traffic Generation**

Policy BE.3 deals with access and parking and states that development will only be permitted where proposals provide:

- safe pedestrian access
- the provision of any off street parking
- manoeuvring and operational space should be designed to minimise visual impact
- safe vehicular access and egress arrangements

Whilst c38 parking spaces are shown within the site, these would be largely for product parking and not for employees or visitors. Parking for employees and visitors will take place within the existing car parks to the east the plant, which have been expanded to significantly increase parking provision at Bentley Motors. These provide parking for some 1817 cars with the potential future expansion of up to 497 spaces resolved to be approved under planning ref: 17/4011N. The existing car parks lost by these proposals were deemed to be offset by the existing parking provision when the proposals for this site were previously considered and there are no material changes since then that would change these conclusions.

The site offers good integration with local transport networks, including walk/cycle, bus/train. The majority of staff to be accommodated within the new buildings will be relocated from elsewhere on the Pym's Lane site and won't result in significant additional vehicle trips on the local road network. With respect to highway network impact, when previously considering the larger proposal for this site, the Head of Strategic Infrastructure (HSI – Highways) confirmed that the applicant had demonstrated that that all nearby junctions will continue to operate satisfactorily with the proposed development. This proposal would not change this position and accordingly the impact on the local highway network will be acceptable and policy compliant.

Taking the above into account, the scheme is found to be acceptable in terms of its impacts on the local highway network and the existing parking and pedestrian facilities would be sufficient to accommodate the proposed development. The proposal therefore accords with Policy BE.3.

### **Ecology**

#### *Hedgerows*

There will be a partial loss of hedgerows associated with the proposed development. However, there appears to be adequate scope within the proposed layout for adequate new hedgerows and native planting to be provided to compensate for this loss. A landscaping condition should be attached to ensure that appropriate species and planting specifications are utilised to ensure the nature conservation value of the new hedgerows are maximised.

### *Nesting birds*

The habitats on site are may support nesting birds including house sparrow, which are a priority species and hence a material consideration. If planning consent is granted it is recommended that conditions are attached to safeguard breeding birds during construction and features are incorporated into the scheme that accommodate bird nesting.

### **Impact on Heritage Assets**

Situated on the opposite side of Pym's Lane to the south, are 2 Art Deco period buildings which form part of the frontage to the Bentley Production Plant. The main building is locally listed and therefore a designated heritage asset. Whilst the proposed buildings will be higher than the existing development found elsewhere on Pym's Lane, the impact upon the setting of both the existing locally listed building and the adjacent building will be minimised by the presence of the intervening road and the pavements, grass verges, hedging and line of trees on either side of the road. The proposed style of the new building whilst modern will compliment the historic locally listed building/its adjacent building to a degree by virtue of its similar use of horizontal lines.

### **Flooding and Drainage**

The site is within Flood Risk Zone 1 and is not therefore at risk from flooding. However, owing to the size of the proposals, a Flood Risk Assessment (FRA) has been undertaken. The Environment Agency and the Council's Flood Risk Team have assessed the FRA and are satisfied that subject to the recommendations within the FRA, the proposal would not give rise to flooding or drainage issues.

### **Residential Amenity**

The impact of the development upon nearby residential properties is a material consideration in regard to noise, disturbance and the physical massing of buildings.

The nearest neighbouring dwelling (no. 23 Pym's Lane) would achieve a distance of 104 metres with the east facing elevation of the proposed Business Building 2. It is important to note that situated in between is the existing four storey office building of the same size and scale directly to the east of the site. Given that the proposed buildings would follow the same building line as the adjoining office building, it is not considered that the proposed development would materially harm neighbouring amenity by reason of loss of light / overshadowing nor would it give rise to direct overlooking.

In terms of the use, and B1b (research and development) uses, which by their nature are less intensive and less noisy than general B2 industrial uses would be unlikely to cause harm to neighbouring residential amenity. The Council's Environmental Protection Unit (EPU) has assessed to application together with the submitted noise assessment and are satisfied that subject to conditions requiring the submission of a validation test for the fixed plant and equipment, then the scheme would not prejudice the amenity of future occupiers or the occupiers of adjacent property by reason of noise or odours.

In terms of traffic generation, the likely increased in vehicle movements will not be significant relevant to the current uses in the vicinity of the site and consequently, in respect of

residential amenity, this will not cause material harm to the residential amenity afforded to the nearest occupiers.

Accordingly, it is considered that the proposal would not materially harm neighbouring amenity by reason of loss of light, direct overlooking, visual intrusion or noise and therefore complies with local plan policy BE.1.

### **PLANNING BALANCE & CONCLUSIONS**

This proposal would bring economic benefits and investment in an area with a longstanding association with the manufacture of motor vehicles. Bentley Motors are a major employer located within one of the principal growth areas of the Borough where national / local plan policies strongly support such development.

The proposal is compatible with the surrounding development and the design, scale and form of the buildings would not appear incongruous within their context owing to the character of the area and the construction of a similarly designed building to the east of the site. This proposal would occupy the position of a previously proposed five storey Engineering Technical Centre approved under planning ref; 16/0341N and instead would provide 2 smaller buildings which would have lesser impact in planning terms than the previously consented scheme.

The proposals will have a moderate effect on the landscape, which in time, will be mitigated by additional planting to the north of the site and in the fullness of time by potential development to the north of the site identified for development under Strategic Site Policy LPS 4 under the Cheshire East Local Plan Strategy.

The impact of the proposal on trees and hedges would not be significant and environmental considerations relating to flooding, drainage, land contamination (subject to further investigations) and ecology would be acceptable.

The impact on neighbouring residential amenity would be acceptable owing to the low impact nature of the use (predominately offices and research and development), the generous separation with neighbouring properties and having regard to the context of the area as a centre for automotive manufacturing.

Satisfactory access and parking provision can be provided and the development would not result in 'severe harm' on the local highway network. Any additional vehicular movements and parking generated by the proposals could be accommodated by the existing highway network and the existing and proposed parking provision at the site.

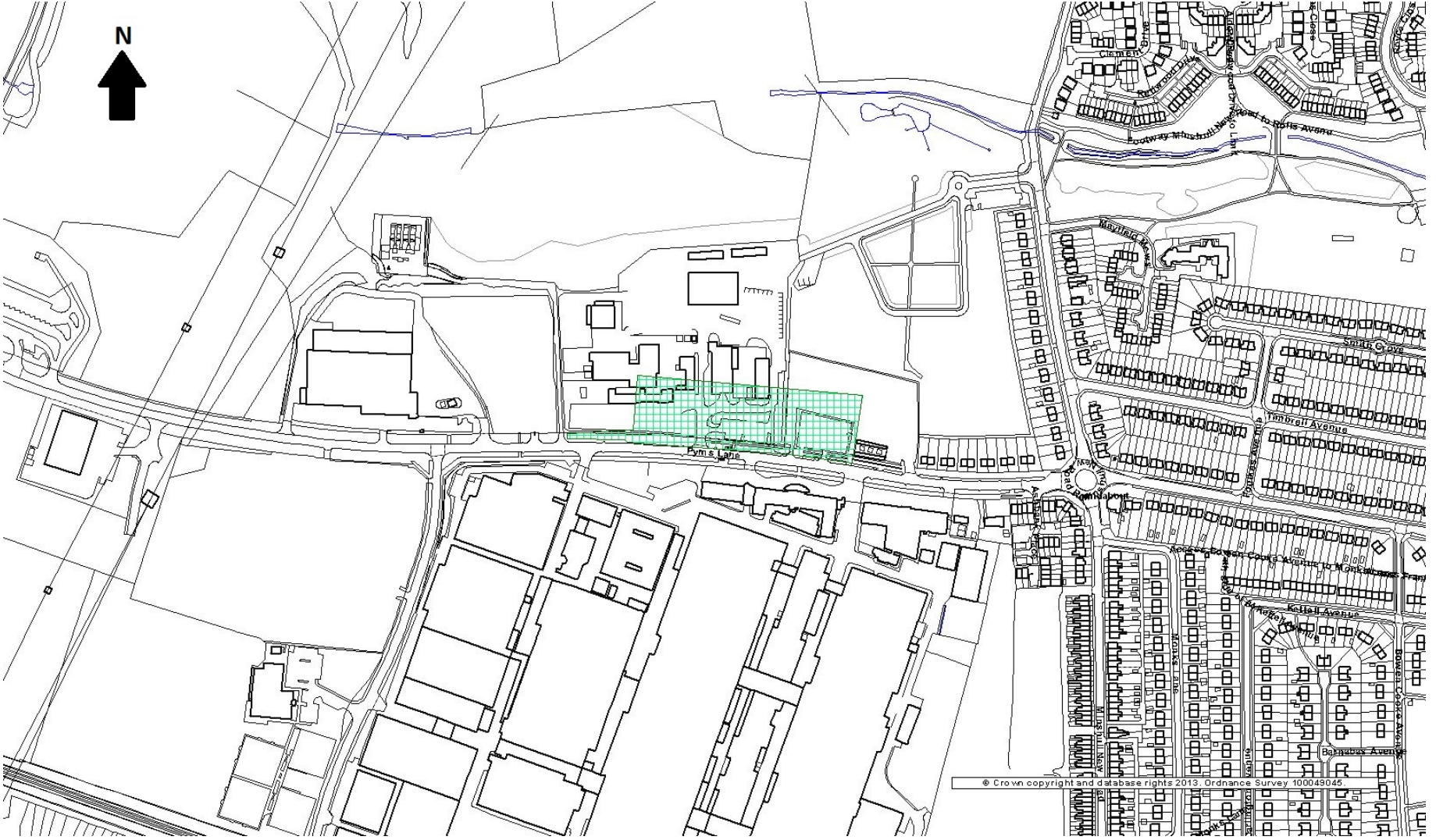
On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to comply with the relevant saved policies of the adopted Borough of Crewe and Nantwich Local Plan, the policies of the Cheshire East Local Plan Strategy and advice contained within the NPPF. The application is therefore recommended for approval.

### **RECOMMENDATION:**

**Approve subject to the following conditions:**

- 1. Standard time limit (3 years)**
- 2. Accordance with approved plans**
- 3. Materials to be submitted and approved**
- 4. Development to be carried out in accordance with submitted noise impact assessment**
- 5. Validation test of any fixed plant / noise generative equipment to be submitted and approved**
- 6. Submission of an Environmental Management Plan**
- 7. Additional Phase II Land contamination investigations and assessments to be submitted and approved**
- 8. Accesses constructed in accordance with submitted details prior to first use**
- 9. Development to be carried out in accordance with submitted ecological survey**
- 10. Survey for nesting birds if works carried out during nesting season**
- 11. Scheme to incorporate features suitable for breeding birds**
- 12. Development to be carried out in accordance with submitted Flood Risk Assessment**
- 13. Submission of a sustainable drainage management and maintenance plan scheme**
- 14. Details of foul water drainage to be submitted**
- 15. Surface water drainage strategy to be submitted**
- 16. Updated off site landscaping scheme and planting plan to be submitted and approved**
- 17. Landscape scheme to be submitted**
- 18. Landscape implementation**
- 19. Tree retention in accordance with submitted details**
- 20. Hours of construction restricted**
- 21. Piling method statement**
- 22. Accordance with submitted Travel Plan**
- 23. Details of external lighting to be submitted and approved**
- 24. Details of cycle parking to be submitted and approved**

*In order to give proper effect to the Board'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.*





## Cheshire East Council

### Strategic Planning Board

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**Date of Meeting:** 25 April 2018

**Report of:** Head of Planning Strategy

**Subject/Title:** Draft National Planning Policy Framework

**Portfolio Holder:** Cllr Ainsley Arnold

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#### 1. Report Summary

- 1.1. This report explains the significance of the Consultation Draft National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG) launched by the Government in March 2018 and sets out the Council's proposed response to the current consultation. It also considers the parallel consultation on developer contributions.

#### 2. Recommendation

- 2.1. That the Board consider and comment on the key issues for Council's proposed response as set out in Appendix 3.

#### 3. Reasons for Recommendation

- 3.1. The NPPF sets out the Government's guidance on plan making and planning decisions. It is important that the Council is aware of the draft advice and responds to the consultation where appropriate.

#### 4. Other Options Considered

- 4.1. The Council could choose not to respond to the current consultation. Given the critical importance of the NPPF to planning and development in this Borough, such an insouciant approach is not considered appropriate.

#### 5. Background

- 5.1. The NPPF was introduced in March 2012 as the Government's definitive guidance on nearly all aspects of planning. It was intended to be simple and succinct guidance – that replaced over 1000 pages of planning policy statements. In 2014 the NPPF was supplemented by the online 'Planning Practice Guidance'. This expands on the practical application of the NPPF guidance; it does not of itself set out national policy.

- 5.2. In February 2017 the Government published a Housing White Paper – ‘Fixing our broken housing market’ which signalled a number of potential reforms to planning and housing policy. In March 2018 the Prime Minister launched revisions to national planning policy - a summary of which is attached at Appendix 1. The draft amendments to the NPPF and PPG reflect many of these policy changes – and have a strong focus on speeding up the provision and building of new homes.
- 5.3. At the same time the Government is also consulting on changes to the regime of developer contributions. This consultation deals with the main principles rather than being specific guidance at this stage. Following the current consultation it is envisaged that further regulation and guidance would be prepared. A summary of the proposals is attached as Appendix 2.
- 5.4. The consultation period on the draft NPPF & PPG guidance, along with the Developer contributions runs until 10 May 2018. All parties are encouraged to use a standard proforma in their response. The proposed key issues that merit a response are attached as Appendix 3. The Council’s final response will be made by the Director of Planning & Environment in consultation with the Cabinet Portfolio Holder and Chair & Vice Chair of Strategic Planning Board.

## **6. Wards Affected and Local Ward Members**

- 6.1. All Wards are affected

## **7. Implications of Recommendation**

### **7.1. Policy Implications**

- 7.1.1. Revisions to the NPPF will have a significant impact on the way the Council conducts its planning functions. The Council is a sizeable planning authority with significant responsibilities. In the past 12 months the Council handled 6,201 planning & related applications – and determined 135 Major and 623 minor residential planning applications. This is the second and third highest number in England.
- 7.1.2. In terms of plan making, alongside the adopted Local Plan Strategy, the Council is also committed to preparing a Site Allocations and development Policies Plan, a Minerals & Waste Plan and the implementation of the Community Infrastructure Levy. The Council currently has 15 completed (‘made’) Neighbourhood Plans and some 50 Neighbourhood areas.

### **7.2. Legal Implications**

- 7.2.1. In February 2017 the Council took a landmark case to the Supreme Court over the interpretation of NPPF guidance as it related to policies for the supply of housing. Whilst the Supreme Court granted planning permission for the site in question, it supported the interpretation of

NPPF guidance adocated by the Council. The current Consultation Draft is reworded to take account of that decision

7.2.2. This serves to underline the legal significance of the NPPF and the importance of ensuring that the new guidance is as clear and precise as possible.

7.2.3. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF is a material considerations and must be taken into account in Plan-making and in decision taking.

### **7.3. Financial Implications**

7.3.1. There are no direct financial implications arising from the draft NPPF. However, the new guidance will almost certainly lead to further costly litigation and planning appeals.

7.3.2. The proposals to reform developer contributions should make the funding of necessary infrastructure easier – either through changes to s.106 obligations or via the operation of CIL. However until detailed guidance and regulations are finalised, it is not possible to quantify the financial impacts of the proposed reforms.

### **7.4. Equality Implications**

7.4.1. Equality of access to good housing and improved social mobility through better housing are identified as one of the drivers behind the new NPPF.

### **7.5. Rural Community Implications**

7.5.1. As rural areas have the bulk of undeveloped land, the new planning guidance will have particular impact in these areas. There are also specific provisions for rural housing, business and environment.

### **7.6. Human Resources Implications**

7.6.1. None directly arising

### **7.7. Health and Wellbeing Implications**

7.7.1. There is a significant inter-relationship between the Council's planning and health responsibilities. Over the longer term, planning policies influence the shape and form of many settlements and aid in the creation of healthy communities.

### **7.8. Implications for Children and Young People**

7.8.1 Better housing, one of the principal objectives of the new NPPF, is a clear benefit in terms of child health and educational attainment.

## **7.9. Overview and Scrutiny Committee Implications**

7.9.1. None directly arising

## **7.10. Other Implications**

7.10.1. None directly arising

## **8. Risk Management**

8.1. It took over 5 years of litigation to clarify the wording of the existing NPPF, a process in which the Council was closely involved. With an adopted Local Plan now in place, the planning context in the Borough is more settled and less prone to rapid change. Never the less, by altering the wording of much of the existing NPPF, the new guidance risks provoking a fresh round of planning appeals and potential court cases. This risk is addressed in more detail below.

## **9. Access to Information**

9.1. Full details of the consultation can be found on the Ministry of Housing, Communities & Local Government [website](#).

9.2. A summary of the main points is attached at Appendix 1

## **10. Analysis**

10.1 The revised NPPF is a full revision of the current document. Whilst certain areas of policy remain unchanged, the draft introduces several new policy initiatives. Frustratingly, even where policy is broadly unchanged, the wording is sometimes subtly different. This opens up the possibility of extensive argument over meaning and interpretation.

10.2 Given that much of the national rhetoric is about speeding up the planning system and boosting the delivery of housing, it is regrettable that the new Guidance as drafted risks prompting further debate and argument – deflecting attention away from building new homes.

10.3 The summary in Appendix 1 provides an over view of the main points in the revised planning guidance, whilst Appendix 2 summaries the proposed changes to developer contributions. Appendix 3 sets out the key issues which are considered to merit a response. The government prescribes either a response online or using its standardised proforma.

10.4 There is much that the council could potentially comment on, as the NPPF touches on all areas of planning practice. However the key issues in Appendix 3 are focussed primarily on those areas of principal concern to planning in Cheshire East and where there are the greatest shifts in policy.

10.5 Particular attention is therefore paid to guidance around plan making, housing , green belt and minerals. There are several aspects of the new policy which are to be welcomed – such as greater clarity over housing needs and the housing buffer. However there are other changes in guidance – such as the changed definition of ‘deliverable’ housing and the relaxation of green belt policy on brownfield land which are of grave concern.

10.6 the proposals around developer contributions are at an earlier stage but have important implications for infrastructure planning. There is much here that is potentially welcome, although the detailed guidance and regulation is not yet drawn up.

10.7 It is proposed that detailed responses are prepared for each chapter of the new guidance and reforms, informed by the comments of the Board.

## 11. Contact Details

Contact details for this report are as follows:

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## Appendix 1 – SUMMARY OF DRAFT NPPF

### 1. The Consultation Text

- 1.1. The following section sets out the proposed revisions to the national planning policy framework, by chapter.

#### Chapter 2 - Achieving Sustainable Development

- 1.2. The revised framework proposes to amend the reference to the three dimensions of sustainable development to three high-level **objectives** (rather than role) for planning, and confirms they are not criteria against which every decision can or should be judged.
- 1.3. The **presumption in favour of sustainable development** has been reordered to reflect the way that plan and decision-making should be approached and worded amended to reflect recent litigation (reference to refusal rather than restriction of development). There is also some additional text to on role of development plan policies. The definition of a deliverable site has been changed. This will have implications in respect of the implementation of the ‘tilted balance’.
- 1.4. The draft text also sets out an expectation for **objectively assessed needs to be accommodated** unless there are strong reasons not to, including any unmet needs from neighbouring areas. The footnote makes reference to **Statements of Common Ground** as evidence of ongoing Duty to Co-operation and a vehicle for confirming this.
- 1.5. Footnote 9 of the current Framework includes examples of policies which provide a specific reason for restricting development. This is proposed to be changed to a defined list (in a new footnote 7) and includes Ancient Woodland and aged or veteran trees. It also changes the role of development plan policies, potentially, in the implementation of the tilted balance.
- 1.6. Distinction has been made in the revised framework relating to **Local Plans** which set the strategic priorities of the area – such as the Local Plan Strategy (overall numbers, type, distribution and approach to development) and Local Plan documents, such as the Site Allocations and Development Policies document which contain locally relevant policies (these can include Local Plans and Neighbourhood Plans).
- 1.7. Additional text added re **neighbourhood plans** to reflect ministerial statement (12 Dec 2016) that neighbourhood plans which meet their identified housing requirement (through policies and allocations) will be subject to a further test of 3 year supply of deliverable housing (and its

housing delivery was at least 45% of that required over the previous 3 years (housing delivery test). Further details added re the application of this test (and what constitutes a neighbourhood plan coming recently into force)

- 1.8. The 'core planning principles' section in the existing Framework is proposed to be deleted, to remove duplication with other chapters

### Chapter 3 Plan Making

- 1.9. The chapter on Plan Making has been brought forward into a new and revised section of the framework. It sets out:

- a **new plan-making framework** which defines strategic priorities and allows authorities to plan for these in the most appropriate way.
- amendments to the **tests for a 'sound' plan**, to make clear that it should set out 'an' appropriate strategy rather than 'the most appropriate strategy'
- the new requirement for authorities to **review plan policies every five years** following the date of adoption
- Allow a more **proportionate approach to evidence** and engaging with **digital tools to assist consultation**
- That **statements of common ground** will need to be prepared and maintained as evidence of duty to co-operate
- Local Plans should be clearer about **contributions** expected in association with development. Additional work required to demonstrate **plan viability**

### Chapter 4 Decision Taking

- 1.10. Revisions to the decision taking chapter include:

- The policy makes clear that where a proposed development accords with all relevant policies in the plan there is no need for a **viability assessment** to accompany the planning application
- In support of the revised Framework, draft national planning guidance says that **plans should define circumstances in which viability assessment** is carried out at the decision making stage
- Non-statutory and statutory consultees have been included with reference to **pre-application advice** where appropriate. The importance of highlighting issues such as affordable housing and infrastructure has also been noted.
- Changes have been made to reflect the fact that local list requirements do not apply to applications for permission in principle, and that the local list of information requirements applicable to applications made on or after 31 July 2013 must have been published (or republished) during the **two years before the application is made**.

- New paragraphs 48 to 51 set out the weight that may be given to policies in emerging plans and puts **into policy the approach to ‘prematurity’** previously contained in national planning guidance.

## Chapter 5 Delivering a Wide Choice of High Quality Homes

1.11. This section covers a multitude of areas, revisions include:

- **new standard method** for the calculation of **local housing need**
- Policies for **addressing the housing requirements of groups with particular needs**. Students and travellers have been added to the list, as have people who rent their homes
- At least 10% of homes on major sites should be available for **affordable home ownership**, with certain exemptions.
- Limits on affordable home **contributions requested for smaller sites**
- Introduce an expectation that local authorities should provide a **housing requirement figure for designated neighbourhood areas**.
- Encourage **greater use of small sites**, proposes that local planning authorities should ensure that **at least 20% of the sites allocated for housing** in their plans are of half a hectare or less.
- **New housing delivery text**. Footnote 29 proposes that from 2020, the presumption in favour of sustainable development will apply where delivery is below 75% of the authority’s housing requirement. Additional guidance has been produced to supplement the consultation on the revised NPPF here.
- **5 year land supply position** should be capable of being **agreed for a one year period**. Demonstrated either through a recently adopted plan, or through a **subsequent annual position statement**. The minimum 10% buffer required in order for local authorities to take advantage of this policy is set out in paragraph 74(b). Definition of what constitutes a deliverable site has been amended.
- Paragraph 78 provides that authorities should consider imposing a **planning condition to bring forward development within two years**, except where a shorter timescale could hinder the viability or deliverability of a scheme. It also encourages local planning authorities to consider why major sites have not been built out when considering subsequent planning applications.
- Paragraph 72 reflects the announcement at Budget 2017 that the Government would consult on allowing the development of **exception sites to provide entry-level homes suitable for first-time buyers**, where a local need is identified.

1.12. The following changes are also proposed for the Chapters 6 – 10:



Chapter	Proposed Revisions
<b>Chapter 6:- Building a strong, competitive economy</b>	<ul style="list-style-type: none"> <li>• Section makes more explicit the <b>importance of supporting business growth</b> and improved productivity, <b>linking to government's Industrial Strategy</b>.</li> <li>• The rural economy section in the existing Framework has been brought within this chapter, with new policy on the potential <b>need for planning policies and decisions to accommodate sites for local business and community needs outside existing settlements</b></li> </ul>
<b>Chapter 7:- Ensuring the vitality of town centres</b>	<ul style="list-style-type: none"> <li>• When reflecting on <b>need for town centre uses</b>, policies should look <b>at least ten years ahead</b>.</li> <li>• Town centre <b>boundaries</b> should be <b>kept under review</b></li> <li>• Where town centres are in decline, the text has been expanded to provide a clearer policy approach in terms of <b>supporting appropriate diversification of uses</b>.</li> <li>• Amendments are proposed to the '<b>sequential approach</b>' to planning applications, so that out of centre sites should be considered <b>only if suitable town centre or edge of centre sites are unavailable or not expected to become available within a reasonable period</b>.</li> <li>• Offices not proposed to be included in the 'Impact Test'</li> </ul>
<b>Chapter 8:- Promoting healthy and safe communities</b>	<ul style="list-style-type: none"> <li>• Policies should <b>promote estate regeneration</b> to a high design standard</li> <li>• Paragraph 96 introduces new policy requirements on security to help to counter malicious or natural threats, especially in crowded places and should take into account <b>wider defence and security requirement</b> including consultation with the police</li> </ul>
<b>Chapter 9:- Promoting Sustainable Transport</b>	<p>This chapter has been restructured to emphasise importance of transport issues:</p> <ul style="list-style-type: none"> <li>• Authorities should be expected to identify <b>additional development opportunities arising from strategic infrastructure investment</b>.</li> <li>• <b>Parking standards</b> - only set when clear and compelling case</li> <li>• New policy to recognise the importance of maintaining a national network of <b>general aviation facilities</b>.</li> <li>• Policy on assessing <b>the transport impact of proposals</b> has been amended to refer <b>to highway safety as well as capacity and congestion</b> in order to make it clear that we expect that designs should prioritise pedestrian and cycle movements, followed by access to high quality public transport (so far as possible) as well as to reflect the importance of creating well-designed places.</li> </ul>

<b>Chapter 10:-</b> Supporting high quality communications	<ul style="list-style-type: none"> <li>Plan policies should set out expectations in relation to the delivery of high quality digital infrastructure, which provides access to services from a range of providers.</li> </ul>
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### Chapter 11:- Making Effective Use of Land

1.13. The following changes are also proposed for chapter 11

- expecting plans to have a clear strategy for using land effectively and efficiently (paragraph 117);
- making more intensive use of existing** land and buildings (paragraph 118de) including **building upwards and using empty space above shops**;
- avoiding building homes at low densities in areas of high demand**, and pursuing higher-density housing in accessible locations, while reflecting the character and infrastructure capacity of each area (paragraph 123);
- Taking a **flexible approach to policies or guidance that could inhibit making effective use of a site** – although the proposed policy now refers specifically to daylight and sunlight issues (paragraph 123c).
- reallocating land** where there **is no reasonable prospect** of an application coming forward for the allocated use – with the proposed policy also setting out how alternative uses should be considered ahead of a plan review taking place (paragraph 120);
- making it **easier to convert retail and employment land to housing** where this would be a more effective use (paragraph 121); and
- Potential for minimum density standards** to be used in town and city centres and around transport hubs and other locations
- Building on these changes, paragraph 123c also proposes that local planning authorities **should refuse applications which they consider fail to make effective use of land**, in areas where there is an existing or anticipated shortage of land for meeting identified housing needs.

### Chapter 12:- Achieving Well-Designed Places

1.14. The following changes are also proposed for chapter 12

- Plans should, at the most appropriate level, set out a **clear design vision and expectations, supported by visual tools such as design guides and codes**. The revised text also reflects the White Paper proposal that widely accepted assessment frameworks such as Building for Life should form part of the ‘toolkit’ used by authorities in assessing design (paragraph 128).
- Additional emphasis has been placed on the importance of **pre-application discussions** in securing good design (paragraph 127).

- The text also implements the White Paper proposal that **design should not be used as a reason to object to development where the scheme complies with local policies** (paragraph 129).
- the text at paragraph 130 has been revised to make clear that “outstanding or innovative designs” should not be given great weight where they are in conflict with local design policies, or would not be sensitive to their surroundings.
- Policy on **advertisements has been shortened**; the text from the existing Framework which has been deleted will be moved to guidance.

## Chapter 13 :- Protecting the Green Belt

1.15. The revised Framework maintains the strong protections of the Green Belt:-

- Paragraphs 136-137 implement the housing White Paper proposals that **certain criteria should be satisfied before ‘exceptional circumstances’ are used to change Green Belt** boundaries, and that where Green Belt is released first consideration should be given to land which has been previously-developed or which is well-served by public transport.
- **neighbourhood plans may amend detailed Green Belt boundaries, once the need for a Green Belt change has been demonstrated** (paragraph 135);
- expect policies to set out how **the impact of removing land from the Green Belt can be offset** (paragraph 137);
- provide that facilities for **existing cemeteries, and development brought forward under a Neighbourhood Development Order**, should **not be regarded as ‘inappropriate development’** (paragraphs 144b and 145f).
- Paragraph 144g reflects the proposal to allow brownfield land in the Green Belt to be used for affordable housing, where there is no substantial harm to openness.
- Paragraph 145e provides that **material changes of use that preserve openness are not inappropriate development in the Green Belt**.
- In addition, **paragraphs 144b and 144f make clear that facilities for burial grounds and allotments, and rural exception sites, are not inappropriate development**.

1.16. In respect of the remaining chapters:-

Chapter	Proposed Revisions
<b>Chapter 14:-</b> Meeting the challenge of climate change, flooding and coastal change	<ul style="list-style-type: none"> <li>• planning policies should support measures to <b>ensure the future resilience of communities and infrastructure</b> to climate change (paragraph 148);</li> <li>• clarify that plans should have regard to <b>the cumulative impacts of flood risk</b>, rather than just to or from individual development sites (paragraph 155); and</li> <li>• clarify policy on the <b>exception test that may need to be</b></li> </ul>

	<p><b>applied when considering development in locations at risk of flooding</b> (paragraphs 158-162).</p> <ul style="list-style-type: none"> <li>• A new paragraph (163) has been added to incorporate the Written Ministerial Statement of 18 December 2014 on <b>sustainable drainage systems (SuDS) in major developments</b>.</li> </ul>
<b>Chapter 15:-</b> Conserving and enhancing the natural environment	<ul style="list-style-type: none"> <li>• This chapter has been updated to align with the 25 Year Environment Plan. It includes additional policy on <b>strengthening existing networks of habitats (paragraph 169) and taking air quality fully into account (paragraph 180)</b></li> <li>• Paragraph 173c of the revised Framework <b>strengthens protection for ancient woodland and other irreplaceable habitats</b></li> </ul>
<b>Chapter 16:</b> Conserving and enhancing the historic environment	<ul style="list-style-type: none"> <li>• Paragraph 182 has been revised to <b>clarify that World Heritage Sites are recognised internationally for their Outstanding Universal Value</b> and that this forms part of their significance and should be taken into account.</li> <li>• Paragraph 189 has been revised to clarify that when considering the <b>impact of a proposed development on a designated heritage asset, decision-makers should give great weight to the asset's conservation</b> irrespective of whether the potential harm to its significance amounts to 'less than substantial harm' or 'substantial harm or total loss' of significance .</li> </ul>
<b>Chapter 17:</b> Facilitating the sustainable use of minerals	<ul style="list-style-type: none"> <li>• This chapter has been shortened slightly, the intention being to incorporate the deleted text in guidance.</li> <li>• Additional text on on-shore oil and gas development is included</li> <li>• As planning for minerals is the responsibility of minerals planning authorities, the Government is interested in views on whether the revised planning policy for minerals would sit better in a separate document, alongside the Government's planning policy for waste.</li> </ul>

## Glossary

- 1.17. There have been proposed definition changes to affordable housing and the meaning of a deliverable and developable site. The latter is significantly more restrictive than current definitions and case law suggest. Accordingly this change has major implications for housing supply inquiries. There have also been additions to the glossary including irreplaceable habitat, local housing need, permission in principal, outstanding universal value, amongst others

## **Appendix 2 Supporting Housing Delivery Through Developer Contributions - Summary**

The Government has published a consultation document titled *Supporting Housing Delivery Through Developer Contributions – Reforming developer contributions to affordable housing and infrastructure*. This sets out the Government's intended reform of the system of developer contributions with the broad objective of ensuring there is adequate funding for the infrastructure necessary to support housing delivery

The proposals follow many of the changes to the operation of the Community Infrastructure Levy (CIL) and S106 contributions that were outlined within the Autumn Budget in 2017, including:

- Indexation on CIL for residential schemes to reflect the House Prices Index (creating the potential for greater divergence in areas of lower demand compared to those of higher demand);
- Removal of S106 pooling restrictions in some circumstances including when developing across several strategic sites;
- Streamlining the process of adopting and amending a CIL Charging Schedule (which could mean new CILs being prepared within 12 months);
- Setting CIL rates based on the existing use of land. This would enable a distinction to be made between brownfield and greenfield developments – taking account in the different uplifts in land values connected with each kind of use.
- Replacement of the 'Regulation 123' List for CIL spending with a broader Infrastructure Funding Statement (meaning a clearer link to infrastructure delivery);
- The introduction of a Strategic Infrastructure Tariff for combined authorities to deliver cross-boundary infrastructure (necessary for the delivery of larger projects).

If adopted following consultation, these changes confirm that CIL remains the Government's preferred instrument of developer funding. Updated Regulations would potentially be made in summer 2018.

For viability, an emphasis on transparency and openness is clear. In an attempt to reduce viability issues arising at the application stage, far greater emphasis will be placed on getting viability right during Local Plan production.

## **APPENDIX 3 - KEY ISSUES FOR RESPONSE**

### **DRAFT NPPF**

#### **General**

By re-writing the whole NPPF the government invites years of debate & litigation. Unless a significant policy change is proposed the NPPF should remain unchanged.

#### **Favourable Presumption**

The list of restrictive policies listed in the favourable presumption should be extended to include safeguarded land as well as green belt. NPPF policy states that this should only be developed following a local plan update. The current wording risks early release of safeguarded land.

#### **Plan Making**

The test of soundness for local plans has been relaxed to refer to devising 'an appropriate strategy' as opposed to making "the most appropriate strategy". This will lower the burden on plan makers and should be supported

The guidance suggests that plans should set out in more detail the development contributions necessary on allocated sites. Whilst this has certain benefits, it will also slow down the production of development plans

#### **Decision Taking**

The revised NPPF suggests that viability assessments should be made public in all circumstances. This is to be welcomed, provided there is provision in exceptional cases for assessments to remain confidential where there is a clear and overriding reason to do so. This might include cases involving the care of vulnerable individuals or the education / safeguarding of children, where there are severe implications for commercial confidentiality or where there is some other significant public interest.

#### **Delivering new homes**

The objective to secure a proportion of small sites within Local Plans is welcomed, but the term 'small sites' needs to be defined. Furthermore, the obligation should relate to 20% of sites, not 20% of housing provision

There should be no linkage between the housing delivery test and the operation of the favourable presumption. The suggestion that the tilted balance should apply when councils fall below 75% of delivery (as well as when there is no 5 year supply) is illogical. If you have enough land to satisfy the 5 year test and yet homes aren't being built, how will releasing yet more land help delivery?

The suggestion that strategic plans should identify housing numbers for neighbourhood plans is good in principle, but unfortunately fraught with practical difficulties as parishes seldom coincide with functional settlements.

The proposal for an exception policy to allow for 'entry level' homes on the edge of settlements should be opposed. The guidance as worded is vague and a recipe for speculative developments eroding the countryside.

There should be greater clarity for the proposed exemption of specialist housing from affordable housing obligations. As worded, anyone proposing anything in connection with older people will now claim exemption, reducing the opportunity to provide affordable homes.

The obligation remains for Councils to provide 5 years of deliverable housing land is retained. However the glossary changes the definition of 'deliverable'. Under current guidance sites with planning consent and local plan allocations are considered deliverable unless proven otherwise. As proposed, only detailed planning consents and 'small sites' (not defined) are deliverable as of right; – outline consents and allocations are only deliverable where the Council can demonstrate the case. This reverses the current burden of proof regarding deliverability, to the Council's disadvantage. Potentially it removes significant sections from all Councils' 5 year supply. The current definition should be retained.

The linkage of the 5 or 20% buffer to the housing delivery test is to be welcomed. It provides numerical certainty to what has been a matter of conjecture and debate.

### **Making effective Use of Land**

The more explicit support for the development of brownfield land is supported. However, the guidance needs to take sufficient account of the balance of need between housing and employment. A good supply of employment land is necessary for a healthy economy – and so some land may need to be reserved for this (generally) lower value use.

The move toward setting minimum density standards is also welcomed as it allows better use to be made of the finite land resource.

### **Protecting Green Belt**

The new NPPF proposes to weaken the protection that applies to brownfield land in the green belt, if it developed for housing. This is potentially a recipe for sporadic and urbanising development blighting the openness and integrity of the green belt.

The new guidance includes changes of use within the definition of appropriate development within the green belt, subject to the use preserving openness and avoiding conflict with green belt purposes. This is a sensible revision, filling a gap in policy within the current NPPF.

The revised guidance permitting Neighbourhood Plans to amend green belt boundaries where strategic plans identify a need for revision is welcomed as it empowers local communities to properly shape their area.

The guidance indicates that where green belt is amended, there should be compensatory measures employed to enhance the remaining green belt. Whilst this aligns with the Council's quality of place agenda, it should be made clear that the obligation should fall on site promoters.

### **Conserving & enhancing the natural environment**

The greater protection proposed for ancient woodland and veteran trees is welcomed.

### **Mineral planning**

Clarification is required over the guidance on stockpiling and safeguarding minerals. The National and Regional Guidelines for Aggregates Provision in England should be retained and updated. The concept of statements of common ground for minerals is supported as is further bespoke guidance on this specialist issue.

## **REFORM OF DEVELOPER CONTRIBUTIONS**



### **Streamlining CIL**

It is intended that the infrastructure requirements of plan making and CIL become aligned. This is sensible in principle as it reduces duplication, but it does risk increasing the complexity of plan preparation.

### **Pooling of CIL Contributions**

At the moment 'pooling restrictions' limit the number of section 106 contributions that can be combined to support a single project. This is currently set at 5 contributions. The government proposes that such restrictions be removed where either CIL is in place, CIL is not feasible or development is planned over several strategic sites.

The removal of these restrictions would be very beneficial to the provision of new infrastructure. A number of major projects have been severely impacted by the current arbitrary limit of 5 contributions – and so any reform will be of significant assistance.

### **The Existing use of Land**

At present CIL tariffs can be made for different geographic part of the Borough but these cannot differentiate between different types of development in any given area. This means that there is a tendency for CIL to reflect the lowest value sites in a locality. The change in policy could mean in future that the Council could distinguish between greenfield and brownfield sites and set different tariffs for each according to their values. This reform could enable a greater proportion of the uplift in land value to be used to pay for local infrastructure provision.

### **Indexation of CIL rates**

Currently CIL is linked to the indexation of build costs. In future it could be linked to house prices where it involves residential development. Other development could be linked to the consumer price index. This reform could ensure that CIL is better reflective of changes in market conditions.

### **Improving Transparency**

The Government intends increasing Councils' obligations around publishing how much money is collected and from where; - and also how it is spent. This has the benefit of greater transparency and of boosting public confidence in the process – but it may also increase the bureaucratic burden on Councils.