

# Strategic Planning Board

## Agenda

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<b>Date:</b>	<b>Wednesday, 21st November, 2018</b>
<b>Time:</b>	<b>10.30 am</b>
<b>Venue:</b>	<b>Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ</b>

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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 Meeting (Pages 3 - 12)**

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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 meeting held on 24 October 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. **18/2522C-Application seeking outline planning permission for up to 19,695 sqm of employment floorspace (Use Class B1c/B2/B8) with ancillary (integral) office floorspace (Use Class B1a), associated parking, landscaping and reprofiling of site (all matters, except for layout and access, reserved for future determination), Land To The South Of, Crewe Road, Alsager (Radway Green North) for BAE Systems (Property Investments) Limited (Pages 13 - 40)**

To consider the above application.

6. **18/1369N-Demolition of redundant outbuildings and the erection of a 6 storey multi-storey car park with up to 243 spaces including a car wash to the rear, Royal Hotel, 7, Nantwich Road, Crewe for Property Capital Plc (Pages 41 - 56)**

To consider the above application.

7. **18/4439N-Change of Use to include Golf Driving Range with associated parking, Land on the East Side of, Main Road, Worleston for Mr & Mrs Need (Pages 57 - 68)**

To consider the above application.

8. **18/2104M-Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class), Land North of Parkgate Industrial Estate, Parkgate Lane, Knutsford for The Tatton Estate (R. Brooks, Esq. and R Brooks Ltd) (Pages 69 - 96)**

To consider the above application.

9. **18/2996M-Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class), Land North of Parkgate Industrial Estate, Parkgate Lane, Knutsford for The Tatton Estate (R. Brooks, Esq. and R Brooks Ltd)**  
(Pages 97 - 124)

To consider the above application.

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## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 24th October, 2018 at Council Chamber, Municipal  
Buildings, Earle Street, Crewe CW1 2BJ

### **PRESENT**

Councillor G Merry (Chairman)  
Councillor M J Weatherill (Vice-Chairman)

Councillors D Brown, B Burkhill, J Clowes (Substitute), S Edgar, P Groves,  
D Hough, J Jackson, J Macrae and B Roberts

### **OFFICERS IN ATTENDANCE**

Mr A Crowther (Major Applications-Team Leader), Ms S Dillon (Planning  
Lawyer), Mr P Hurdus (Highways Development Manager), Mr D Malcolm  
(Head of Planning (Regulation)), Mrs P Radia (Senior Planning Officer-  
Minerals & Waste) and Mr P Wakefield (Principal Planning Officer)

### **50 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors T Fox and J  
Hammond.

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

In the interest of openness in respect of application 18/3348N, Councillor  
D Hough declared that he had spoken at the Local Plan enquiry regarding  
the total employment allocation for Alsager, however the site under  
discussion had been carried over from the Crewe and Nantwich Local  
Plan. He had spoken to Councillor R Fletcher in respect of whether or not  
he should speak at the meeting as well as with the Vice Chairman of the  
Alsager Neighbourhood Plan who had sent in her comments as a resident  
rather than as a member of the Neighbourhood Plan group. He had not  
discussed the application or given his opinion at any of those meetings.  
He had attended the joint CCC Ward Member Neighbourhood Plan  
meeting with Adrian Fisher, however he had not taken part in any debate  
on the application with the Town Council and therefore felt able to take  
part in the debate on the application.

In the interest of openness in respect of application 18/1369N, Councillor  
B Roberts declared that he was a Member of Crewe Town Council,  
however he had not attended any planning meetings of the Town Council  
in respect of the application.

In the interest of openness in respect of application 18/4156C, Councillor  
G Merry declared she was a Member of Sandbach Town Council, however

she had not attended any planning meetings of the Town Council and had not discussed the application.

In the interest of openness in respect of application 18/4449C, Councillor D Brown declared that he was a Member of Congleton Town Council and had attended Planning meetings of the Town Council but had not taken part in any of the debates.

It was noted that all Members had received correspondence in respect of application 18/1369N.

## **52 MINUTES OF THE PREVIOUS MEETING**

### **RESOLVED**

That the minutes of the meeting held on 26 September 2018 be approved as a correct record and signed by the Chairman.

## **53 PUBLIC SPEAKING**

### **RESOLVED**

That the public speaking procedure be noted.

- 54 18/1182C- HYBRID PLANNING APPLICATION FOR THE CONSTRUCTION AND OPERATION OF 8 NO. B2/B8 UNITS (TOTAL GIA 22.918 M2) COMPRISING TWO PHASES:- PHASE 1 - AN APPLICATION FOR FULL PLANNING PERMISSION FOR SITE RE-PROFILING, NEW SITE ACCESS OFF POCHIN WAY AND CONSTRUCTION OF 2 B2/B8 UNITS TALLING 9.266M2 (GIA) FLOORSFACE WITH ASSOCIATED INFRASTRUCTURE (INCLUDING HARD AND SOFT LANDSCAPING); AND PHASE 2 - AN APPLICATION FOR OUTLINE PLANNING PERMISSION (WITH ALL MATTERS RESERVED) FOR SITE RE-PROFILING AND CONSTRUCTION OF 6 NO. B2/B8 UNITS TALLING 13.652M2 WITH ASSOCIATED INFRASTRUCTURE (INCLUDING HARD AND SOFT LANDSCAPING),PLOT 63, MIDPOINT 18, HOLMES CHAPEL ROAD, MIDDLEWICH FOR TOTAL DEVELOPMENTS (NW) LTD**

Consideration was given to the above application.

(Councillor B Walmsley, the Ward Councillor 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 for the contribution of £687,540.00 to the Middleswich Eastern Bypass in priority and/or transport schemes to Town Bridge, the

A54 corridor and Croxton Lane, with two x50% payment triggers before first occupation under the detailed and before occupation of phase 2.

And subject to the following conditions:-

### Full Planning Permission

1. Standard time limit (3 years)
2. Accordance with plans
3. Accordance with submitted materials
4. Parking provided prior to first use
5. Access constructed in accordance with submitted details prior to first use
6. Prior to commencement a detailed GCN Mitigation Strategy to be submitted for approval and implemented
7. Survey for nesting birds
8. Submission of an updated Badger survey prior to commencement of development
9. Submission of a lighting scheme in relation to impact on bats
10. Submission of a strategy for the incorporation of features to enhance biodiversity, including features for nesting birds including House Sparrow and roosting bats and brash/deadwood piles and native species planting.
11. Submission of a Construction Environmental Management Plan (including piling)
12. Submission of Travel Plans for occupiers of the buildings
13. Provision of fast electric vehicle charging points for units 1 and 2
14. Provision of low emission boilers
15. Phase II Contaminated Land Report
16. Verification and mitigation measures (if necessary) for contaminated land
17. Testing for soil and soil forming materials being brought onto the site
18. Compliance with the Flood Risk Assessment
19. Submission of drainage strategy
20. Detailed landscaping proposals to be submitted
21. Landscape implementation

### Outline Planning Permission

22. Outline time limit
23. Reserved matters submission time limit
24. Reserved matters to include access, layout, scale, landscape and appearance
25. Approved plans
26. Parking provided prior to first use
27. Access constructed in accordance with details to be submitted with reserved matters application prior to first use
28. Prior to commencement a detailed GCN Mitigation Strategy to be submitted for approval and implemented

29. Survey for nesting birds
30. Submission of an updated Badger survey prior to commencement of development
31. Submission of a lighting scheme in relation to impact on bats
32. Submission of a strategy for the incorporation of features to enhance biodiversity, including features for nesting birds including House Sparrow and roosting bats and brash/deadwood piles and native species planting.
33. Submission of a Construction Environmental Management Plan (including piling)
34. Submission of Travel Plans for occupiers of the buildings
35. Provision of fast electric vehicle charging points for each unit
36. Provision of low emission boilers
37. Phase II Contaminated Land Report
38. Verification and mitigation measures (if necessary) for contaminated land
39. Testing for soil and soil forming materials being brought onto the site
40. Compliance with the Flood Risk Assessment
41. Submission of a drainage strategy

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 Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

**55 18/3348N-OUTLINE APPLICATION FOR PROPOSED COMMERCIAL DEVELOPMENT (B1C, B2 & B8 USE, INCLUDING ANCILLARY B1 OFFICES) COMPRISING CIRCA 32,980 SQ.M FLOOR SPACE , VEHICULAR ACCESS, SERVICE YARDS,CAR AND CYCLE PARKING, DRAINAGE, EXTERNAL LIGHTING, LANDSCAPING AND ASSOCIATED WORKS, FORMER BAE SITE, RADWAY GREEN ROAD, RADWAY GREEN FOR CORBALLY HOLDINGS LIMITED**

Consideration was given to the above application.

(Councillors R Fletcher, the Ward Councillor, Town Councillor Sue Helliwell, representing Alsager Town Council and Andy Plant, representing 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 £5,000 towards road signage.

And subject to the following conditions:-

1. Outline time limit
2. Reserved matters submission time limit
3. Reserved matters to include layout, scale, landscape and appearance.
4. Approved plan
5. Parking provided prior to first use
6. Survey for nesting birds
7. Submission of a lighting scheme in relation to impact on bats
8. Submission of a strategy for the incorporation of features to enhance biodiversity
9. Submission of a Construction Environmental Management Plan (including piling)
10. Submission of Travel Plans for occupiers of the buildings
11. Provision of fast electric vehicle charging points
12. Provision of low emission boilers
13. Remediation Strategy for contaminated land
14. Verification Report in accordance with the Remediation Strategy
15. Implementation and continued maintenance of the mitigation measures as recommended in the submitted acoustic report
16. Compliance with the Flood Risk Assessment
17. The reserved matters shall include full drainage details
18. The reserved matters shall include a comprehensive package of arboricultural information relevant to the final layout, including a tree survey, arboricultural impact assessment and details of protective measures for retained vegetation
19. The reserved matters shall include details of existing and proposed ground levels and proposed floor slab levels.
20. Should the proposed development be implemented before the proposed roundabout at the Crewe Road/ Radway Green Road/Butterton Lane junction is in place, the signal improvements to the traffic signals at this junction, as detailed in the Transport Assessment dated 27th June 2018, shall be carried out prior to the first occupation of any of the units hereby 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 her absence the Vice Chairman) of 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.

(Councillor D Hough requested that his decision to abstain from voting on the application be recorded within the minutes).

(The meeting was adjourned for lunch from 12.45pm until 1.15pm).

**56 18/1369N-DEMOLITION OF REDUNDANT OUTBUILDINGS AND THE ERECTION OF A 6 STOREY MULTI-STOREY CAR PARK WITH UP TO 243 SPACES INCLUDING A CAR WASH TO THE REAR, ROYAL HOTEL, 7, NANTWICH ROAD, CREWE FOR PROPERTY CAPITAL PLC**

Consideration was given to the above application.

(Councillor D Flude, Ward Councillor, Pete Lazenby, a supporter, Steve Bratt, supporter and Mark Murphy, representing the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

The application was deferred for reconsideration of the design and external appearance of the building and for further highway information.

(This decision was contrary to the Officer's recommendation of approval).

**57 18/4156C-VARIATION OF CONDITION 34 ON APPLICATION 12/3948C, LAND BOUNDED BY OLD MILL ROAD & M6 NORTHBOUND SLIP ROAD, SANDBACH FOR BARRATT HOMES**

Consideration was given to the above application.

(Councillor S Corcoran, the Ward Councillor and Richard Pettitt, representing the applicant attended the meeting and spoke in respect of the application. In addition a statement was read out on behalf of Councillor B Moran.).

**RESOLVED**

That for the reasons set out in the report variation to condition 34 be granted subject to the completion of a Section 106 Agreement securing the following:-

- Financial contribution towards primary education of £292,850
- Financial contribution towards secondary education of £539,309
- Contribution of £10,000 (air quality mitigation) towards implementation of Air Quality Action Plan in Sandbach
- The provision of a NEAP facility (comprising a minimum of 8 items of equipment) and a minimum of 4000sqm of open space to be provided on site. One area shall be a minimum of 2000 sqm.
- Management details for the maintenance of all amenity greenspace / public open space, public footpaths and greenways within the site, play areas, and other areas of incidental open space not forming private gardens or part of the adopted highway in perpetuity.

- Provision of 15% affordable housing with 50% to be provided as social rent and 50% provided as intermediate tenure
- Phasing of affordable housing
- Area of land across wildlife corridor transferred to Highway Authority
- Financial contribution of £500,000 towards bridge to cross wildlife corridor
- Clawback mechanism (in the event additional monies become available)

And subject to the following conditions:-

1. Development in accord with approved plans
2. Protection from noise during construction (hours of construction)
3. Approval of construction method statement
4. Approval of ground levels submitted with reserved matters application
5. Approval of refuse storage facilities
6. Approval of Environmental Management Plan
7. Approval of external lighting
8. Updated contaminated land Phase II report
9. Noise mitigation measures
10. Approval of travel plans
11. Energy from decentralised and renewable or low-carbon energy sources / energy reduction
12. Scheme to limit the surface water runoff
13. Scheme to manage the risk of flooding from overland flow of surface water
14. Scheme to dispose of foul and surface water
15. Wildlife corridor buffer zone to be provided
16. Approval of arboricultural details
17. Site to be drained on a separate system
18. Provision of electric car charging points
19. Incorporation of public right of way routes in layout
20. Provision for pedestrians and cyclists
21. Written scheme of archaeological investigation
22. Hedgerow retention and enhancement
23. Phasing of whole development and associated roundabout
24. Public access to wildlife corridor to be provided
25. Prior to the occupation of the 80th dwelling hereby approved, the roundabout which is the subject of planning permission 16/5850C shall be completed in accordance with the details approved under that permission.
26. No more than 50% of the dwellings shall be occupied until 25% of the non residential (commercial) land has been serviced\*. No more than 75% of the dwellings shall be occupied until 50% of the non residential (commercial) land has been serviced\*. No more than 90% of the dwellings shall be occupied before an access road is provided from the new roundabout access on Old Mill Road to within 20m of the south eastern boundary of the site. All services /

access roads shall be carried out in accordance with a scheme of details which has first been submitted to and approved in writing by the Local Planning Authority.

\*For the purposes of this condition "serviced" is defined as the provision of access, electricity and / or gas, water, drainage and telecommunications

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.

(The meeting was adjourned for a short break. Councillor J Jackson left the meeting and did not return).

**58 18/4449C-RE- PLAN OF 119 PLOTS AND ASSOCIATED WORKS. ORIGINAL PLAN APPROVAL16/5156C. THIS WAS 170 NOW 203, LAND OFF BLACK FIRS LANE, CONGLETON FOR MS LIGHTFOOT, BARRATT & DAVID WILSON HOMES NORTH WEST**

Consideration was given to the above application.

(Andrew Taylor, 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 Board, the application be approved subject to revised plans, referral to Jodrell Bank and to a Section 106 Legal Agreement to Secure the requirements of the existing Section 106, incorporating the changes necessitated by the additional 33 units:

- 30% of the dwellings to be affordable.
- The tenure split of the affordable housing required is 25% social or affordable rent, 75% intermediate tenure.
- Affordable Homes should be pepper-potted (in clusters is acceptable) 25% of the affordable dwellings to be built to meet Lifetime Homes standards, and these properties should be bungalows, maisonettes or adaptable houses. The affordable dwellings should be built to meet Code for Sustainable Homes Level 3.
- The affordable homes to be provided no later than occupation of 50% of the market dwellings unless the development is phased, in which case 80% of the market dwellings can be occupied.

- Provision of a LEAP with 5 pieces of equipment specification to be submitted and agreed and in accordance with that set out in the Greenspaces Officer consultation response. Management plan for all open space in perpetuity (including, inter alia, the LEAP, allotments if provided, woodland, general amenity open space, village green, nature conservation area, drainage areas, ponds and any other areas of incidental open space not within private gardens or the adopted highway).
- Commuted sum of £55,610.00 to be used to deliver off-site habitat creation/enhancement as per the report.
- Commuted sum of £272,748 in lieu of Primary, Secondary and SEN education with an additional £146,791 for the additional units.
- Contribution of £850,000 towards capacity improvements of the A34 Rood Hill Traffic Signals or the A34 West Street roundabout OR alternative measures that offer congestion relief benefits to the A34 corridor through Congleton.
- Contribution of £50,000 towards the improvement and accessibility of Local Bus Stop Infrastructure.
- Additional £7,000 for consultation/investigation into speed reduction on Chelford Road

And subject to the following conditions

1. Standard 3 year consent
2. Approved Plans
3. Materials
4. Landscaping
5. Implementation of landscaping
6. Tree/Hedgerow Protection Measures
7. The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
8. Noise insulation measures
9. Individual Travel plans
10. Travel Information packs to be provided for residents
11. Electric Vehicle Infrastructure
12. Submission of a Contaminated Land Phase II investigation.
13. Control over imported soils
14. Requirement to inform LPA if unexpected contamination found
15. Submission of Construction and Environmental Management Plan
13. Bin storage.
14. 10% renewable provision
15. Submission of detailed design for wildlife corridors together with proposals for the fencing off of the wildlife corridors during the construction phase.
16. Implementation of Great Crested Newt Reasonable Avoidance Measures
17. Updated badger survey to be undertaken and submitted to the LPA prior to the commencement of development.

18. Hedgehog access.
19. Submission of details for the incorporation of wildlife kerbs, bat and bird boxes (as per section submitted ecological mitigation strategy).
20. Safeguarding of nesting birds
21. Submission of 10 year habitat management plan
22. Creation of wildlife hibernacula as specified in section 4.65 of the submitted ecological mitigation strategy.
23. Bat lighting condition
24. Detailed design of ponds to be submitted with reserved matter application
25. Archaeological programme of works
26. Scheme of appropriate surface water drainage
27. Detailed design of surface water drainage
28. Provision and implementation of Travel Plan
29. Sewer easement as detailed in United Utilities response
30. All the affordable dwellings should be provided no later than occupation of 80% of the open market dwellings
31. Finished floor levels
32. Details of the gym/outdoor play equipment including trim trail

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

(During consideration of the application, Councillor B Burkhill left the meeting and did not return).

**59 WITHDRAWN-18/3654N-CERTIFICATE OF APPROPRIATE  
ALTERNATIVE DEVELOPMENT, JUBILEE FARM, CHORLTON LANE,  
CHORLTON FOR MR & MRS S WILLIAMS**

This item was withdrawn prior to the meeting.

The meeting commenced at 10.30 am and concluded at 4.30 pm

Councillor G Merry (Chairman)

Application No: 18/2522C

Location: Land To The South Of, CREWE ROAD, ALSAGER (Radway Green North)

Proposal: Application seeking outline planning permission for up to 19,695 sqm of employment floorspace (Use Class B1c/B2/B8) with ancillary (integral) office floorspace (Use Class B1a), associated parking, landscaping and reprofiling of site (all matters, except for layout and access, reserved for future determination).

Applicant: c/o Agent, BAE Systems (Property Investments) Limited

Expiry Date: 26-Oct-2018

## SUMMARY

The principle of development is considered to be acceptable and the site is allocated for employment development under LPS 25 of the CELPS

The development will not have a detrimental impact upon residential amenity (including for future occupants of the approved development to the north).

The impact upon air quality has been assessed as part of this application and subject to the imposition of planning conditions the development would comply with Policy SE 12.

Details of the proposed landscaping would be secured at the reserved matters stage and a condition will be imposed to secure the details along the northern boundary as part of the first Reserved Matters application. The proposed development is considered to comply with the requirements of Policies SE 4 and SE 5.

With regard to ecological impacts, the development would not impact upon the Midland Meres and Mosses Phase 2 Ramsar and Oakhanger Moss SSSI or protected species/biodiversity (subject to the imposition of planning conditions. The development complies with the requirements of policies LPS 25 and SE 3.

The development would not have significant drainage/flood risk implications and complies with Policy SE 13.

The development is acceptable in terms of its impact upon trees on this site and replacement planting will be secured. This development will comply with Policy SE 5.

On balance it is considered that the proposed development demonstrates that an acceptable design solution can be secured in accordance with Policy SE 1. However this is a Reserved Matter and the final judgement will be made at that stage.

The impact in terms of the proximity to the licensed explosive facility the matter will be dealt with at the reserved matters stage.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. This is in accordance with policies LPS 25 and CO 1.

The development of the site would provide a number of economic benefits in terms of job creation and during the construction phase of the development.

### **RECOMMENDATION**

**That the application be approved subject to referral to the Secretary of State, subject to the completion of a Section 106 Agreement and conditions**

### **PROPOSAL:**

This is an outline planning application for up to 19,695sqm of employment floor space (Use Classes B1c/B2/B8) with ancillary office, associated parking, landscaping and profiling of the site.

The matters to be determined at this stage are the access and layout of the development. Appearance, landscaping and scale are reserved for future determination.

The built form of the proposed development would be located to the north of the watercourse which crosses the site with the southern part being utilised for compensatory storage. The plans show a layout of 5 units arranged around an internal access road.

### **SITE DESCRIPTION:**

The application site forms three fields which are located to the south east of Crewe Road (B5077). The two fields which adjoin Crewe Road are divided by a hedgerow and track which leads to a pumping station which is located outside the application site. A watercourse runs through the site with the third field located to the south of this watercourse. To the south of the site is railway line with the Radway Green (BAE Site) to the south of the railway.

The site includes a number of trees which are located to the boundary of the site and along the watercourse which bisects the site. Electricity Pylons and cable cross the northern part of the site.

To the north-east the site adjoins the boundary with the Plough Public House with residential development to the opposite side of Crewe Road including a consented residential scheme for Persimmon (which at the time of the case officer's site visit had commenced but did not appear to be occupied) and a Bed and Breakfast.

The application site is located largely within Flood Zone 1 although land on either side of the existing watercourse is located within Flood Zone's 2 and 3.



Public Right of Way Alsager FP5 is located to the north-east of the site just beyond the boundary of the site.

### **RELEVANT HISTORY:**

17/6274S - EIA screening opinion for a proposed employment development, comprising warehouse and ancillary office space – EIA Not Required 26<sup>th</sup> January 2018

24242/3 - Pumping Station South of Crewe Road - Change of use to rabbit breeding for meat – Refused 28<sup>th</sup> April 1992

23108/3 - Pumping Station South of Crewe Road - Change of use to pony and trap hire on seven days a week – Refused 26<sup>th</sup> March 1991

### **POLICIES**

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

LPS25 – Radway Green North, Alsager

MP1 – Presumption in Favour of Sustainable Development

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG7 – Spatial Distribution of Development

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 – The Landscape

SE 5 – Trees, Hedgerows and Woodland

SE 6 – Green Infrastructure

SE 7 – The Historic Environment

SE 9 – Energy Efficient Development

SE 12 – Pollution, Land Contamination and Land Instability

SE 13 - Flood Risk and Water Management

EG3 - Existing and Allocated Employment Sites

IN1 – Infrastructure

IN2 – Developer Contributions

CO1 – Sustainable Travel and Transport

CO2 – Enabling Business Growth through Transport Infrastructure

#### **Congleton Borough Local Plan**

PS4 Towns

PS8 Open Countryside

GR6 Amenity and Health

GR7 Amenity and Health

GR8 Amenity and Health

GR9 Accessibility, servicing and provision of parking

GR10 Accessibility, Servicing and Parking Provision (New Development)

GR13 Public Transport Measures

GR14 Cycling Measures  
GR15 Pedestrian Measures  
GR16 Footpaths Bridleway and Cycleway Networks  
GR17 Car parking  
GR18 Traffic Generation  
GR20 Public Utilities  
NR2 Statutory Habitats  
NR3 Habitats  
NR4 Non-statutory sites  
NR5 Habitats  
E12 Distribution and Storage Facilities

### **National Policy:**

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

Of particular relevance are paragraphs:

11 Presumption in favour of sustainable development.

80-82 Building a Strong Competitive Economy

102-107 Promoting Sustainable Transport

124-132 Requiring good design

### **Neighbourhood Plans**

The Alsager Neighbourhood Plan is at Regulation 7 stage.

### **CONSULTATIONS:**

**Ministry of Housing, Communities & Local Government:** The Secretary of State has received a request to call in the above planning application. The Secretary of State is unable to begin considering if call in is appropriate or not until such time as the application has gone through the normal planning process with the local planning authority and the Council is minded to approve.

**United Utilities:** United Utilities has a right of Way access to Radway Green Waste Water Pump Station, reference CH584702 which appears to be affected by the proposal. United Utilities must have unrestricted 24 hour access to the WWPS and nothing should occur that removes this right of access. Drainage conditions suggested.

**CEC Environmental Health:** Conditions suggested in relation to a scheme of fixed mechanical plant to be submitted and approved, piling works, dust control, floor floating, construction management plan, external lighting, electric vehicle infrastructure (including unit 4 which does not have any according to the amended plans), travel plan and contaminated land. Informatives suggested in relation to contaminated land and construction hours.

**Cadent Gas:** No comments received.

**Health and Safety Executive:** The Explosives Inspectorate has no comment to make on this application provided that the development is not a vulnerable building. A vulnerable building is defined as follows;

- A building of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5m<sup>2</sup> and extending over more than 50% or 120m<sup>2</sup> of the surface of any elevation
- A building of more than three storeys above ground or 12m in height with solid walls and individual glass panes or frangible panels larger than 1.5m<sup>2</sup> and extending over at least 50% of any elevation
- A building of more than 400m<sup>2</sup> plan area with continuous or individual glazing panes larger than 1.5m<sup>2</sup> extending over at least 50% or 120m<sup>2</sup> of the plan area; or
- Any structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse

**Natural England:** No objection. The proposed development will not have likely significant effects on the Midland Meres & Mosses Phase 2 Ramsar site. The proposed development will not damage or destroy the interest features for the Oakhanger Moss SSSI. For advice on protected species refer to the standing advice.

**CEC Head of Strategic Infrastructure:** No objection subject to a S106 Agreement contribution of £120,000 to improve pedestrian crossing facilities and bus infrastructure and the imposition of planning conditions.

**CEC Archaeology:** Archaeological mitigation condition suggested.

**Network Rail:** No comments received.

**CEC PROW:** It appears unlikely that the proposal would affect the PROW. An advice note is suggested.

Furthermore the National Planning Policy Framework states that “planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails”

**CEC Flood Risk Manager:** No objection in principle to the development subject to the imposition of conditions and an informative.

**Environment Agency:** No objection. Conditions and Informative suggested.

### **VIEWS OF THE TOWN COUNCIL:**

**Alsager Town Council:** Object to the application on the following grounds;

- The proposed site is on a flood plain and, although there is to be an 8 metre buffer zone from Valley Brook, there are concerns that the soakaway and water attenuation will not be sufficiently robust to cope with new builds. The Town Council has concern if the Valley Brook is to be re-profiled which is likely to be detrimental to the environment with knock-on effects along the length of the water-course.
- The Town Council has health and safety issues with the proposed site as 12 metre high warehouses will be situated in the outer blast zone of the BAE site.

- Have CEC Highways produced traffic modelling for the increased traffic to both the proposed site and the housing development of over 450 houses and a convenience store directly opposite Crewe Road?
- Air quality issues are a concern especially with the new housing development increasing traffic and the potential for large numbers of HGVs servicing the warehouses.
- The warehouses will be directly opposite residential developments rather than be sited nearer the M6 and away from housing.
- The 'gateway' to Alsager will be blighted by warehousing which is not sensitive to the street scene.
- The economic benefit to Alsager is low as the amount of employment is small and does not meet identified employment needs. The emerging Alsager Neighbourhood Plan policies state that Alsager has a need for small start-up business units which was identified during their community consultation.
- There are brownfield sites at the BAE site which should be developed before greenfield sites.

### **REPRESENTATIONS:**

Letters of objection have been received from 248 local households/businesses which raise the following points;

#### Principal of development

- Loss of green space
- Corporate profit without any thought for local people
- The small amount of jobs created would not outweigh the harm
- Too much development in Alsager
- Current industrial estates in Crewe, Middlewich and Stoke should be extended as an alternative
- The development will bring limited and poor quality employment opportunities
- The development would be better sited between the existing BAE site and the M6
- The proposed development will create few jobs
- Sustainability has not been considered
- The cleared parts of the Radway Green site should be used for employment development
- Warehouses of this size should not be built so close to a small town like Alsager
- Little benefit to Alsager
- There will be no economic benefits
- The development would result in low quality employment development which is not envisaged in the CELPS
- There is a large warehouse available to rent on Weston Road in Crewe
- There is an abundance of warehousing closer to Junction 16
- Unsustainable location
- Industrial development should take place around Crewe
- The development will dominate the entrance to Alsager putting off future visitors and people moving into Alsager
- The CELPS allocation was made against the wishes of Alsager
- The warehouses are too high
- Alsager has overburdened infrastructure – schools, medical provision etc
- The application does not comply with the CELPS which requires 'sensitive design in terms of scale and massing'

- Alternative designs that would bring more and better employment opportunities with far less intrusive constructions are possible, indeed more obvious and more rational
- Large scale warehousing should be constructed on the East and South Radway Green sites allowing lower scale development on this site
- Loss of Green Belt
- The development is contrary to the NPPF
- These uses should be provided at J16
- The development will offer poorly paid jobs
- Brownfield sites should be used for this type of development
- The proposed development should be considered alongside the two other sites so that there is no duplication
- The site should be used for small high tech or start up businesses
- There is no indication as to what will be stored in the proposed warehouses
- The inclusion of the site within the CELPS is an extension too far for Alsager
- There is a lack of infrastructure investment to deal with the growth of Alsager
- The site allocation should be removed from the CELPS
- The proposal does not meet any identified employment need
- There are 17 empty distribution centres of greater than 50000 square feet within a 10 mile radius of the site
- The developer cannot say how many jobs will be created
- The local plan allocation does not envisage such large structures on the site
- The emerging Alsager Neighbourhood Plan supports the development of the site providing that it meets a number of requirements such as being well designed, landscaped, sensitive in terms of scale and massing, low rise units only, provides units for artistic and creative businesses as well as high tech electronic and manufacturing and develops green infrastructure along Valley Brook
- The description of the development is vague, deceptive and misleading
- The CELPS allocates 12 hectares of employment land but one third of the site is not being used and is not being fulfilled
- No need for the proposed warehousing has been identified

### Highways

- Proximity of the site to the congested level crossing
- The site is at a congested hotspot
- The roads are congested enough without this development
- Increased HGV movements
- Increased volume of traffic along Crewe Road, Alsager
- Increased traffic
- Increased traffic will result in further sinkholes on the roads in Alsager
- Additional traffic will put pedestrians including school children at risk
- If there is a problem on the M6 then Alsager suffers traffic problems
- The submitted TA is not complete
- Problems at the traffic lights at the junction of Crewe Road and Radway Green Road
- Narrow road network in Alsager
- Proximity of the site to the consented Persimmon site access
- Traffic makes it difficult to exit Close Lane, Cranberry Lane and Hassall Road
- The road network is not designed to take the existing volumes of traffic
- Difficulty crossing Crewe Road
- The existing road network is in a poor state of repair

- HGV traffic will increase risks to pedestrians
- In the event of the failure of the level crossing the HGV traffic will be routed through the centre of Alsager or through Oakhanger
- It would be more suitable to have employment sites on the opposite side of the level crossing
- The road network is not designed for these increases in traffic
- The submitted TA does not assess the junction of Close Lane and Crewe Road
- The access interferes with the Persimmon access opposite the site
- The proposed informal crossing over Crewe Road near to Close Lane does not make any allowance for the proposed traffic signal scheme
- There are no cycle facilities near the site and the train station is over 2km away. The site is not sustainable

### Green Issues

- Loss of wildlife habitat
- The development will be a blot on the landscape
- Loss of landscape
- Loss of habitat for birds – Tawny Owls, Barn Owls and Skylarks
- Impact upon the SSSI and Ramsar sites.
- There needs to be a HRA screening exercise in relation to the effect on European designated sites
- The site is well used by Bats

### Design Issues

- The proposed development is out of character for Alsager
- The development will look out of place at the entrance to the village
- Loss of views across Crewe Road
- The proposed warehouses are too large and too high
- The height of the buildings is not appropriate for the semi-rural area
- Visual impact on the approach into Alsager
- Large sheds are not in keeping with Alsager
- Due to the proximity of the development to Crewe Road it will not be possible to screen the development
- The development would dominate the skyline of Alsager
- The site is in a prominent location
- Visual impact of the proposed development
- The proposed design is unimaginative and ugly
- The re-profiling of the site should be explained at this stage

### Amenity Issues

- The size and scale of the development in a residential area
- The warehouse will operate 24 hours a day causing noise and air quality pollution
- Proximity to the consented Persimmon Homes site on the opposite side of Crewe Road
- Increased air pollution
- Light pollution
- Noise and disturbance
- Impact upon the health and wellbeing of local residents
- Dust pollution
- Vibrations caused by HGV vehicular movements
- The noise assessment cannot be undertaken if the development is not there

- Concerns over the orientation and proximity to adjacent dwellings
- There should be strict controls over the hours of operation
- The submitted noise assessment is unable to predict all likely individual noise sources on the development
- Current noise levels are above those specified in BS8233

### Other issues

- Flooding/drainage issues due to Valley Brook
- Increased discharge into Valley Brook
- Underground tributaries crossing the site
- Erosion of the banks of Valley Brook
- The site is located within the Blast Zone for Radway Green
- Risk to human life due to the location of the site within the Blast Zone
- Impact upon property values
- The proposed development will become a terrorist target
- The development would destroy the outlook of the hotel opposite
- The development will cause flooding issues downstream
  - The development will impact upon the saleability of the housing opposite
- Lack of public consultation
- The development should be no higher than the adjacent dwellings
- Some of the neighbour addresses who have been notified do not exist
- A development of this size will put off visitors to the B&B opposite the site
- Access rights should be maintained to the agricultural land to the south of Valley Brook which currently has access across the site
- The pre-app consultation was meaningless and the views given have been ignored
- Requirements of the Alsager Neighbourhood Plan have not been met

An objection has been received from Cllr Deakin which raises the following points;

- Even as a staunch advocate of providing employment opportunities in Alsager, I cannot support this application because of several concerns that I have and I know that residents share these concerns as well:

1) The proposed design of the development is out of character with the surrounding street scene. I am concerned that the pleasant approach to Alsager town from the west and the Haslington and Barthomley area will be spoiled by the massive, grey and metal-sheathed design that is being proposed here.

2) Secondly, there are pressing concerns surrounding the site's proximity to the "blast zone" on the Radway Green munitions site behind which I feel have not been properly addressed by the planning authority.

3) Finally, the proposed development is unnecessarily high. One warehouse will be 55ft (16.5m) tall and this will tower over the adjacent road and adjacent residences. I share feelings shared by residents and fellow councillors that a better thought-out design could be proposed which will both serve the employment needs of the town whilst being sensitive to nearby homes.

An objection has been received from the Crewe Road Action Group which raises the following points;

- Approving the layout and access will mean that the development is only suitable for large warehousing
- With a different layout better uses can be put forward on the site which would cause less harm

- The CELPS allocated the site for 12 hectares of employment land but would only provide 8 hectares as the southern field is not proposed for development and would be undevelopable
- The proposal is not sensitively designed
- The CELPS Inspector never stated that this site would be suitable for warehousing
- There is no Blast Zone Risk Assessment
- The design is out of character with the surroundings
- Adverse impact upon visual amenities
- The noise assessment which has been undertaken has very different results to the noise assessment undertaken by persimmon on the site opposite
- Light pollution
- Warehousing offers work for few people and is poorly paid with casual and zero hours contracts
- No alternatives are considered to employment uses at the site
- If the application is refused it will allow for the consultation and coordination of the three Radway Green sites
- Road usage is dangerous and unsafe. The access mixes vehicles, cyclists and pedestrians
- The proposed mitigation measures in terms of noise and highways are unsatisfactory
- The development within the Blast Zone will bring members of the public into areas of increased risk to life and health
- The development within the Blast Zone will threaten the viability and future of the existing employment at BAE's Radway Green Plant. There is the possibility that the HSE licence will be lost
- The site lies at least within the outer restricted zone of the Blast Zone where vulnerable buildings are not permitted
- The proposed buildings exceed the heights specified within the consultation response from the HSE
- As part of the Hall Drive (15/3410C) application it is specified that the proposed dwellings should be brick built and no more than three stories in height (12 metres)
- The four buildings will be 'vulnerable buildings' and are within the Outer Blast Zone safeguarding area
- Approving the development would dramatically reduce the quantity of explosives which could be licenced to be stored at the Radway Green site
- The proposal is contrary to the CELPS
- The site is within the Blast Zone – increased risk to life and health
- BAE deliberately failed to reveal information in relation to application 18/3348N during the consultation period and pre-application period for this current proposal
- Therefore the consultation process is flawed and relevant information was not available
- The Visual and Noise Assessments were unable to gauge the impacts and the results are flawed
- The existence of two extra 24-hour warehouses has not been taken into account
- The extra impacts of the frequent closures of the M6 have not been taken into account
- The additional application 18/3348N will increase the 'adverse' impacts of this development to 'major adverse' impacts
- The need for the Radway Green North development is reduced by application 18/3348N
- The existence of application 18/3348N reinforces the argument that better quality employment should be provided on the Radway Green North site. Such as low rise brick built developments
- A masterplan should be provided for all three Radway Green sites within the CELPS

An objection has been received from Fiona Bruce MP which raises the following points;



- Numerous points of objection from constituents including the following;
  - Air pollution is already unacceptable from passing vehicles
  - Danger caused by the increased usage of the junctions of Hassall Road and Close Lane with Crewe Road which the application will exacerbate
  - Alsager will be the only village in the country with residential properties opposite an industrial site
  - The entrance will operate for 24 hours which is inappropriate opposite an hotel
  - Whilst temporary lights have been in place there has been gridlock to Oakhanger and Alsager which will be replicated if the additional vehicle movements from the development go ahead.

An objection has been received from Persimmon Homes which raises the following points;

- There has positive changes in respect of the design and layout of the scheme but there are still concerns over the heights of the warehouses and the stand off distances between the proposed development and the residential areas to the north
- Concern that the proposed design will impact upon residential amenities
- The height of the proposed buildings in proximity to residential properties is not acceptable – overbearing impact
- Further increased stand-off distances and reduction in height are required to successfully integrate within the surrounding area
- A more significant landscape bund with mature planting should be installed along the boundary with Crewe Road – this should be brought into use before the development is first brought into use
- Noise, air quality and traffic implications upon residential amenity
- The scale of the development would have an unacceptable impact upon the character and appearance of the open countryside
- Conditions should be imposed in relation to external lighting and to control hours of operation
- The proposal is contrary to the NPPF and the design provisions within the CELPS

## APPRAISAL

### Principle of Development

The NPPF states that planning decisions should help create the conditions in which businesses can invest, expand and adapt. Paragraph 80 emphasises that ‘significant weight’ should be placed on the need to support economic growth and productivity. Paragraph 82 then goes onto state that;

*‘Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations’*

The site is a strategic employment allocation under LPS 25 (Radway Green North, Alsager) of the CELPS which identifies that the site has the potential to provide around 12 hectares of employment land. The glossary to the CELPS then defines employment land as land identified for business, general industrial, and storage and distribution development as defined by Use Classes B1, B2, and B8.

This application is for up to 19,695sqm of employment floor space (Use Classes B1c/B2/B8) with ancillary office, associated parking, landscaping and profiling of the site. As a result the principle of the proposed development would comply with the requirements of LPS 25.

It should also be noted that LPS 25 includes a number of site specific principles of development as summarised below;

- Green infrastructure provision including;
  - The retention of the watercourse and an undeveloped 8m buffer zone of open space/seminatural habitats
  - The creation of wildlife habitats
  - Sustainable drainage
  - Structural landscape proposals
- Contributions to improvements to existing and the provision of new public transport links to Alsager Town Centre and local villages
- A desk based Archaeological Assessment
- Contributions to M6 J16 and the railway crossing at Radway Green Road
- A Flood Risk Assessment should be prepared
- New development should respect any flooding constraints and provide mitigation where necessary
- Provision of new pedestrian and cycle links to residential areas and shops
- The site will only be developed where it can be demonstrated that there is no adverse impact upon the Midland Meres and Mosses Phase 2 Ramsar and Oakhanger Moss SSSI. This should include a Habitats Regulations Assessment
- A Phase 1 Contaminated Land Assessment should be undertaken

A number of the representations are critical of the allocation of the site as part of LS 25. The issue of this allocation was considered by the Inspector in his Report on the Examination of the Cheshire East Local Plan Strategy and it is states at paragraph 205 that the site is *'of strategic importance, being within the M6 motorway growth corridor, with good access available from the B5077. The amount of employment land now proposed (37ha) is appropriate and proportionate to the employment growth required in Alsager'*. It is then acknowledged that the site has been fully assessed through the site-selection process after considering reasonable alternatives.

The representations submitted also state that the brownfield land at the existing BAE site should be developed first or as an alternative. Again this issue was considered by the Inspector who stated at paragraph 206 that *'Some argue that a more intensive development should be proposed, using existing brownfield land within the BAE Systems site, but neither this land, nor Site CS14 and other existing employment sites would constitute "new" employment land, and so it cannot be counted towards meeting the overall requirement for new employment land'*.

### **Economic Benefits**

A number of the letters of objection state that the economic benefits of this scheme will be limited and they also refer to the perceived poorly paid jobs that the development will create.

The supporting planning statement identifies that the development will result in direct and indirect job creation. It acknowledges that it is not possible to determine the number of jobs that the development will create at present as the final mix of Use Class B uses and occupiers is yet to be

determined. It is stated that the anticipated jobs to be created would be in sectors such as manufacturing, logistics, office administration and managerial positions.

In an attempt to identify the number of jobs that would be created the agent has used guidance from the Homes & Communities Agency Employment Density Guide which provides indicative job densities for Use Class B1c, B2 and B8 developments. The densities have been applied to the proposed floorspace at the application site in each scenario assuming the total floorspace comprises one Use Class to provide an indication of the potential number of jobs created. The results can be seen in the table below;

USE CLASS	FLOORSPACE BASIS	FLOORSPACE	DENSITY (JOBS PER SQ M)	GROSS JOBS (FULL TIME EQUIVALENT)
B1c Light Industrial	Net Internal Area	16,740 <sup>2</sup>	47	356
B2 Industrial & Manufacturing	Gross Internal Area	19,695	36	547
B8 Storage & Distribution <sup>3</sup>	Gross External Area	20,679 <sup>4</sup>	77	268

This shows that the development has the potential to deliver between 268 and 547 Full Time Equivalent (FTE) direct jobs. In addition to the above the supporting planning statement identifies that there would be indirect job creation as a result of supply chain linkages and employee expenditure in the area.

As a result it is considered that the development will create economic benefits for the local area.

## Highways Implications

### Site Access

A single point of access onto Crewe Road is proposed as a priority junction with a ghost island right turn lane. The access has been positioned so not to conflict with the existing access to the residential site on the north side of Crewe Road. The standard of access is in conformity with an industrial access design being 7.3m wide with two 2.0m footways; the access has been locally widened on the bend to accommodate HGV traffic.

### Traffic Impact

The Traffic Impact Assessment has been undertaken assuming a B1c use rather than the B2/B8 use as this would result in the highest trip generation from the site. It has been assumed that the vast majority of trips will take place inbound and outbound towards J16 of the M6. This assumption is accepted given the location of the site. There will be some trips that will route using the local road network although this represents only a small percentage increase on the existing flow. The overall trip generation based upon a B1c use results in 149 trips in the AM peak and 117 in the PM peak.

Due to the number of committed residential schemes in Alsager the applicant was asked to include these schemes in the capacity assessments undertaken for this site. The impact on a

number of junctions was requested taking into account the location of the site and these junctions are as follows:

- Site Access junction
- Radway Green level crossing
- M6 Junction 16
- Radway Green/Crewe Road
- Crewe Road/Sandbach Road North (Alsager)

The results of the capacity assessment indicate that the site access junction would operate well within its capacity as would be expected given the predicted level of traffic generation arising from the site.

In relation to the level crossing at Radway Green Road the applicant has surveyed the queue lengths and the length and numbers of occasions in the peak hours that the barriers are down. This can be seen in the table below which is taken from the submitted Traffic Impact Assessment.

**Table 7.2: 2020 Base and base plus Development Queues at Radway Green Road Level Crossing**

	Closure Event	Barriers Down (Min)	Northbound			Southbound		
			2018 Survey Queue	2020 Base Queue	2020 Base + Dev Queue	2018 Survey Queue	2020 Base Queue	2020 Base + Dev Queue
<b>AM Peak</b>	1	3.2	34	37	39	7	19	20
	2	4.4	41	45	48	8	24	26
	3	1.7	16	18	19	7	13	14
	4	1.9	33	35	36	5	12	13
	5	3.0	36	39	41	7	18	19
<b>PM Peak</b>	1	4.7	19	30	31	7	17	19
	2	4.6	30	41	42	8	18	20
	3	1.7	3	7	7	8	12	12
	4	5.8	34	47	49	7	19	22

It is recognised that there are substantial queues that form at the level crossing and the survey indicates that the northbound queues are longest in both the AM and PM periods. The proposed development would increase the extent of the queues in the peak hours but these would be small increases of 3 to 4 vehicles.

Consideration has been given to possible mitigation measures that could be put in place to reduce the level of queues at the level crossing. The operation of the crossing is undertaken by Network Rail and as such the frequency and length of operation of the crossing is not within the control of the Council. There is no scheme identified that can be implemented that would significantly reduce queues and as such an assessment of whether the development impact would result in significantly more delay at the crossing needs to be made.

The Strategic Highways Manager states that the extent of the queues in the peak hours at the level crossing is a concern and he would wish to see the delay reduced. However he has stated that the location of the crossing and the queues that form when the barriers are in operation does not affect other roads in the network and is purely a delay to journeys. Given that the forecast

increases in queues are small it is considered that this does not result in a severe impact and does not warrant a reason for refusal.

The applicant has assessed the operation of J16 of the M6 and also the Radway Green Road link to the junction. The capacity results indicate that J16 will be operating over capacity in the forecast year 2023 for the circulatory roundabout, the Radway Green Road arm has been shown to have a 3 or 4 vehicles in the queue. This has not been validated against current queue length surveys (as there are longer actual queues that form on Radway Green Road although this is normally a slow rolling queue). Improvements have been recently made to provide two approach lanes to the junction on Radway Green Road and this has reduced the extent of queues. Consideration has been given to providing additional mitigation measures to J16 to reduce the level of congestion at the junction and also on Radway Green Road. There is no scheme within current highway boundaries that has been identified that can improve the capacity of the junction and as such it is the level of impact of the development that needs to be considered. The applicant has provided traffic flow figures which indicate that the site will generate some 27 extra peak hour's trips to add the existing and committed flow of 713 vehicles on Radway Green road approach to the junction. The Head of Strategic Infrastructure has stated that he would wish avoid adding cumulatively to the traffic demand using J16 but would have to accept that the development traffic does not result in a severe impact on the road network.

The town centre junction at Crewe Road/Sandbach Road North has also been assessed and the results do show that the junction will be operating over capacity in 2023 with this development and committed development added. However, the increase in queue lengths is small (being 1 or 2 vehicles in both the AM and PM peaks). This development is considered to have a negligible impact on the operation of the junction.

The internal layout has been designed to an industrial standard to take account of HGV usage and there are two footways provided. The proposed layout is acceptable according to the Head of Strategic Infrastructure.

### Accessibility

Providing safe and accessible walking and cycling routes to the site is important as this will help to reduce the traffic impact of the development. The site access includes a pedestrian refuge and a frontage footway is proposed that links to the nearby bus stop. However, there are no controlled crossing facilities on Crewe Road and no additional cycle links to the site have been provided.

Bus service 3 operates on Crewe Road and provides access to the site. There are bus stops located on each side of Crewe Road that are within walking distance of the site. The daytime frequency Mon –Fri is 2 services per hour and runs between Hanley and Crewe.

It is important that the accessibility of the site is good to reduce the traffic impact of the development and that measures are provided to link the development to the pedestrian/cycle network and public transport services. Although the development is providing some infrastructure to improve accessibility there are other improvements that can be provided in relation to pedestrian crossing facilities and bus infrastructure which can be made. As a result a contribution of £120,000 is required for these improvements.

### Highways Conclusion

It is not considered that the development will result in a severe impact on the local highway network and is acceptable subject a financial contribution secured in S106 Agreement.

### **Amenity**

The nearest properties to the application site are to the opposite side of Crewe Road including at the Persimmon site which is currently under construction.

In this case indicative site sections have been submitted as part of the application. These sections show the indicative levels for the proposed development together with the position of the landscaping/bund and the relationship to selected dwellings opposite the site.

Section A shows the relationship between Unit 1 and the dwelling at Holly Barn. The proposed Unit 1 (ridge height of 13.5m) would be sited 1.5m lower than the dwelling at Holly Barn and would have a separation distance of 27.4m.

Section B shows the relationship between Unit 3 and a dwelling on the Persimmon site. The proposed Unit 3 (ridge height of 13.5m) would be sited 1.8m lower than the selected dwelling on the Persimmon site and there would be a separation distance of approximately 101.4m.

Section C shows the relationship of Units 4 and 5 and the Plough Public House. The proposed Unit 5 (ridge height of 13.5m) would be sited 0.8m lower than the Plough and there would be a separation distance of approximately 40.6m.

Section D shows the relationship of Unit 2 and a dwelling on the persimmon site. The proposed Unit 2 (ridge height of 11.5m) would be approximately 0.9m lower than the selected dwelling on the Persimmon site and there would be a separation distance of approximately 43.7m

Other key properties not identified on the section plans are the apartments at The Point which are approximately 43m from Unit 5 and 259 Crewe Road which is approximately 77m from Unit 5.

It is considered that the separation distances and the provision of landscape strip which in parts would include a bund and would be a minimum of 10m in width is on balance considered to be an acceptable solution which would ensure that residential amenity is protected.

### **Noise**

The applicant has submitted a noise assessment in support of the application. The impact of the noise from the proposed development on existing residential properties has been assessed.

The applicant has stated that the proposed development would operate for 24 hours a day. In relation to this issue the submitted noise assessment concludes the noise impacts from the resultant HGV deliveries based on the proposed layout are predicted to insignificant. This is due to the distance, attenuation and mitigation inherent in the design, comprising screening afforded by the proposed buildings, many of which lie between the noise sensitive receptors and the HGV loading bays and car park facilities.

The noise generated due to changes in road traffic volumes and type as a result of the proposed development is also predicted to be insignificant.

The main concern in terms of noise is from the fixed mechanical plant. Providing that such plant meets fixed plant noise limits and that the positioning of the plant is carefully considered then any impacts could be adequately controlled as part of a planning condition.

On this basis the Environmental Health Officer has raised no objections subject to the imposition of a planning condition in relation to the siting and specification of any fixed mechanical plant.

It should be noted that the submitted noise assessment is based on an old layout plan for the development. It is likely that the conclusions and recommendations will still apply to the current layout but for completeness an updated noise assessment has been requested.

### Disturbance during the Construction Phase of the Development

In order to protect residential amenity during the construction phase of the development a Construction management Plan will be secured as part of a planning condition.

### Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

This is an outline proposal for the development up to 19,695sqm of employment floor space. Air quality impacts have been considered within the air quality assessment submitted in support of the application. The report considers whether the development would result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses the DMRB screening tool to model NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</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 – model verification
- 2023 Opening Year - without development
- 2023 Opening Year – with development

The assessment concludes that the impact of the future development on the chosen twelve receptors will be '*not significant*' with regards to both NO<sub>2</sub> and PM<sub>10</sub> concentrations, with none of the receptors experiencing greater than a 1% increase relative to the Air Quality Assessment Level.

That being said there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that

mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. Mitigation measures have been proposed by the developer, as a result of the development being scoped with this office prior to the submission of the outline application. These are in the form of a Travel Plan and a suitable number of electric vehicle charging points per unit. On this basis the Environmental Health Officer has no objection to this proposed development.

### Lighting

A condition will be imposed to secure details of any external lighting. This will ensure that any lighting does not detract from the character of the area, residential amenity, or biodiversity.

### Contaminated Land

A Phase I Preliminary Risk Assessment and a Phase II ground investigation (comprising a contaminated land risk assessment and a factual report) have been submitted in support of the planning application. The Phase I PRA was reasonable and identified most of the potential contaminant linkages for the site.

The Phase II Assessment sought to further explore and assess the identified contaminant linkages. The intrusive investigation positions have been generally well distributed across the site. However the Environmental Health Officer has queried a number of aspects of the Phase II Assessment and has suggested that a condition is imposed in relation to an updated Phase II Ground Investigation, submission of a verification report, details of any soil imported onto the site and further mitigation if any contaminated land not previously identified is found on the site.

### **Design**

Policy SE1 of the CELPS advises that proposals should make a positive contribution to their surroundings in terms of sense of place, design quality, sustainable architecture, liveability/workability and safety.

The application is in outline form with the matters of the access and layout to be considered at this stage. Within the application and this report there is reference to indicative matters which have been submitted in relation to the scale (including height of the development), landscaping and appearance. It should be noted that all 3 of these matters will be determined at a later date as part of any reserved Matters applications.

As part of this application concerns have been raised over the layout of the development in terms of the footprint of the units and the siting in proximity to Crewe Road/the residential properties opposite (other concerns were raised over the effectiveness of the landscape buffer and the height of the scheme – as stated above these issues are not for determination as part of this application). In response to these concerns the layout has been revised and the larger unit has been subdivided and set back from Crewe Road, with an increase in the landscape width together with further information (see landscape section below), whilst the maximum height of the proposed buildings have been reduced on the indicative plans from 16m to 13.5m.

On balance it is now considered that the submitted details are acceptable and would comply with Policies SE.1 and LPS25. The detailed design and scale of the development will be considered at a later date.



## Archaeology

In accordance with LPS 25 the application is supported by a Historic Environment Desk-Based Assessment which was produced in consultation with the Cheshire Archaeology Planning Advisory Service (APAS). The advice given by APAS is that any flood works required within the development will be considered for a targeted programme of archaeological mitigation (watching brief), which will concentrate on the construction of any flood works which are likely to affect alluvial deposits around the stream. This will provide an opportunity to observe and record any archaeological deposits and sample any suitable deposits in the alluvium for palaeo-environmental assessment and, if appropriate, further analysis. This work will be secured as a condition of planning consent'.

Therefore the Councils Archaeologist has confirmed that it would not be reasonable to object to the development on archaeological grounds, and it is advised that if planning permission is granted for this or any other similar scheme, the site should be subject to a programme of archaeological mitigation. The work may be secured by the imposition of a planning condition.

## Landscape

A Landscape and Visual Impact Assessment has been submitted as part of the application, this indicates that it has been based on the Guidelines for Landscape and Visual Impact Assessment, third edition (GLVIA3). The application site comprises three fields bound to the north by Crewe Road to the north and residential development, to the south the railway line and south of this Radway Green Business Park.

The assessment identifies the National Landscape Character, NCA61: Shropshire, Cheshire and Staffordshire Plain in this case, and the regional landscape character, which is the Lower Farms and Woods Character Area and specifically LFW7: Barthomley. The assessment also offers a more local landscape character analysis of the site and surrounding study area.

This landscape has no designations and that there is no public access across the site. The landscape assessment identifies that it is of medium sensitivity and that during construction there would be a minor magnitude of change and a minor adverse significance of effect, and that this would remain upon completion. The visual assessment identifies 8 viewpoints and offers an assessment of the significance of effects during construction and at completion. This identifies a major magnitude of change and moderate significance of effect for pedestrians, road users and residents of Holly Tress Hotel at viewpoint 1 (Crewe Road); and a major magnitude of effect and major adverse significance of effect for viewpoint 2 (residents along Crewe Road); the remaining viewpoints have lesser magnitudes of effect and significance of effect.

The Councils Landscape Architect has stated that he would broadly agree with the landscape and visual assessments that have been submitted. The Councils Landscape Architect stated that the landscape proposals along the brook and southern part of the site are acceptable, but the visual assessment identifies that there will be significant visual effects for residents of properties located along Crewe Road and slightly lesser visual effects for the Holly Trees Hotel and users of Crewe Road.

It is acknowledged that there are some limitations due to the location of the overhead power line. However this is localised and a well designed landscape strategy and plan along the northern boundary could very easily reduce the visual effects after a period of completion.

As a result of these concerns the landscape parameters plan was amended to move the proposed units further south to create a greater landscape buffer, the provision of mounding along the northern boundary with Crewe Road, revised planting to the mound and additional landscaping details (native hedgerow transplants 60-90cm high to be maintained at 1.5-2 metres and trees to be extra heavy standards at approximately 5-6m in height at planting with an ultimate height of 15m plus. Extra heavy standard trees at 9m centres and punctuated with Silver Birch and Rowan (ultimate height 15m plus and 10m).

The illustrative masterplan identifies that the development will include an approximately 10m wide strip for mounded landscaping. The revised details are now considered to be an acceptable solution in the view of the Councils Landscape Architect.

### **Trees/Hedegrows**

The site is agricultural land south of Crewe Road. There is substantial tree cover on and adjacent to the site, mainly associated with the Valley Brook which runs through the site. The submission includes an Arboricultural Impact Assessment (AIA) which records a survey of 51 individual trees, 18 groups of trees and four hedges.

As an outline application with access and layout to be determined, arboricultural impacts of development of the site need to be assessed for these aspects.

On the basis of the Proposed Illustrative Masterplan the AIA identifies the loss of a hedgerow (H1 approx. 130 metres in length which runs at right angles to Crewe Road) and a group of 2 Oak trees (G1 adjacent to H1). The two Oak trees in G1 are reported to be in relatively poor condition as a result of past unsympathetic pruning to obtain clearance from an overhead electricity line. One of the trees has a fractured stem. Both specimens are deemed to have a short safe life expectancy.

Indicative landscape proposals show new tree planting across the site and in the AIA recommendations are made in respect of respecting root protection areas and construction exclusion zones, tree protective fencing and the future provision of services.

The provision of the point of access point from Crewe Road as proposed should have no arboricultural implications.

In addition to impacts identified in the AIA, it appears that the internal access route would encroach very close to the root protection area of a mature Willow tree (T20). Whilst existing and proposed levels plans have been provided for the whole site at 1:2000 scale, it is difficult to establish the finer detail in relation to retained trees. Unfortunately, the sections provided do not show the closest pinch points in relation to trees along the watercourse corridor and do not appear to show proposed surface water attenuation proposals between the development and the corridor. It appears that the RPA of Willow tree (T20) may be impacted by ground works. In this case it should be noted that the tree is afforded Grade C (Low Quality and Value) in the survey and has

less than 10 years anticipated safe life expectancy. Conditions could be attached to secure the long term management and retention of existing tree cover and new tree planting.

### Hedgerow Regulations 1997

Where proposed development is likely to result in the loss of existing agricultural hedgerows which are more than 30 years old, a Hedgerow Removal Notice would be normally required under the Hedgerow Regulations 1997. Therefore, for completeness in the assessment and determination of a planning application, where hedge loss is involved it is considered the hedge should be assessed against all the criteria in the Hedgerow Regulations 1997 in order to ascertain if it qualifies as 'Important'. The Regulations require assessment on various criteria including ecological and historic value. Should any hedgerows be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

The applicants have now provided a historic assessment of the mature hedgerow proposed for removal as part of the development. The findings of the assessment indicate that the hedgerow qualifies as 'Important' under the criteria in the Regulations on the basis that it marks a boundary which forms part of a field pattern predating the Enclosure Act of 1845.

The impact on an 'Important' hedge is a material consideration as referred to in the justification to Policy SE5 of the CELPS. This issue is not considered to be determinative given the allocation of the site under Policy LPS 25 and replacement planting will be secured through the imposition of a planning condition.

## **Ecology**

### Statutory Designated Sites

Policy LPS 25 states that it will only be developed where it can be demonstrated that there is no adverse impact upon the Midland Meres and Mosses Phase 2 Ramsar and Oakhanger Moss SSSI (particularly in relation to changes in water levels and quality and recreational pressures). This should include a Habitat Regulations Assessment of the direct impacts of the development on the features of special interest.

Natural England has been consulted on this application and they have advised that in terms of the Midland Meres & Mosses Phase 2 Ramsar that they have no objection to the proposed development. In terms of the Oakhanger Moss SSSI Natural England consider that the development will not damage or destroy the interest features for which the site has been notified and that no objection is raised.

As a result of the comments from Natural England the proposed development is not likely to have an adverse impact upon the features for which the site was designated and so an Appropriate Assessment under the Habitat Regulations is not required.

Under regulation 61 of the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects'. This assessment has been undertaken and is available to view on the application file. This assessment concludes that the proposal is not likely to have a

significant effect on a European protected site wither alone or in combination with other plans or projects.

### Great Crested Newts

This protected species is unlikely to be present on site or affected by the proposed development.

### Other Protected Species

Other Protected Species have been recorded as occasionally being active on site. The Councils Ecologist has advised that the proposed development is not likely to have an impact upon this species. A suggested condition requires an updated survey to be submitted in support of any future reserved matters application.

### Water Voles and Otter

No conclusive evidence of these species was recorded on site, although there remains the possibility that otter may occur at this site on an occasional basis and there also remains a low risk that water vole may occur on site.

As the site does not provide any opportunities likely to be used as otter as places for shelter/protection and the development is required to provide an undeveloped buffer adjacent to the stream. The Councils Ecologist advises that the development of this site is unlikely to result in an offence under the Habitat Regulations in respect of otters or have a major impact on water vole. Any reserved matters application at this site should be supported by an updated survey for these species in case the status of these species on site changes.

### Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The proposed development is likely to result in the loss of a significant length of hedgerow with a co-responding loss of biodiversity. If outline planning consent is granted it must be ensured that a substantial length of compensatory planting is provided to address this loss.

### Trees with bat roost potential

A number of trees have been identified on site as having potential to support roosting bats. Two such trees are likely to be removed as part of the proposed development. No evidence of roosting bats was observed at these trees during the submitted surveys and consequently there is no indication that roosting bats would be affected by the proposed development. In the event that planning permission is granted a condition should be attached to avoid any impacts on foraging and commuting bats in terms of external lighting.

### Reptiles

Reptiles are known to occur in this broad locality of this site. However the application site supports limited opportunities for this species group. The Councils Ecologist advises that the low level potential impacts of the proposed development can be mitigated by the implementation of Reasonable Avoidance Measures as recommended by the submitted ecological assessment.

Furthermore the habitat creation measures for this site could potentially lead to enhancement of the available habitat for this species group.

### Barn owls

Barn owls are known to occur in this locality. Following the receipt of additional information the Councils Ecologist has confirmed that roosting/nesting Barn Owls are unlikely to be affected by this development.

### Ecological Mitigation and enhancement condition

If planning permission is granted a condition could be imposed to enhance the biodiversity value of the proposed development.

### **Energy Efficient Development**

Policy SE 9 (Energy Efficient Development) of the CELPS sets out that;

*“non-residential development over 1,000 square metres will be expected to secure at least 10 per cent of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable.”*

It is considered reasonable to impose a condition on any planning approval for the submission of energy saving requirements in line with the above.

### **Flood Risk/Drainage**

The application site is located largely within Flood Zone 1 (low probability of flooding) although an area of land either side of the existing watercourse is located within Flood Zone's 2 (medium probability of flooding) and 3 (high probability of flooding). The built form of the proposed development (the warehouses, service yard and car parking) would all be located outside the 1:100 +30% climate change revised flood zone.

In this case the Environment Agency has stated that the development will meet the requirements of the NPPF if the mitigation measures identified within the Flood Risk Assessment (FRA) are implemented. The proposed mitigation measures are as follows;

- Provision of compensatory flood storage to be provided, to mitigate for the loss of floodplain due to infilling works on the proposed development.
- Finished floor levels of proposed buildings are to be set at the relevant 100 years plus climate change fluvial flood level, plus a 600mm freeboard allowance.
- Levels of proposed access roads, parking areas etc. are to be set at the relevant 100 years plus climate change fluvial flood level, plus a 300mm freeboard allowance.

The Councils Flood Risk Manager and United utilities have also been consulted as part of this application and have raised no objection to the proposed development subject to the imposition on planning conditions. As a result the development is considered to be acceptable in terms of its drainage and flood risk implications.

### **Proximity to a Licensed Explosive Facility**

The proposed development falls within the vulnerable building consultation zone of the nearby licensed explosives facility (BAE Systems). It is advised by the Health and Safety Executive (HSE), that the term 'Vulnerable Building' means a building or structure of vulnerable construction as set out below:

- a) a building of more than three storeys above ground or 12m in height constructed with continuous non-load bearing curtain walling with individual glazed or frangible panels larger than 1.5sqm and extending over more than 50% or 120sqm of the surface of any elevation;
- b) a building of more than three storeys above ground or 12m in height with solid walls and individual glass panes or frangible panels larger than 1.5sqm and extending over at least 50% of any elevation;
- c) a building of more than 400sqm plan area with continuous or individual glazing panes larger than 1.5sqm extending over at least 50% or 120sqm of the plan area; or
- d) any other structure that, in consequence of an event such as an explosion, may be susceptible to disproportionate damage such as progressive collapse.

In the case of these proposals the materials, design and scale of the buildings are reserved matters and not to be determined at this time, therefore a refusal on these grounds could not be sustained.

The applicant should engage in discussions with HSE to ensure that the reserved matters application proposes buildings that would be acceptable in this context.

### **Ground Levels**

The application includes some information in relation to the existing and proposed land levels and whilst it appears that these would respect the existing levels on the site it is difficult to conclude given the scale of the submitted plan. Detailed proposals and cross-sections will be required and these will be secured as part of a condition to require details to be submitted as part of each Reserved Matters application.

### **CIL Compliance**

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations to consider the issue of whether the requirements within the S106 satisfy the following:

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

The development would result in increased public transport and there is a need to improve the non-motorised connectivity to this site. In order to increase capacity and public transport facilities as well

as pedestrian crossing connectivity which would support the proposed development, a contribution towards public transport/pedestrian crossing connectivity provision is required. This is considered to be necessary and fair and reasonable in relation to the development and would comply with the requirements of LPS 25.

### **CONCLUSION**

The principle of development is considered to be acceptable and the site is allocated for employment development under LPS 25 of the CELPS

The development will not have a detrimental impact upon residential amenity (including for future occupants of the approved development to the north).

The impact upon air quality has been assessed as part of this application and subject to the imposition of planning conditions the development would comply with Policy SE 12.

Details of the proposed landscaping would be secured at the reserved matters stage and a condition will be imposed to secure the details along the northern boundary as part of the first Reserved Matters application. The proposed development is considered to comply with the requirements of Policies SE 4 and SE 5.

With regard to ecological impacts, the development would not impact upon the Midland Meres and Mosses Phase 2 Ramsar and Oakhanger Moss SSSI or protected species/biodiversity (subject to the imposition of planning conditions. The development complies with the requirements of policies LPS 25 and SE 3.

The development would not have significant drainage/flood risk implications and complies with Policy SE 13.

The development is acceptable in terms of its impact upon trees on this site and replacement planting will be secured. This development will comply with Policy SE 5.

On balance it is considered that the proposed development demonstrates that an acceptable design solution can be secured in accordance with Policy SE 1. However this is a Reserved Matter and the final judgement will be made at that stage.

The impact in terms of the proximity to the licensed explosive facility the matter will be dealt with at the reserved matters stage.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. This is in accordance with policies LPS 25 and CO 1.

The development of the site would provide a number of economic benefits in terms of job creation and during the construction phase of the development.

### **RECOMMENDATION:**

That the application be approved subject to referral to the Secretary of State, subject to the completion of a Section 106 Agreement securing the following planning obligations:

<b>S106</b>	<b>Amount</b>	<b>Triggers</b>
<b>Bus Infrastructure/Pedestrian Crossing Connectivity</b>	<b>£120,000</b>	<b>50% prior to commencement and 50% prior to first occupation.</b>

And the following conditions;

1. Standard Outline 1
2. Standard Outline 2
3. Standard Outline 3
4. Approved Plans
5. The first reserved Matters application to include structural mounded landscaping along the entire northern boundary of the site (minimum 10m wide)
6. External Lighting details to be submitted and approved prior to installation
7. Contaminated Land and updated Phase II Ground Investigation and Risk Assessment to be submitted and approved.
8. A Verification Report to be submitted and agreed
9. Details of any soil imported onto the site to be submitted
10. If contamination not previously discovered is found then works shall stop and further mitigation shall be submitted and approved.
11. Travel Plan to be submitted and agreed
12. Each Reserved Matters application shall include details of Electric Vehicle Infrastructure to serve each unit
13. Construction Management Plan to be submitted and agreed
14. Each Reserved Matters application shall include details of how each unit will secure at least 10 per cent of its predicted energy requirements from decentralised and renewable or low carbon sources
15. Each Reserved Matters application to include an updated assessment for Badgers, Kingfisher, Otters and Water Vole
16. The Reserved Matters applications shall include replacement hedgerow planting to replace the hedgerows lost and additional tree planting
17. Compliance with the Reasonable Avoidance Measures contained within the submitted Ecological Assessment
18. Any future reserved matters application to be supported by a strategy for the incorporation of features to enhance the biodiversity value of the proposed development.
19. Each Reserved Matters application to include a scheme for the long term retention and management of the existing tree cover
20. Each Reserved matters application to include an Arboricultural Impact Assessment
21. Each Reserved matters application to include Tree Protection Details
22. Each Reserved Matters application to include comprehensive details of all proposed service routes and drainage with routes to be outside the root protection areas of retained trees.

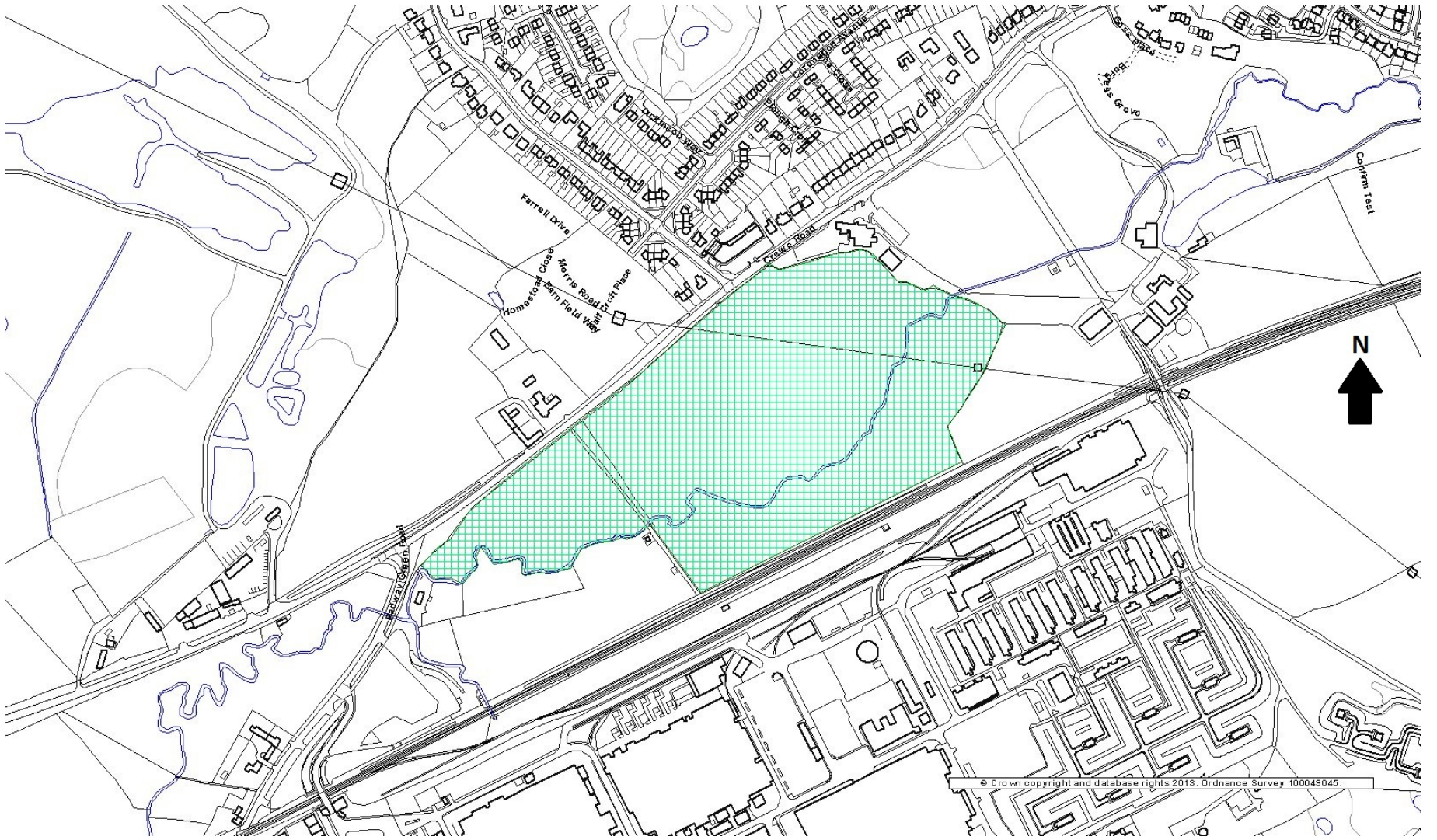


- 23. Each Reserved Matters application to include details of existing and proposed levels and cross sections
- 24. Prior to the first occupation of each unit details of the location and specification of fixed mechanical plant to be submitted and approved.
- 25. The development shall be carried out in accordance with the FRA
- 26. Scheme for the provision and management of an 8m buffer along Valley Brook
- 27. Detailed design strategy for surface water drainage 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 Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

If the application is subject to an appeal approval is given to enter into a S106 Agreement with the following Heads of Terms;

S106	Amount	Triggers
Bus Infrastructure/Pedestrian Crossing Connectivity	£120,000	50% prior to commencement and 50% prior to first occupation.



Application No: 18/1369N

Location: Royal Hotel, 7, NANTWICH ROAD, CREWE, CW2 6AG

Proposal: Demolition of redundant outbuildings and the erection of a 6 storey multi-storey car park with up to 243 spaces including a car wash to the rear.

Applicant: N/a, Property Capital Plc.

Expiry Date: 25-Oct-2018

**SUMMARY**

This is a full application for the development of a 6 storey, multi-storey car park containing 243 car parking spaces to the rear of the Royal Hotel which is a locally listed building. A range of outbuildings and structures, including “The Box” nightclub/venue will be demolished to facilitate the development. During the course of the application the design, scale and, massing of the development has been substantially revised from that originally proposed.

The proposed development of a multi-storey car park on this site to serve Nantwich Road shopping area and for station users is considered to accord with the objectives of Policy LPS 1 (Central Crewe Strategic Location). This is in view of the current planning context, where the Area Action Plan and detailed proposals in relation to the delivery of the HS2 Station Hub are at a very early stage in preparation and can consequently be given very little weight at this time.

It is considered that the amended proposals are of acceptable siting and design which would neither compromise the character or setting of the locally listed building, or constitutes an unduly dominant feature within the local townscape. Although the multi-storey car park is a large building, it is of a scale which still achieves an acceptable relationship with the Royal Hotel and would not undermine its historic significance.

In addition, the associated refurbishment of the hotel and the provision of new facilities accommodated within the rear extension will also help ensure the continued use and future retention of this locally listed building.

Whilst the development will result in additional traffic movements on the local highway network, including significant impact on the junction of Mill Street and Nantwich Road, this is insufficient to justify the refusal of the proposals.

The impact upon air quality has been assessed as part of this application, and subject to the imposition of a planning condition the development would comply with Policy SE 12 point 1.

The development would have a neutral impact upon the living conditions of local residents, ecology and contaminated land.

The proposals are therefore considered to be a sustainable form of development in accordance with the Development Plan and national policy.

**RECOMMENDATION:**

**APPROVE Subject to conditions**

**REASONS FOR DEFERRAL**

The application was deferred by at the meeting of the Strategic Planning Board on 24<sup>th</sup> October 2018 for the following reasons;

- Reconsideration of the design and external appearance of the building
- Further information of proposed highway improvements in the locality

The applicant has submitted further details of the decorative cladding and details of the elevational treatments of the building. In particular a flatter grey tone for the main cladding panels is proposed and copper coloured detailing and panels have been introduced. The revised detailing is shown on updated CGIs and amended drawings for the scheme. In addition, the rooftop parking layout has been amended which removes car parking spaces adjacent to the east elevation to avoid parking being unduly visible from the direction of the Station.

Further information has been provided by the Strategic Infrastructure Manager of proposed highway improvements within the locality of the site and included within the Council's Infrastructure Delivery Plan . These relate to improvements in the efficiency of junctions, which involve making the northern end of Gresty Road one-way southbound only and enabling the removal of the signal-controls at the junction of Gresty Road with Nantwich Road. An additional lane will be provided for traffic turning left from South Street into Nantwich Road. The left-turn from Mill Street into Nantwich Road will be prohibited, and traffic will instead be routed through Pedley Street. At present, Pedley Street has a sharp bend which is prohibitive for two-way traffic, and hence the need for a small parcel of land within the application site to be acquired by the Council.

However, the Strategic Infrastructure Manager has advised that the impact on the existing highway network as a result of traffic movements generated by the proposed car park would be insufficient to warrant refusal of the proposals in advance of the delivery of these highway improvements. Consequently, the future delivery of the proposed highway improvement scheme has no bearing on the consideration of this planning application.

**PROPOSAL:**

This is a full application for the development of a 6 storey, multi-storey car park containing 243 car parking spaces. A car wash facility is proposed on the western side of the building and parking for 28 cycles is provided on the ground floor.

During the course of the application the design, scale and massing of the development has been substantially revised from that originally proposed. The building has been reduced in height by two full storeys resulting in 142 fewer car parking spaces and a lighter weight elevation treatment proposed for its upper levels.

The proposal involves the removal of structures and outbuildings to the rear of the Royal Hotel, including “the Box” on Pedley Street. A single storey extension is also proposed to the rear of the hotel to create ancillary hotel space incorporating kitchen and storage facilities.

The multi-storey car park would be accessed from Pedley Street (East) and egressed from Pedley Street (north).

The ground floor of the building will have a red brickwork faced plinth and the upper levels are proposed to be clad with a combination of perforated panels with vertical copper coloured panels.

### **SITE DESCRIPTION**

The application site is located on a corner plot behind the Royal Hotel and the adjoining row of commercial properties which front onto Nantwich Road.

The Royal Hotel is a locally listed building located on the prominent corner of Nantwich Road, at its junction with Pedley Street. The building is characterised by its highly ornate brick facade which is visible from the forecourt of Crewe Station to the east.

The site is occupied by a range of outbuildings, including The Box music venue. These buildings were successively added to the rear of the hotel over the years and are of little architectural quality, particularly as these have been subject to extensive alteration. The site also includes an area of hard standing to the rear of the hotel premises used as car parking and accessed from Pedley Street.

Extensive areas of surface car parking adjoin the western boundary of the site behind commercial properties of Nantwich Road, and also to the north of the site on the opposite side of Pedley Street.

### **RELEVANT HISTORY**

None relevant

### **POLICIES**

#### **Cheshire East Local Plan Strategy**

LPS1 - Central Crewe

PG1 - Overall Development Strategy  
PG2 - Settlement Hierarchy  
PG7 - Spatial Distribution of Development  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE 1 - Design  
SE 2 - Efficient Use of Land  
SE 3 - Biodiversity and Geodiversity  
SE12 - Pollution, Land Contamination and Land Instability  
SE 13- Flood Risk and Water Management  
SE7 - The Historic Environment  
IN1 - Infrastructure  
EG1 - Economic Prosperity  
CO1 - Sustainable Travel and Transport

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

### **Crewe and Nantwich Replacement Local Plan**

The relevant Saved Policies are: -

NE.9 (Protected Species)  
NE.20 (Flood Prevention)  
BE.1 (Amenity)  
BE.3 (Access and Parking)  
BE.4 (Drainage, Utilities and Resources)  
BE.6 (Development on Potentially Contaminated Land)  
BE.13 (Buildings of Local Interest)  
BE.21 Hazardous Installations  
CF.3 (Retention of Community Facilities)  
S.9 (Nantwich road, Crewe)  
TRAN.7 (Crewe Railway Station)

### **Other Considerations:**

National Planning Policy Framework

### **CONSULTATIONS:**

**United Utilities:** No objection subject to the imposition of planning condition.

**Highways:** No objection subject to condition requiring Construction Management Plan.

**Flood Risk Manager:** No objection subject to a condition requiring details of surface water drainage scheme.

**Environmental Health:** Conditions suggested in relation to piling, dust control, floor floating, Construction Environmental Management Plan, Electric Vehicle charging, lighting and contaminated land. Informatives suggested in relation to contaminated land and construction hours.

**Cadent/National Grid:** No objection subject to informatives.

**Health & Safety Executive:** No objection

**VIEWS OF THE PARISH/TOWN COUNCIL:**

**Crewe Town Council:** Comments as follows;

*Council reiterates the need for such facilities to be compatible with the emerging Crewe Master Plan and recognises the need for extra parking space to support the opportunities afforded by HS2.*

*Council expresses concern in relation to the impact on air quality of the development which will impact on an existing AQMA. Council seeks assurances that there will be no detrimental impact and welcomes enhancements such as spaces for the charging of electric vehicles.*

*The impact on congestion and general highways issues is a major concern and the development would not be unacceptable unless it sits within a new scheme to manage traffic in an area that is already heavily congested and affect by air pollution.*

*Council is mindful of sustainable transport policies and would support improved public transport and other sustainable means of travel rather than over reliance on the use of motor vehicles.*

*Council would welcome a design that provides a bold and imaginative façade that projects a positive and quality image of Crewe.*

Further comments have been received after consideration of revised plans;

*“Crewe Town Council has looked at the revised plans it received in September 2018. It considers that the comments made on the original submission remain valid. The Council sought assurance that there will be no detrimental impact on Air Quality Management Areas. It notes that the revised Air Quality Assessment submitted by the applicant concludes that there will be moderate adverse impact on receptors R3 and CE203. It believes that no worsening of air quality is acceptable in areas already exceeding safe limits, and therefore remains of the view that the development would only be acceptable if it sits within a new scheme to manage congestion in this area.*

*The revised proposals are still too dominant and, if approved, a further height reduction of 1 storey is required to minimise impact on the Hotel which is an important locally listed building, and probably the first public building in Crewe.*

*The heritage impact study is incorrect about the age of the Hotel. The building was first constructed in the early 1840s and subsequently extended. It is noted that the highways*

*officer has referred to the dedication of land to the adopted highway as mitigation. It is not clear what land is being referred to or how it relates to the submitted plans. The Town Council would like to know precisely what is being proposed, given the existing traffic problems in this area”.*

## **REPRESENTATIONS:**

7 Representations have been received objecting to the application, raising the following concerns;

- Development of unacceptable design and out of keeping. A high quality design is required as site is close to proposed Crewe hub station
- Double tier parking should be provided at existing car park off Weston Road next to the station
- Adverse impact on residential amenity with overlooking from the car park,
- Loss of amenity and increased noise.
- Increase in traffic and congestion in locality
- As the multi-storey car park will be chargeable this will not be used by commuters and not address on-street parking issues
- Noise from queuing cars and the car wash.
- Will worsen air quality in Air Quality Management Area
- No need for car wash given existing facilities locally
- should be investing in integrated, healthy public transport for sustainable growth connected to HS2
- Loss of live music venue and cultural hub (i.e. 'The Box' live music venue and 'Colossus Recordings' recording/rehearsal studios.
- Car-use should be discouraged for the sake the environment and for local congestion issues. A multi-story car-park would be a retrograde step and instead, public transport should be encouraged, including the re-instating of bus services

A letter of objection has also been received from Cllr Jill Rhodes on the following grounds;

*“The Royal Hotel is a listed building and is one of a group of buildings in this area, e.g. the bank building a few meters away. In any other town this area would be designated as a conservation area.*

*The planning authority has a duty to safeguard these buildings and to ensure that they are surrounded by buildings that enhance their significance. This proposal for a car park does not enhance the building in any way*

*The materials chosen do not meet the design guide which clearly states brick as the primary material. The refusal of a nearby planning application confirms this. The materials are totally inappropriate for the area.*



*The height of the proposed car park is overbearing and visible from not only Pedley Street but also Nantwich Road. The builders of Rail House recognised the importance of the height of buildings near these listed buildings when they built Nantwich House, which fronts onto Nantwich Road and is no higher than the Royal Hotel. No building should be higher than the hotel.*

*I would question the traffic survey. It seems to me that a significant car park has been omitted from the survey, the Virgin Station Car park. The surrounding pay and display car parks are frequently under used, suggesting there is plenty of car parking for those who wish to pay. The nearby streets are clogged with those who do not wish to pay.*

*There must be a significant increase in traffic, there are 385 parking spaces. There will also be an increase in standing traffic as the cars queue to use the proposed car wash. Though there are more than enough car washes in the area.*

*There will be a loss of amenity to residents with overlooking from the car park. Increase in traffic, noise from queuing cars and the car wash. The air quality in this air quality management area will be worse.*

*In short this proposal does nothing to enhance the quality of the area in terms of architecture, or ambience and makes things worse for the residents”.*

In relation to the amended proposals Cllr Rhodes has commented as follows;

*“I have already commented on the previous application. I would like those comments to be read in conjunction with these comments. They were around the number of listed buildings in the area. The height of surrounding properties and nuisance to neighbours. This new design has some brick but the grey concrete is still unacceptable in design terms. The car park is still visible above the existing hotel. The reports still fails to recognise the housing on Pedley Street and the nuisance 300 extra cars will have on the amenity of residents. The air quality report admits that this development will make the air quality worse. This are is already an air quality management area”.*

3 representations have been received in support of the proposals on the following grounds;

- Much needed development in Crewe, and hopefully the start of major private development supporting the proposed new Crewe Hub;
  - Business and investment opportunities will be enhanced by the provision of better hotel, parking, and local transport links.
- Parking facilities locally are inadequate, for example, on Crewe Alex match days.
- Reduction of on-street parking
  - New developments are essential for protection of the town's future following years of decline.

## **APPRAISAL**

### **Principle of development**

The site is previously developed within the Crewe Settlement Boundary and the Nantwich Road Shopping area as defined by Policy S.9 the Crewe and Nantwich Local Plan. The site also forms part of the strategic location identified as Central Crewe under CELPS Policy LPS 1 of which the principal objective is maximise opportunities for regeneration and development.

In principle the development accords with elements of CELPS Policy LPS 1 (Central Crewe Strategic Location) in terms of the following;

- Site LPS 1 refers to appropriately sited, rationalised and improved car parking to support town centre uses and the local economy (point 9)
- Provision of new car parking, signage, concourse, public transport interchange and improved station facilities (including ancillary development relating to its use) at Crewe Railway Station (point 13 of LPS 1 Central Crewe)
- Improvements to Crewe Railway Station, including the development of adjacent land for complementary uses, to improve connectivity at this major communications hub (point 19 of LPS 1 Central Crewe)

Furthermore the site adjoins the boundary of the Crewe Rail Gateway Supplementary Planning Documents SPD boundary, which supports the provision of facilities to support the railway station as a gateway location, recognising the importance of appropriate design layout and form.

The Council's Cabinet resolved to consult on the draft HS2 Masterplan Vision for Crewe in November 2017. One of the objectives of the Masterplan Vision is "5. Provide a high quality station environment that sets the bar for development around the station and beyond and provides an exceptional gateway to the constellation partnership and northern gateway".

The Council has subsequently approved an updated Local Development Scheme with effect from the 1 October 2018, which states that a Crewe Station Hub Area Action Plan is to be produced which will set out policies and proposals to manage change associated with the HS2 hub station at Crewe.

However, given the very early stage in the preparation of the Area Action Plan and detailed proposal in relation to the delivery of the HS2 Station Hub and associated infrastructure in Crewe, this can only be given very limited weight in the consideration of planning applications at this time .

The site also lies within the Nantwich Road Shopping designation defined under Saved Policy S.9. This refers to the need for non-retail development having to be complimentary to existing retail uses and not have a detrimental impact on the retail function or residential amenity of the area. it is considered that in principle the proposed development of this unattractive site, which lies behind the main shopping frontage onto Nantwich Road will support and be complementary to the function of the shopping area. The impact on the character of the locality and amenity are specifically addressed below.

The principle of providing car parking provision in this location and is therefore broadly acceptable given the current planning policy position. However , the siting and design of the proposals, the impact on the setting and character the locally listed building, the amenity of local residents and issues arising from traffic generation require careful assessment. These issues are addressed below.

## Design

The importance of securing high quality design is specified within the NPPF and paragraph 124 states that:

*'The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this'*

This is supported by Policy SE1 of the CELPS.

The amended proposals have significantly reduced the massing and scale of the original scheme through the reduction in height of the building by two full storeys, use of lightweight cladding treatment for the upper storeys and the stepping-in of the building alongside Pedley Street.

The Council's Urban Designer has advised that the reduced scale and modified design of the building addresses the original design and heritage concerns which were raised. The amended scheme will not constitute unduly dominant feature within the townscape, and not over dominate adjacent buildings from key view points of the site including the station forecourt and along Nantwich Road. The building is of a scale which will achieve an acceptable relationship with the Royal Hotel and the frontage of buildings along Nantwich Road.

The Urban Designer considers that the revised material choice continues to help to echo the industrial origins of the town and given the local context close to the railway. The perforated cladding also presents an opportunity to enrich the building, particularly at night time and recommended that the cladded sections of the building be used as a 'canvas' for public art. It is also considered that whilst the colour scheme for the perforated cladding is of a darker metallic shade rather than silver, the final detail/colour should be controlled by a condition.

Although the pedestrian entrance, lift and stair cores remain in the locations originally proposed for reasons of accessibility and safe escape, the visual impact of elements visible at roof level has also been reduced in height by 1.5 metres, and faced with translucent cladding. In accordance with the advice of the Urban designer, the parking layout has been amended (Level 5) to ensure that parking spaces are set back from the east elevation to avoid parking being unduly visible (particularly during darkness) from the direction of the station.

The development is of a siting and design which will not have an adverse on the appearance or character of Pedley Street, given the reuse of an unattractive area of surface parking and removal of existing buildings of no architectural merit. A condition is however recommended requiring details of the treatment for areas of public realm adjacent to the entrance of the car park.

## Built Heritage

Policy SE7 The Historic Environment requires that all new development conserve and enhance the historic environment and seek to avoid harm to heritage assets and make a positive contribution to Cheshire East's historic and built environment. In relation to non-designated assets criterion 3.b.i. requires the impact of proposed development should be properly considered, with a balanced consideration, weighing direct and indirect impacts upon the asset and its setting, having regard to the scale of any harm or loss, with a presumption that heritage assets will be conserved.

The Royal Hotel is a locally listed building and therefore constitutes as a nondesignated heritage asset.

In relation to the original proposals the Conservation Officer raised significant concerns as regards the impact of the proposal on the setting and character of the Royal Hotel given the excessive scale and massing, and also the design of the originally proposed development.

The amended scheme is considered to achieve an acceptable relationship with the scale of the Royal Hotel and its simple, contemporary design acts as a contrast to and does not seek to imitate the ornate, opulent character of the locally listed building. This helps to emphasise the locally listed building as the key built element of the grouping. The brick plinth at the base of the building will help to ensure a robust, anchored character and will tie into the brick and terracotta façades of the Royal Hotel.

It is considered that the proposal would not lead to any significant harm to the fabric of the Royal Hotel from the loss of the elements to the north, as this does not represent the principal 'dressed' frontage architecturally. Although these elements are later additions to the rear of the hotel and are of little architectural merit, a condition is recommended requiring their written recording prior to demolition.

The proposed single storey extension accommodating enhanced facilities for the hotel are of a siting and design which would not be harmful to its character of appearance.

It is considered that the proposals will not undermine the historic significance of the Royal Hotel, which primarily relates to the architectural interest of its principal elevations, and not impede or obstruct key views of this locally listed building. The proposal also improves the setting of the hotel through the repair and containment of the Pedley Street frontage and the removal of unattractive car parking.

### **Highways**

A Transport Assessment and subsequent update has been submitted in support of the proposals and assed by the Councils Highway Engineer.

### **Sustainable access**

The site is already established and the footway and pedestrian crossing infrastructure in place which provides access to the wider Crewe area and its services and amenities, and public transport options.

There is cycling infrastructure also including the National Cycle Route 415 which passes the site on Nantwich Road.

### Safe and suitable access

There have been around 20 recorded traffic accidents within close proximity of the site on Nantwich Road including a fatality that took place in 2013. This is a busy part of the highway network with high vehicle numbers, pedestrian activity and crossings, and cycle lanes, and a large number of the accidents are due to human error. There is a highways scheme within the Infrastructure Delivery Plan (IDP) to improve operation of the network at this location.

### Network Capacity

To identify the peak hour demand of the proposal the applicant has undertaken car park surveys of the existing car park and the adjacent Pedley Street car park, both of which have a combined capacity of just over 100 spaces.

The surveys and associated trip rates indicated that the development would generate around 100 vehicle trips during the weekday AM peak hour; 160 trips in the PM; and 120 during the Saturday afternoon peak hour.

The development flows have been distributed according to the existing traffic proportions. The methodology has forecast a disproportionately low number of additional vehicle movements through the Nantwich Road/Mill Street junction when compared to the existing flows. This junction has been assessed with standard software for a design year 2023 but has not been validated.

Nevertheless, the Strategic Infrastructure Manager considers that the model still shows the development to have a significant impact upon the operation of the junction, although it is not considered that such increased vehicle movements would justify the refusal of the application.

However, to facilitate a future highway improvement scheme for the network which will address capacity issues at this junction, and is included within the Council's Infrastructure Delivery Plan, a small parcel of the applicants land adjacent to Pedley Street is required to be dedicated as public highway. The Strategic Infrastructure Manager has confirmed that a land dedication agreement has been entered into between the applicant and Cheshire East Council, allowing the land to be released on the granting of planning permission.

It is also recommended that to mitigate the highway impact of activities and vehicle movements and activities associated with the development of the car park, that a condition is imposed requiring the submission of a Construction Management Plan.

### **Residential Amenity**

The main residential properties affected by this development are located alongside Pedley Street to the west. At its closest point, the north western corner of the multi-storey car would be sited 26m from the front elevation of the closest dwelling (No.23 Pedley Street). Given the revised height of the development and that it would be sited at an oblique to this dwelling and

not in front of principal windows, this distance is sufficient to prevent any significant harm as a result of overbearing impact, overshadowing or loss of privacy.

It is already the case that extensive areas of car parking are accessed from Pedley Street and noise also arises as a result of the mixed use character of the locality. It is not therefore considered that noise impact from vehicle movements generated by the development would have any greater appreciable impact on the amenities of nearby dwellings.

In addition, the proposed car wash facility is an ancillary facility for use by customers of the car park, and consequently its use will generate very modest noise and no additional traffic itself.

The Environmental Protection team have also raised no objections to the proposals subject to conditions including a construction environmental management plan (CEMP), measures to mitigate the impact of construction and details of lighting,

As a result it is not considered that the proposal would cause significant harm to living conditions of neighbouring properties.

### **Air Quality**

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

Air quality impacts have been considered within the air quality assessment submitted in support of the application. Due to the reduced number of spaces now proposed, an updated assessment was submitted. This followed the same approach as the previous one, i.e. using 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.

Based on the results of the originally submitted assessment, the Environmental Protection Officer objected to the proposals due to the predicted increases in nitrogen dioxide within the adjacent Air Quality Management Area (AQMA), and there being insufficient information submitted to show that the proposed mitigation measures would be sufficient to offset these increases.

However, the updated air quality assessment shows a smaller predicted increase in concentrations due to the reduced number of traffic movements, and has addressed the Environmental Protection Officer's original concerns. It is advised that the provision of electric vehicle charging points for 5% of the proposed parking spaces (12 spaces) will be sufficient to mitigate the impact on local air quality.

Therefore a condition will be imposed to secure Electric Vehicle Charging Point provision, and will ensure that the development would comply with Policy SE 12 point 1.

### **Loss of Community Facility**

Policy CF3 seeks to protect community facilities which make a positive contribution to the social or cultural life of a community, unless suitable alternative provision is made. Previous appeal

decisions which have considered schemes that would result in the loss of a public house, which is considered to be similar to a nightclub/music venue use, have established that where there are other facilities nearby then there are no planning objections to the loss in principle. Appeal decisions make it clear that the consideration is whether there are alternative establishments in the local area not whether they offer exactly the same ambience / facilities as the one which has closed. In addition,

Policy CF3 makes no reference to the need to market an establishment before it is lost or for any considerations regarding viability. Whereas the Council has used such a reason for refusal for other premises in villages, the same considerations do not apply to the loss of venues in a town such as Crewe with other night clubs, public houses and similar facilities in the local area. It is therefore considered that the loss of The Box would not conflict with policy CF3 of the Replacement Local Plan 2011.

### **Nature Conservation**

Since bats are a European Protected Species, it is necessary to ensure that the development which involves demolition of buildings will not result in the disturbance of, or have an adverse impact upon roosting bats.

A bat survey and inspection was carried out by an Ecologist and the buildings were deemed to offer negligible bat roost potential. The Council's Ecologist concurs with the submitted findings and advises that no further surveys are required.

A standard condition is recommended to protect nesting birds during demolition work.

### **PLANNING BALANCE**

The proposed development of a multi-storey car on this site to serve Nantwich Road shopping area and for station users is considered to accord with the objectives of Policy LPS 1 (Central Crewe Strategic Location). This is in view of the current planning context, where the Area Action Plan and detailed proposals in relation to the delivery of the HS2 Station Hub are at a very early stage in preparation and can consequently be given very little weight at this time.

It is considered that the amended proposals are of acceptable siting and design which would neither compromise the character or setting of the locally listed building, or constitute an unduly dominant feature within the local townscape. Although the multi-storey car park is a large building, it is of a scale which still achieves an acceptable relationship with the Royal Hotel and would not undermine its historic significance. Although structures and outbuildings to the rear of the hotel will be demolished to facilitate the scheme, it is considered that this will have benefits in improving the setting of the locally listed building and the overall appearance of the area.

In addition, the associated refurbishment of the hotel and the provision of new facilities accommodated within the rear extension will also help ensure the continued use and future retention of this locally listed building.

Whilst the development will result in additional traffic movements on the local highway network, including significant impact on the junction of Mill Street and Nantwich Road, this is insufficient to justify the refusal of the application.

The impact upon air quality has been assessed as part of this application, and subject to the imposition of a planning condition the development would comply with Policy SE 12 point 1.

The development would have a neutral impact upon the living conditions of local residents, ecology and contaminated land.

The proposals are therefore considered to be a sustainable form of development in accordance with the Development Plan and national policy.

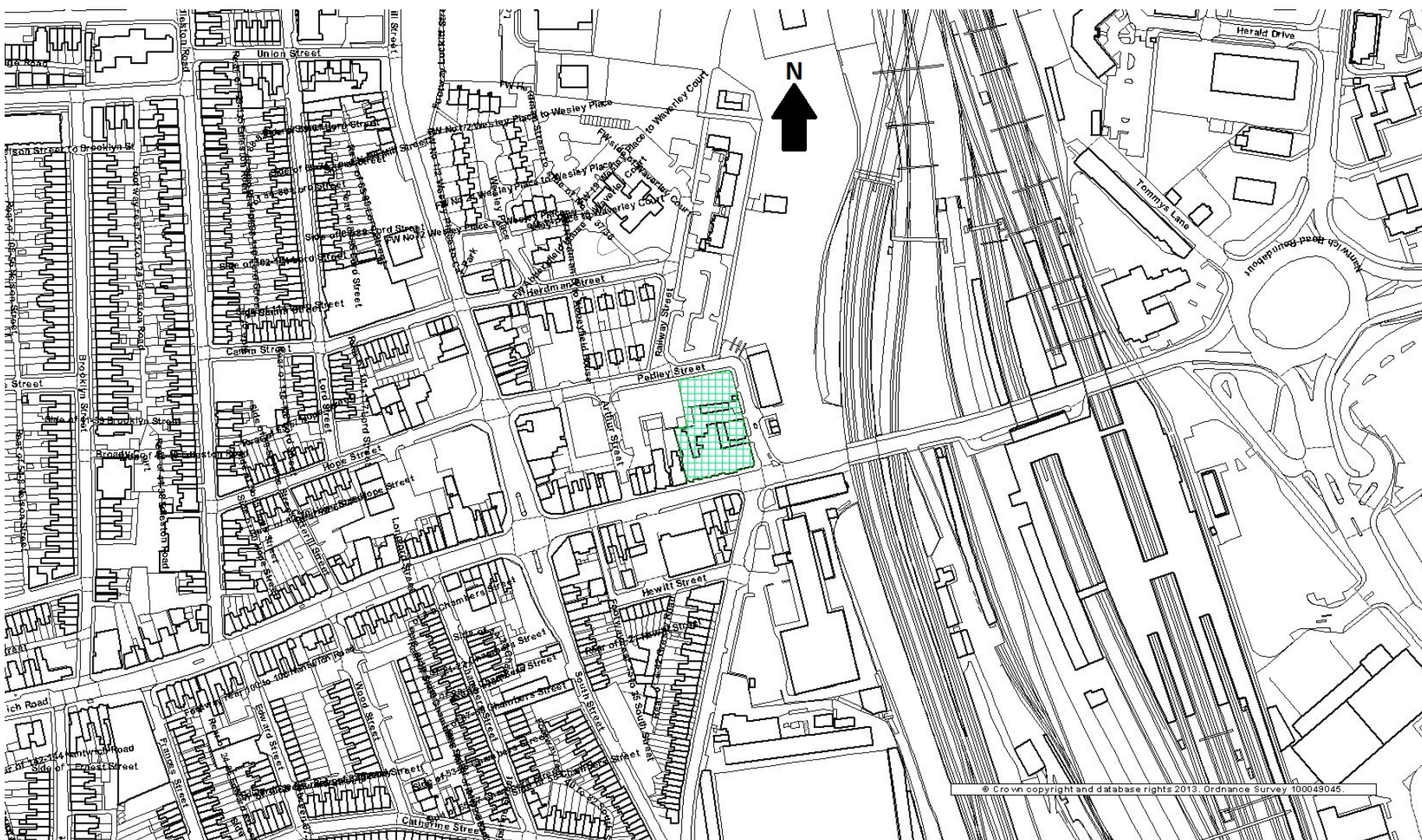
**RECOMMENDATION:**

**APPROVE** Subject to the following conditions;

1. Standard
2. Approved plans
3. Details of all facing and roofing materials and glazed elements
4. Public art scheme for the building
5. Building recording (level 2)
6. Details of lift tower (Royal Hotel)
7. Details of public realm treatments at the entrances to building
8. Contaminated land – submission of a remediation strategy
9. Contaminated land – submission of a verification report
10. Contaminated land – works to stop if further unknown contaminated land is uncovered
11. Electric Vehicle Charging Provision
12. Lighting scheme to be submitted and approved
13. Construction Environmental Management Plan (CEMP)
14. Protection of Nesting birds
15. Details of Surface water drainage
16. Construction 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 Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice





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Application No: 18/4439N

Location: Land on the East Side of, MAIN ROAD, WORLESTON

Proposal: Change of Use to include Golf Driving Range with associated parking

Applicant: Mr & Mrs Need

Expiry Date: 04-Dec-2018

**SUMMARY**

The proposal seeks permission for the change of use of an agricultural piece of land to a driving range. It is considered that the proposed change of use of the land is acceptable in principle in the Open Countryside. The impact of the proposed buildings will be minimal given their height, materials and siting some distance from the road frontage.

The proposal as amended and conditioned will not have a significantly detrimental impact on neighbouring amenity. The proposal will not have a detrimental impact on Highway Safety, Ecology, Trees or landscape impact.

It is therefore considered that on balance the proposal is acceptable and is therefore recommended for approval.

**Recommendation**

**APPROVE** subject to conditions

**DESCRIPTION OF SITE AND CONTEXT**

The application site forms part of an existing agricultural field off Main Road, Worleston. The application site is situated within in the Open Countryside. The surrounding area is largely a mix of agricultural land, and residential properties. Within the wider area there are two hotels, a public house and Reaseheath College.

**DETAILS OF PROPOSAL**

The proposal seeks permission for the change of use of an area of agricultural land to a Golf Driving Range with associated parking. The proposal requires a new access off Main Road and the construction of a 17 bay driving range building, a small Club house, with reception area, toilets, office, physio room and storage area.

## **RELEVANT HISTORY**

No planning history

## **POLICIES**

### **National Planning Policy**

National Planning Policy Framework (NPPF)

### **Cheshire East Local Plan Strategy**

PG6 - Open Countryside  
EG1 – Economic Prosperity  
EG2 – Rural Economy  
SC1 – Leisure and Recreation  
SC2 – Indoor and Outdoor Sports facilities  
SC3 – Health and Well-being  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 – Design  
SE2 – Efficient Use of Land  
SE3 – Biodiversity and Geodiversity  
SE4 – The Landscape  
SE5 – Trees, Hedgerows and Woodland  
SE12 Pollution, Land Contamination and Land Instability  
SE13 – Floodrisk and water management  
CO1 – Sustainable travel and transport

### **Saved Policies of the Crewe and Nantwich Local Plan**

NE.5 – Nature Conservation and Habitats  
NE.9 – Protected Species  
BE.1 – Amenity  
BE.3 – Access and Parking  
NE.20 – Flood Prevention

### **Worleston and District Neighbourhood Plan – Regulation 7**

No plans or policies to date

## **CONSULTATIONS (External to Planning)**

**Environmental Protection** – No objections, subject to conditions for Lighting, Electric Vehicle Infrastructure, Soil Importation, Unexpected contamination and informatics for contaminated land

**Flood Risk** – No objection

## **Strategic Highways Manager - No objections**

**Sport England** – No comments – does not fall within the statutory or non-statutory remit

## **Worlestone and District Council**

Having visited the location, neighbouring property and held a public forum to get input from our parish we wish to object on the following grounds:

1. Road Safety of access to the proposed site
2. Nuisance to neighbours from invasive gold balls on neighbouring property
3. Nuisance to neighbours from light pollution
4. Loss of agricultural open countryside

### **1. Road safety**

The B5074 Main Road at the proposed location is set at the national speed limit with the proposed entrance on the apex of a bend providing line of sight to meet highways requirements for vehicles leaving the site.

However, there is a blind spot for vehicles waiting to enter the site when travelling north from the direction of Nantwich. The proposed Access Arrangement is misleading as the visibility shown cuts through significant hedgerows to the sides of the road. If a vehicle is waiting to turn right into the development, it will not be visible to vehicles approaching from behind travelling at the national speed limit. We believe that this is less than a safe stopping distance.

Section 2.6 of the 'Planning, Design & Access Statement' states 'Whilst the site has a rural character, it is accessible by means other than the private car.' We disagree with this statement as Main Road is not serviced by any public transport. The road has no footpaths and with the volume of 60mph traffic is very dangerous to attempt to walk. We are concerned that students from Reaseheath College will be tempted to walk along Main Road placing themselves at significant risk of injury.

This stretch of Main Road has frequent accidents including a recent fatality. The proposed access will add to the risk of further injury.

2. Nuisance to neighbours from invasive golf balls on neighbouring property. There is a high likelihood of stray golf balls landing on the adjoining property to the north. The land immediately bounding the proposed site is used for horse riding and haylage. Golf balls landing on the property pose a risk to horses and riders, either from being hit or standing on lost balls. It also makes harvesting haylage impractical due to balls damaging cutting machinery or shredded balls contaminating the haylage. The neighbour should not have the use of their own land impacted by the proposed development.

### **3. Nuisance to neighbours from light pollution.**

The majority of tree cover surrounding the site is deciduous. This means that during the winter months when the floodlights are needed there will be limited screening of light glare.

4. Loss of agricultural open countryside.

The proposed development would appear to be low impact to the general appearance of the open countryside but does result in the loss of agricultural land.

If the development were allowed to proceed, we would request that conditions are placed on the land. In the event that the proposed Golf Range is not developed or if at some point in the future ceases to operate, we request a condition that the use of the land revert back to agricultural open countryside.

### **OTHER REPRESENTATIONS**

Letters of objection have been received from approximately 21 properties. The main issues raised;

- Impact on highway safety,
- Light pollution in rural area, (contrary to Floodlighting SPG and Policy DC64 of Macclesfield BLP)
- Noise pollution and impact on neighbours
- Unsustainable location - No public footpath/cycle track therefore car dominated
- Potential impact of golf balls straying into neighbours land, where horses exercise and haylage is harvested,
- The site should be moved to another position on the Need's (applicants family) land further to the south,
- Condition should be attached to ensure land is returned back to agriculture if use fails
- Concerns that there is no netting proposed to safeguard neighbouring land
- Nuisance to neighbouring property
- Number of people use the adjacent land to exercise horses, risk of golf balls harming animals and riders
- The Pony Club use the land for rallies and badge days
- Driving Ranges in the area have a tendency to close down, Alverston 2013, Reaseheath College 2017, Brookfield 2017 – 1 in 3 players gave up their golf membership between 2004 and 2015
- Highway Safety tests were carried out at the wrong time of the year (July) when the college/schools were on holidays, test wires were broken for several days
- Inaccuracies within the Design and Access Statement
- Proposal does not accord with Policy SC 1 and SC 2, or SC 3
- The Parish Council unanimously objected against the proposal

Letters of support have been received from approximately 24 properties. The main issues raised are;

- Driving range is needed in the local area, currently have to drive some distance to other driving ranges
- Will create a new community hub
- Sport provision which is important for health and wellbeing of the community
- Local employers interesting in using the facilities of the Driving Range/compliment existing health club
- Proposal will add to the local tourism and leisure provision in the area
- Driving ranges are compatible with rural areas

## OFFICER APPRAISAL

### Principle of development

The site is located within the open countryside where policy PG 6 sets out, that only development which is essential for agriculture, forestry, outdoor recreation, public infrastructure, essential works undertakers, or for other uses appropriate to a rural area will be permitted. It is therefore considered that the proposed development as a driving range is acceptable in principle within the Open Countryside.

Policy EG2 (Rural Economy) states that *outside the Principal Towns, Key Services Centres and Local Service Centres proposals that, provide opportunities for local rural employment development that supports the vitality of rural settlements; create or extend rural based tourist attractions, visitor facilities and recreational uses (amongst other things), will be supported where the development;*

- *Meets sustainable development objectives as set out in policies MP1, SD 1 and SD 2;*
- *Supports the rural economy, and could not reasonably be expected to locate within a designated centre by reason of their products sold;*
- *Would not undermine the delivery of strategic employment allocations;*
- *Is supported by adequate infrastructure;*
- *Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity;*
- *Is well sited and designed in order to conserve and where possible enhance the character and quality of the landscape and built form; and*
- *Does not conflict with Policies PG3, PG4, PG6, PG7, SE3, SE4, SE5, SE6 and SE7 of the Local Plan Strategy.(where relevant)*

The proposed use as a Driving Range, by its nature requires space around it and therefore most commonly found in relatively rural fringe areas, usually associated with golf courses. This application proposed the change of use of an area of land which is currently agricultural in use. The proposed Driving Range would not be linked to a Golf Course but is a new rural enterprise in the open countryside.

Policy SC1 Leisure and Recreation states that in order to provide appropriate leisure and recreational facilities for communities of Cheshire East, will

*(3) support proposals for facilities that would not be appropriate to the located in or adjacent to centres, provided they are highly accessible by a choice of transport, do not harm the character, amenity, or biodiversity value of the area, and satisfy the following criteria;*

- (i) *The proposal is a facility that;*
  - a. *Supports a business use,*
  - b. *Is appropriate in an employment area; or*
  - c. *Supports an outdoor sports facility, education or related community/visitor facility; or*
  - d. *Supports the visitor economy and is based on local cultural or existing visitor attractions.*

The site would be located in the area of Worleston which is 5km away from the centre of Nantwich and around 10km from the centre of Crewe (driving). There is a very limited public transport network and no footpaths along Main Road, there may be opportunities to cycle to the facility, as Golf equipment can be hired. However, the site would largely require customers to drive to the facility.

However, it is considered that given the nature of the proposed development, is acceptable in the rural area. The main issues are the impact on the open countryside in relation to the building and associated infrastructure, highway safety, amenity impact and impact on wildlife and trees.

As such, the principle of the development is accepted.

### **Impact on character and appearance of the area**

The proposal will be set back off Main Road by around 65m. The new access will be taken off a bend in the road and will require the removal of a section of hedgerow. The proposal includes a carpark and the erection of the driving range building which will have a maximum height of 4m, it will be 55m in length, and a maximum width of 11.5m. The driving range building is open sided to the front with three elevations clad in profiled cladding (black). The driving range building has a mono pitch roof. The proposed office/reception building will be clad in shiplap timber (grey), the building as a maximum height of 3m (flat roof) with a maximum length of 16.5m and width of 6m.

The re-oriented building will be sited some 95m away from the road, there is some cover from the road in relation to boundary hedgerow and trees, and the fairly low nature of the building, and materials will reduce its overall impact on the open countryside. The building will be akin to agricultural sheds which are normally seen in the open countryside.

The lighting proposed will be positioned on the top of the driving range building facing towards the landing area. The proposal includes provision for 6 lights on the top of the driving range building. The plans show that the lighting will be directed on the driving range with 3 lux lighting centrally and the spill of up to 1 lux at a 40 degree angle from the driving range. The report states very limited/if any light will spill out of the site. The nature of the proposal means that in the winter months the area of the driving range will be visible due to the lighting however very little will spill out of the site. No lighting poles are proposed and therefore the impact on the wider open countryside is considered to be limited.

The application is therefore considered to be acceptable in terms of impact on the streetscene and open countryside.

### **Landscape**

The application site is located to the east of Main Road to the south of Worleston and covers an area of approximately 6.3 hectares. The application site is relatively flat and has a good network of existing hedgerows as well as a number of hedgerow trees.

The submission does not include a Landscape and Visual appraisal or refer to the Cheshire Landscape Character Assessment. However the Cheshire LCA identifies that the application



site is located within the boundary of the East Lowland Plain landscape type and more specifically the Ravensmoor (ELP1) Character Area. This is a predominantly flat landscape which in places is open and expansive. Vegetation along the B5074 (Main Road) along with the location and orientation of the proposals and existing hedgerows and vegetation mean that the site is largely screened; nor are there any public rights of way in close proximity to the proposed development.

The submitted information indicates that the driving range would have no boundary fencing, with no lighting columns, but that lighting will be provided by four lights located on the driving range building roof and that these will be angled downwards at 15°. The clubhouse will be 4m in height, 5.2m wide and 54.5m in length with parking for 22 cars and 5 bicycles. The submission also includes an Arboricultural Report which indicates that no trees are to be felled and that there will be no new boundary treatments.

The Landscape Officer considers that the proposal would not result in any significant landscape or visual impacts.

### **Impact on the amenity of neighbouring properties**

The nearest residential properties to the application site are positioned to the north of the site, Rookery Grange and The Cottage. The dwellings are sited over 120m away from the proposed field. The dwelling known as Rookery Grange own the land to the north of the site and use it for exercising horses. The letters of objection suggest the land is also used by a number of other people from around the area also to exercise their horses. The land is also used for haylage to feed the neighbours horses. The neighbours have raised concerns over the potential impact of wayward balls being hit into their land and the impact it would have on the horses and haylage.

The amended plan shows the building and direction of the driving range re-orientated further to the south east. This would direct the direction of balls further away from the neighbours property. The Golf Architects report submitted by the applicant states that the majority of the golfers will hit the ball within the driving range area, however there is a 30 degree safety zone required for wayward balls. The original plans did not include this 30 degree safety zone and therefore there was a high chance a ball would fall into the neighbours land. The amended plans now show a 40 degree off set from the neighbours land to allow for an additional 10 degrees to reduce the potential impact and create a larger safety zone. The Golf Architect states that this adjustment would make the probability of golf balls exiting the applicant's property to the left would be extremely unlikely. Furthermore, the applicant will include bay dividers which further reduce the chance of mis-struck shots and security cameras will be installed to ensure golfers practise safely.

It is therefore considered that the applicant has put a number of proposals in place to reduce the potential of wayward balls falling into the neighbours land. However, for additional safety it is considered reasonable to condition that full details of a netting solution along the northern boundary shall be submitted and approved. It is considered that this will act as an extra safe guard.

The applicant's family own the land to the south of the proposal and therefore there is no amenity impact to the south of the site.

The Environmental Protection department have considered a noise report which has been submitted. The report has considered the striking of golf balls, conversation from customers, vehicles and use of equipment. The assessment has concluded that there will be no loss of amenity to the existing local residents. The Environmental protection officer is comfortable that the proposal will not have a significantly detrimental impact on neighbouring amenity in the area with regards to noise. If issues of noise nuisance arise once in use, the issues can be dealt with under the Environmental Protection Act.

The Environmental Protection Officer has considered the full details of the lighting scheme which has been submitted. The plans show that the lighting will be directed on the driving range with 3 lux lighting centrally and the spill of up to 1 lux at a 40 degree angle from the driving range. The report states very limited/if any light will spill out of the site, and therefore will have a limited impact on neighbouring amenity. The Environmental Protection Officer considers that the proposal is acceptable as proposed.

With regards to other matters the Council's Environmental Protection Team have advised that they have no other objections, subject to conditions for Electrical Vehicle Infrastructure and Soil Importation and unexpected contamination. As such, it is not considered that the development would result in any environmental disturbance concerns.

The proposal is therefore considered to be acceptable.

### **Parking and Access**

A new golf driving range is proposed on land on the east side of Main Road, Worleston. A new access to the site is to be provided that allows two way vehicle flow at the junction and the Strategic Highways Officer states that there is sufficient visibility available. There are 22 car parking spaces provided for the use, this is considered an acceptable level of parking for a driving range use.

The Strategic Highways Officer, states that the level of traffic generation is low and no traffic impact issues should arise from the application.

The Parish Council have raised concerns over highway safety and vehicles not being visible when turning right into the site. The Strategic Highways Officer has consider these comments and has confirmed that full visibility will be achieved with the new access proposed, and therefore people turning right will be visible.

The Strategic Highways Officer states that it should be noted that the site is not readily accessible and is not linked to any footpath network and is likely to be a fully car borne development.

The Strategic Highways Officer therefore considered that the proposed use does not raise highway concerns and no objections are raised.

### **Ecology**

The application includes a protected species survey and the Council's ecologist has considered the information submitted and made the following comments.

### Great Crested Newts

There is a considered low risk that the proposed development may have an adverse impact upon great crested newts which may occur within an adjacent water body. The Ecologist states that the risks will be adequately mitigated against by the implementation of the provided *Reasonable Avoidance Measures* report (Whistling Beetle, October 2018). This can be conditioned.

### Breeding Birds

A condition is considered reasonable in relation to impact on nesting birds.

### **Trees and Hedgerows**

The application is supported by an Arboricultural Impact Assessment (Ref TRE/MR) and Arboricultural Method Statement (TRE/MR) dated 2<sup>nd</sup> September 2018 by Mulberry.

The supporting information identifies that no trees require removal to facilitate development but thirteen other trees within the wider site area have been identified for removal, irrespective of development; these are listed as -: T4, T5, T6, T8, T9, T10, G1/1, G2/1, G3/2, G4/1, G5/1 and G6/1. None of these trees are formally protected but they all exhibit extensive decay or are considered to be in terminal decline.

The only retained tree which interfaces with the development is T7, where there is a Root Protection Area (RPA) incursion to facilitate a section of the proposed car parking area. The incursion exceeds the advice contained within current best practice BS5837:2012 with in excess of 20% of the trees RPA, but the Oak in keeping with adjacent specimen's exhibits significantly reduced vigour and vitality, to the extent the trees wouldn't be considered worthy of formal retention.

Subject to highways being satisfied with visibility splays, and the road frontage trees being retained, there are no Arboricultural reasons to object to the proposals as presented. The Tree officer has suggested a condition to ensure the works are carried out in accordance with the arboricultural statement.

### **Floodrisk and Drainage issues**

The Floodrisk Team have been consulted on the application and have raised no objections to the proposal. It is therefore considered that the development is acceptable in terms of flood risk and drainage issues.

### **Other Matters**

Within the objection raised, Floodlighting SPG and Policy DC64 of Macclesfield BLP has been quoted. As this application is within the Crewe and Nantwich Local Plan area this is not a relevant policy for consideration.

Furthermore, the neighbours have raised concerns in relation to the Health and Safety of the Horses they exercise and the riders in relation to wayward balls on the neighbouring land.

The impact on Health and Safety is not a specific material planning matter, in that a health and safety assessment is not required to meet planning policy. However the impact on neighbouring amenity is material and this has been addressed above. The applicant will have a responsibility under Health and Safety legislation (outside of Planning) to carry out a risk assessment and ensure adequate controls are in place to mitigate any potential hazards. The re-orientation of the driving range and the imposition of a condition for nets on the northern boundary are considered reasonable to address the amenity impact on the neighbours in relation to this planning application.

### **Planning Balance and conclusion**

It is considered that the proposed change of use of the land is acceptable in principle in the Open Countryside for recreation uses. The impact of the proposed building will be minimal given their height, materials and siting some distance from the road frontage.

The proposal as amended and conditioned will not have a significantly detrimental impact on neighbouring amenity. The proposal will not have a detrimental impact on Highway Safety, Ecology, Trees or landscape impact.

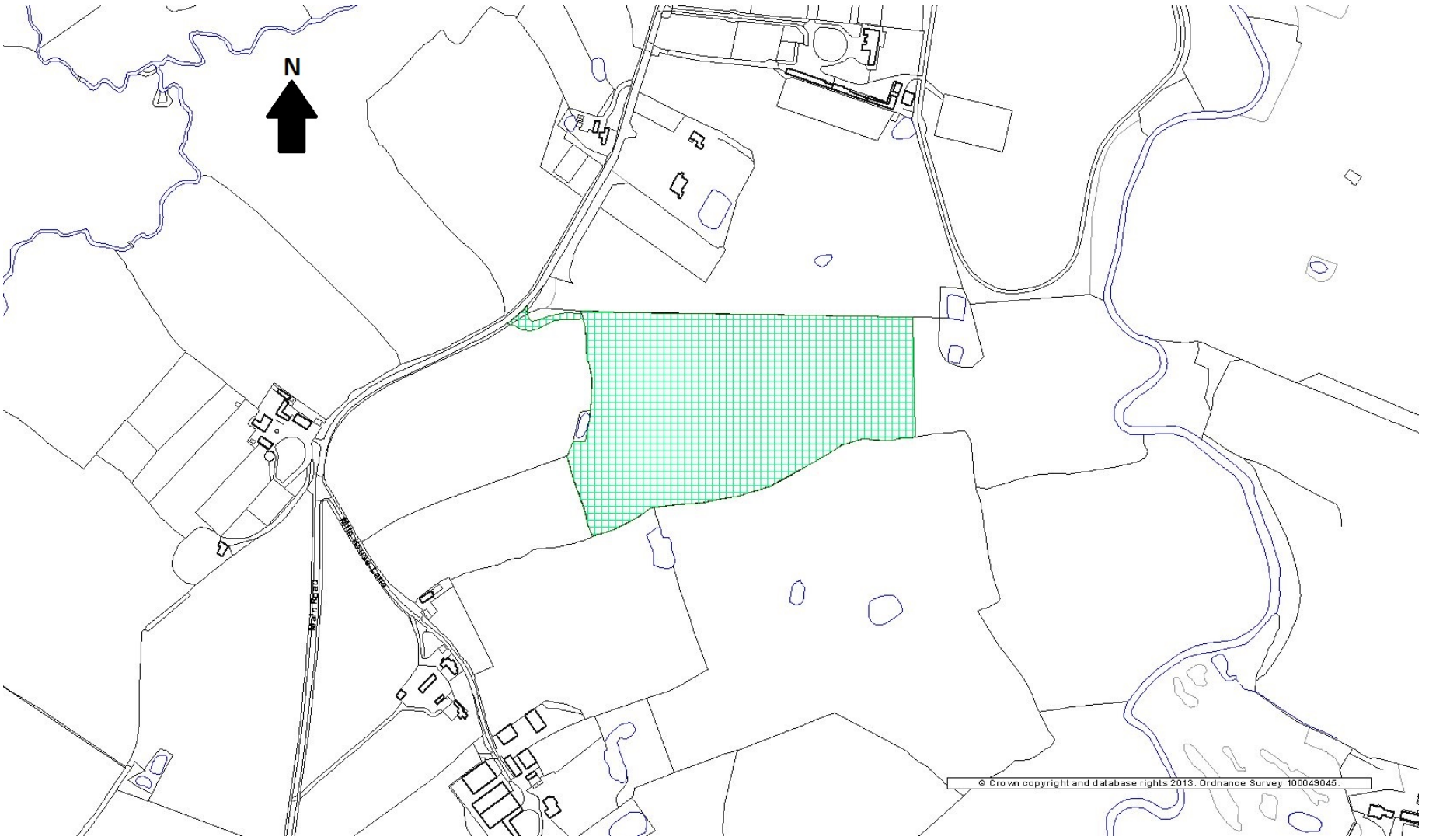
It is therefore considered that on balance the proposal is acceptable and is therefore recommended for approval.

### **RECOMMENDATIONS**

#### **APPROVE with conditions**

- 1. Standard Time**
- 2. Plans**
- 3. Materials as stated**
- 4. Landscaping plan**
- 5. Landscaping to include levels**
- 6. Landscaping Implementation**
- 7. Great crested newt RAMs**
- 8. Breeding birds**
- 9. Arboricultural works as Statement**
- 10. Submission of details of nets to the north of the site**
- 11. If use ceases, the building shall be removed and the land returned to agriculture**
- 12. Electrical Vehicle Infrastructure**
- 13. Soil importation**
- 14. Unexpected Contamination**
- 15. Lighting**

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



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Application No: 18/2104M

Location: LAND NORTH OF PARKGATE INDUSTRIAL ESTATE, PARKGATE LANE, KNUTSFORD, WA16 8DX

Proposal: Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class).

Applicant: The Tatton Estate (R. Brooks, Esq. and R Brooks Ltd)

Expiry Date: 23-Nov-2018

### **SUMMARY**

The principle of residential development on the site has been established through the grant of outline planning permission and allocation in the CELPS.

The proposed development seeks to provide a residential development of 235 dwellings on a site allocated for housing in the CELPS. The submission relates to the detail of the proposal in terms of its scale, layout, appearance and landscaping, however a wide range of concerns are raised in terms of this submission.

As proposed there are aspects of the development that are inappropriate development in the Green Belt, and which do not preserve openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In terms of other, non Green Belt, harm, the proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the larger 4 and 5 bed house types, which is contrary to policy H1 of the draft KNP, and subsequently policy SE4 of the CELPS.

Assessment of the proposals against the CEC Design Guide and Building for Life 12 indicates that there are issues in several fundamental areas. As a consequence, the proposal would result in development of a poor quality design that fails to take into account local design standards. The proposal is contrary to policies SD2 and SE1 of the CELPS, the CEC Design Guide and guidance in the Framework.

The proposed junction arrangement close to the entrance of the site is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds,

which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.

A landscape character assessment required by policy LPS 37 has not been submitted. This is required, not only to guide the scale and massing of new development, ensuring that it is acceptable in surrounding landscape, but also to ensure a high quality design which reflects and respects the character of the area, built form and surrounding landscape. The submission is therefore contrary to this policy.

A heritage impact assessment has not been submitted to consider the impact upon the adjacent designated heritage asset, the Grade II\* Tatton Park Registered Park and Garden, and as such the proposal is contrary to paragraph 189 of Framework and policy SE7 of CELPS.

The proposed mound between the housing and the industrial estate would result in the part of the public right of way (Knutsford FP 11) which is not being diverted being either on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. This will negatively affect the public right of way, and for this reason the proposed diversion route for FP11 is not considered to be acceptable, which is contrary to policy LPS 37 of the CELPS.

Inadequate landscape detail has been provided. The submission is therefore not in compliance with the requirements of the condition 7 of the outline permission, which sets out a range of detail that is required with the reserved matters submission, which has not been submitted.

The scale of the dwellings on certain plots conflicts with plans approved under the outline consent 13/2935M. The proposal is therefore not in compliance with condition 4 of the outline permission

An affordable housing scheme that is required by the s106 to be submitted with the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy SC5 of the CELPS.

A landscape scheme (providing a detailed specification for the public open space) that is required by the s106 to be submitted at the same time as the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy DC40 of the MBLP and policy SE6 of the CELPS.

Insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policies SE3 and SE5 of the CELPS and paragraph 175 of the Framework cannot be confirmed.

The provision of 235 new dwellings is clearly a benefit of the proposal, which will make a valuable contribution to the delivery of the Council's 5 year housing land supply. Other benefits relating to the development were secured at the outline stage, including 30%



affordable housing, on site public open space, highways improvements, financial contributions towards recreation and outdoor sports provision, and towards education.

In this case there is clear conflict with the development plan, supplementary planning documents, national planning policy and the outline planning permission. The harm identified above by reason of inappropriateness and other harm is not clearly outweighed by other considerations to amount to very special circumstances. The proposal is therefore not considered to be a sustainable form of development.

### **Summary Recommendation:**

Refuse

## **DESCRIPTION OF SITE AND CONTEXT**

The site is an approximate 16 hectare greenfield site lying to the north east of Knutsford Town centre. Tatton Park is located to the north of the site, Parkgate Industrial Estate is to the south, Birkin Brook and a water treatment plant lie to the east and Parkgate Farm borders the site to the north west.

Part of the site is allocated for housing development under policy LPS 37 in the CELPS, with the remainder being within the Green Belt.

## **DETAILS OF PROPOSAL**

This application seeks approval for the reserved matters following the outline approval 13/2935M, which granted consent for high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces. The number of dwellings was not specified in the decision notice. Access was approved at the outline stage, and the current proposal seeks reserved matters approval for the appearance, landscaping, layout and scale for 235 dwellings.

An identical application (18/2996M) appears elsewhere on the agenda.

## **RELEVANT HISTORY**

18/2105D – Discharge of conditions 6,19, 21, 23, 24, 25, 29, 39 and 41 on permission  
13/2935M – Not determined to date

18/0337M - Variation of Conditions 4, 23, 33, 34 and 35 on approval 13/2935M - Outline application with all matters reserved except for means of access, for the erection of a high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces – Not determined to date

18/2996M - Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class) – Not determined to date

13/2935M - Outline application with all matters reserved except for means of access, for the erection of a high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces – Approved 23.06.2015

08/2717P - Outline application for the erection of an employment development comprising class b1, b2 & b8 uses and associated highways works and landscaping buffer (resubmission of 08/0721P) – Not determined to date (s106 never completed)

08/0721P - Erection of employment development comprising class B1, B2 and B8 uses and associated highways works and landscaping buffer (outline with means of access only applied for) – Withdrawn 30.08.2008

### **POLICIES**

#### **Development Plan**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG4 Safeguarded Land

PG6 Open Countryside

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

CO3 Digital connections

CO4 Travel plans and transport assessments

LPS 37 Parkgate Extension, Knutsford

Macclesfield Borough Local Plan saved policies (MBLP)

NE9 Protection of River Corridors

NE11 Nature conservation  
NE17 Nature conservation in major developments  
NE18 Accessibility to nature conservation  
RT5 Open space standards  
H9 Occupation of affordable housing  
DC3 Residential Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC14 Noise  
DC17 Water resources  
DC35 Materials and finishes  
DC36 Road layouts and circulation  
DC37 Landscaping  
DC38 Space, light and privacy  
DC40 Children's play / amenity space  
DC63 Contaminated land

### **Other Material Considerations**

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

### Knutsford Neighbourhood Plan (KNP)

The Knutsford Neighbourhood Plan has reached Regulation 16 stage (consultation on submitted plan), and the consultation period is currently running to 23 November 2018. The plan can be afforded moderate weight in the determination of the application given the stage it has reached. The following policies are considered to be relevant:

D1 The Knutsford Design Guide  
D2 Local Distinctiveness  
D3 Landscape in New Development  
D4 Sustainable Residential Design  
E1 Connections to the Countryside  
E2 Green and Blue Corridors  
E3 Habitat Protection and Biodiversity  
E5 Pollution  
HW1 Health & wellbeing  
HE2 Heritage assets  
H1 Housing mix  
SL1 Open space in new developments  
SL3 New sport and leisure facilities  
T1 Walking in Knutsford  
T2 Cycling in Knutsford  
T3 Public transport  
T4 Parking

### **CONSULTATIONS (External to Planning)**

**Historic England** – No comments

**The Gardens Trust** – Object on grounds that housing is far too urban in character for this greenfield site next to a historic parkland which is nationally of ‘more than special historic interest’

**Cheshire Gardens Trust** – No comments received

**Environment Agency** – Object on grounds of insufficient information – comments awaited on revised details

**United Utilities** – No objection subject to drainage conditions

**Manchester Airport** – No objection subject to condition relating to a restriction on bird feeding

**Cheshire Constabulary** – No comments received

**Cheshire Fire Brigade** – No comments received

**Natural England** – Comments awaited

**Flood Risk Manager** – No objection

**Environmental Health** – Require clarification on noise impacts

**Housing Strategy & Needs Manager** – Object on grounds of no tenure split identified, smaller apartment blocks preferred, no affordable housing statement.

**Education** – No comments received

**Public Rights of Way** – No objections - The route of part of Public Footpath Knutsford 11 that is affected by this development is currently being diverted under the T.C.P.A. s.257. An Order has been made and advertised.

**Head of Strategic Infrastructure** – Design amendments are required.

**ANSA** – Comments awaited

**Cheshire Archaeology Planning Advisory Service** – No objection – relevant condition attached to outline permission

**Knutsford Town Council** – Support the proposal noting that the proposed layout and design is complimentary to the character of Knutsford, but request the following amendments to the scheme:

- More brick to be employed for the apartment buildings as opposed to rendering,
- dedicated parking provision and changing facilities to be provided alongside the sports pitch
- Designated parking spaces for residents.

Would prefer to see some bungalows in the development (the Knutsford Design Guide makes reference to this, highlighting the benefits of bungalows over apartments including private garden areas)

### OTHER REPRESENTATIONS

To date, during the two rounds of public consultation, 9 letters of representation have been received from interested parties, local businesses, The Knutsford Community Groups and the National Trust (as adjoining landowners) objecting to the development on the following grounds:

- Abysmal architecture
- We are living in the 21st Century not some Disneyesque Victorian parody
- Noise affecting residents of the site – aircraft and adjacent industrial estate
- Negative visual impact on Grade II\* Tatton Park – No LVIA to address impact
- Shawheath Plantation is not a buffer to Tatton Park, it is part of it.
- Sparse understorey planting will be harvested in next 20 years.
- Emerging neighbouring plan seeks to ensure Knutsford's green and open spaces and landscape setting are retained and enhanced
- Steep changes in ground levels
- Loft conversions / roof windows should not be allowed
- No additional crossing over railway line means access is not satisfactory
- Emergency access will be over existing bridge – what if there is a problem with that bridge?
- No estimate of numbers of new residents provided, and associated traffic impact
- A new access across the railway line is needed before any more new development is approved
- 235 units is more than 200 in local plan
- Affordable housing scheme lacking
- Inadequate pepper potting
- No provision for more mature residents
- Straight suburban roads, crowded housing and awkward parking
- Monolithic apartments
- Inappropriate location of public open space due to significant sewer with easement rights at the entrance to the site.
- Inappropriate location of POS amenity at the edge of car park in the area shown to be avoided due to noise from the Parkgate Industrial estate 24/7 operation silos
- The requirement to upgrade FP11 to a footpath/ cycleway is not clearly stated.
- Footpath 11 (North Cheshire Way) could be further improved by off site new access to Dog Wood at the entrance of Tatton Park
- the existing ponds are indicated as forming the SUDS system, this might overload them and affect the ecological balance
- The delivery of the proposed open space in relation to the building phasing is unclear
- no need for an urban mix in the design. Its rural green farmland in a country park setting. No garages means no electric charge points or cycle storage. Also the plaza parking increases opportunity for crime and antisocial parking

The Knutsford Community Groups also highlight the following strengths with the proposal:

- Gateway into the development with its curved terrace makes a green and pleasant entrance.
- The site has plenty of open space, wildlife areas and ponds.
- The spine road is sinuous and attractive with some generous plots and well-positioned family homes; the Village area has good landscaping and trees on what is currently a rather barren arable site.
- Noise from PIE should be absorbed by the proposed landscaping and deflected by the taller buildings; acoustic design of housing means dwellings will be quiet indoors. Aircraft noise will reduce amenity outdoors, although no shortage of demand for existing properties is evident under the flight paths in this part of the town.
- Housing designs are reasonably consistent with Cheshire East Borough Design Guide [CEBDG] and Knutsford Design Guide [KDG], although they have prompted a range of subjective reactions.

### **OFFICER APPRAISAL**

#### **Principle of development**

The application site is an allocated Strategic Site for housing in the CELPS. Site LPS 37 states that the development of the Parkgate Extension over the Local Plan Strategy period will be achieved through:

- Phased provision of around 200 new homes;
- Incorporation of green infrastructure;
- Implementation of a landscaping scheme, including SuDS and boundary treatments, ecological mitigation and pond treatment required to detract large water birds;
- Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities including a permanent diversion route of public footpath (Knutsford FP11) and at least three 20 metre wide links between the housing area and the woodland buffer;
- An approximate 50 metre acoustic buffer/bund/fence for noise mitigation between the proposed housing and the industrial estate and employment allocation;
- Dwellings within mapped areas of noise mitigation will require mitigation to outdoor amenity space;
- Appropriate contributions towards education facilities.

The number of dwellings was not specified on the decision notice for the outline planning permission, therefore a proposal for 235 dwellings does accord with the outline permission. As noted above, LPS 37 allows for around 200 new homes. 235 would be a 17.5% increase from the broad figure of 200 specified in the policy. Subject to the development complying with other relevant planning policies, it is considered that such a number could be considered to meet the requirement of “around 200 dwellings” in LPS 37. The delivery of the site for residential development will contribute towards the Council’s housing land supply and assist in meeting the development requirements of Knutsford and the wider Borough. The further requirements of policy LPS 37, and other relevant policies, are considered below.

#### **Green Belt**

As noted above part of the application site is located within the Green Belt. A parameters plan approved as part of the outline permission identifies the developable area of the site outside of the Green Belt. It is primarily the areas to the north and west of the application site

that are located within the Green Belt. The Green Belt boundary is also shown on the proposed site plan with an unhelpfully thick green dotted line. The thickness of the line does hinder attempts to form a definitive view on whether there is any encroachment into the Green Belt, given that development (main spine road) is hard up against the Green Belt boundary. Notwithstanding this point, there are some issues that are clear. The following development is proposed in the Green Belt:

- Provision of footpaths and boardwalks
- The provision of part of the rear garden of plot 1
- The erection of fencing around part of the ecological mitigation area
- The provision of a swale and ponds
- The erection of estate railings
- Trim trail consisting of gym equipment
- Playing field

Policy PG3 of the CELPS reflects paragraph 145 of the Framework where it states that within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances.

### Fencing & railings

The construction of new buildings is inappropriate in Green Belt. The Town & Country Planning Act defines a building as “*any structure or erection...*” and in this context fencing and railings are included as buildings. Policy PG3 and paragraph 145 provide a list of exceptions of types of buildings that are not inappropriate development. The proposed fencing and railings are not considered to meet any of the identified exceptions and are therefore inappropriate development in the Green Belt.

### Boardwalks and footpaths

The boardwalks may also be defined as buildings, although no elevations or details have been provided to facilitate the assessment of their impact on openness. PG3 and paragraph 145 state that the provision of appropriate facilities for outdoor sport, outdoor recreation...; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, are not inappropriate. Whilst the boardwalks could be considered to be such facilities, as structures they do encroach out into the Green Belt from the residential development as they link in with the proposed network of surrounding footpaths.

The same openness and purposes of including land in the Green Belt tests apply to engineering operations (paragraph 146 of the Framework and policy PG3) such as the provision of the footpaths and the swale and ponds. The ponds and swale are considered to preserve the openness of the Green Belt and not conflict with the purposes of including land in it. The footpaths do introduce considerable lengths of hardstanding within the Green Belt, and due to their extent, particularly when combined with the Boardwalks are considered to conflict with the purposes of including land in the Green Belt through encroachment and result in a loss of openness. The footpaths and boardwalks are considered to be inappropriate development in the Green Belt.

### Trim trail & gym equipment

No details have been provided for the trim trail and gym equipment, however it is anticipated that such features would also amount to buildings. As an appropriate facility for outdoor sport

or recreation the gym equipment is potentially not inappropriate development subject to the facilities preserving the openness of the Green Belt and not conflicting with the purposes of including land within it. Insufficient information has been submitted to conclude on this matter.

### Rear garden of plot 1

Material changes in the use of land are also not inappropriate in the Green Belt provided they also preserve its openness and do not conflict with the purposes of including land within it. The provision of part of the rear garden in plot 1 is again considered to conflict with the purposes of including land in the Green Belt through encroachment, and is therefore inappropriate development.

### Playing field

No details have been provided for the playing field, however in the absence of details to suggest otherwise, it is assumed that the playing field is simply the use of the land as opposed to any other form of development. The provision of the playing field is not considered to be inappropriate in the Green Belt.

### Other harm

In terms of other harm, as previously mentioned there is a loss of openness arising from the boardwalks and footpaths, but also from the proposed fencing and railings. The fencing around the ecology area is not specified, and the railings will be “open” in their appearance, but their intention is clearly to create a barrier which by its very nature will not preserve openness.

Any other, non Green Belt harm is identified in the sections below.

### Very Special Circumstances

No Green Belt assessment has been provided by the applicant and therefore no very special circumstances have been put forward. However, the considerations in favour of the development will be assessed in the planning balance section of this report, below.

## **Housing**

### Affordable Housing

30% of the dwellings on site were secured as affordable housing as part of the outline permission, in accordance with policy SC5 of the CELPS. As a development of 235 dwellings, 71 dwellings are required to be provided as affordable dwellings.

The SHMA 2013 shows the majority of the demand annually up to and including 2018 in Knutsford is for 8x 1 bedroom, 34x 2 bedroom and 49x 3 bedroom general needs dwellings. The SHMA also shows a requirement for 10x 1 bedroom dwellings for older persons. These can be provided by Bungalows, Ground Floor Flats, Cottage Style Flats or Lifetime Standard homes.

The current number of those on the Cheshire Homechoice waiting list with Knutsford as their first choice is 131. This can be broken down to 59x 1 bedroom, 46x 2 bedroom, 19x 3 bedroom and 7x 4+ bedroom dwellings. On this site therefore, a mix of 1, 2 and 3 bedroom dwellings with a provision of 1 bedroom older person's dwellings would be appropriate. 46 units should be provided as Affordable Rent and 25 units as Intermediate Tenure.



The submitted details do indicate that 71 dwellings will be provided as affordable units. These are to be provided as:

- 30 x 1 bed apartments (3-storey)
- 18 x 2 bed apartments (3-storey)
- 8 x 2 bed semi-detached / terraced (2-storey)
- 15 x 3 bed semi-detached (2-storey)

However, no information has been submitted to identify the tenure of these dwellings. Whilst it is accepted that the s106 requires 65% of the affordable housing to be Affordable Rented Housing and the balance to be Intermediate Housing, this is not confirmed within the submitted plans. It is considered that the tenures should be appropriately pepper potted through the site. Such details should be included within an Affordable Housing Scheme, which the s106 specifies should be submitted for approval with the first reserved matters application. An Affordable Housing Scheme has not been submitted with this application.

The Housing Strategy and Needs Manager also raises concern that Registered Providers do not like such large apartment blocks due to communal charge aspects that may be required. At the pre-application stage the applicant was advised that apartments in blocks of 4, each with an independent entrance, are preferred. There is also scope for the affordable units to be more widely dispersed throughout the site.

Accordingly, it cannot be concluded at this stage that the proposal complies with policies SC5 or LPS37 of the CELPS.

### Residential Mix

Policy SC4 of the CELPS states that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. Similarly, policy H1 of the draft KNP prioritises smaller house types and requires new residential development on the strategic sites to primarily seek to deliver the following types of market housing (including those for private rental):

- 2/3 bedroomed family housing and that suitable for downsizing with gardens and associated parking
- Housing for older people or those with reduced mobility, either as one or two storey properties or as higher density apartments, which are designed with the specific needs of those users
- Nursing and care homes and sheltered accommodation for the elderly.

The proposed development comprises:

- 36 x 2 bed apartments (3-storey)
- 3 x 1 bed live / work unit (first floor)
- 3 x 2 bed units (2-storey)
- 58 x 3 bed units (9 x 2-storey and 49 x 3-storey)
- 36 x 4 bed units (14 x 2-storey and 22 x 3-storey)
- 28 x 5 bed units 19 x 2-storey and 9 x 3-storey)

The explanatory text for draft policy H1 of the KNP states that:

*“The Cheshire East Strategic Housing Market Assessment (SHMA) from 2016*

*identifies the need for new housing which meets the need of smaller families, single people, and the elderly. This in part is justified when looking at the demographic changes that are apparent in the Town, including an aging population and a growth of families with older children and those typically in the age bracket as a 'first time buyer'. This is reflected in the feedback received from residents within Knutsford during every consultation on the Neighbourhood Plan."*

In terms of market housing there are only 3 x 2 bed dwellings that are not apartments which is considered to be a key omission in the housing mix given the objectives of draft policy H1, and the justification for it. There are however 64 x 4 and 5 bed units, larger house types, which account for 39% of the market housing on the site and would be the dominant feature within the mix of market housing, which draft policy H1 seeks to avoid.

No up to date evidence of need has been submitted has been submitted to justify the proposed residential mix. Accordingly the proposal is considered to conflict with policy SE4 of the CELPS and draft policy H1 of the KNP.

### **Open Space**

A minimum of 40sqm per dwelling of public open space was secured as part of the outline consent. An adequate amount of formal and informal public open space appears to be provided within the site.

However, a detailed specification for the Public Open Space has not been submitted with this reserved matters application as required by the s106. Accordingly it cannot be determined if the proposal complies with policy DC40 of the MBLP and policy SE6 of the CELPS.

### **Living conditions**

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

However the CE Design Guide states separation distances should be seen as guide rather than a hard and fast rule. The Design Guide does however acknowledge that the distance between rear facing habitable room windows should not drop below 21m. 18m front to front will also provide a good level of privacy, but if this applied too rigidly it will lead to uniformity and limit the potential to create strong streetscenes and variety, and so this distance could go down as low as 12m in some cases.

The only residential property within proximity of the site is at Parkgate Farm, but this is approximately 90 metres away from the nearest of the proposed dwellings.

The layout within the site ensures the relationships between the new dwellings result in acceptable standards of space, light and privacy for future occupants, having regard to the distance guidelines set out above. The proposal is therefore considered to accord with policy DC3 of the MBLP.

## Noise

Noise mitigation measures were secured as part of the outline consent which included the provision of acoustic glazing, acoustic insulation and mechanical ventilation and heat recovery systems to avoid the need to open windows from ventilation (condition 33); the provision of an acoustic fence along the southern boundary with the Parkgate Industrial Estate (condition 34), and noise mitigation to be provided for outdoor amenity areas if positioned within a specified area of the site (condition 35). The acoustic fence is proposed in accordance with the outline consent, and all outdoor amenity areas avoid the specified area of the site in accordance with conditions 34 and 35 respectively. Condition 33 will be complied with on completion of the dwellings in accordance with the stated specification.

The application site is in very close proximity of the flight path for Manchester Airport. As such the site will be subject to noise from overhead aircraft with the developable area of the application site lying between the 60dB and 63dB airport noise contours. To put that in some context, 57dB is commonly taken to be the average level of daytime aircraft noise marking the approximate onset of significant community annoyance (Aviation Policy Framework, 2013). However, the principle of the development has been approved, and therefore, given the compliance with the outline consent, the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing, and the relevant section of LPS 37 of the CELPS.

## Air Quality

Air quality impacts were also addressed at the outline stage, and mitigation measures were secured as part of that consent, and will need to be complied with. The mitigation included requirements for a travel plan, a dust management plan and electric vehicle charging points.

## Public Rights of Way

The development affects Public Footpath Knutsford No. 11, as recorded on the Definitive Map of Public Rights of Way, and this is currently going through a diversion order process for part of the route; however the unaffected part of the route in the south western corner of the site lies within a landscaped area which acts as a buffer to the neighbouring industrial estate. This is referred to in the submitted Design Statement as:

*“Acoustic Buffer – This is proposed in the outline permission design as a planted landscape mound with acoustic fencing along the southern boundary creating shadowing and developable area restrictions to the development.”*

This would have a direct and significant impact on this part of the footpath. This would mean the footpath will be on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. The Public Rights of Way Unit object to the proposal due to this being an unacceptable impact on what is stated to be the “unaffected” section of the Right of way in the current diversion order. This aspect of the proposal is considered to be contrary to policy LPS 37 of the CELPS.

## Accessibility

*“Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities including a permanent diversion route of public footpath (Knutsford FP11) and at least three 20 metre wide links between the housing area and the woodland buffer”* are criteria listed under LPS 37 stating how the development of the Parkgate Extension will be achieved over the Local Plan Strategy period. In addition, one of the site specific principles of

the development is to *“Improve the connectivity and accessibility into and out of the site to the town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages”*.

As part of the consideration of the application for commercial development (accessed from Haig Road) on the southern part of LPS 37, it was identified that there are footways on both sides of Haig Road that provide good pedestrian access to the site. The Highways Authority has also confirmed that Haig Road carriageway is suitable for cyclists without further improvements being made. FP11 was unaffected by the proposal.

In terms of the proposed residential development, this is accessed directly from Parkgate Lane. Whilst sections of Parkgate Lane do not have a footway, access to the development was approved as part of the outline consent and has therefore been found to be acceptable. No requirements for improvements to provide improved footway / cycleway linkages to the town centre were required as part of the outline permission.

### **Highways**

Whilst access was approved as part of the outline permission, this reserved matters submission seeks approval for the internal road layout of the site.

The CEC Design Guide promotes a Manual for Streets approach to all residential developments, and it is important that the design aims to reduce vehicle speeds. The main access to the site has a very straight alignment and although there is a bend in the spine road, it appears to continue on into a straight access road for private parking.

This junction arrangement is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds, which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.

It is also difficult to see how vehicles will enter and exit the private parking spaces for plots 25-31 in a safe manner. Reversing might be the easiest option which will then mean reversing out into the bend on the main access road, which again has road safety concerns.

In terms of adoption, the lack of service verges and strips will prevent the internal roads being adopted and the site will have to remain private. The parking spaces are provided in accordance with CEC parking standards.

### **Trees / Landscape**

#### Trees

Condition 25 of the outline permission requires an arboricultural impact assessment to be submitted with the reserved matters submissions. One has been received in accordance with this condition.

The Assessment has identified a number of proposed tree removals which include two mature Oak (T1 and T2) along the northern boundary of the site to accommodate an access road and proposed swale, two low /poor quality Ash trees (T14 and T15) and a section of overgrown hawthorn hedge (G3)

The loss of the two mature Oak (T1, T2) has been justified on arboricultural grounds the basis that the trees display extensive decay and dieback. It is noted however that Oak (T1) has been identified as an over mature / veteran tree. In this regard paragraph 175 of the Framework advises that planning permission should be refused for development resulting in the loss of veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists. This is not evident in this case, however, clarification is required in terms of whether Oak (T1) is a Veteran Tree using the Specialist Survey Method for Veteran Trees (Natural England).

Some pruning of an Ash (T10) is required to accommodate Plot 175 and reduce issues of shading / social proximity. BS5837:2012 advises that such issues should be designed out and in this regard there appears to be scope to move the building without the need for any pruning. Similarly permanent hard surfacing is proposed within the RPA of this tree and this ought to be avoided by adjusting the design. Revised plans are said to have addressed this issue, but this is not clear from the submission.

The Assessment identifies proposed drainage work within the Root Protection Areas (RPA's) of part of Group G3 and Group G9 which can be accommodated in accordance with the specified Arboricultural Method Statement at Section 5 of the Report.

The submitted Drainage Strategy refers to the discharge of surface water into Birkin Brook to the east of the site. Established woodland (G4) is a significant feature of the eastern boundary along a steeply sloping embankment down to Birkin Brook. The Arboricultural Assessment does not appear to make any reference to the impact of any proposals for the removal of surface water on the established woodland. This matter therefore requires an updated assessment and clarification as to the extent and proposed mitigation of any tree losses.

Consequently, insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policy SE5 of the CELPS cannot be confirmed.

### Landscape

Condition 7 of the outline planning permission requires the following specific details to be submitted as part of the landscape scheme submitted with the reserved matters:

- *Existing and proposed levels and contours*

The Proposed levels drawings 1 to 4 do not have sufficient information for the open space areas and the southern buffer, or the swales.

- *Proposed levels, cross sections and construction details for any mound along the boundary with the industrial estate including details for the position and height of any acoustic fencing.*

The landscape plans indicate that a retaining wall and earth mound/slope would be formed but no detailed information has been submitted. Two pedestrian accesses to the industrial estate are proposed. The retaining walls would need to return along the paths to retain earth banks – the paths would be enclosed/unsafe/unpleasant, and the paths are not considered to be necessary/desirable additions to the layout.

- *Details for planting on the earth mound (which should include larger nursery stock) along the boundary with the industrial estate shall be accompanied with a timetable for implementation with the aim of achieving screening and impact at an early stage in the build phase.*

Proposed planting details have been submitted (see below). An implementation plan has not been provided. The 30m landscape buffer shown on the plans approved at the outline stage is compromised by the extensive provision of car parking within it.

- *Existing boundary vegetation and proposed soft landscape design including: woodland, scrub, parkland trees, hedgerows, wildflower grassland, mown grassed areas, ponds/SUDS (number and location to be agreed) and ornamental trees and shrubs.*

Details have been submitted but the proposals could be improved (see below)

- *Full details of proposed species and plant mixes for all open space compartments and for the housing area.*

Details have been submitted (see below).

- *Full details for all hard landscape elements within the open space compartments i.e. footpath/cycleway surfacing materials, street furniture, play equipment, public art and interpretive material. Plus varied, high quality hard surfacing materials within the housing area.*

There are no hard landscape details for the housing area. Hoggin/self-binding gravel is proposed for the POS footpaths. The POS design does not include a cycle route. None of the other required details have been submitted.

- *Details for boundary walls, fencing and railings. Prominent side and rear garden boundaries should be brick rather than timber fencing.*

Boundary details have not been submitted

- *The development must include at least three links between the housing area and the woodland buffer which must be approximately 20 metres in width and must include a footpath/cycleway link.*

These are not shown on the plans.

- *A permanent diversion route for public footpath (Knutsford FP11).*

As noted above, the first section of this footpath off Parkgate Lane could not be retained due to the proposed earth mound/retaining structure and woodland planting. This section of the footpath would need to be diverted.

Other issues with the proposed landscaping raised by the landscape officer include:

- The frontage/arrival area - the playing field could be more centrally located with variable mowing regimes/wild flowers and parkland trees around the periphery to enhance the area.
- The swale is uniform and uninteresting
- Are all boardwalks necessary?
- Hedging is not necessary around the entire POS (and footpath links) – open views are desirable particularly over the play area.

- Perimeter earth mounds to the play area do not promote natural surveillance.
- Variable mowing would enhance the POS – e.g. a closer mown area for play/community events to the west.
- A cycle route should be included.
- The Proposed Phasing Plan excludes most POS areas. This information should be provided.
- The proposed native planting should be amended to improve the spacing of tree and shrub species, avoid large trees in close proximity to rear gardens, and to create woodland edges.
- Scope for more trees and a wider variety of species.
- Scope for more shrub planting to break up frontage parking and parking courts

One of the site specific principles of development for site LPS 37 is for a Landscape Character Assessment (LCA) to be undertaken to guide the scale and massing of new development and to ensure it is acceptable with the surrounding landscape. Whilst it is acknowledged that the heights of buildings were established at the outline stage, the purposes of the LCA are also to ensure a high quality design, which reflects and respects the character of the area, built form and surrounding landscape. This is to include the provision of a landscape buffer to enhance and secure the boundary of the Tatton Park Estate to the north and west of the site and between the employment site to the south. A Landscape Character Assessment has not been submitted.

It is also noted that the 30m landscape buffer secured at the outline stage (shown on approved parameters plan BB\_00\_001 Rev B) has been lost to car parking and bin stores. This reduces the landscape buffer down to 6 metres to the rear of the bin stores and 12m to the edge of the parking area. This is not in compliance with the outline permission.

It is therefore clear that the current reserved matters submission does not comply with the requirements of the outline permission. Accordingly, insufficient information has been submitted to be able to confirm compliance with policies SE1, SE4, SD2 and LPS 37 of the CELPS.

### **Heritage Impact**

The application site is located adjacent to the Grade II\* Registered Park & Garden of Tatton Park, a designated heritage asset. The Gardens Trust are a Statutory Consultee with regard to proposed development affecting a site included by Historic England on their Register of Parks & Gardens. The Gardens Trust identify Grade II\* Parks & Gardens, such as Tatton Park, as *“particularly important sites, of more than special interest”*.

Paragraph 189 of the Framework states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

This is reflected in Policy SE7 of Cheshire East's adopted Local Plan Strategy which also states in paragraph 3 that:

*“The council...will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by: a. Designated Heritage Assets:*

*i. Requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.”*

A Heritage Impact Assessment has not been submitted with the current application, and no such assessment was submitted with the outline application. Whilst there was an impact assessment as part of the Local Plan allocation, there has been no assessment of the impact upon the significance of the heritage asset arising from this specific proposal, to enable compliance with paragraph 189. Whilst this is a reserved matters application, and the principle of the development and the heights of the buildings have been established, an impact assessment would be required to take account of the positioning and form of the development.

Paragraph 190 of the NPPF requires the LPA to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. As a Grade II\* Park and Garden, the heritage asset is of more than special interest. There is the potential for real harm to the asset and its setting, and given the close relationship, if the design and landscaping of the scheme are not sensitively managed based on a robust impact assessment. This is highlighted by representations received from third parties

The Gardens Trust, a statutory consultee, has objected to the proposal on the grounds that the proposed housing is far too urban in character for this greenfield site next to a historic parkland which is nationally of ‘more than special historic interest’. Only one small residential character area in the plan shown on page 8 of the Design Statement dated April 2018 is identified as ‘semi-rural’. The Gardens Trust would like to see a more sensitive and lower-key approach to development which retains as much as possible of the currently rural character of the Tatton Park setting. They suggest that since this new development will be isolated from the rest of Knutsford it could be treated as a village (which seems to have been the original approach with references to ‘Village South’, ‘Village East’, etc. in the Design Code document accompanying the outline application) rather than a central part of a town. It does not need to have a very urban character just because there is an industrial estate to the south, nor does it need to make a statement.

The conservation officer echoes this view, and also objects to the proposal, noting that any harm caused by the neighbouring industrial site should not in any way be justification for allowing poor design on this site and not taking the opportunity to create a sense of place and integrate the site into the surrounding area.

Whilst concerns are raised with regard to the impact upon the adjacent designated heritage asset, insufficient information has been submitted with the application to fully understand the potential impact of the proposal on its significance. The proposal is therefore contrary to policy SE7 of the CELPS and paragraph 189 of the Framework, and policy HE2 of the draft KNP.

## **Ecology**



The following conditions attached to the outline planning permission are relevant to ecology matters in the reserved matters submission:

- Conditions 23 and 24 on and off site habitat provision and management
- Condition 29 Ecology, landscape and open space phasing plan.
- Condition 39 Updated badger survey
- Condition 41 Revised ecological mitigation strategy.
- Condition 43 GCN mitigation strategy

Conditions 23, 24 and 43 require approval prior to any of the approved development taking place. Condition 29 requires details to be submitted for the approval of the Local Planning Authority as part of the first reserved matters application. Condition 39 requires a further badger survey to be submitted concurrently with the reserved matters applications. Condition 41 requires reserved matters applications to be supported by a revised ecological mitigation method statement for each phase of development.

Given the requirements of conditions 29, 39 and 41 it would be expected that the details required by these conditions would form part of the reserved matters submission. But they do not. A separate application was submitted simultaneously to discharge conditions. However, the details associated with following conditions do have the potential to affect the layout of the proposal:

Condition 23 – On site habitat provision

Condition 29 – Ecology, landscape and open space phasing plan

Condition 41 - Revised ecological mitigation strategy

Condition 43 – GCN mitigation strategy

Comments on these matters are awaited from the nature conservation officer, and will be reported as an update.

### **Layout / Design**

Chapter 12 of the NPPF sets out national policy for achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

Paragraph 127 of the NPPF sets out 5 important broad criteria to ensure well functioning, attractive and sustainable places are achieved through development decisions. Without being overly prescriptive, the development of this site should be sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities). Paragraph 130 advises that *“permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards...”*.

Despite engagement between the applicant, council officers and third parties a proposal has not been submitted that meets required design standards.

Amongst other criteria, policy SD2 of the CELPS expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

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

Policy SE1 of the CELPS expects housing developments to achieve Building for Life 12 (BfL12) standard, and that development proposals consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are also reflected in the CEC Design Guide. The relevant BfL12 headings are considered below:

### Connections

The site is located within a semi-rural location, to the north east of the Knutsford settlement, positioned between the Parkgate Industrial Estate and Tatton Park. The site is accessed from a single point of access from Parkgate Lane. Footpath 11 which crosses the site provides connectivity to the east, towards Mobberley. To reach the nearest shops / facilities, and Knutsford town centre, access would be along Parkgate Lane and Mobberley Road.

### Facilities and services

There are a small number of shops and facilities at the end of Parkgate Lane, which is approximately 500 metres from the site, and within walking distance, as is the nearest primary school and the closest healthcare provision. Knutsford Town centre is less than 2kms from the site. All these local facilities are therefore accessible on foot from the application site

### Public transport

The number 88 bus which travels between Knutsford and Wilmslow has its nearest bus stop on Manor Park North, which is not particularly convenient for residents of the site, as it is located within the housing estate on the opposite side of Mobberley Road, but is still a non car option for travel between Knutsford and Altrincham. The train station is approximately 2kms from the site.

### Meeting local housing requirements

As noted above, in terms of market housing there are only 3 x 2 bed dwellings that are not apartments which is considered to be a key omission in the housing mix given the objectives of draft policy H1 outlined above, and the justification for it. There are however 64 x 4 and 5 bed units, larger house types, which account for 39% of the market housing on the site and would be the dominant feature within the mix of market housing, which draft policy H1 seeks to avoid. In order to be truly pepper potted in accordance with policy SC5 of the CELPS, the affordable housing could be more widely dispersed, notably to the east of the site.

### Character

As noted above, one of the site specific principles of development for site LPS 37 is for a Landscape Character Assessment (LCA) to be undertaken to guide the scale and massing of

new development and to ensure a high quality design, which reflects and respects the character of the area, built form and surrounding landscape.

The character of the proposed housing seeks to replicate what lies within Knutsford Town Centre with rows and rows of dense and traditionally designed terraced units together with a mix of detached and semi-detached properties. However, the site is rather remote from the town centre, at the north eastern edge of the settlement. The defining features of this area's character are the Parkgate Industrial Estate, Tatton Park and agricultural land and buildings, and none of these features appear to be borne out in the character of the proposed residential development.

The Gardens Trust has noted that only one small residential character area in the Design Statement is identified as 'semi-rural'. It is considered that this could be extended further, given the established character of surrounding land uses.

### Working with the site and its context

The site is open with few remarkable features, with the exception of off-site woodland to the north and east boundaries. As noted above the adjoining land uses dictate the context of the site, and the proposals offer little acknowledgement to them. The northern edge of the site in particular presents an overly dense built edge which is contrary to the advice in the Design Guide, which states:

*"Areas of lesser activity, for example sub-urban residential areas adjacent to open spaces of the countryside would have a reduced density and less formal character with more generous gardens."*

Whilst revised plans have softened the northern edge slightly from the original submission, it still represents a very regimented building line and approach to this boundary of the site. A much more informal and spacious character would better relate to the Green Belt boundary and Tatton Park to the north.

The proposal for 235 dwellings, in its current form, appears to be too many for the site. A figure closer to the 200 as in the Local Plan allocation would perhaps offer a more suitable density on the site.

### Creating well defined streets and spaces

The principal and secondary streets in particular do not have sufficiently strong landscape features to reinforce the street hierarchy, or to supplement and connect the green infrastructure on the periphery and within the site. The boundary treatments are not clear, and whilst details of boundary treatments have not been submitted, the 3D images show poor quality treatments are used in the courtyards which, whilst these areas are semi private, do not contribute to a high quality environment. The street scenes along the North edge of the site show large runs of low quality boundary treatment between the units, which do not respond to the proximity and potential harm caused to the setting of the Tatton Park Estate. A more natural, softer landscape response would be more appropriate in this location.

Ineffective turn-the-corner house types results in the rear of the dwellings being open to the view from the road / public areas, and insufficiently active frontages to the side. This is unsatisfactory and goes against the guidance of perimeter blocks that have definitive areas of public and private space and appropriate levels of passive surveillance. Whilst revised plans

have sought to add windows to blank walls, this does not overcome the concerns highlighted above.

There are a number of plots which indicate a boundary treatment that is directly adjacent to the back of pavement, parking courtyard or rear boundary properties that are visible from the public realm. All of these relationships are incompatible with the creation of a high quality development.

The straight alignment of many of the streets results in very little variation to building lines. The repositioning of units could provide diversity to the building line and add character to the street scene. There are areas where the rear of the property is a primary view from the open space, revealing the rear boundary treatment. This is an unsatisfactory external aspect, terminating long views from the surrounding green space.

### Easy to find your way around

Given the predominant use of straight roads and rigid building lines, the majority of the development is made up of distinct blocks, which are easy to navigate. The eastern end of the site does however prevent access through the development onto the open space beyond.

### Streets for all

As noted above there is some concern raised with regard to the very straight alignment of some of the streets, notably to the south, which does have the potential to have a significant impact on highway safety. Whilst other techniques are proposed to reduce vehicle speeds, the potential for higher speeds does remain. This compromises the extent to which the streets can function as shared spaces.

### Car parking

A mix of parking solutions is encouraged by the Design Guide to ensure that the street scene is not dominated by vehicles. Many of the plots have the parking spaces to the front of the units, and the effect of this is the dominance of vehicles in the street scene and minimal green amenity space to the front of the units. Several streets have an abundance of front of plot parking with very limited scope for landscaping to prevent the street scene becoming visually dominated by vehicles.

Courtyard parking is not an ideal solution if not gated/and or over looked. Spatially the courtyards are very tight and are unlikely to exhibit quality in landscape terms. They should look good as spaces both with and without cars in order to be effective. However, in this case they are enclosed by fencing with virtually no landscaping.

The crescent at the gateway serves as a feature entrance but its impact is again diluted by the presence of front of plot parking.

### Public and private spaces

The mounds and hedgerows that surround the play area serve to significantly restrict the natural surveillance of this area. The location of the playing field to western boundary means that there is inadequate natural surveillance of this area. As noted above, there are also concerns regarding the “unaffected” section of footpath 11, which is likely to result in this part of the footpath being very enclosed and private.

### External storage and amenity

Some properties are shown to have detached garages, which will serve as part of the parking provision for the relevant dwellings. However, no plans or elevations for these structures have been submitted. Unless they are particularly generously proportioned garages, they cannot be relied on for external storage, as it is expected that once the car is parked in the garage, no space will be available for other storage. Further external storage facilities will be required. For example, house types G and H are 3 and 4 bed terraced properties, clearly intended for occupancy by families, but many of these units in the dense central section of the site, have no storage facilities at all. This is likely to result in a plethora of sheds cluttering the rear gardens and having knock on visual impacts upon the already featureless parking courtyards.

### General

A design code has retrospectively been submitted, but this illustrates the concerns regarding street hierarchy, lack of green infrastructure connectivity throughout the site and the effect of front of plot parking solutions. The concept of a village heart is sound but the location and mix of units makes this character area exclusive and separate to the rest of the development.

Whilst the site is in a relatively sustainable location, there is very little information to demonstrate that other passive or active sustainable design features have influenced the development. The architecture certainly does not reflect the intention and whilst Passive House standards have been mentioned, again the housing types could go further to illustrate this. The site context offers an opportunity for sustainable design to be an underpinning theme of the development and this clearly hasn't been harnessed to inform the overarching design concept. Policy SD2 of the CELPS and draft policy D4 of the KNP outline requirements for new residential development in this regard. This is a matter that has not been considered in the design.

Condition 2 of the outline permission requires the reserved matters to be in accordance with parameters plan BB\_00\_001 Rev B. This plan identifies the areas of the site where two and three-storey dwellings can be constructed. This delineation is also shown on the proposed site plan as part of the current submission. There is clear conflict with the parameters plan, and the outline permission, as plots 8, 47, 80, 130 and 131 show 3-storey properties encroaching into the two-storey area. There are also two-storey properties shown in the three-storey area. The proposal therefore does not comply with the plans and parameters approved at the outline stage.

As noted above, concerns are raised regarding: the mix of the properties proposed; the absence of a landscape character assessment; the character and density of the development; the definition of streets and spaces, and associated landscaping; the boundaries with surrounding open areas; the absence of boundary treatment details; the way in which plots turn corners; the straight alignment of streets; the extent of frontage parking and uninspiring, bland parking courts and general dominance of parked cars; enclosure of play area and lack of natural surveillance, and; the lack of external storage. For these reasons the design officer has objected to the proposal, and due to these issues conflict with policies SD2 and SE1, and the CEC Design Guide can be identified.

### **Flooding**

The majority of the site lies within flood zone 1, however there are areas to the east of the site that are located within flood zones 2 and 3, which have higher risks of flooding. All the residential development is located outside of flood zones 2 and 3 as required by CELPS policy LPS 37.

The Flood Risk manager raises no objections to the proposal; relevant conditions were attached to the outline. Comments are awaited from the Environment Agency. Subject to their satisfactory response and compliance with the conditions on the outline the proposal will comply with policy SE12 of the CELPS.

### **Contaminated Land**

Contaminated land matters were considered and appropriately conditioned at the outline stage. No further contaminated land matters are raised by the proposed reserved matters.

### **BALANCE OF ISSUES**

The proposed development seeks to provide a residential development of 235 dwellings on a site allocated for housing in the CELPS. The submission relates to the detail of the proposal in terms of its scale, layout, appearance and landscaping, however a wide range of concerns are raised in terms of this submission.

As proposed there are aspects of the development that are inappropriate development in the Green Belt, and which do not preserve openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In terms of other, non Green Belt, harm, the proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the larger 4 and 5 bed house types, which is contrary to policy H1 of the draft KNP, and subsequently policy SE4 of the CELPS.

Assessment of the proposals against the CEC Design Guide and Building for Life 12 indicates that there are issues in several fundamental areas. As a consequence, the proposal is not considered to be good enough to approve. The proposal is contrary to policies SD2 and SE1 of the CELPS, and the CEC Design Guide.

The proposed junction arrangement close to the entrance of the site is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds, which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.

A landscape character assessment required by policy LPS 37 has not been submitted. This is required, not only to guide the scale and massing of new development, ensuring that it is acceptable in surrounding landscape, but also to ensure a high quality design which reflects

and respects the character of the area, built form and surrounding landscape. The submission is therefore contrary to this policy.

A heritage impact assessment has not been submitted to consider the impact upon the adjacent designated heritage asset, the Grade II\* Tatton Park Registered Park and Garden, and as such the proposal is contrary to paragraph 189 of Framework and policy SE7 of CELPS.

The proposed mound between the housing and the industrial estate would result in the part of the public right of way (Knutsford FP 11) which is not being diverted being either on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. This will negatively affect the public right of way, and for this reason the proposed diversion route for FP11 is not considered to be acceptable, which is contrary to policy LPS 37 of the CELPS.

Inadequate landscape detail has been provided. The submission is therefore not in compliance with the requirements of the condition 7 of the outline permission, which sets out a range of detail that is required with the reserved matters submission, which has not been submitted.

The scale of the dwellings on certain plots conflicts with plans approved under the outline consent 13/2935M. The proposal is therefore not in compliance with condition 4 of the outline permission

An affordable housing scheme that is required by the s106 to be submitted with the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy SC5 of the CELPS.

A landscape scheme (providing a detailed specification for the public open space) that is required by the s106 to be submitted at the same time as the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy DC40 of the MBLP and policy SE6 of the CELPS.

Insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policies SE3 and SE5 of the CELPS and paragraph 175 of the Framework cannot be confirmed.

The provision of 235 new dwellings is clearly a benefit of the proposal, which will make a valuable contribution to the delivery of the Council's 5 year housing land supply. Other benefits relating to the development were secured at the outline stage, including 30% affordable housing, on site public open space, highways improvements, financial contributions towards recreation and outdoor sports provision, and towards education.

In this case there is clear conflict with the development plan, supplementary planning documents, and the outline planning permission. The harm identified above by reason of inappropriateness and other harm is not clearly outweighed by other considerations to

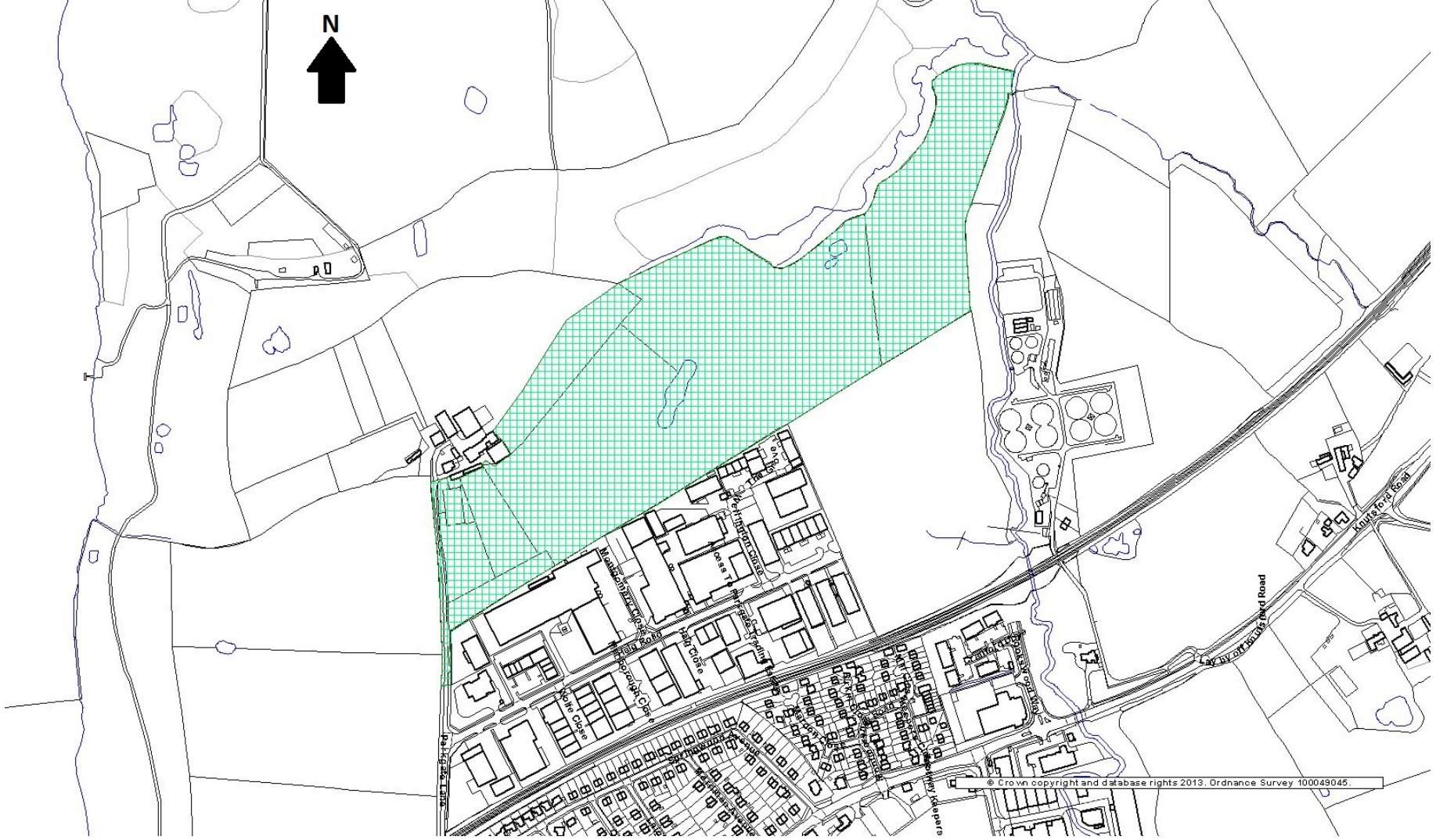
amount to very special circumstances. The proposal is therefore not considered to be a sustainable form of development. Accordingly, the application is recommended for refusal for the following reasons:

1. The proposal is inappropriate development in the Green Belt contrary to policy PG3 of the CELPS.
2. The proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the larger 4 and 5 bed house types, which is contrary to policy H1 of the draft KNP, and subsequently policy SE4 of the CELPS.
3. Assessment of the proposals against the CEC Design Guide and Building for Life 12 indicates that there are issues in several fundamental areas. As a consequence, the proposal is not considered to be good enough to approve. The proposal is contrary to policies SD2 and SE1 of the CELPS, and the CEC Design Guide.
4. The proposed junction arrangement close to the entrance of the site is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds, which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.
5. A landscape character assessment required by policy LPS 37 has not been submitted. This is required, not only to guide the scale and massing of new development, ensuring that it is acceptable in surrounding landscape, but also to ensure a high quality design which reflects and respects the character of the area, built form and surrounding landscape. The submission is therefore contrary to policy LPS 37.
6. A heritage impact assessment has not been submitted to consider the impact upon the adjacent designated heritage asset, the Grade II\* Tatton Park Registered Park and Garden, and as such the proposal is contrary to paragraph 189 of Framework and policy SE7 of CELPS.
7. The proposed mound between the housing and the industrial estate would result in the part of the public right of way (Knutsford FP 11) which is not being diverted being either on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. This will negatively affect the public right of way, and for this reason the proposed diversion route for FP11 is not acceptable, which is contrary to policy LPS 37 of the CELPS
8. Inadequate landscape detail has been provided. The submission is therefore not in compliance with the requirements of the condition 7 of the outline permission, which sets out a range of detail that is required with the reserved matters submission, which has not been submitted.
9. The scale of the dwellings on certain plots conflicts with plans approved under the outline consent 13/2935M. The proposal is therefore not in compliance with condition 4 of the outline permission
10. An affordable housing scheme that is required by the s106 to be submitted with the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy SC5 of the CELPS.



- 11.A landscape scheme (providing a detailed specification for the public open space) that is required by the s106 to be submitted at the same time as the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy DC40 of the MBLP and policy SE6 of the CELPS.**
- 12. Insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policies SE3 and SE5 of the CELPS and paragraph 175 of the Framework cannot be confirmed.**

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (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 Committee's decision.*



Application No: 18/2996M

Location: LAND NORTH OF PARKGATE INDUSTRIAL ESTATE, PARKGATE LANE, KNUTSFORD, CHESHIRE

Proposal: Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class)

Applicant: The Tatton Estate (R. Brooks, Esq. and R Brooks)

Expiry Date: 23-Nov-2018

### **SUMMARY**

The principle of residential development on the site has been established through the grant of outline planning permission and allocation in the CELPS.

The proposed development seeks to provide a residential development of 235 dwellings on a site allocated for housing in the CELPS. The submission relates to the detail of the proposal in terms of its scale, layout, appearance and landscaping, however a wide range of concerns are raised in terms of this submission.

As proposed there are aspects of the development that are inappropriate development in the Green Belt, and which do not preserve openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In terms of other, non Green Belt, harm, the proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the larger 4 and 5 bed house types, which is contrary to policy H1 of the draft KNP, and subsequently policy SE4 of the CELPS.

Assessment of the proposals against the CEC Design Guide and Building for Life 12 indicates that there are issues in several fundamental areas. As a consequence, the proposal would result in development of a poor quality design that fails to take into account local design standards. The proposal is contrary to policies SD2 and SE1 of the CELPS, the CEC Design Guide and guidance in the Framework.

The proposed junction arrangement close to the entrance of the site is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds,

which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.

A landscape character assessment required by policy LPS 37 has not been submitted. This is required, not only to guide the scale and massing of new development, ensuring that it is acceptable in surrounding landscape, but also to ensure a high quality design which reflects and respects the character of the area, built form and surrounding landscape. The submission is therefore contrary to this policy.

A heritage impact assessment has not been submitted to consider the impact upon the adjacent designated heritage asset, the Grade II\* Tatton Park Registered Park and Garden, and as such the proposal is contrary to paragraph 189 of Framework and policy SE7 of CELPS.

The proposed mound between the housing and the industrial estate would result in the part of the public right of way (Knutsford FP 11) which is not being diverted being either on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. This will negatively affect the public right of way, and for this reason the proposed diversion route for FP11 is not considered to be acceptable, which is contrary to policy LPS 37 of the CELPS.

Inadequate landscape detail has been provided. The submission is therefore not in compliance with the requirements of the condition 7 of the outline permission, which sets out a range of detail that is required with the reserved matters submission, which has not been submitted.

The scale of the dwellings on certain plots conflicts with plans approved under the outline consent 13/2935M. The proposal is therefore not in compliance with condition 4 of the outline permission

An affordable housing scheme that is required by the s106 to be submitted with the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy SC5 of the CELPS.

A landscape scheme (providing a detailed specification for the public open space) that is required by the s106 to be submitted at the same time as the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy DC40 of the MBLP and policy SE6 of the CELPS.

Insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policies SE3 and SE5 of the CELPS and paragraph 175 of the Framework cannot be confirmed.

The provision of 235 new dwellings is clearly a benefit of the proposal, which will make a valuable contribution to the delivery of the Council's 5 year housing land supply. Other benefits relating to the development were secured at the outline stage, including 30%

affordable housing, on site public open space, highways improvements, financial contributions towards recreation and outdoor sports provision, and towards education.

In this case there is clear conflict with the development plan, supplementary planning documents, national planning policy and the outline planning permission. The harm identified above by reason of inappropriateness and other harm is not clearly outweighed by other considerations to amount to very special circumstances. The proposal is therefore not considered to be a sustainable form of development.

## **Summary Recommendation:**

Refuse

## **DESCRIPTION OF SITE AND CONTEXT**

The site is an approximate 16 hectare greenfield site lying to the north east of Knutsford Town centre. Tatton Park is located to the north of the site, Parkgate Industrial Estate is to the south, Birkin Brook and a water treatment plant lie to the east and Parkgate Farm borders the site to the north west.

Part of the site is allocated for housing development under policy LPS 37 in the CELPS, with the remainder being within the Green Belt.

## **DETAILS OF PROPOSAL**

This application seeks approval for the reserved matters following the outline approval 13/2935M, which granted consent for high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces. The number of dwellings was not specified in the decision notice. Access was approved at the outline stage, and the current proposal seeks reserved matters approval for the appearance, landscaping, layout and scale for 235 dwellings.

An identical application (18/2104M) appears elsewhere on the agenda.

## **RELEVANT HISTORY**

18/2105D – Discharge of conditions 6, 19, 21, 23, 24, 25, 29, 39 and 41 on permission  
13/2935M – Not determined to date

18/0337M - Variation of Conditions 4, 23, 33, 34 and 35 on approval 13/2935M - Outline application with all matters reserved except for means of access, for the erection of a high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces – Not determined to date

18/2104M - Reserved matters application pursuant to outline planning consent 13/2935M for siting, design, appearance and landscaping details for residential development (C3 Use Class) – Not determined to date

13/2935M - Outline application with all matters reserved except for means of access, for the erection of a high quality residential development (use class C3) with associated woodland buffer, ecological mitigation and enhancements, and open spaces – Approved 23.06.2015

08/2717P - Outline application for the erection of an employment development comprising class b1, b2 & b8 uses and associated highways works and landscaping buffer (resubmission of 08/0721P) – Not determined to date (s106 never completed)

08/0721P - Erection of employment development comprising class B1, B2 and B8 uses and associated highways works and landscaping buffer (outline with means of access only applied for) – Withdrawn 30.08.2008

## **POLICIES**

### **Development Plan**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG4 Safeguarded Land

PG6 Open Countryside

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

CO3 Digital connections

CO4 Travel plans and transport assessments

LPS 37 Parkgate Extension, Knutsford

Macclesfield Borough Local Plan saved policies (MBLP)

NE9 Protection of River Corridors

NE11 Nature conservation  
NE17 Nature conservation in major developments  
NE18 Accessibility to nature conservation  
RT5 Open space standards  
H9 Occupation of affordable housing  
DC3 Residential Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC14 Noise  
DC17 Water resources  
DC35 Materials and finishes  
DC36 Road layouts and circulation  
DC37 Landscaping  
DC38 Space, light and privacy  
DC40 Children's play / amenity space  
DC63 Contaminated land

**Other Material Considerations**

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

Knutsford Neighbourhood Plan (KNP)

The Knutsford Neighbourhood Plan has reached Regulation 16 stage (consultation on submitted plan), and the consultation period is currently running to 23 November 2018. The plan can be afforded moderate weight in the determination of the application given the stage it has reached. The following policies are considered to be relevant:

D1 The Knutsford Design Guide  
D2 Local Distinctiveness  
D3 Landscape in New Development  
D4 Sustainable Residential Design  
E1 Connections to the Countryside  
E2 Green and Blue Corridors  
E3 Habitat Protection and Biodiversity  
E5 Pollution  
HW1 Health & wellbeing  
HE2 Heritage assets  
H1 Housing mix  
SL1 Open space in new developments  
SL3 New sport and leisure facilities  
T1 Walking in Knutsford  
T2 Cycling in Knutsford  
T3 Public transport  
T4 Parking

**CONSULTATIONS (External to Planning)**

**Historic England** – No comments

**The Gardens Trust** – No comments received (Object to identical application on grounds that housing is far too urban in character for this greenfield site next to a historic parkland which is nationally of 'more than special historic interest')

**Cheshire Gardens Trust** – No comments received

**CPRE** - Without adequate and clear evidence that the development will not harm the landscape views from Tatton Park the application should be rejected.

**Environment Agency** – Object on grounds of insufficient information – comments awaited on revised details

**United Utilities** – No objection subject to drainage conditions

**Manchester Airport** – No objection subject to condition relating to a restriction on bird feeding

**Cheshire Constabulary** – No comments received

**Cheshire Fire Brigade** – No comments received

**Natural England** – Comments awaited

**Flood Risk Manager** – No objection

**Environmental Health** – Require clarification on noise impacts

**Housing Strategy & Needs Manager** – No comments received (Object to identical application on grounds of no tenure split identified, smaller apartment blocks preferred, no affordable housing statement)

**Education** – No comments received

**Public Rights of Way** – Object on grounds of impact on FP11.

**Head of Strategic Infrastructure** – Object, design amendments are required.

**ANSA** – Comments awaited

**Cheshire Archaeology Planning Advisory Service** – No objection – relevant condition attached to outline permission

**Knutsford Town Council** – Support the proposal refer to comments on 18/2104M

**OTHER REPRESENTATIONS**



To date, during the two rounds of public consultation, 8 letters of representation have been received from interested parties, local businesses, The Knutsford Community Groups objecting to the development on the following grounds:

- Abysmal architecture
- We are living in the 21st Century not some Disneyesque Victorian parody
- Noise affecting residents of the site – aircraft and adjacent industrial estate
- Negative visual impact on Grade II\* Tatton Park – No LVIA to address impact
- Shawheath Plantation is not a buffer to Tatton Park, it is part of it.
- Sparse understorey planting will be harvested in next 20 years.
- Emerging neighbouring plan seeks to ensure Knutsford's green and open spaces and landscape setting are retained and enhanced
- Steep changes in ground levels
- Loft conversions / roof windows should not be allowed
- No additional crossing over railway line means access is not satisfactory
- Emergency access will be over existing bridge – what if there is a problem with that bridge?
- Bus services inadequate
- No estimate of numbers of new residents provided, and associated traffic impact
- A new access across the railway line is needed before any more new development is approved
- 235 units is more than 200 in local plan
- Affordable housing scheme lacking
- Inadequate pepper potting
- No provision for more mature residents
- Straight suburban roads, crowded housing and awkward parking
- Monolithic apartments
- Inappropriate location of public open space due to significant sewer with easement rights at the entrance to the site.
- Inappropriate location of POS amenity at the edge of car park in the area shown to be avoided due to noise from the Parkgate Industrial estate 24/7 operation silos
- The requirement to upgrade FP11 to a footpath/ cycleway is not clearly stated.
- Footpath 11 (North Cheshire Way) could be further improved by off site new access to Dog Wood at the entrance of Tatton Park
- the existing ponds are indicated as forming the SUDS system, this might overload them and affect the ecological balance
- The delivery of the proposed open space in relation to the building phasing is unclear
- Improvements to cycle routes needed
- no need for an urban mix in the design. Its rural green farmland in a country park setting. No garages means no electric charge points or cycle storage. Also the plaza parking increases opportunity for crime and antisocial parking

The Knutsford Community Groups also highlight the following strengths with the proposal:

- Gateway into the development with its curved terrace makes a green and pleasant entrance.
- The site has plenty of open space, wildlife areas and ponds.

- The spine road is sinuous and attractive with some generous plots and well-positioned family homes; the Village area has good landscaping and trees on what is currently a rather barren arable site.
- Noise from PIE should be absorbed by the proposed landscaping and deflected by the taller buildings; acoustic design of housing means dwellings will be quiet indoors. Aircraft noise will reduce amenity outdoors, although no shortage of demand for existing properties is evident under the flight paths in this part of the town.
- Housing designs are reasonably consistent with Cheshire East Borough Design Guide [CEBDG] and Knutsford Design Guide [KDG], although they have prompted a range of subjective reactions.

### **OFFICER APPRAISAL**

#### **Principle of development**

The application site is an allocated Strategic Site for housing in the CELPS. Site LPS 37 states that the development of the Parkgate Extension over the Local Plan Strategy period will be achieved through:

- Phased provision of around 200 new homes;
- Incorporation of green infrastructure;
- Implementation of a landscaping scheme, including SuDS and boundary treatments, ecological mitigation and pond treatment required to detract large water birds;
- Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities including a permanent diversion route of public footpath (Knutsford FP11) and at least three 20 metre wide links between the housing area and the woodland buffer;
- An approximate 50 metre acoustic buffer/bund/fence for noise mitigation between the proposed housing and the industrial estate and employment allocation;
- Dwellings within mapped areas of noise mitigation will require mitigation to outdoor amenity space;
- Appropriate contributions towards education facilities.

The number of dwellings was not specified on the decision notice for the outline planning permission, therefore a proposal for 235 dwellings does accord with the outline permission. As noted above, LPS 37 allows for around 200 new homes. 235 would be a 17.5% increase from the broad figure of 200 specified in the policy. Subject to the development complying with other relevant planning policies, it is considered that such a number could be considered to meet the requirement of “around 200 dwellings” in LPS 37. The delivery of the site for residential development will contribute towards the Council’s housing land supply and assist in meeting the development requirements of Knutsford and the wider Borough. The further requirements of policy LPS 37, and other relevant policies, are considered below.

#### **Green Belt**

As noted above part of the application site is located within the Green Belt. A parameters plan approved as part of the outline permission identifies the developable area of the site outside of the Green Belt. It is primarily the areas to the north and west of the application site that are located within the Green Belt. The Green Belt boundary is also shown on the proposed site plan with an unhelpfully thick green dotted line. The thickness of the line does hinder attempts to form a definitive view on whether there is any encroachment into the Green

Belt, given that development (main spine road) is hard up against the Green Belt boundary. Notwithstanding this point, there are some issues that are clear. The following development is proposed in the Green Belt:

- Provision of footpaths and boardwalks
- The provision of part of the rear garden of plot 1
- The erection of fencing around part of the ecological mitigation area
- The provision of a swale and ponds
- The erection of estate railings
- Trim trail consisting of gym equipment
- Playing field

Policy PG3 of the CELPS reflects paragraph 145 of the Framework where it states that within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances.

### Fencing & railings

The construction of new buildings is inappropriate in Green Belt. The Town & Country Planning Act defines a building as “*any structure or erection...*” and in this context fencing and railings are included as buildings. Policy PG3 and paragraph 145 provide a list of exceptions of types of buildings that are not inappropriate development. The proposed fencing and railings are not considered to meet any of the identified exceptions and are therefore inappropriate development in the Green Belt.

### Boardwalks and footpaths

The boardwalks may also be defined as buildings, although no elevations or details have been provided to facilitate the assessment of their impact on openness. PG3 and paragraph 145 state that the provision of appropriate facilities for outdoor sport, outdoor recreation...; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it, are not inappropriate. Whilst the boardwalks could be considered to be such facilities, as structures they do encroach out into the Green Belt from the residential development as they link in with the proposed network of surrounding footpaths.

The same openness and purposes of including land in the Green Belt tests apply to engineering operations (paragraph 146 of the Framework and policy PG3) such as the provision of the footpaths and the swale and ponds. The ponds and swale are considered to preserve the openness of the Green Belt and not conflict with the purposes of including land in it. The footpaths do introduce considerable lengths of hardstanding within the Green Belt, and due to their extent, particularly when combined with the Boardwalks are considered to conflict with the purposes of including land in the Green Belt through encroachment and result in a loss of openness. The footpaths and boardwalks are considered to be inappropriate development in the Green Belt.

### Trim trail & gym equipment

No details have been provided for the trim trail and gym equipment, however it is anticipated that such features would also amount to buildings. As an appropriate facility for outdoor sport or recreation the gym equipment is potentially not inappropriate development subject to the facilities preserving the openness of the Green Belt and not conflicting with the purposes of

including land within it. Insufficient information has been submitted to conclude on this matter.

### Rear garden of plot 1

Material changes in the use of land are also not inappropriate in the Green Belt provided they also preserve its openness and do not conflict with the purposes of including land within it. The provision of part of the rear garden in plot 1 is again considered to conflict with the purposes of including land in the Green Belt through encroachment, and is therefore inappropriate development.

### Playing field

No details have been provided for the playing field, however in the absence of details to suggest otherwise, it is assumed that the playing field is simply the use of the land as opposed to any other form of development. The provision of the playing field is not considered to be inappropriate in the Green Belt.

### Other harm

In terms of other harm, as previously mentioned there is a loss of openness arising from the boardwalks and footpaths, but also from the proposed fencing and railings. The fencing around the ecology area is not specified, and the railings will be “open” in their appearance, but their intention is clearly to create a barrier which by its very nature will not preserve openness.

Any other, non Green Belt harm is identified in the sections below.

### Very Special Circumstances

No Green Belt assessment has been provided by the applicant and therefore no very special circumstances have been put forward. However, the considerations in favour of the development will be assessed in the planning balance section of this report, below.

## **Housing**

### Affordable Housing

30% of the dwellings on site were secured as affordable housing as part of the outline permission, in accordance with policy SC5 of the CELPS. As a development of 235 dwellings, 71 dwellings are required to be provided as affordable dwellings.

The SHMA 2013 shows the majority of the demand annually up to and including 2018 in Knutsford is for 8x 1 bedroom, 34x 2 bedroom and 49x 3 bedroom general needs dwellings. The SHMA also shows a requirement for 10x 1 bedroom dwellings for older persons. These can be provided by Bungalows, Ground Floor Flats, Cottage Style Flats or Lifetime Standard homes.

The current number of those on the Cheshire Homechoice waiting list with Knutsford as their first choice is 131. This can be broken down to 59x 1 bedroom, 46x 2 bedroom, 19x 3 bedroom and 7x 4+ bedroom dwellings. On this site therefore, a mix of 1, 2 and 3 bedroom dwellings with a provision of 1 bedroom older person's dwellings would be appropriate. 46 units should be provided as Affordable Rent and 25 units as Intermediate Tenure.

The submitted details do indicate that 71 dwellings will be provided as affordable units. These are to be provided as:

- 30 x 1 bed apartments (3-storey)
- 18 x 2 bed apartments (3-storey)
- 8 x 2 bed semi-detached / terraced (2-storey)
- 15 x 3 bed semi-detached (2-storey)

However, no information has been submitted to identify the tenure of these dwellings. Whilst it is accepted that the s106 requires 65% of the affordable housing to be Affordable Rented Housing and the balance to be Intermediate Housing, this is not confirmed within the submitted plans. It is considered that the tenures should be appropriately pepper potted through the site. Such details should be included within an Affordable Housing Scheme, which the s106 specifies should be submitted for approval with the first reserved matters application. An Affordable Housing Scheme has not been submitted with this application.

The Housing Strategy and Needs Manager also raises concern that Registered Providers do not like such large apartment blocks due to communal charge aspects that may be required. At the pre-application stage the applicant was advised that apartments in blocks of 4, each with an independent entrance, are preferred. There is also scope for the affordable units to be more widely dispersed throughout the site.

Accordingly, it cannot be concluded at this stage that the proposal complies with policies SC5 or LPS37 of the CELPS.

### Residential Mix

Policy SC4 of the CELPS states that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. Similarly, policy H1 of the draft KNP prioritises smaller house types and requires new residential development on the strategic sites to primarily seek to deliver the following types of market housing (including those for private rental):

- 2/3 bedroomed family housing and that suitable for downsizing with gardens and associated parking
- Housing for older people or those with reduced mobility, either as one or two storey properties or as higher density apartments, which are designed with the specific needs of those users
- Nursing and care homes and sheltered accommodation for the elderly.

The proposed development comprises:

- 36 x 2 bed apartments (3-storey)
- 3 x 1 bed live / work unit (first floor)
- 3 x 2 bed units (2-storey)
- 58 x 3 bed units (9 x 2-storey and 49 x 3-storey)
- 36 x 4 bed units (14 x 2-storey and 22 x 3-storey)
- 28 x 5 bed units 19 x 2-storey and 9 x 3-storey)

The explanatory text for draft policy H1 of the KNP states that:

*“The Cheshire East Strategic Housing Market Assessment (SHMA) from 2016 identifies the need for new housing which meets the need of smaller families, single people, and the elderly. This in part is justified when looking at the demographic changes that are*

*apparent in the Town, including an aging population and a growth of families with older children and those typically in the age bracket as a 'first time buyer'. This is reflected in the feedback received from residents within Knutsford during every consultation on the Neighbourhood Plan."*

In terms of market housing there are only 3 x 2 bed dwellings that are not apartments which is considered to be a key omission in the housing mix given the objectives of draft policy H1, and the justification for it. There are however 64 x 4 and 5 bed units, larger house types, which account for 39% of the market housing on the site and would be the dominant feature within the mix of market housing, which draft policy H1 seeks to avoid.

No up to date evidence of need has been submitted has been submitted to justify the proposed residential mix. Accordingly the proposal is considered to conflict with policy SE4 of the CELPS and draft policy H1 of the KNP.

### **Open Space**

A minimum of 40sqm per dwelling of public open space was secured as part of the outline consent. An adequate amount of formal and informal public open space appears to be provided within the site.

However, a detailed specification for the Public Open Space has not been submitted with this reserved matters application as required by the s106. Accordingly it cannot be determined if the proposal complies with policy DC40 of the MBLP and policy SE6 of the CELPS.

### **Living conditions**

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

However the CE Design Guide states separation distances should be seen as guide rather than a hard and fast rule. The Design Guide does however acknowledge that the distance between rear facing habitable room windows should not drop below 21m. 18m front to front will also provide a good level of privacy, but if this applied too rigidly it will lead to uniformity and limit the potential to create strong streetscenes and variety, and so this distance could go down as low as 12m in some cases.

The only residential property within proximity of the site is at Parkgate Farm, but this is approximately 90 metres away from the nearest of the proposed dwellings.

The layout within the site ensures the relationships between the new dwellings result in acceptable standards of space, light and privacy for future occupants, having regard to the distance guidelines set out above. The proposal is therefore considered to accord with policy DC3 of the MBLP.

### **Noise**

Noise mitigation measures were secured as part of the outline consent which included the provision of acoustic glazing, acoustic insulation and mechanical ventilation and heat recovery systems to avoid the need to open windows from ventilation (condition 33); the provision of an acoustic fence along the southern boundary with the Parkgate Industrial Estate (condition 34), and noise mitigation to be provided for outdoor amenity areas if positioned within a specified area of the site (condition 35). The acoustic fence is proposed in accordance with the outline consent, and all outdoor amenity areas avoid the specified area of the site in accordance with conditions 34 and 35 respectively. Condition 33 will be complied with on completion of the dwellings in accordance with the stated specification.

The application site is in very close proximity of the flight path for Manchester Airport. As such the site will be subject to noise from overhead aircraft with the developable area of the application site lying between the 60dB and 63dB airport noise contours. To put that in some context, 57dB is commonly taken to be the average level of daytime aircraft noise marking the approximate onset of significant community annoyance (Aviation Policy Framework, 2013). However, the principle of the development has been approved, and therefore, given the compliance with the outline consent, the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing, and the relevant section of LPS 37 of the CELPS.

### **Air Quality**

Air quality impacts were also addressed at the outline stage, and mitigation measures were secured as part of that consent, and will need to be complied with. The mitigation included requirements for a travel plan, a dust management plan and electric vehicle charging points.

### **Public Rights of Way**

The development affects Public Footpath Knutsford No. 11, as recorded on the Definitive Map of Public Rights of Way, and this is currently going through a diversion order process for part of the route; however the unaffected part of the route in the south western corner of the site lies within a landscaped area which acts as a buffer to the neighbouring industrial estate. This is referred to in the submitted Design Statement as:

*“Acoustic Buffer – This is proposed in the outline permission design as a planted landscape mound with acoustic fencing along the southern boundary creating shadowing and developable area restrictions to the development.”*

This would have a direct and significant impact on this part of the footpath. This would mean the footpath will be on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. The Public Rights of Way Unit object to the proposal due to this being an unacceptable impact on what is stated to be the “unaffected” section of the Right of way in the current diversion order. This aspect of the proposal is considered to be contrary to policy LPS 37 of the CELPS.

### **Accessibility**

*“Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities including a permanent diversion route of public footpath (Knutsford FP11) and at least three 20 metre wide links between the housing area and the woodland buffer”* are criteria listed under LPS 37 stating how the development of the Parkgate Extension will be achieved over the Local Plan Strategy period. In addition, one of the site specific principles of the development is to *“Improve the connectivity and accessibility into and out of the site to the*

*town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages”.*

As part of the consideration of the application for commercial development (accessed from Haig Road) on the southern part of LPS 37, it was identified that there are footways on both sides of Haig Road that provide good pedestrian access to the site. The Highways Authority has also confirmed that Haig Road carriageway is suitable for cyclists without further improvements being made. FP11 was unaffected by the proposal.

In terms of the proposed residential development, this is accessed directly from Parkgate Lane. Whilst sections of Parkgate Lane do not have a footway, access to the development was approved as part of the outline consent and has therefore been found to be acceptable. No requirements for improvements to provide improved footway / cycleway linkages to the town centre were required as part of the outline permission.

### **Highways**

Whilst access was approved as part of the outline permission, this reserved matters submission seeks approval for the internal road layout of the site.

The CEC Design Guide promotes a Manual for Streets approach to all residential developments, and it is important that the design aims to reduce vehicle speeds. The main access to the site has a very straight alignment and although there is a bend in the spine road, it appears to continue on into a straight access road for private parking.

This junction arrangement is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds, which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.

It is also difficult to see how vehicles will enter and exit the private parking spaces for plots 25-31 in a safe manner. Reversing might be the easiest option which will then mean reversing out into the bend on the main access road, which again has road safety concerns.

In terms of adoption, the lack of service verges and strips will prevent the internal roads being adopted and the site will have to remain private. The parking spaces are provided in accordance with CEC parking standards.

### **Trees / Landscape**

#### Trees

Condition 25 of the outline permission requires an arboricultural impact assessment to be submitted with the reserved matters submissions. One has been received in accordance with this condition.

The Assessment has identified a number of proposed tree removals which include two mature Oak (T1 and T2) along the northern boundary of the site to accommodate an access road and proposed swale, two low /poor quality Ash trees (T14 and T15) and a section of overgrown hawthorn hedge (G3)

The loss of the two mature Oak (T1, T2) has been justified on arboricultural grounds the basis that the trees display extensive decay and dieback. It is noted however that Oak (T1) has



been identified as an over mature / veteran tree. In this regard paragraph 175 of the Framework advises that planning permission should be refused for development resulting in the loss of veteran trees unless there are wholly exceptional reasons and a suitable compensation strategy exists. This is not evident in this case, however, clarification is required in terms of whether Oak (T1) is a Veteran Tree using the Specialist Survey Method for Veteran Trees (Natural England).

Some pruning of an Ash (T10) is required to accommodate Plot 175 and reduce issues of shading / social proximity. BS5837:2012 advises that such issues should be designed out and in this regard there appears to be scope to move the building without the need for any pruning. Similarly permanent hard surfacing is proposed within the RPA of this tree and this ought to be avoided by adjusting the design. Revised plans are said to have addressed this issue, but this is not clear from the submission.

The Assessment identifies proposed drainage work within the Root Protection Areas (RPA's) of part of Group G3 and Group G9 which can be accommodated in accordance with the specified Arboricultural Method Statement at Section 5 of the Report.

The submitted Drainage Strategy refers to the discharge of surface water into Birkin Brook to the east of the site. Established woodland (G4) is a significant feature of the eastern boundary along a steeply sloping embankment down to Birkin Brook. The Arboricultural Assessment does not appear to make any reference to the impact of any proposals for the removal of surface water on the established woodland. This matter therefore requires an updated assessment and clarification as to the extent and proposed mitigation of any tree losses.

Consequently, insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policy SE5 of the CELPS cannot be confirmed.

### Landscape

Condition 7 of the outline planning permission requires the following specific details to be submitted as part of the landscape scheme submitted with the reserved matters:

- *Existing and proposed levels and contours*

The Proposed levels drawings 1 to 4 do not have sufficient information for the open space areas and the southern buffer, or the swales.

- *Proposed levels, cross sections and construction details for any mound along the boundary with the industrial estate including details for the position and height of any acoustic fencing.*

The landscape plans indicate that a retaining wall and earth mound/slope would be formed but no detailed information has been submitted. Two pedestrian accesses to the industrial estate are proposed. The retaining walls would need to return along the paths to retain earth banks – the paths would be enclosed/unsafe/unpleasant, and the paths are not considered to be necessary/desirable additions to the layout.

- *Details for planting on the earth mound (which should include larger nursery stock) along the boundary with the industrial estate shall be accompanied with a timetable for implementation with the aim of achieving screening and impact at an early stage in the build phase.*

Proposed planting details have been submitted (see below). An implementation plan has not been provided. The 30m landscape buffer shown on the plans approved at the outline stage is compromised by the extensive provision of car parking within it.

- *Existing boundary vegetation and proposed soft landscape design including: woodland, scrub, parkland trees, hedgerows, wildflower grassland, mown grassed areas, ponds/SUDS (number and location to be agreed) and ornamental trees and shrubs.*

Details have been submitted but the proposals could be improved (see below)

- *Full details of proposed species and plant mixes for all open space compartments and for the housing area.*

Details have been submitted (see below).

- *Full details for all hard landscape elements within the open space compartments i.e. footpath/cycleway surfacing materials, street furniture, play equipment, public art and interpretive material. Plus varied, high quality hard surfacing materials within the housing area.*

There are no hard landscape details for the housing area. Hoggin/self-binding gravel is proposed for the POS footpaths. The POS design does not include a cycle route. None of the other required details have been submitted.

- *Details for boundary walls, fencing and railings. Prominent side and rear garden boundaries should be brick rather than timber fencing.*

Boundary details have not been submitted

- *The development must include at least three links between the housing area and the woodland buffer which must be approximately 20 metres in width and must include a footpath/cycleway link.*

These are not shown on the plans.

- *A permanent diversion route for public footpath (Knutsford FP11).*

As noted above, the first section of this footpath off Parkgate Lane could not be retained due to the proposed earth mound/retaining structure and woodland planting. This section of the footpath would need to be diverted.

Other issues with the proposed landscaping raised by the landscape officer include:

- The frontage/arrival area - the playing field could be more centrally located with variable mowing regimes/wild flowers and parkland trees around the periphery to enhance the area.
- The swale is uniform and uninteresting
- Are all boardwalks necessary?
- Hedging is not necessary around the entire POS (and footpath links) – open views are desirable particularly over the play area.
- Perimeter earth mounds to the play area do not promote natural surveillance.

- Variable mowing would enhance the POS – e.g. a closer mown area for play/community events to the west.
- A cycle route should be included.
- The Proposed Phasing Plan excludes most POS areas. This information should be provided.
- The proposed native planting should be amended to improve the spacing of tree and shrub species, avoid large trees in close proximity to rear gardens, and to create woodland edges.
- Scope for more trees and a wider variety of species.
- Scope for more shrub planting to break up frontage parking and parking courts

One of the site specific principles of development for site LPS 37 is for a Landscape Character Assessment (LCA) to be undertaken to guide the scale and massing of new development and to ensure it is acceptable with the surrounding landscape. Whilst it is acknowledged that the heights of buildings were established at the outline stage, the purposes of the LCA are also to ensure a high quality design, which reflects and respects the character of the area, built form and surrounding landscape. This is to include the provision of a landscape buffer to enhance and secure the boundary of the Tatton Park Estate to the north and west of the site and between the employment site to the south. A Landscape Character Assessment has not been submitted.

It is also noted that the 30m landscape buffer secured at the outline stage (shown on approved parameters plan BB\_00\_001 Rev B) has been lost to car parking and bin stores. This reduces the landscape buffer down to 6 metres to the rear of the bin stores and 12m to the edge of the parking area. This is not in compliance with the outline permission.

It is therefore clear that the current reserved matters submission does not comply with the requirements of the outline permission. Accordingly, insufficient information has been submitted to be able to confirm compliance with policies SE1, SE4, SD2 and LPS 37 of the CELPS.

### **Heritage Impact**

The application site is located adjacent to the Grade II\* Registered Park & Garden of Tatton Park, a designated heritage asset. The Gardens Trust are a Statutory Consultee with regard to proposed development affecting a site included by Historic England on their Register of Parks & Gardens. The Gardens Trust identify Grade II\* Parks & Gardens, such as Tatton Park, as “*particularly important sites, of more than special interest*”.

Paragraph 189 of the Framework states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.

This is reflected in Policy SE7 of Cheshire East’s adopted Local Plan Strategy which also states in paragraph 3 that:

*“The council...will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by: a. Designated Heritage Assets:*

*i. Requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.”*

A Heritage Impact Assessment has not been submitted with the current application, and no such assessment was submitted with the outline application. Whilst there was an impact assessment as part of the Local Plan allocation, there has been no assessment of the impact upon the significance of the heritage asset arising from this specific proposal, to enable compliance with paragraph 189. Whilst this is a reserved matters application, and the principle of the development and the heights of the buildings have been established, an impact assessment would be required to take account of the positioning and form of the development.

Paragraph 190 of the NPPF requires the LPA to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. As a Grade II\* Park and Garden, the heritage asset is of more than special interest. There is the potential for real harm to the asset and its setting, and given the close relationship, if the design and landscaping of the scheme are not sensitively managed based on a robust impact assessment. This is highlighted by representations received from third parties

The Gardens Trust, a statutory consultee, has objected to the proposal on the grounds that the proposed housing is far too urban in character for this greenfield site next to a historic parkland which is nationally of ‘more than special historic interest’. Only one small residential character area in the plan shown on page 8 of the Design Statement dated April 2018 is identified as ‘semi-rural’. The Gardens Trust would like to see a more sensitive and lower-key approach to development which retains as much as possible of the currently rural character of the Tatton Park setting. They suggest that since this new development will be isolated from the rest of Knutsford it could be treated as a village (which seems to have been the original approach with references to ‘Village South’, ‘Village East’, etc. in the Design Code document accompanying the outline application) rather than a central part of a town. It does not need to have a very urban character just because there is an industrial estate to the south, nor does it need to make a statement.

The conservation officer echoes this view, and also objects to the proposal, noting that any harm caused by the neighbouring industrial site should not in any way be justification for allowing poor design on this site and not taking the opportunity to create a sense of place and integrate the site into the surrounding area.

Whilst concerns are raised with regard to the impact upon the adjacent designated heritage asset, insufficient information has been submitted with the application to fully understand the potential impact of the proposal on its significance. The proposal is therefore contrary to policy SE7 of the CELPS and paragraph 189 of the Framework, and policy HE2 of the draft KNP.

## **Ecology**

The following conditions attached to the outline planning permission are relevant to ecology matters in the reserved matters submission:

- Conditions 23 and 24 on and off site habitat provision and management
- Condition 29 Ecology, landscape and open space phasing plan.
- Condition 39 Updated badger survey
- Condition 41 Revised ecological mitigation strategy.
- Condition 43 GCN mitigation strategy

Conditions 23, 24 and 43 require approval prior to any of the approved development taking place. Condition 29 requires details to be submitted for the approval of the Local Planning Authority as part of the first reserved matters application. Condition 39 requires a further badger survey to be submitted concurrently with the reserved matters applications. Condition 41 requires reserved matters applications to be supported by a revised ecological mitigation method statement for each phase of development.

Given the requirements of conditions 29, 39 and 41 it would be expected that the details required by these conditions would form part of the reserved matters submission. But they do not. A separate application was submitted simultaneously to discharge conditions. However, the details associated with following conditions do have the potential to affect the layout of the proposal:

Condition 23 – On site habitat provision

Condition 29 – Ecology, landscape and open space phasing plan

Condition 41 - Revised ecological mitigation strategy

Condition 43 – GCN mitigation strategy

Comments on these matters are awaited from the nature conservation officer, and will be reported as an update.

### **Layout / Design**

Chapter 12 of the NPPF sets out national policy for achieving well-designed places. The creation of high quality buildings and places is fundamental to what the planning and development process should achieve.

Paragraph 127 of the NPPF sets out 5 important broad criteria to ensure well functioning, attractive and sustainable places are achieved through development decisions. Without being overly prescriptive, the development of this site should be sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities). Paragraph 130 advises that *“permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards...”*.

Despite engagement between the applicant, council officers and third parties a proposal has not been submitted that meets required design standards.

Amongst other criteria, policy SD2 of the CELPS expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

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

Policy SE1 of the CELPS expects housing developments to achieve Building for Life 12 (BfL12) standard, and that development proposals consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are also reflected in the CEC Design Guide. The relevant BfL12 headings are considered below:

### Connections

The site is located within a semi-rural location, to the north east of the Knutsford settlement, positioned between the Parkgate Industrial Estate and Tatton Park. The site is accessed from a single point of access from Parkgate Lane. Footpath 11 which crosses the site provides connectivity to the east, towards Mobberley. To reach the nearest shops / facilities, and Knutsford town centre, access would be along Parkgate Lane and Mobberley Road.

### Facilities and services

There are a small number of shops and facilities at the end of Parkgate Lane, which is approximately 500 metres from the site, and within walking distance, as is the nearest primary school and the closest healthcare provision. Knutsford Town centre is less than 2kms from the site. All these local facilities are therefore accessible on foot from the application site

### Public transport

The number 88 bus which travels between Knutsford and Wilmslow has its nearest bus stop on Manor Park North, which is not particularly convenient for residents of the site, as it is located within the housing estate on the opposite side of Mobberley Road, but is still a non car option for travel between Knutsford and Altrincham. The train station is approximately 2kms from the site.

### Meeting local housing requirements

As noted above, in terms of market housing there are only 3 x 2 bed dwellings that are not apartments which is considered to be a key omission in the housing mix given the objectives of draft policy H1 outlined above, and the justification for it. There are however 64 x 4 and 5 bed units, larger house types, which account for 39% of the market housing on the site and would be the dominant feature within the mix of market housing, which draft policy H1 seeks to avoid. In order to be truly pepper potted in accordance with policy SC5 of the CELPS, the affordable housing could be more widely dispersed, notably to the east of the site.

### Character

As noted above, one of the site specific principles of development for site LPS 37 is for a Landscape Character Assessment (LCA) to be undertaken to guide the scale and massing of

new development and to ensure a high quality design, which reflects and respects the character of the area, built form and surrounding landscape.

The character of the proposed housing seeks to replicate what lies within Knutsford Town Centre with rows and rows of dense and traditionally designed terraced units together with a mix of detached and semi-detached properties. However, the site is rather remote from the town centre, at the north eastern edge of the settlement. The defining features of this area's character are the Parkgate Industrial Estate, Tatton Park and agricultural land and buildings, and none of these features appear to be borne out in the character of the proposed residential development.

The Gardens Trust has noted that only one small residential character area in the Design Statement is identified as 'semi-rural'. It is considered that this could be extended further, given the established character of surrounding land uses.

### Working with the site and its context

The site is open with few remarkable features, with the exception of off-site woodland to the north and east boundaries. As noted above the adjoining land uses dictate the context of the site, and the proposals offer little acknowledgement to them. The northern edge of the site in particular presents an overly dense built edge which is contrary to the advice in the Design Guide, which states:

*"Areas of lesser activity, for example sub-urban residential areas adjacent to open spaces of the countryside would have a reduced density and less formal character with more generous gardens."*

Whilst revised plans have softened the northern edge slightly from the original submission, it still represents a very regimented building line and approach to this boundary of the site. A much more informal and spacious character would better relate to the Green Belt boundary and Tatton Park to the north.

The proposal for 235 dwellings, in its current form, appears to be too many for the site. A figure closer to the 200 as in the Local Plan allocation would perhaps offer a more suitable density on the site.

### Creating well defined streets and spaces

The principal and secondary streets in particular do not have sufficiently strong landscape features to reinforce the street hierarchy, or to supplement and connect the green infrastructure on the periphery and within the site. The boundary treatments are not clear, and whilst details of boundary treatments have not been submitted, the 3D images show poor quality treatments are used in the courtyards which, whilst these areas are semi private, do not contribute to a high quality environment. The street scenes along the North edge of the site show large runs of low quality boundary treatment between the units, which do not respond to the proximity and potential harm caused to the setting of the Tatton Park Estate. A more natural, softer landscape response would be more appropriate in this location.

Ineffective turn-the-corner house types results in the rear of the dwellings being open to the view from the road / public areas, and insufficiently active frontages to the side. This is unsatisfactory and goes against the guidance of perimeter blocks that have definitive areas of public and private space and appropriate levels of passive surveillance. Whilst revised plans

have sought to add windows to blank walls, this does not overcome the concerns highlighted above.

There are a number of plots which indicate a boundary treatment that is directly adjacent to the back of pavement, parking courtyard or rear boundary properties that are visible from the public realm. All of these relationships are incompatible with the creation of a high quality development.

The straight alignment of many of the streets results in very little variation to building lines. The repositioning of units could provide diversity to the building line and add character to the street scene. There are areas where the rear of the property is a primary view from the open space, revealing the rear boundary treatment. This is an unsatisfactory external aspect, terminating long views from the surrounding green space.

### Easy to find your way around

Given the predominant use of straight roads and rigid building lines, the majority of the development is made up of distinct blocks, which are easy to navigate. The eastern end of the site does however prevent access through the development onto the open space beyond.

### Streets for all

As noted above there is some concern raised with regard to the very straight alignment of some of the streets, notably to the south, which does have the potential to have a significant impact on highway safety. Whilst other techniques are proposed to reduce vehicle speeds, the potential for higher speeds does remain. This compromises the extent to which the streets can function as shared spaces.

### Car parking

A mix of parking solutions is encouraged by the Design Guide to ensure that the street scene is not dominated by vehicles. Many of the plots have the parking spaces to the front of the units, and the effect of this is the dominance of vehicles in the street scene and minimal green amenity space to the front of the units. Several streets have an abundance of front of plot parking with very limited scope for landscaping to prevent the street scene becoming visually dominated by vehicles.

Courtyard parking is not an ideal solution if not gated/and or over looked. Spatially the courtyards are very tight and are unlikely to exhibit quality in landscape terms. They should look good as spaces both with and without cars in order to be effective. However, in this case they are enclosed by fencing with virtually no landscaping.

The crescent at the gateway serves as a feature entrance but its impact is again diluted by the presence of front of plot parking.

### Public and private spaces

The mounds and hedgerows that surround the play area serve to significantly restrict the natural surveillance of this area. The location of the playing field to western boundary means that there is inadequate natural surveillance of this area. As noted above, there are also concerns regarding the “unaffected” section of footpath 11, which is likely to result in this part of the footpath being very enclosed and private.



## External storage and amenity

Some properties are shown to have detached garages, which will serve as part of the parking provision for the relevant dwellings. However, no plans or elevations for these structures have been submitted. Unless they are particularly generously proportioned garages, they cannot be relied on for external storage, as it is expected that once the car is parked in the garage, no space will be available for other storage. Further external storage facilities will be required. For example, house types G and H are 3 and 4 bed terraced properties, clearly intended for occupancy by families, but many of these units in the dense central section of the site, have no storage facilities at all. This is likely to result in a plethora of sheds cluttering the rear gardens and having knock on visual impacts upon the already featureless parking courtyards.

## General

A design code has retrospectively been submitted, but this illustrates the concerns regarding street hierarchy, lack of green infrastructure connectivity throughout the site and the effect of front of plot parking solutions. The concept of a village heart is sound but the location and mix of units makes this character area exclusive and separate to the rest of the development.

Whilst the site is in a relatively sustainable location, there is very little information to demonstrate that other passive or active sustainable design features have influenced the development. The architecture certainly does not reflect the intention and whilst Passive House standards have been mentioned, again the housing types could go further to illustrate this. The site context offers an opportunity for sustainable design to be an underpinning theme of the development and this clearly hasn't been harnessed to inform the overarching design concept. Policy SD2 of the CELPS and draft policy D4 of the KNP outline requirements for new residential development in this regard. This is a matter that has not been considered in the design.

Condition 2 of the outline permission requires the reserved matters to be in accordance with parameters plan BB\_00\_001 Rev B. This plan identifies the areas of the site where two and three-storey dwellings can be constructed. This delineation is also shown on the proposed site plan as part of the current submission. There is clear conflict with the parameters plan, and the outline permission, as plots 8, 47, 80, 130 and 131 show 3-storey properties encroaching into the two-storey area. There are also two-storey properties shown in the three-storey area. The proposal therefore does not comply with the plans and parameters approved at the outline stage.

As noted above, concerns are raised regarding: the mix of the properties proposed; the absence of a landscape character assessment; the character and density of the development; the definition of streets and spaces, and associated landscaping; the boundaries with surrounding open areas; the absence of boundary treatment details; the way in which plots turn corners; the straight alignment of streets; the extent of frontage parking and uninspiring, bland parking courts and general dominance of parked cars; enclosure of play area and lack of natural surveillance, and; the lack of external storage. For these reasons the design officer has objected to the proposal, and due to these issues conflict with policies SD2 and SE1, and the CEC Design Guide can be identified.

## **Flooding**

The majority of the site lies within flood zone 1, however there are areas to the east of the site that are located within flood zones 2 and 3, which have higher risks of flooding. All the residential development is located outside of flood zones 2 and 3 as required by CELPS policy LPS 37.

The Flood Risk manager raises no objections to the proposal; relevant conditions were attached to the outline. Comments are awaited from the Environment Agency. Subject to their satisfactory response and compliance with the conditions on the outline the proposal will comply with policy SE12 of the CELPS.

### **Contaminated Land**

Contaminated land matters were considered and appropriately conditioned at the outline stage. No further contaminated land matters are raised by the proposed reserved matters.

### **BALANCE OF ISSUES**

The proposed development seeks to provide a residential development of 235 dwellings on a site allocated for housing in the CELPS. The submission relates to the detail of the proposal in terms of its scale, layout, appearance and landscaping, however a wide range of concerns are raised in terms of this submission.

As proposed there are aspects of the development that are inappropriate development in the Green Belt, and which do not preserve openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

In terms of other, non Green Belt, harm, the proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the larger 4 and 5 bed house types, which is contrary to policy H1 of the draft KNP, and subsequently policy SE4 of the CELPS.

Assessment of the proposals against the CEC Design Guide and Building for Life 12 indicates that there are issues in several fundamental areas. As a consequence, the proposal is not considered to be good enough to approve. The proposal is contrary to policies SD2 and SE1 of the CELPS, and the CEC Design Guide.

The proposed junction arrangement close to the entrance of the site is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds, which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.

A landscape character assessment required by policy LPS 37 has not been submitted. This is required, not only to guide the scale and massing of new development, ensuring that it is acceptable in surrounding landscape, but also to ensure a high quality design which reflects

and respects the character of the area, built form and surrounding landscape. The submission is therefore contrary to this policy.

A heritage impact assessment has not been submitted to consider the impact upon the adjacent designated heritage asset, the Grade II\* Tatton Park Registered Park and Garden, and as such the proposal is contrary to paragraph 189 of Framework and policy SE7 of CELPS.

The proposed mound between the housing and the industrial estate would result in the part of the public right of way (Knutsford FP 11) which is not being diverted being either on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. This will negatively affect the public right of way, and for this reason the proposed diversion route for FP11 is not considered to be acceptable, which is contrary to policy LPS 37 of the CELPS.

Inadequate landscape detail has been provided. The submission is therefore not in compliance with the requirements of the condition 7 of the outline permission, which sets out a range of detail that is required with the reserved matters submission, which has not been submitted.

The scale of the dwellings on certain plots conflicts with plans approved under the outline consent 13/2935M. The proposal is therefore not in compliance with condition 4 of the outline permission

An affordable housing scheme that is required by the s106 to be submitted with the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy SC5 of the CELPS.

A landscape scheme (providing a detailed specification for the public open space) that is required by the s106 to be submitted at the same time as the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy DC40 of the MBLP and policy SE6 of the CELPS.

Insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policies SE3 and SE5 of the CELPS and paragraph 175 of the Framework cannot be confirmed.

The provision of 235 new dwellings is clearly a benefit of the proposal, which will make a valuable contribution to the delivery of the Council's 5 year housing land supply. Other benefits relating to the development were secured at the outline stage, including 30% affordable housing, on site public open space, highways improvements, financial contributions towards recreation and outdoor sports provision, and towards education.

In this case there is clear conflict with the development plan, supplementary planning documents, and the outline planning permission. The harm identified above by reason of inappropriateness and other harm is not clearly outweighed by other considerations to

amount to very special circumstances. The proposal is therefore not considered to be a sustainable form of development. Accordingly, the application is recommended for refusal for the following reasons:

1. The proposal is inappropriate development in the Green Belt contrary to policy PG3 of the CELPS.
2. The proposed residential mix does not accord with the objective of the KNP, which identifies the need for new housing which meets the need of smaller families, single people, and the elderly. The more dominant open market units in this scheme are the larger 4 and 5 bed house types, which is contrary to policy H1 of the draft KNP, and subsequently policy SE4 of the CELPS.
3. Assessment of the proposals against the CEC Design Guide and Building for Life 12 indicates that there are issues in several fundamental areas. As a consequence, the proposal is not considered to be good enough to approve. The proposal is contrary to policies SD2 and SE1 of the CELPS, and the CEC Design Guide.
4. The proposed junction arrangement close to the entrance of the site is too straight without any deflection, which will inevitably lead to vehicles merging, potentially at higher speeds, which will have significant highway safety implications, contrary to policy DC6 of the MBLP and paragraph 108 of the Framework.
5. A landscape character assessment required by policy LPS 37 has not been submitted. This is required, not only to guide the scale and massing of new development, ensuring that it is acceptable in surrounding landscape, but also to ensure a high quality design which reflects and respects the character of the area, built form and surrounding landscape. The submission is therefore contrary to policy LPS 37.
6. A heritage impact assessment has not been submitted to consider the impact upon the adjacent designated heritage asset, the Grade II\* Tatton Park Registered Park and Garden, and as such the proposal is contrary to paragraph 189 of Framework and policy SE7 of CELPS.
7. The proposed mound between the housing and the industrial estate would result in the part of the public right of way (Knutsford FP 11) which is not being diverted being either on top of the mound or between the retaining wall/acoustic fence and the neighbouring industrial building. This will negatively affect the public right of way, and for this reason the proposed diversion route for FP11 is not acceptable, which is contrary to policy LPS 37 of the CELPS
8. Inadequate landscape detail has been provided. The submission is therefore not in compliance with the requirements of the condition 7 of the outline permission, which sets out a range of detail that is required with the reserved matters submission, which has not been submitted.
9. The scale of the dwellings on certain plots conflicts with plans approved under the outline consent 13/2935M. The proposal is therefore not in compliance with condition 4 of the outline permission
10. An affordable housing scheme that is required by the s106 to be submitted with the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy SC5 of the CELPS.

- 11.A landscape scheme (providing a detailed specification for the public open space) that is required by the s106 to be submitted at the same time as the first reserved matters application has not been submitted. Insufficient information has therefore been submitted to enable an assessment of compliance with policy DC40 of the MBLP and policy SE6 of the CELPS.**
- 12. Insufficient information has been submitted to demonstrate the full extent of the impact of the development upon trees or woodlands (including veteran trees), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area. Accordingly, compliance with policies SE3 and SE5 of the CELPS and paragraph 175 of the Framework cannot be confirmed.**

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (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 Committee's decision.*

