

Strategic Planning Board

Agenda

Date: Wednesday 18th December 2019
Time: 10.00 am
Venue: Council Chamber - Town Hall, Macclesfield, SK10 1EA

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

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

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

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

1. **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 - 6)

To approve the minutes of the meeting held on 20 November 2019 as a correct record.

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

4. **Public Speaking**

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

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

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

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

5. **19/2202M - Land Between Clay Lane and Sagars Road, Handforth SK9 3HF: Application for reserved matters approval (appearance, landscaping, layout and scale) for the erection of 224 dwellings, landscaping, public open space, internal access roads, garages, car parking, and associated infrastructure for Anwyl Homes (Pages 7 - 28)**

To consider the above application.

6. **19/3784C - Land South Of, Old Mill Road, Sandbach: Full planning application for erection of a care home (class C2), 85 new dwellings (class C3) and creation of associated access roads, public open space and landscaping for Muller Property Group (Pages 29 - 62)**

To consider the above application.

7. **19/3162C - Land South of, Waggs Road, Congleton, Cheshire: Outline planning application for the erection of up to 98 dwellings with public open space, landscaping, and sustainable drainage system (SuDS) and vehicular access point from Waggs Road. Footpath and carriageway improvements along Waggs Road fronting properties between 75 and 89 Waggs Road. All matters reserved except for means of access for Gladman (Pages 63 - 92)**

To consider the above application.

8. **Brooks Lane Development Framework Supplementary Planning Document (Pages 93 - 218)**

To consider the Brooks Lane Development Framework Supplementary Planning document.

9. **Planning Appeals Report** (Pages 219 - 238)

To consider the report.

Membership: Councillors S Edgar, A Farrall, S Gardiner (Vice-Chairman), P Groves, S Hogben, M Hunter (Chairman), D Jefferay, R Moreton, P Redstone, B Roberts, J Weatherill and P Williams

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 20th November, 2019 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor M Hunter (Chairman)

Councillors M Benson (Substitute), L Braithwaite, S Edgar, A Farrall,
P Groves, S Hogben, D Jefferay, R Moreton, P Redstone and J Weatherill

OFFICERS IN ATTENDANCE

Mrs C Coombs (Principal Planning Officer), Ms S Dillon (Senior Lawyer), Mr N
Jones (Principal Development Officer), Mr D Malcolm (Acting Head of
Planning) and Ms S Orrell (Principal Planning Officer)

44 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors S Gardiner, B
Roberts and P Williams.

45 DECLARATIONS OF INTEREST/PRE DETERMINATION

None.

46 MINUTES OF THE PREVIOUS MEETING

RESOLVED

That the minutes of the meeting held on 23 October 2019 be approved as
a correct record and signed by the Chairman.

(During consideration of the item, Councillor P Redstone arrived to the
meeting).

47 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

48 16/3724C-RESERVED MATTERS APPLICATION ON OUTLINE APPLICATION 08/0492/OUT FOR APPEARANCE, LANDSCAPING, LAYOUT AND SCALE WITH RESPECT TO 138 DWELLINGS. (REVISED DESCRIPTION), VICTORIA MILLS, MACCLESFIELD ROAD,

HOLMES CHAPEL FOR MR MATTHEW TUDOR-OWEN, ANWYL HOMES

Consideration was given to the above application.

(Councillor Les Gilbert, the Ward Councillor, Parish Councillor Brian Bath, representing Holmes Chapel Parish Council, Robert Green, an objector, Anthony Garnett, a supporter and Connor Vallely, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That for the reasons set out in the report and in the written update to the Board, the application be approved subject to the following conditions:-

1. Approved Plans
2. Jodrell Bank Materials
3. Revised boundary treatments (1.8m high close boarded fence to all rear garden boundaries)
4. Scheme of hedgehog gaps in boundary fences/walls
5. Facing/ Hard surfacing Materials to be approved – notwithstanding submitted details
6. Elevations/layout of bin/bike store for apartments/ electricity sub-station to be provided
7. Materials for frontage car parking to be approved/ revised
8. Removal of permitted development rights for affordable units PLOTS 65-67(class A); PLOT 8 (class A), plots 30-47 (classes A and B) and for all dwellings re walls/means of enclosure forward of front building line (open plan estate)
9. LEAP equipment specification to be approved
10. Additional tree planting scheme in key positions in street scene

- 49 **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 TOTALLING 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 TOTALLING 13.652M2 WITH ASSOCIATED INFRASTRUCTURE (INCLUDING HARD AND SOFT LANDSCAPING), PLOT 36, MIDPOINT 18, HOLMES CHAPEL ROAD, MIDDLEWICH FOR TOTAL DEVELOPMENTS (NW) LTD**

This application was withdrawn by officers prior to the meeting.

- 50 **WITHDRAWN BY OFFICERS-19/2202M-APPLICATION FOR RESERVED MATTERS APPROVAL (APPEARANCE, LANDSCAPING, LAYOUT AND SCALE) FOR THE ERECTION OF 217 DWELLINGS, LANDSCAPING, PUBLIC OPEN SPACE, INTERNAL ACCESS ROADS, GARAGES. CAR PARKING, AND ASSOCIATED INFRASTRUCTURE, LAND BETWEEN CLAY LANE AND SAGARS ROAD, HANDFORTH FOR ALEX WIGFIELD, ANWYL HOMES**

This application was withdrawn by officers prior to the meeting.

- 51 **PROPOSED ARTICLE 4 DIRECTIONS FOR SMALL HOUSES IN MULTIPLE OCCUPATION**

Consideration was given to a report inviting the Strategic Planning Board to recommend to Cabinet that three non-immediate Article 4 Directions to withdraw permitted development rights for the conversion of individual dwellings (Use Class C3) to small Houses in Multiple Occupation (HMOs) (Use Class C4) are made in parts of Crewe.

Having discussed various questions, points and issues arising, Members welcomed the report and;

RESOLVED

1. That the content and conclusions of the report and associated documents be noted.
2. That Cabinet be recommended to authorise the making of three non-immediate Article 4 Directions for the areas shown on the maps attached at Appendix A (Nantwich Road area, Crewe), Appendix B (West Street area, Crewe) and Appendix C (Hungerford Road area, Crewe).

The meeting commenced at 10.00 am and concluded at 12.35 pm

Councillor M Hunter (Chairman)

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Application No: 19/2202M

Location: Land Between Clay Lane and Sagars Road, Handforth SK9 3HF

Proposal: Application for reserved matters approval (appearance, landscaping, layout and scale) for the erection of 224 dwellings, landscaping, public open space, internal access roads, garages, car parking, and associated infrastructure.

Applicant: Alex Wigfield, Anwyl Homes

Expiry Date: 25-Oct-2019

SUMMARY

The proposal seeks to provide 224 dwellings on a site that has outline planning permission for up to 250 dwellings and which is allocated in the CELPS for around 250 dwellings. 67 affordable dwellings are to be provided, which are widely pepper potted across the site, and will contribute towards a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. The abundant and strong green infrastructure around the perimeters of the site is retained. Whilst there is an under provision of play and amenity open space in terms of areas on a plan and having regard to the amounts specified in policy SC 6 of the CELPS; what is proposed is considered to be of quality, is well located and will be a real asset of the site, and will complement the other nearby facilities available at Meriton Road Park. Dobbin Brook forms a natural buffer between existing dwellings to the north and east and the new development and ensures appropriate separation distances are achieved between existing and proposed dwellings to safeguard the living conditions of neighbouring properties. Relationships within the development also ensure satisfactory distances are established between the new dwellings.

The access into the site has previously been approved as part of the outline permission (17/3894M) and the separate full planning application for the access (19/1797M), consequently no access issues are raised with regard to this reserved matters submission. The internal road network meets relevant highways design standards and adequate car parking is provided in accordance with parking standards identified in the CELPS. Added to this a proposed footway / cycleway provides excellent permeability through the site north to south and east to west, which provides links to Styal to the west, south onto Sagars Road towards the train station and east towards Meriton Road Park and Handforth centre.

Whilst some landscape details require further clarification, the main tree / landscape objective of LPS 34 of the CELPS, namely the *“Retention of trees and woodlands on the edges of the site, with new planting to re-enforce important landscape features and to properly define a new Green Belt boundary”*, has been achieved within the proposals. Similarly, there have been a number of amendments made to design and layout of the proposal during the course

of the application which have sought to address issues raised by officers, and whilst some clarification is needed on some, relatively minor, matters the proposed design has developed to a point where it is now considered to be acceptable, when considered against the requirements of policies SD2 and SE1 of the CELPS, and the CEC Design Guide.

Air quality, flood risk and contaminated land matters were addressed either at the outline stage, or have been previously approved as part of the access application, and the current reserved matters application raised no further points of concern on these matters.

The comments received in representation have been given due consideration in the text below. However, subject to the satisfactory clarification on the specific matters referred to in the main body of this report, the proposal is considered to comply with the development plan as a whole and is therefore a sustainable form of development. In accordance with policy MP1 of the CELPS, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made.

Summary Recommendation:

Approve subject to conditions

DESCRIPTION OF SITE AND CONTEXT

The application site is an area of agricultural land that is enclosed by Sagars Road to the south, Clay Lane to the west, residential properties on Windermere Road and Ullswater Road to the north and Hampson Crescent to the east. Much of the site boundary consists of mature trees and hedgerows, with additional hedgerows within the site dividing fields. A small wooded area to the north east of the site separates the application site from the adjacent open space at Meriton Park. Dobbin Brook runs along the rear of the existing properties on Hampson Crescent, along the eastern boundary. Also included within the application site boundary is 15 Hampson Crescent, which is a two-storey, detached dwelling. The site is identified as site LPS 34 in the CELPS, which is allocated for residential development. The majority of the site lies within the Parish of Styal, with just the access from Hampson Crescent located within Handforth Parish.

Some work has commenced on site following the full planning permission for the access, which was approved at the July SPB meeting.

DETAILS OF PROPOSAL

This application seeks approval for the reserved matters following the outline approval 17/3894M, which granted outline planning permission for the erection of up to 250 dwellings with associated works including the demolition of 15 Hampson Crescent. Access was approved at the outline stage, and the current proposal seeks reserved matters approval for the appearance, landscaping, layout and scale for 224 dwellings.

During the course of the application, as a result of extensive discussions with officers, the applicant has sought to address concerns raised by officers in a positive manner through the submission of revised plans. The latest revised plans (December 2019) have increased the proposed dwelling numbers from 217 to 224.

RELEVANT HISTORY

17/3894M - Outline planning application (access to be considered) for erection of up to 250 dwellings with associated works including the demolition of 15 Hampson Crescent – Approved 02.08.2018

19/1797M - Demolition of 15 Hampson Crescent, diversion and culverting of Dobbin Brook and formation of both vehicular and pedestrian access from Meriton Road / Hampson Crescent including associated infrastructure and landscaping works, and creation of temporary construction haul road and compound from Sagars Road – Approved 09.08.2019

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 34 Land Between Clay Lane and Sagars Road, Handforth

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

Handforth Neighbourhood Plan (HNP)

H8 Landscape and Biodiversity
H9 Trees and Hedgerows
H11 Encouraging High Quality Design
H12 Surface water management
H16 Congestion and Highway Safety
H18 Promoting sustainable transport
H19 Improving access to the countryside in Handforth and the surrounding area

Given that the majority of the site is located within Styal, the HNP can only be applied to a very small section of the site around the site access.

Other Material Considerations

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

Styal Neighbourhood Plan

Regulation 7 stage reached – Neighbourhood Area Designation
No policies to give weight to at the present time

CONSULTATIONS (External to Planning)

There have been two rounds of public consultation (in June and October 2019) and the comments below are the most recent comments from each consultee.

It should be noted that whilst there has been an increase of 7 dwellings from the original number of 217 in the latest revised plans, these have not been re-consulted on. The site has outline permission for up to 250 dwellings, and the amendments that have been made make virtually no change to the plots along the north and west boundaries shared with neighbouring properties, and do not significantly alter the built form within the site. As such further consultation is not considered to be necessary.

Environment Agency – No objections

United Utilities – Comments not received at time of report preparation

Manchester Airport – Comments not received at time of report preparation.

Lead Local Flood Authority (LLFA) – No objections

Environmental Health – Raise concerns regarding impact of use of access road upon neighbouring properties on Hampson Crescent. Recommend conditions relating to hours of construction, piled foundations, dust management and floor floating (polishing of large surface, wet concrete floors)

Housing Strategy & Needs Manager – No objections

Education – No comments received

Public Rights of Way – Existing track in the western corner of the site adjacent to Spurs Lodge should be upgraded.

Head of Strategic Infrastructure – No objections

ANSA – No objections

Handforth Parish Council – No objection, but reiterate strong objection over proposals to allow construction traffic to use Sagars Road for site access.

Styal Parish Council - No objections in principle but objects to the current allocation of the S106 monies associated with the development

OTHER REPRESENTATIONS

During the two rounds of public consultation, 16 letters of representation have been received from interested parties objecting to the proposal on the following grounds:

- Meriton Rd, Sagars Rd, Hampson Crescent, The Link and Bulkeley Rd all unsuitable for access
- Additional traffic
- Weight restriction of Sagars Rd
- Increased risk to highway safety
- Impact on wildlife and trees
- Impact on already stretched local services, infrastructure, schools, doctors, etc.
- Access should be from Styal

- Brownfield land should be used, not Green Belt
- Suitable site for houses where Knowle House used to be
- Reports used to support outline application were wrong and misleading
- Surface water drainage proposals not achievable (condition 4)
- Impact of construction on Dobbin Brook
- Diversion of Dobbin Brook will be detrimental to ecology
- Construction management plan inadequate (condition 11)
- Health & safety of local residents
- Impact on air quality
- Noise, disturbance and dust
- No mention how the habitat will be temporarily homed during works, and not enough focus on Dobbin Brook and the wildlife/ecology beyond the site (condition 14)
- Temporary parking restriction not acceptable
- Dust control measures not sufficient (condition 16)
- No remediation strategy provided (condition 18)
- Not enough detail to assess external materials properly (condition 25)
- Bridge will cause problems
- Increased risk of flooding
- Impact on visual amenity of the area
- Site compound results in loss of privacy, increased noise, increased artificial light and dust.
- Impact of construction traffic on parking, congestion, noise levels, damage to property, safety, flood risk and weight loading on Sagars Rd
- Working hours should be weekends only
- A proper Stakeholder Management Strategy should be produced by the developer
- Devaluation of property
- Village is already overloaded with cars that parking in the village is scarce
- Previous planning applications to build in this area have been rejected. (Knowle House).
- Site is protected Green Belt land
- Appears that consulting the public is simply a box-ticking exercise because the comments go completely ignored
- It is unsurprising that the reputation of CEC is in the gutter
- Housing requirement figures do not reflect predicted population growth
- Addition of 217 dwellings virtually doubles the housing stock in Styal
- Perimeter of site used by many people enjoying the Green Belt, and its loss will have significant negative impact on amenity and health of general public
- Low water pressure will be exacerbated
- Japanese Knotweed is present on the site
- Unnecessary development given plans for North Cheshire Garden Village
- Loss of privacy
- Proximity of access road to immediately adjacent properties and associated impact on living conditions
- Bridge structure will dominate adjoining gardens and result in overlooking
- Potential to affect structural integrity of adjoining property
- HGVs will not be able to enter the site or manoeuvre safely
- Recording of existing traffic conditions inadequate

- Increased run off into Dobbing Brook and associated impacts on River Dean and River Bollin.
- Not all residents have been notified of the application
- Separate applications are confusing
- Little discussion and liaison with the residents of Handforth
- Flood risk to properties in close proximity of proposed ponds
- Loss of privacy arising from footpath to rear of Hamp[son Crescent/Sagars Rd properties and increased security risk
- Proximity of properties to rear of Hampson Crescent / Sagars Rd creates noise, light and privacy issues

One letter has been received making the following general observations:

- Every house should be fitted with electric charging point for cars
- For every one tree that is removed at least five should be planted
- Strange that the s106 monies include no reference to Styal, even though all the houses proposed are within the boundaries of Styal, but there is a substantial amount proposed for sports facilities in Wilmslow.

OFFICER APPRAISAL

Principle of development

The application site is an allocated Strategic Site for housing in the CELPS. Site LPS 34 states that the development of the land between Clay Lane and Sagars Road over the Local Plan Strategy period will be achieved through:

- The delivery of around 250 dwellings;
- Provision of a direct cycle and pedestrian link from the site to the west to improve connectivity. A link to the open space to the east should also be provided as part of any development; and
- Retention of trees and woodlands on the edges of the site, with new planting to re-enforce important landscape features and to properly define a new Green Belt boundary.

The outline planning permission approved the development of the site for up to 250 dwellings, in accordance with the allocation in the CELPS. The current reserved matters application proposes 224 dwellings, which is a 10.4% shortfall from the approved 250 dwelling maximum. However, for the purposes of the policy, 224 dwellings is considered to meet the requirement for “around 250 dwellings” in LPS 34. This is of course subject to other policies within the development plan including those related to the efficient use of land and the residential mix of housing developments. 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 Handforth / Styal and the wider Borough. The further requirements of policy LPS 34, and other relevant policies, are considered 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 224 dwellings, 67 dwellings are required to be provided as affordable dwellings. 44 units should be provided as Affordable/Social rent and 23 units as Intermediate tenure.

The current number of those people on the Cheshire Homechoice waiting list with Handforth as their first choice is 318. This can be broken down to 142x 1 bedroom, 105x 2 bedroom, 42x 3 bedroom, 15x 4 bedroom and 14x 5 bedroom dwellings. There is no information for Styal.

The SHMA 2013 showed the majority of the demand annually up to and including 2018 in Handforth and Wilmslow was for 49x 3 and 5x 5 bedroom dwellings. The SHMA also showed an annual requirement for 13x 1 bedroom and 3x 2 bedroom dwellings for older persons. These can be provided by Bungalows, Ground Floor Flats, Cottage Style Flats or Lifetime Standard homes.

An affordable housing scheme has been submitted with this reserved matters application, in accordance with the requirements of the s106 agreement on the outline permission. The submitted details do indicate that 65 dwellings will be provided as affordable units. These are to be provided as:

- 14 x 1 bed ground floor apartments (2-storey building)
- 14 x 1 bed first floor apartments (2-storey building)
- 1 x 2 bed first floor apartment (2-storey building)
- 18 x 2 bed mews / semi-detached (2-storey)
- 19 x 3 bed mews / semi-detached (2-storey)
- 1 x 4 bed detached (2-storey)

The proposed mix of affordable properties is considered to meet the identified needs outlined above, and will contribute to the creation of a mixed, balanced and inclusive community. The revised plans also now show the affordable houses to be widely pepper potted throughout the site. It is therefore considered that the proposal now complies with policy SC5 and the affordable housing requirements of LPS 37 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. In addition, to meet the needs arising from the increasing longevity of the borough's older residents, the council will require developers to demonstrate how their proposal will be capable of meeting, and adapting to, the long term needs of this specific group of people.

Including the affordable units, the proposal provides the following mix of dwellings (all 2-storey or 2.5 storeys):

- 39 x 1 bed apartments (17%)
- 36 x 2 bed dwellings (mews / semi-detached) (16%)
- 70 x 3 bed dwellings (semi-detached / detached) (31%)
- 74 x 4 bed dwellings (detached) (33%)
- 5 x 5 bed dwellings (detached) (2%)

Whilst there is clearly a predominance of 3 and 4 bed dwellings, the above information suggests a broad mix of dwelling types and sizes is provided within the development. The mix of open market dwellings has also been amended during the course of the application to provide more smaller, 1 and 2 bed, properties at the expense of 4-bed detached dwellings.

The proposed development comprises the following open market dwellings:

- 10 x 1 bed apartments (2-storey)
- 18 x 2 bed semi-detached (2-storey)
- 33 x 3 bed mews / semi-detached (16 x 2-storey and 12 x 2.5 storey)
- 18 x 3 bed detached (2-storey)
- 73 x 4 bed detached (54 x 2-storey and 19 x 2.5 storey)
- 5 x 5 bed detached (2-storey)

There is currently no Neighbourhood Plan for Styal, and whilst the provisions of the Handforth Neighbourhood Plan only apply to its designated area (i.e. the area to the east of Dobbin Brook, and not the entire application site), there is some helpful commentary within the justification for HNP policy H2. This policy justification highlights the fact that the proportion of the population in Cheshire East of pensionable age and above will continue to grow (the SHMA 2013 stated that it would “*increase from 83,521 in 2010 to 124,544 by 2030.*”). The justification for this policy also explains that it is essential that a greater balance of house types is introduced to cater for a wider section of the community, and ensure that suitable accommodation is included to allow younger residents to reside in the local area alongside older residents who wish to move to smaller homes but remain in the area. This is considered to reflect the requirements of policy SC 4 of the CELPS, where it requires a mix of housing to help support the creation of mixed, balanced and inclusive communities. The proposed mix of housing outlined above is considered to achieve this objective and as such complies with policy SC 4 of the CELPS.

Open Space

One of the site specific principles of development of this site listed within the local plan allocation (LPS 34) is that “*Provision should be made for public open space, possibly utilising Dobbin Brook as a focus for green infrastructure.*”

Policy SE 6 of the CELPS sets out the open space requirements for housing development which are (per dwelling):

- Children’s play space – 20sqm
- Amenity Green Space – 20sqm
- Allotments – 5sqm
- Green Infrastructure (GI) connectivity 20sqm

(These figures are per family dwelling. However, there is no definition of a family dwelling within the CELPS. Any dwelling could potentially be a family dwelling and therefore the figures below relate to all dwellings proposed and therefore represent the absolute maximum requirement.)

Policy SE 6 states that it is likely that the total amount of 65sqm per home (plus developer contributions for outdoor sports) would be required on major greenfield and brownfield development sites. Contributions towards outdoor sports provision was secured as part of the outline planning permission.

The proposal for 224 dwellings triggers a requirement for 4,480sqm of formal and informal play provision in line with policy SE6 of the CELPS. Two equipped play areas are now proposed – one to the eastern side of the site close to Dobbin Brook and another, smaller

facility, within the centre of the site. The applicant's latest public open space (POS) plan suggests that 4,308sqm of children's play space will be provided, which is a slight shortfall from the policy compliant amount of over 4,000sqm.

4,480sqm of amenity greenspace and 4,480sqm green infrastructure is also required, and the submitted POS plan suggests that 3,060sqm of amenity greenspace will be provided, together with 14,705sqm of green infrastructure. This shows that there will be an under provision of amenity greenspace and a significant over provision of green infrastructure.

However, the GI includes the policy requirements of LPS 34, new Green Belt boundary, retained tree belts, buffer to Dobbin Brook, retained and enhanced ponds and ecological mitigation. In addition it should be acknowledged that the applicant has made a number of significant and positive changes to the layout to give better clarity to the perimeter GI and subsequent maintenance issues in response to previous concerns raised by ANSA. The applicant has also focused on the quality of features at the request of officers, including the surfacing of the footpath / cycleway, pond fencing and entrance features.

Amenity green space is more limited and is focused around the pedestrian and cycleway routes around the site and some smaller pockets of incidental open space, but it should be acknowledged that the GI which is 10m wide in some areas will also serve to satisfy the amenity greenspace requirements on the site.

With regard to play provision, whilst it is questionable whether the entire 4,308sqm of children's play space shown on the POS plan would truly qualify as children's play space, the applicant has introduced a central LAP in addition to a LEAP, which is situated close to the proposed bridge into Meriton Road Park and made several changes to the equipment as requested by ANSA. This has resulted in two attractive, inclusive play areas with a key climbing unit that will provide a focus for play and provide a challenging play environment. This will also complement the facilities available in Meriton Road Park. The applicant has focused on the quality of these areas and the play value they offer. Both areas are fenced as they sit adjacent to footpaths through the site but both also sit within wider green space for social and more active play adjacent to them.

In terms of allotments, the requirement is 5sqm per family dwelling. For 224 dwellings this would amount to 1,120sqm of allotment space. No financial contributions were secured for allotments at the time of the outline planning permission. Therefore, there should be a requirement for them to be provided on site. However, if they were provided on site it would result in an inevitable reduction the number of dwellings, which is not wanted from a housing supply point of view, given that the 224 dwellings currently proposed are notably below the allocation for this site. It has therefore been suggested that areas of productive planting are provided with fruit trees, etc. to compensate for the absence of allotments. Whilst the principle of this idea can be supported, due to the proximity to Manchester Airport, and the potential for such planting to attract birds, which would conflict with the safeguarding requirements of the airport, confirmation is awaited from Manchester Airport on this matter.

Overall, whilst there is an under provision of play and amenity space in terms of areas on a plan, what is proposed is considered to be of quality, is well located and will be a real asset of the site. The substantial over provision of GI is acknowledged and whilst it will not replace play or amenity space, it does bring a different offer to future residents, bringing more natural

environments close to home and opportunities for more informal enjoyment. In this case, it can be accepted that whilst the GI will not replace the play and amenity space, it is considered to be sufficient to mitigate for the shortfall, particularly given the proximity of other facilities at Meriton Road Park. The proposal is therefore considered to comply with the open space requirements of LPS 34 and policy SE 6 of the CELPS.

Living conditions

Saved policy DC3 of the MBLP seeks to protect the living conditions neighbouring properties in terms of loss of privacy, overbearing effect, loss of light, noise, smells, fumes, dust etc. Policy DC38 of the MBLP set out guidelines for space between dwellings, and 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 CEC 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 nearest existing properties to the north of the application on Windermere Road and Ullswater Road meet the above distance guidelines. Similarly, the existing properties to the east, on Hampson Crescent, are over 50 metres away from the nearest of the proposed dwellings. Number 58 Sagars Road is slightly closer with a 37 metre separation distance to the nearest dwelling at plot 17 of the development, which is still well in excess of the recommended distances. Finally, Spurs Lodge, adjacent to the north west site boundary is approximately 50 metres from plot 84.

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.

Environmental Health has raised concern regarding the potential impact upon the occupiers of existing, neighbouring residential dwellings on Hampson Crescent and their very close proximity to the proposed vehicular and pedestrian access. Whilst there will be some impact upon neighbouring properties arising from construction activities and the use of the access road, the proposed access has already been approved under outline application 17/3894M and the separate full planning application for the access (19/1797M). Accordingly, the Council has previously found the access to be acceptable, and there has not been any material change in planning policy, site circumstances or the proposal itself, and in these circumstances, an alternative view now would not be justified.

The proposal is therefore considered to accord with policies DC3 and DC38 of the MBLP.

Air Quality

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

Accessibility / Public Rights of Way

The application site is adjacent to a Public Right of Way, namely Restricted Byway no. 87, Wilmslow. It appears unlikely however, that the proposal would affect the Public Right of Way, although the PROW team has requested that any approval of planning permission includes an informative to ensure that developers are aware of their obligations with regard to the right of way.

Policy LPS 34 in the CELPS requires the *“Provision of a direct cycle and pedestrian link from the site to the west to improve connectivity. A link to the open space to the east should also be provided as part of any development”* and one of the site specific principles of development for the site is to *“Improve the connectivity and accessibility into and out of the site to Handforth town centre and the wider local area with the provision of cycle paths and pedestrian linkages”*.

Policy CO1 of the CELPS seeks to encourage a modal shift away from car travel to public transport, cycling and walking.

As noted above the proposed footway / cycleway provides excellent permeability through the site north to south and east to west. This path provides the required links to the west and the open space to the east, where a bridge is proposed, and a financial contribution was secured as part of the outline permission towards a hard surfaced path from the proposed bridge crossing through the adjacent park. Further linkages are provided to the north / west onto Clay Lane and Sagars Road (towards Styall) and to the south onto Sagars Road.

However, as part of the Section 106 agreement, £18,000 was secured for the improvement of the surface of Restricted Byway no.87, which runs along Clay Lane to the north / west of the site, up to where it meets Sagars Road. There is an existing track identified on the Landscape masterplan within the western corner of the application site adjacent to Spurs Lodge, which is shown to be retained in its current form. Given the improvement works being carried out to the restricted byway, outside of the site, it is considered that this should also be upgraded to a standard suitable for accommodating cyclists and horseriders currently using this route to link Sagars Road to Clay Lane. This would require retaining a width of at least 3 metres and providing a suitable surface other than compacted gravel as suggested. The linking spur from the internal road network to this section of path is also shown to be provided as a footway / cycleway, and therefore it follows that the path should be upgraded also.

The applicant has raised concerns that this section of track has historically been used by vehicles and if it was upgraded to a standard footway / cycleway, vehicles would need to be prevented from using it due to the additional loading arising from motor vehicles on such a surface. If they were prevented from using it as part of the proposals, it may raise legal questions about who can and cannot use the track as local stakeholders may well have accrued prescriptive rights of way over the road by virtue of using it over the preceding years. Further details will be provided as an update.

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 Head of Strategic Infrastructure has commented on the application and noted that the main routes within the site are 5.5m wide and have either one or two footways and the cul-de-sacs are typically 4.8m wide shared surface roads, thereby meeting relevant Highways design standards.

In terms of car parking, the CELPS advises that parking bays should be 4.8m x 2.5m in size, and the parking bays provided within the site do now comply with these dimensions. Cycle stores are identified in the rear gardens, and clarification is awaited regarding cycle parking for the apartments.

The site is located within Styal, and as such the relevant car parking standards are those for the Remainder of the Borough outside of Principal Towns and Key Service Centres. Parking standards within the CELPS are:

Principal Towns and Key Service Centres

1 bedroom - 1 space per dwelling;
2 bedrooms - 2 spaces per dwelling;
3+ bedrooms - 2 spaces per dwelling

Remainder of Borough

1 bedroom - 1 space per dwelling;
2/3 bedrooms - 2 spaces per dwelling;
4/5+ bedrooms - 3 spaces per dwelling

The key difference between the two standards is that 4 and 5+ bed properties should have 3 spaces rather than 2 spaces in areas outside of Principal Towns and Key Service Centres. All properties now have adequate car parking in accordance with the standards for the Remainder of the Borough.

Trees / Landscape

Policy LPS 34 in the CELPS requires the *“Retention of trees and woodlands on the edges of the site, with new planting to re-enforce important landscape features and to properly define a new Green Belt boundary”*, and one of the site specific principles of development for the site is to *“Provide a comprehensive landscaping scheme which retains existing mature trees and hedgerows particularly on the perimeter of the site”*.

Trees

Policy SE5 of the CELPS states *“Development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows 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, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives”*.

Condition 29 of the outline permission requires an arboricultural impact assessment to be submitted with the reserved matters submissions. One has been received (and updated to reflect revised plans) in accordance with this condition as well as a shade assessment.

Selected individual and groups of trees within and adjacent to the site (predominantly along the Sagars Road and Clay Lane boundaries) are protected by the Cheshire East Borough Council (Wilmslow – Handforth Land to the north of Sagars Road) Tree Preservation Order 2017 which was confirmed without modification on 8 March 2018.

The majority of trees along the site boundaries are to be retained as part of the development. The submitted Assessment identifies a number of low category trees for removal. Initially, a Horse Chestnut (T36) protected by the TPO was also proposed for removal due to its condition. This tree was graded as a Moderate (B) category tree with a life expectancy of in excess of 20 years, and following concerns being raised regarding the removal of this tree, it is now shown to be retained.

The Assessment indicates that there will be encroachment within the root protection area (RPA) of a number of trees. Excavations (to provide a proposed footway/cycleway) within the RPA of T28 (a protected Horse Chestnut tree) will be carried out under arboricultural supervision. Subject to this, and given the limited extent of the encroachment, specialist surfacing for footway / cycleway should not be necessary. Encroachment into the RPAs of three other trees (T33, T36 and T37) is acceptable subject to the satisfactory implementation of the Tree Protection Scheme.

A shading assessment of retained trees has been provided which is considered to be acceptable in terms of addressing shading from trees within the layout.

The proposal is therefore considered to comply with policy SE5 of the CELPS.

Landscape

The key landscape requirement within LPS 37, as noted above, is the retention of trees and woodlands on the edges of the site, with new planting to re-enforce important landscape features and to properly define a new Green Belt boundary. This is achieved within the current proposal, and the majority of hedgerows within the site are also retained in accordance with one of the site specific principles of development listed under LPS 37.

A number of specific landscape details are still being clarified and will be reported as an update to Members, and conditions recommended as required.

Ecology

Policy SE3 of the CELPS requires all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. One of the site specific principles of development listed under policy LPS 34 is *“New development will be expected to respect any existing ecological constraints on site and where necessary provide appropriate mitigation”*.

A number of conditions attached to the outline planning permission are relevant to ecology matters in the reserved matters submission, and are discussed, in turn, below:

Condition 8 - Provision of gaps for hedgehogs

The submitted Landscape and Habitat Management Plan includes acceptable proposals for small, 5-inch square gaps that will be provided at the base of garden fencing panels to allow hedgehogs and other small mammals to move between gardens. These hedgehog holes will

be incorporated into fences that run along the edges of the site to maintain connectivity with the surrounding landscapes.

Condition 13 – Ecological enhancement strategy

This condition requires proposals for:

- Features for nesting birds and roosting bats
- Native species planting
- New wildlife ponds.

Acceptable native species planting and new ponds have been included on the submitted landscape plans and proposals for the provision of features for nesting birds and roosting bats are included in the submitted Landscape and Habitat Management Plan.

Proposals for the provision of additional wildlife ponds are further discussed below.

Condition 14 - 10 year management plan

The Landscape and Habitat Management Plan that has been submitted in support of this reserved matters application provides acceptable management arrangements for a period of 25 years.

Condition 15 – 10m undeveloped buffer to Dobbin Brook

The submitted layout plan has sought to address previous concerns relating to the buffer around plots 205 and 206. However, whilst the buffer has been achieved, the pathways to the entrances of plots 206-211 has been removed leaving only grassed areas leading to the main entrances to these properties, which is an impractical solution and will need to be looked at again. Further details will be provided as an update.

Condition 21 - Updated badger and otter survey

An updated protected species report has been submitted in accordance with this condition. No evidence of these species was recorded and they are therefore unlikely to be significantly affected by the proposed development.

Condition 27 – Retention of hedgerows and mitigation for any hedgerows removed.

Hedgerows are a priority habitat and hence a material consideration in the determination of the application. As anticipated at the time of the determination of the outline application, the development of this site will result in the loss of a number of sections of hedgerow. The majority of the existing hedgerows are to be retained as part of the proposal, and an acceptable level of compensatory hedgerow planting is proposed as part of the latest landscaping scheme to compensate for that lost.

Ponds

Three ponds were identified on site during the surveys undertaken in support of the outline application. Of these it appears feasible for one pond to be retained (identified as pond 3 by the ecological assessment submitted with the outline), which lies close to the Clay Lane boundary to the north / west of the site. Pond two is present in the central hedgerow, and would be lost as a result of the proposed development. However, further surveys carried out as part of the outline application confirmed that this was not in fact a pond. Pond 1, which would be lost under the layout, appears as a pond on the 1891-1912 OS maps and again appears on the 1904-1939 OS. This habitat was also considered to be a pond during

amphibian surveys submitted in respect of the outline application. Therefore as this pond is lost to the proposed development a new pond must be provided to compensate for its loss.

Two new ponds were proposed within the red line of the access application (19/1797M); these were however provided under that application to ensure that the proposed access scheme delivered a net gain for biodiversity in accordance with Local Plan Policy SE3. The two ponds were not intended to compensate for the loss of biodiversity from the main part of the development site. As part of the current proposals, one of the ponds secured as part of the access application has been repositioned to the western boundary of the site, and an additional small wildlife has now been incorporated into the proposed layout to compensate for the loss of Pond 1. This new pond is shown in the close to the existing pond to the west of the site (pond 3). Following concerns raised by Manchester Airport regarding the potential for the ponds to attract birds, pond 3 has been broken up into smaller waterbodies, which is intended to reduce their attractiveness to birds, but do still maintain their ecological value. There is therefore overall a satisfactory level of pond creation within the proposed development. A condition would be required to secure the detailed design of the ponds.

Nesting Birds

Due to the hedgerow removal that is required, if planning consent is granted a condition will be required to safeguard nesting birds.

Updated bat survey

An updated bat survey of 15 Hampson Crescent, which is proposed for demolition, did not record any evidence of roosting bats. Therefore, roosting bats are unlikely to be present or affected by the proposed demolition of this property.

The nature conservation officer has noted that whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development, a condition was attached to the outline consent requiring any proposed lighting to be agreed with the LPA.

Subject to the above conditions, and the satisfactory provision of the 10m buffer zone, the proposal will comply with relevant conditions on the outline permission, the requirements of policy SE3 of the CELPS, and the site specific principles relating to ecology of LPS 34.

Layout / Design

Another of the site specific principles of the site listed in LPS 34 is that *“The development must be a high quality design which reflects and respects the character of the area and the amenities of neighbouring properties”*.

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. BfL12 uses a traffic light system, with the aim of eliminating reds, whilst maximising the number of greens. The Council's Design Officer has undertaken a BfL12 assessment of the application, which is reflected in the commentary below.

Connections - **GREEN**

The site is located within a semi-rural location on the eastern edge of Styal immediately adjacent to the settlement of Handforth. The sole vehicular access will be across Dobbin Brook from Hampson Crescent to the east from Handforth. Pedestrian and cycle links are also provided to Sagars Road and Clay Lane connecting to the north, west and south and a further pedestrian connection is provided to the open space at Meriton Road park. These links provide the necessary connections to the existing surrounding development and leisure offer. Generally the development relates well to the adjacent open countryside beyond the site, providing a green buffer on the outskirts, as required by LPS 34. Although the interface and relationship between the existing buildings, the Brook and the development to the north east could be stronger.

Facilities and services - **GREEN**

The development is within a 10 minute walk to shops, schools, healthcare, community facilities and public transport within Handforth centre, and is within a 5 minute walk to Meriton Road Park. All these local facilities are therefore accessible on foot from the application site

Public transport - **GREEN**

The scheme is within a 10 minute walk of public transport facilities – bus stops and a local train station serving local areas as well as providing links to national destinations. The scheme provides a pedestrian and cycle route within the site that links with the wider infrastructure.

Meeting local housing requirements – **GREEN**

As noted above, the revised proposals for a range of 1, 2, 3, 4 and 5 bed dwellings present a more balanced range of homes available with a variety of tenures. The affordable dwellings are also widely spread out across the application site.

Character - **AMBER**

Whilst this scheme departs in some ways from a standard housing development, the proposal has perhaps not exploited the context of the site as far as it could. This translates at several levels in terms of urban design, the approach to blue and green infrastructure and the design of buildings. For example, where water bodies are included they are not being exploited for positive layout purposes and their location is primarily an engineering/ecology response rather than considered place making.

That being said, the latest revisions to the proposals do alter the density of the development with the rebalancing of the housing mix on offer and the redistribution of the affordable units.

The density of the development along the western (Clay Lane) boundary to the Green Belt beyond remains relatively low.

There has been an attempt at translating local character details and architectural reference onto a standard type but the scale of the height of details such as ridge and eaves have not been analysed and transferred to the type designs. Admittedly for a volume house builder such detail is difficult to achieve, and there is some variation to eaves and ridge heights across the housing development to create interest. A number of house types with hipped roofs have been replaced with gabled roofs in the latest revisions to reflect the characteristics of the area.

The use of black window frames has been retained within the development, with the exception of the dwellings within the country fringe areas, which will be green; and are intended to acknowledge the GI and open countryside beyond.

Working with the site and its context - AMBER

The main landscape features of the site are the trees and woodland to the edges of the site, the hedgerows dividing fields, Dobbin Brook and a small number of ponds. The majority of existing landscape features are being retained as required by LPS 34. Other features are being altered or replaced within an alternative location on site.

A sustainability statement has been submitted with the application, but the development does not take into account the opportunity to harness passive and active energy creation with the use of south facing units and photovoltaic technology.

Creating well defined streets and spaces - AMBER

There is a hierarchy within the street design, and the latest revised plans show an increase in the creation of GI where pavements have been replaced with service strip style verges which contribute positively to the greening of the street scene.

In places buildings positively address corners but there were previously some concerns about the strength of corner turning designs, and whether there is sufficient emphasis on both elevations in terms of architectural quality and interest. The revised plans show additional features added to corner turners to aid legibility and any rear elevations visible from the public realm will match the primary elevations in terms of quality of materials and detailing.

The layout is heavily reliant on the quality of landscaping and materiality for streets and whilst, as noted above, steps have been made to increase the GI, the proposed hard surfacing is not in compliance with the materials palette for North Cheshire Fringe areas stated in the Design Guide. Further details will be provided as an update.

Easy to find your way around - GREEN

The scheme is generally legible and as noted previously more has been done to reinforce that through stronger landscaping of the principal and secondary streets. Additional detailing to the roof materials (decorative ridge tiles), the inclusion of chimneys to feature buildings/corner turning types have also improved the legibility of the site.

Streets for all - GREEN

Within the cells of development the reduced street width and hierarchy should identify these streets as mixed environments for pedestrians and cyclists, as well as vehicles, punctuated by squares and areas of shared surface.

The increase in GI within the street structure has enhanced the environment within the streets, and is now considered acceptable. Clarification on the surfacing materials will be provided as an update.

Car parking - GREEN

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 do still have the parking spaces to the front of the units, however, changes to the parking proposals have included the insertion of landscaping and the breaking up of groups to enable a greener street scene to be achieved.

The inclusion of soft structural and layered green boundary treatments to the courtyard parking to give a higher quality environment has addressed previous concerns relating to the need to make parking courts feel usable and safe.

Public and private spaces - GREEN

The main spine of open space incorporating the pedestrian and cycle route provides the potential for an attractive green core to the development. The revised plans now provide additional space for the footway/cycleway close to plots 217 and 218 (formerly plots 211 and 212) so that it is not so enclosed. The main gateway to the site and eastern area of public open space has been simplified since the access permission, and does offer the potential for a distinct landscape feature within the site.

The upgrading of boundary treatments, changes to rear/publicly viewable elevations and additional and refined GI and public open space within the layout has led to an acceptable level of design throughout the proposals.

External storage and amenity - AMBER

External storage facilities (which appear to be sheds) are shown to be provided for the majority of the plots, with the exception of the apartments. The “*approximate location of bin storage*” is also shown on the waste management plan, again excluding the apartments. In addition, no details of what form these facilities will take have been provided. Therefore, whilst some positive steps have been made with regard to external storage, further information is still required, and any additional details that are submitted will be reported as an update.

Design conclusions

There have been numerous amendments to the proposal which have addressed the majority of the issues that have been raised with the applicant during the course of the application. As noted above, there are still some design and layout matters that require further clarification, such as the external storage for the apartments, the appearance of those storage facilities that are proposed, and the hard surfacing materials. Subject to the satisfactory clarification of these points, it is considered that the proposed design has developed to a point where, as a whole, the scheme is now of an acceptable standard, when considered against the requirements of policies SD2 and SE1 of the CELPS and the CEC Design Guide.

Flooding

Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation.

The application site lies within flood zone 1, which is land that has a less than 0.1% chance of flooding. The proposals do include the diverting and culverting of a section of Dobbin Brook. These same proposals have already been approved as part of the access application (19/1797M), and have previously been found to be acceptable.

The Environment Agency and the LLFA raise no objections to the proposal, and relevant conditions relating to flood risk were attached to the outline permission, which will ensure that the development complies with policy SE13 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.

Other matters

The comments received in representation are acknowledged, and are addressed within the preceding text, or were considered as part of the outline planning application, which has been approved.

SUMMARY & CONCLUSIONS

The proposal seeks to provide 224 dwellings on a site that has outline planning permission for up to 250 dwellings, and which is allocated in the CELPS for around 250 dwellings. 67 affordable dwellings are to be provided, which are widely pepper potted across the site, and will contribute towards a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities. The abundant and strong green infrastructure around the perimeters of the site is retained. Whilst there is an under provision of play and amenity open space in terms of areas on a plan and having regard to the amounts specified in policy SC 6 of the CELPS; what is proposed is considered to be of quality, is well located and will be a real asset of the site, and will complement the other nearby facilities available at Meriton Road Park. Dobbin Brook forms a natural buffer between existing dwellings to the north and east and the new development and ensures appropriate separation distances are achieved between existing and proposed dwellings to safeguard the living conditions of neighbouring properties. Relationships within the development also ensure satisfactory distances are established between the new dwellings.

The access into the site has previously been approved as part of the outline permission (17/3894M) and the separate full planning application for the access (19/1797M), consequently no access issues are raised with regard to this reserved matters submission. The internal road network meets relevant highways design standards and adequate car parking is provided in accordance with parking standards identified in the CELPS. Added to this a proposed footway / cycleway provides excellent permeability through the site north to south and east to west, which provides links to Styal to the west, south onto Sagars Road towards the train station and east towards Mertion Road Park and Handforth centre.

Whilst some landscape details require further clarification, the main tree / landscape objective of LPS 34 of the CELPS, namely the *“Retention of trees and woodlands on the edges of the site, with new planting to re-enforce important landscape features and to properly define a new Green Belt boundary”*, has been achieved within the proposals. Similarly, there have been a number of amendments made to design and layout of the proposal during the course of the application which have sought to address issues raised by officers, and whilst some clarification is needed on some, relatively minor, matters the proposed design has developed to a point where it is now considered to be acceptable, when considered against the requirements of policies SD2 and SE1 of the CELPS, and the CEC Design Guide.

Air quality, flood risk and contaminated land matters were addressed either at the outline stage, or have been previously approved as part of the access application, and the current reserved matters application raised no further points of concern on these matters.

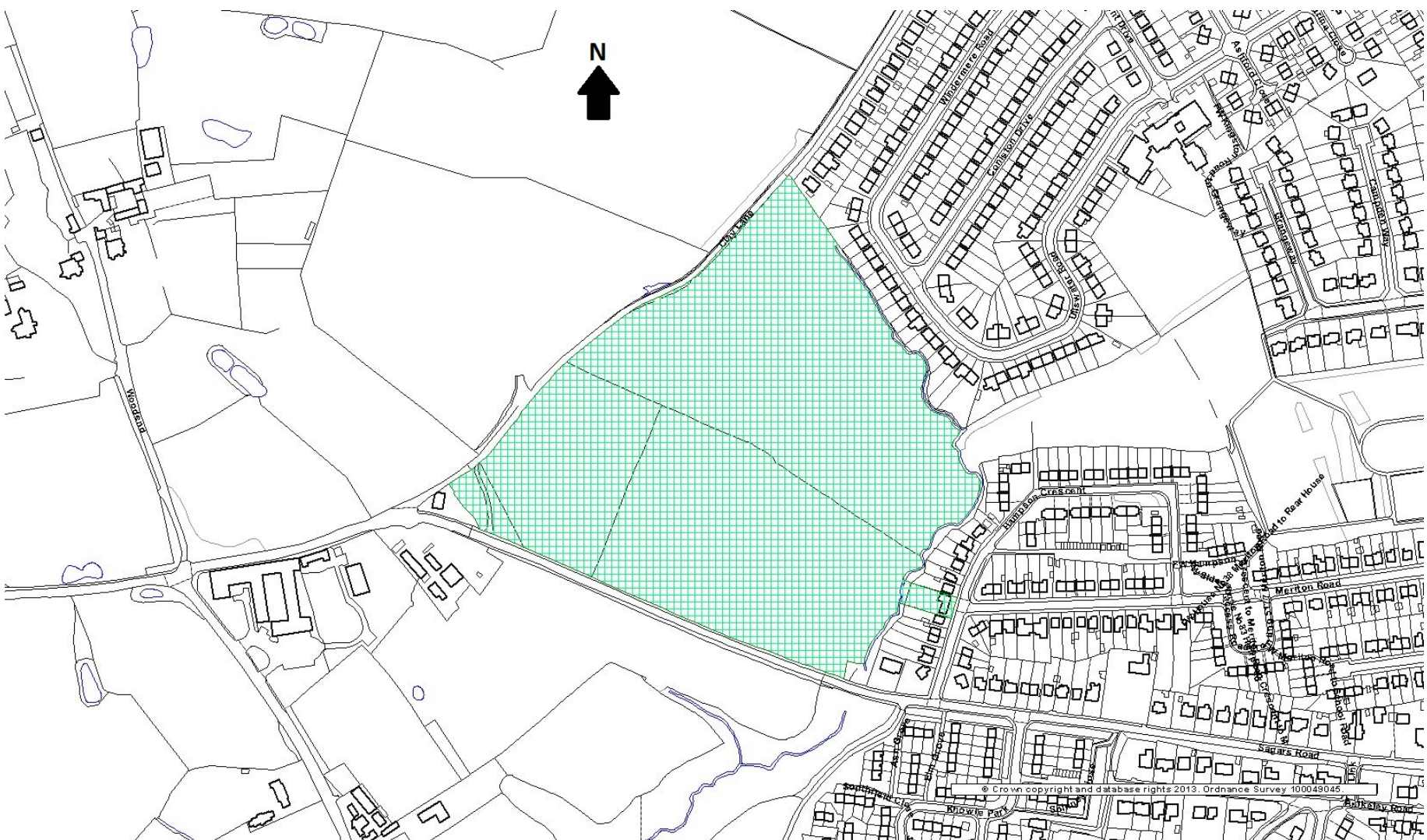
The comments received in representation have been given due consideration in the preceding text. However, subject to the satisfactory clarification on the specific matters referred to in the main body of this report, the proposal is considered to comply with the development plan as a whole and is therefore a sustainable form of development. In accordance with policy MP1 of the CELPS, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made.

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

Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. To comply with outline permission
2. Development in accord with approved plans
3. Materials as application
4. Tree retention
5. The development shall be carried out in accordance with the details in the submitted Landscape and Habitat Management Plan
6. Detailed design of ponds to be submitted
7. Nesting bird survey to be submitted
8. Development to be carried out in accordance with submitted tree protection scheme and arboricultural method statement



Application No: 19/3784C

Location: Land South Of, OLD MILL ROAD, SANDBACH

Proposal: Full planning application for erection of a care home (class C2), 85 new dwellings (class C3) and creation of associated access roads, public open space and landscaping.

Applicant: Mr C Muller, Muller Property Group

Expiry Date: 20-Dec-2019

Summary

The application site is within the Settlement Zone Line as identified by the SNP and has an extant planning permission for residential development.

The highways implications of the development are considered to be acceptable. This is subject to the required highway works contribution. However the parking for the proposed care home falls below the CEC Standards and this issue will form a reason for refusal.

The amenity implications of the proposed development, including noise, air quality and contaminated land are considered to be acceptable and would comply with GR6 and GR7 of the CLP and SE 12 of the CELPS.

The site is an important gateway to Sandbach and the proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policies SE1 and SE4 of the CELPS, Policy H2 of the SNP and guidance contained within the NPPF.

The site has a challenging topography and the development would require large retaining structures and little landscape mitigation. The proposed development is therefore contrary to Policies SD2, SE1 and SE4 of the CELPS and PC2 of the SNP.

There is insufficient information in relation to the impact upon trees on the site due to the potential level changes. The development would not comply with Policy SE 5 of the CELPS.

The drainage and flood risk implications of the proposed development are considered to be acceptable and the development complies with Policy CE 13 of the CELPS.

The proposed development would affect PROW Nos 17, 18 and 19. The impact upon the PROW network is now considered to be acceptable.

The proposed development is located partly within the Sandbach Wildlife Corridor. The

proposed development would result in an overall loss of biodiversity from the designated wildlife corridor.

The application demonstrates that the development can accommodate the required level of POS to serve the proposed quantum of development. As such the proposed development complies with Policy SE6 of the CELPS, Policy GR22 of the CLP.

The impact of the development upon archaeology, infrastructure (education and health) and the affordable housing provision is acceptable and would be controlled via a S106 Agreement.

RECOMMENDATION

REFUSE

PROPOSAL:

This is a full planning application which seeks consent for the following;

- Care home (74 bed care/extra-care facility – Class C2)
- 85 dwellings (mix of 2-4 bed houses) with 30% affordable housing.
- The application will also include the associated site access (an enlarged 5 arm roundabout off Old Mill Road), internal road network, vehicular parking spaces, landscaping and public open space. There would also be an emergency access point off Houndings Lane to the south-east of the site

SITE DESCRIPTION:

The application relates to 4.55 ha of land. The site located within the open countryside as defined by the Congleton Borough Local Plan. However the site is located within the Settlement Zone Line as identified within the Sandbach Neighbourhood Plan. Part of the site is also located within a wildlife corridor.

The site comprises agricultural land to the south and east of Fields Farm. This is located to the east of the A534 and to the west of residential properties that front onto Palmer Road, Condcliffe Close and Laurel Close. The site has uneven land levels which rise towards the residential properties to the west. The site includes a number of hedgerows and trees which cross the site. To the north of the site is a small brook and part of the site to the north is identified as an area of flood risk.

There are a number of PROW which cross the site.

RELEVANT HISTORY:

19/2539C - Hybrid Planning Application for development comprising: (1) Full application for erection of a discount foodstore (Class A1), petrol filling station (sui generis) and ancillary sales kiosk (class A1), drive-through restaurant (Class A3 / A5), drive-through coffee shop (class A1 / A3), offices (class A2 / B1) and 2 no. retail 'pod' units (class A1 / A3 / A5), along with creation of associated access roads, parking spaces and landscaping. (2) Outline application, including

access for erection of a care home (class C2), up to 85 new dwellings (class C3), conversion of existing building to 2 dwellings (class C3) and refurbishment of two existing dwellings, along with creation of associated access roads, public open space and landscaping. (Resubmission of planning application ref. 18/4892C). – Refused 28th August 2019 for the following reasons;

- 1. The proposed development would have a high trade impact. There are also concerns regarding the potential loss of linked trips associated with the trade impacts on the Waitrose and Aldi anchor stores in Sandbach Town Centre. The impact on Sandbach Town Centre as a whole would be significantly adverse and would outweigh the small improvement in consumer choice that the application scheme would deliver. The proposed development would be contrary to policy EG5 of the CELPS, HC2 of the Sandbach Neighbourhood Plan and the NPPF.*
- 2. This is an important gateway location and prominent site in Sandbach. The commercial buildings are standard generic designs that pay little regard to Sandbach as a place and consequently the development will not suitably integrate and add to the overall quality to the area in architectural terms. Furthermore the topography of the site is not conducive to a large floorplate/car park format and would result substantial engineered retaining structures. The proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policy SE1 of the CELPS, Policy H2 of the SNP and guidance contained within the NPPF.*
- 3. The commercial part of the development would be car dependent and Old Mill Road would act as a barrier between the application site and Sandbach Town Centre. Furthermore the development would not encourage linked trips and is not considered to be sustainable. The proposed development is contrary to Policies SD1, SD2, CO1 and CO2 of the CELPS, Policies GR9, GR10 and GR13 of the Congleton Local Plan and Policies H5 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*
- 4. The proposed development would affect PROW Nos 17, 18 and 19. The PROW would be diverted along estate roads or pavements (which is an extinguishment of the public right of way) or accommodated along narrow corridors at the rear of the retail development or residential properties affording no natural surveillance and the potential for anti-social behaviour. The proposed development would be contrary to Policy CO1 of the CELPS, Policy GR16 of the Congleton Local Plan, Policies PC5 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*
- 5. The application site is of a very challenging topography including an escarpment that runs along the central part of the site. The submitted information demonstrates that the development will require engineered retaining walls with minimal landscape mitigation along the western boundary, whilst there would also be minimal landscape mitigation along the eastern boundary with Condliffe Close and Palmer Road. On this basis the development would not achieve a sense of place and would be harmful to the character of the area. The proposed development is therefore contrary to Policies SD2, SE1 and SE4 of the CELPS, PC2 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*

6. *The proposed development is located partly within the Sandbach Wildlife Corridor. The proposed development would result in a loss of a substantial area of habitat within the wildlife corridor. The proposed development would result in an overall loss of biodiversity from the designated wildlife corridor. As a result the proposed development would be contrary to Congleton Local Plan Policy NR4, CELPS Policy SE3, SNP Policies PC4 and JLE1 and the NPPF.*

18/4892C - Hybrid Planning Application for development comprising: (1) Full application for erection of a foodstore (Class A1), petrol filling station (sui generis) and ancillary kiosk/convenience store (class A1), drive-through restaurant (Class A3 / A5), drive-through coffee shop (class A1 / A3), farm shop (class A1) and 2 no. retail 'pod' units (class A1 / A3 / A5), along with creation of associated access roads, parking spaces and landscaping. (2) Outline application, including access for erection of a care home (class C2), 92 new dwellings (class C3), conversion of existing building to 2 dwellings (class C3) and refurbishment of two existing dwellings along with creation of associated access roads, public open space and landscaping – Refused 1st March 2019 for the following reasons;

1. *The proposed development would have a high trade impact. There are also concerns regarding the potential loss of linked trips associated with the trade impacts on the Waitrose and Aldi anchor stores in Sandbach Town Centre. The impact on Sandbach Town Centre as a whole would be significantly adverse and would outweigh the small improvement in consumer choice that the application scheme would deliver. The proposed development would be contrary to policy EG5 of the CELPS, HC2 of the Sandbach Neighbourhood Plan and the NPPF.*
2. *This is an important gateway location and prominent site in Sandbach. The level of information provided to demonstrate the appearance and design impact of the site engineering is inadequate. The commercial buildings are all standard designs that pay little regard to Sandbach as a place and consequently the development will not suitably integrate and add to the overall quality of the area in architectural terms. The proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policy SE1 of the CELPS, Policy H2 of the SNP and guidance contained within the NPPF.*
3. *The commercial part of the development would be car dependent and insufficient information has been submitted with this application to show how the proposed development would be served by public transport and how the site would be linked to Sandbach Town Centre and thereby encouraging linked trips. The proposed development is contrary to Policies SD1, SD2, CO1 and CO2 of the CELPS, Policies GR9, GR10 and GR13 of the Congleton Local Plan and Policies H5 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*
4. *The proposed development would affect PROW Nos 17, 18 and 19. The PROW would be diverted along estate roads or pavements (which is an extinguishment of the public right of way) or accommodated along narrow corridors at the rear of the retail development or residential properties affording no natural surveillance and the potential for anti-social behaviour. The proposed development would be contrary to Policy CO1 of the CELPS, Policy GR16 of the Congleton Local Plan, Policies PC5 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*

5. *The Local Planning Authority considers that insufficient information has been provided to demonstrate that the site could accommodate the number of dwellings proposed together with the required level of Open Space/Green Infrastructure/Childrens playspace. As such the proposed development is contrary to Policy SE6 of the CELPS, Policy GR22 of the Congleton Local Plan and guidance contained within the NPPF.*
6. *The application site is of a very challenging topography including an escarpment that runs along the central part of the site. It is considered that there is insufficient information contained within the application in relation to the proposed levels and there is limited evidence of any landscape mitigation within the application. On this basis the development would not achieve a sense of place nor has design quality. The proposed development is therefore contrary to Policies SD2, SE1 and SE4 of the CELPS, PC2 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*
7. *The proposed development is located partly within the Sandbach Wildlife Corridor and within 2-3m of the top of the bank of Arclid Brook. The proposed development would result in a loss of a substantial area of habitat within the wildlife corridor. The application does not provide a strategy to deliver compensatory habitats of the proposed development upon the wildlife corridor. Without this information the proposed development would be contrary to Congleton Local Plan Policy NR4, CELPS Policy SE3 and SNP Policies PC4 and JLE1.*
8. *The Local Planning Authority considers that insufficient information has been submitted in support of this application to allow an assessment of the impact of the development upon Water Vole. The Council therefore has insufficient information to asses the potential impacts of the proposed development upon this protected species. The proposed development is contrary to Policies NR2 of the Congleton Local Plan, SE 3 of the Cheshire East Local Plan Strategy, PC4 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*
9. *There is a small bat roost present within an existing building on the site and this proposed development would result in a low impact upon this species as a result of the loss of this roost. The proposed development fails two of the tests contained within the Habitats Directive and as a result would also be contrary to Policies NR2 of the Congleton Local Plan, SE 3 of the Cheshire East Local Plan Strategy, PC4 and JLE1 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.*

18/2540S - EIA Screening Opinion – EIA Required 6th June 2018

14/1193C - Outline planning application for up to 200 residential dwellings, open space with all matters reserved – Approved 12th October 2017

13/2389C - Outline Planning Application for up to 200 Residential Dwellings, Open Space and New Access off the A534/A533 Roundabout at Land South of Old Mill Road – Appeal for non-determination – Strategic Planning Board 'Minded to Refuse' – Appeal Allowed 11th December 2014

13/2767S – EIA Scoping – Decision Letter issued 7th August 2013

13/1398S – EIA Screening – EIA Required

12/3329C - Mixed-Use Retail, Employment and Leisure Development – Refused 6th December 2012. Appeal Lodged. Appeal Withdrawn

POLICIES

Cheshire East Local Plan Strategy (CELPS)

MP1 – Presumption in Favour of Sustainable Development

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG6 – Open Countryside

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

IN1 – Infrastructure

IN2 – Developer Contributions

SC4 – Residential Mix

SC5 – Affordable Homes

CO1 – Sustainable Travel and transport

CO2 – Enabling Growth Through transport Infrastructure

CO4 – Travel Plans and Transport Assessments

Congleton Borough Local Plan

PS4 – Towns

PS8 – Open Countryside

GR6 – Amenity and Health

GR7 – Amenity and Health

GR9 - Accessibility, servicing and provision of parking

GR10 - Accessibility, servicing and provision of parking

GR13 – Public Transport Measures

GR14 - Cycling Measures

GR15 - Pedestrian Measures

GR16 - Footpaths Bridleway and Cycleway Networks

GR17 - Car parking

GR18 - Traffic Generation

NR3 – Habitats

NR4 - Non-statutory sites

NR5 – Non-statutory sites

Sandbach Neighbourhood Plan (SNP)

The Sandbach Neighbourhood Plan was made on 12th April 2016.

PC2 – Landscape Character

PC3 – Policy Boundary for Sandbach

PC4 – Biodiversity and Geodiversity

PC5 – Footpaths and Cycleways

HC1 – Historic Environment

H1 – Housing Growth

H2 – Housing Layout

H3 – Housing Mix and Type

H4 – Housing and an Ageing Population

H5 – Preferred Locations

IFT1 – Sustainable Transport, Safety and Accessibility

IFT2 – Parking

IFC1 – Community Infrastructure Levy

CW1 – Amenity, Play, Recreation and Outdoor Sports

CW3 – Health

CC1 – Adapting to Climate Change

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.

50. Wide choice of quality homes

85-90 Ensuring the Vitality of Town Centres

102-107 Promoting Sustainable Transport

124-132 Requiring good design

CONSULTATIONS

Cheshire Archaeology: In the event that planning permission is granted a programme of archaeological work will be required. This can be controlled via the imposition of a planning condition.

United Utilities: A public sewer crosses this site and UU may not permit building over it. UU will require an access strip width of six metres, three metres either side of the centre line of the sewer which is in accordance with the minimum distances specified in the current issue of "Sewers for Adoption", for maintenance or replacement.

Conditions suggested.

Cadent Gas: General advice provided.

CEC Education: To mitigate the impact of this development the following contributions should be secured via a S106 Agreement;

$13 \times £17,959 \times 0.91 = £212,455.00$ (secondary)

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

Total education contribution: £257,955.00

CEC Housing: No objection to the application.

CEC Environmental Health: Conditions suggested in relation to piling, construction/dust management plan, electric vehicle infrastructure, low emission boilers and contaminated land. Informatives suggested in relation to contaminated land and construction hours.

CEC PROW: Object to the application. The PROW Team have been working with the developer to accommodate/divert Sandbach FP17, FP18 & FP19 in a satisfactory way but the application still depicts the PROW running along footpaths that will become part of the adopted highway. The PROW Team are happy with the proposals for the footpaths that are not running along estate roads.

The PROW Officer has advised the applicants that the parts of Sandbach FP17 and FP19 running along the estate roads were not adopted then they would remove their objection.

The risk of diverting footpaths along estate roads and that that this is effectively an extinguishment and that this can significantly lengthen the diversion/extinguishment process and is not guaranteed to be successful. During which time the current definitive line of the footpath has to be kept open and available to the public.

Highways England: No objection.

Natural England: No comments to make on this application.

CEC Head of Strategic Infrastructure: The application is considered acceptable and no objections are raised although this is subject to the access roundabout works being constructed and a contribution of £200,000 towards improvements between The Hill junction and the access roundabout.

CEC Adult Social Care: No comments received.

CEC POS: Little has changed in terms of quantity of POS, layout and design in regard to this reduced application for residential only. As a result the comments made as part of application 19/2539C still apply.

With specific reference to the main central area of POS in which a play area is shown, the POS Officer wishes to again draw the attention to this being a NEAP requirement having a minimum of 1,000m² activity zone, considering accessibility and inclusivity catering for all ages to Fields in Trust standards and taking into account the 30m buffer from the activity zone to the nearest dwelling.

A revised landscaping scheme is required to allow for informal recreation. This may mean tree planting is reduced, a cross section levels plan through the NEAP, demonstration of required

buffers along with the design and layout are submitted in detail should committee look favourably on this application.

In line with Policy SE6 Outdoor Sport contributions are required. For family dwelling of £1,000 or £500 per 2 bed apartment space.

Indoor sport contribution of £29,531 required.

NHS England: A contribution of £70,812 is required to mitigate the impact of the development.

CEC Flood Risk Manager: No objection in principle to the proposed development. However, the current drainage strategy proposes to position the attenuation basin within Flood Zone 2, this will need discussions with both ourselves and EA prior to discharging any detailed drainage strategy condition.

Environment Agency: No objection subject to the imposition of planning conditions. Advice offered to the applicant in terms of flood risk and ecology.

VIEWS OF THE TOWN COUNCIL:

Sandbach Town Council: The Town Council object to this application for the following reasons;

- Cheshire East has adequate housing for next 5 years.
- The Development is in Open Countryside.
- If this development were to go ahead it would worsen an already bad traffic situation.
- Enlarging the roundabout won't improve traffic flow as the main holdup is at the lights going towards junction 17. As referenced by Highways England in previous representations, this application does not consider the impact of traffic there, or the combined impact of this site with Capricorn. The Transport Assessment is greatly flawed in several aspects and the infrastructure in Sandbach is already stressed. Furthermore, it is unclear whether a large subsidy will still be given for the roundabout, given this application is smaller than previously submitted for this site. Greater detail is needed on how this will be addressed.
- Acceptable pollution limits in this area have almost been reached, with this site potentially worsening further the ongoing issue of Air Quality in Sandbach.
- The lack of consideration of pedestrianised, or public transport infrastructure between this development and the Town Centre could lead to elderly residents with mobility issues in the care home being effectively stranded in an out of town development.
- If the applicant expects users of this site to use the existing footpath network to reach the Town Centre, no thought appears to have been given as part of the "Roundabout Improvements" to the 60mph limit that comes into the roundabout, and the safety impact this may have on pedestrians.
- All footpaths should also be made cycle accessible.
- There will be a detrimental impact on local school places.
- There will be a detrimental impact on the Doctors surgery. The care home will especially add pressure to Ashfield's Doctors Surgery.

As a result of the above, this application is in contravention of the following Planning Policies: PC5, H1, H3, IFT1, of the Sandbach Neighbourhood Development Plan and PG2, SC5, SC6, CO1 of the Cheshire East Local Plan Strategy.

REPRESENTATIONS:

Letters of objection have been received from 53 local households which raise the following points;

Principle of Development

- There have been recent refusals on this site
- There is no need for further housing in Sandbach
- Loss of green space
- Sandbach is already overdeveloped
- Adverse impact upon the high street
- Sandbach is no longer a market town and becoming part of the Sandbach conurbation
- The application does not address the issues raised in the previous refusals
- There are many unsold houses in Sandbach
- This site is one of the last greenfield sites in Sandbach
- There are plenty of brownfield sites which can be developed
- The development does not provide sufficient affordable housing
- This application is not sustainable
- This application is contrary to the Sandbach Neighbourhood Plan
- Cheshire East has a 5-year housing land supply
- Loss of Green Belt

Design/Heritage Issues

- The proposed development is not in keeping with the historical market town of Sandbach

Highways

- Impact upon M6 J17
- Existing gridlock and long delays on the local road network
- Traffic congestion
- Problems in Sandbach when there is an accident on the M6
- The roads in Sandbach cannot cope with any further traffic
- Traffic queuing back onto the M6
- The submitted TA is not robust
- The traffic survey work was not undertaken at peak times
- There are errors within the Travel Plan
- The application should be refused or delayed until all other developments have been completed and the traffic has settled down
- The access roundabout should be extended like that at Crewe Green
- Impact upon pedestrian/cyclist safety
- Developments like this are encouraging people to live in Sandbach and commute to Manchester and Stoke
- This is not sustainable location
- Poor pedestrian/cycle access
- Increased traffic accidents

Amenity

- Noise pollution from increased stop start traffic
- Light pollution
- The development will impact upon local air quality

- There are already air quality issues in Sandbach

Green Issues

- Impact upon protected species
- Impact upon wildlife
- Impact upon the wildlife corridor
- Loss of wooded and green areas
- The development does not comply with the Governments plans for greater tree planting

Infrastructure

- Impact upon local infrastructure (A&E, doctors, dentists, police and schools)
- Infrastructure is already at capacity

Flood Risk/Drainage

- Increased risk of flooding

Other issues

- Impact upon the PROW on the site
- The site is used by children for sledging in winter
- Impact upon property value

A letter of support has been received from 1 local household which raise the following points;

- It is a great idea to support growth in Sandbach

A letter of general support has been received from 1 local household which raise the following points;

- Sandbach needs more shops, a bowling alley and cinema. The application should be changed

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

- Sandbach has more than enough housing to meet its housing needs and this location will contravene policies of the Sandbach Neighbourhood Plan which were designed to ensure that developments meet a clear need.
- The volume of traffic likely to be generated by such a development will exacerbate current traffic levels in this location.

An objection has been received from the Sandbach Footpaths Group raising the following points;

- There are four PROW crossing the site which are regularly walked by local people
- Sandbach parish has remaining only 20 PROW that lead somewhere rather than ending on a busy and treacherous main road or finishing at a dead end. This application takes in and negates 3 of them. A 15% reduction.
- It is important that the PROW are retained in perpetuity
- PROW 17 appears to have been largely rerouted and negated as a proper green footpath
- PROW 18 is squeezed into a narrow ginnel adjacent to parcel 1
- PROW 19 is rerouted from the northern part of the site to cross the spine road and then to follow it on its northern side.
- The rerouting is most unlikely to conform to the Defra Rights of Way Circular (1/09)
- It is unlikely that the PROW (17, 18 & 19) having been rerouted on ginnels, roads, courts and squares can be considered enhanced

- It is not clear if the land outside the red edge is owned by the applicant or not and whether the landowner has given permission for the rerouting and re-alignment
- Footpaths are enshrined in Law and should be preserved
- It is intolerable to lose this much of the footpath network
- The application should be refused

An objection has been received from the Sandbach Woodland and Wildlife Group (SWWG) raising the following points;

- The position has not changed since the refusal of application 18/4892C
- The Application Form still states at 13c, the area is NOT near a site of designated status, despite it being on the Sandbach Wildlife Corridor. It is also stated that surface water will discharge into an existing water course, presumably Arclid Brook. It is noted that an attenuation pond has been included.
- The comments made in relation to the PROW from the Council PROW officer and the Sandbach Footpath Group are supported.
- The comments made by Cycling UK and those by Sandbach Town Council are highly relevant
- It is of vital importance that reference is made Sandbach Neighbourhood Plan, specifically to PC4 (Biodiversity and Geodiversity) and PC5 (Footpaths and Cycling). Failure to do so is a serious omission.

A representation has been received from Cycling UK which makes the following points;

- There are discrepancies between the submitted Transport Assessment and Planning Statement
- There should be a cycle link to Houndings Lane
- The upgrade of the link to Laurel Close as a cycle link should be considered
- Object to the footway along the spine road being shared with cyclists. Such shared footways are rarely used. They do not provide a safety benefit and the Department for Transport's Cycle Infrastructure Design Guide classifies them as the very last option when providing for cycling
- A 20mph speed limit should be considered along the spine road
- Sheltered cycle parking should be secured for the care home staff, visitors and flioter residents
- Signing should be provided to mark Houndings Lane to Mill Hill Lane as a through route for cyclists. There should be modifications to bypass the cattle grid
- The new 5-arm roundabout will mean that vehicle speeds increase at the roundabout which would be a hazard for cyclists. The existing shared cycle/pedestrian footways are hardly used as they are too narrow
- The Toucan crossing should be amended to provide a straight crossing as opposed to a staggered crossing
- To make the roundabout more pedestrian and cyclist friendly it is suggested that the Toucan crossing is left out and each arm is instead signalised.

APPRAISAL

Principle of Development

Open Countryside/Settlement Zone Line

The majority of the application site is located outside of the Sandbach Settlement Zone Line, and within the open countryside, as defined by Policy PS8 (Open Countryside) of the Congleton Local Plan (CLP). However it should be noted that the site is within the Settlement Zone Line identified on Figure 2 of the Sandbach Neighbourhood Plan. Where there is a conflict between policies within the Development Plan the PPG advises that the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (in this case the SNP).

Policy PC3 (Policy Boundary for Sandbach) of the SNP states that;

'New development involving housing, commercial and community development will be supported in principle within the policy boundary defined around Sandbach and shown on the Proposals Map for Sandbach (Fig.2)'

Furthermore there is an extant permission for up to 200 dwellings on this site as approved by application 14/1193C. Therefore the principle of residential development on this site is considered to be acceptable.

Highways Implications

A previous planning consent 13/2389C (now expired) for 200 residential dwellings has been approved on this site. The permission was in outline form with access being determined, the existing roundabout at the A533/A534 was to be significantly enlarged and a fifth arm providing access to this site.

The extant planning consent on this site under application 14/1193C is with all matters including access reserved.

Access Proposal

This application proposes a single point of access using the access strategy for the previous applications 13/2389C and 18/4892C to the roundabout on the A533/A534. The main access would be 6.7m wide together with shared pedestrian/cycle paths. An emergency access is indicated on the southern boundary of the site that links to Houndings lane.

A new toucan crossing is to be provided across the A533 located just north of the roundabout that will link the site for both pedestrians and cyclists.

The enlarged roundabout access would be delivered via a S278 agreement.

Internal Layout

The main spine road is 6.7m wide and is suitable to provide access to the proposed level of development. Tracking has been submitted to indicate that refuse vehicles can access the cul-de-sacs and turn within the turning heads. An emergency access is proposed to Houndings Lane located on the southern boundary of the site.

Car Parking

The residential units proposed have 2 car parking spaces each. This complies with the CEC car parking standards for residential units. The Care Home has 33 car parking spaces and an ambulance bay provided for its use. This level of parking is less than 50% of the CEC parking standards for this type of use that normally would require 69 spaces. This issue will form a reason for refusal.

Development Impact

An assessment of the likely traffic impact of the development has been undertaken by the applicant, the assessments have been undertaken in 2024 (5 years post application). The assessments have included a number of committed developments in Sandbach. The modelling has been based on traffic count data undertaken in 2018 at a number of junctions that would be directly affected by the proposed development; traffic growth has also been added to the committed developments flows to form the basis of the assessments.

The following junctions have been assessed as part of this proposed development;

- A533 Old Mill Road/A534 Brookhouse Road Roundbout/ Site Access
- A533 / A533 The Hill / High Street junction
- A533 Middlewich Road / A533 Old Mill Road / Crewe Road roundabout
- A534 /Crewe Road roundabout
- A533 Middlewich Road/Chapel Street / Ashfield Way junction

In relation to the assessment of the A533/A534 roundabout junction which will also serve as access to the development. The results indicate the existing roundabout layout operates well in excess on capacity in 2024 with extensive queues on most arms of the junction. The improved roundabout operates much better and is forecast to operate just in excess of capacity in 2024 with the proposed development being included; queue lengths are much reduced to moderate levels.

There is a significant interaction between The Hill signal junction and the A533/A534 roundabout. Congestion affects the operation of each junction and congestion occurs between both junctions.

The applicant has assessed The Hill junction with this improvement in place, the capacity results show that the junction operates within capacity in 2024. The proposed development is reliant upon the CEC improvement scheme being implemented in order for the junctions to operate within capacity. The enlarged roundabout would be delivered via a S278 agreement and an additional S106 contribution of £200,000 will be required for the improvements between The Hill junction and the site access roundabout.

The Crewe Road/A533 Middlewich Road roundabout is shown to operate over capacity in 2024; this roundabout has existing congestion problems during peak hours but particularly in the PM peak due to queues extending back from the A533/A534 roundabout. The CEC improvement scheme will help alleviate some of PM problems as capacity is increased at the junctions. However, in relation to the impact of this application, the with and without capacity results are very similar indicating that the development does not materially increase congestion at the roundabout.

The applicant has not modelled the capacity of the A533/Chapel Street junction but has assessed the percentage impact that the development would have at the junction. The maximum increase is forecast to be less than 1% and is stated as not representing a material increase.

Accessibility

It is important that the site is linked to the north side of the A533 for both pedestrians and cyclists, the access details submitted indicate that the site access will have a shared pedestrian/cycle path on both sides. The roundabout will also have a pedestrian/cycle path on each arm although the only controlled crossing point will be via a toucan crossing on the eastern arm of Old Mill Road.

There are a number bus services operating in Sandbach on various routes, the nearest existing bus stops are approximately 200m from the site.

Cycle Provision

The proposed development could have cycle storage provision for both the care home and residential parts of the scheme. This could be controlled via the imposition of a planning condition.

The provision of pedestrian/cycle links from the application site onto Houndings Lane/Laurel Close could be secured via a planning condition should the application be approved.

The comments made in relation to the safety of the crossing point and roundabout access for cyclists is noted. In this case the highways officer has raised no objection to the proposed development on highway safety grounds.

Amenity

The Congleton Borough SPG requires the following separation distances;

21.3 metres between principal elevations

13.8 metres between a non-principal and principal elevations

It should also be noted that the recently adopted Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a hard and fast rule. Figure 11:13 of the Design Guide identifies the following separation distances;

21 metres for typical rear separation distance

18 metres for typical frontage separation distance

12 metres for reduced frontage separation distance (minimum)

The main properties affected by this development are those to the east of the site fronting onto Laurel Close. The dwellings fronting Condliffe Close and Palmer Road would be off-set from the proposed spine road.

No 8 Laurel Close is located to the east of the application site. This dwelling has been extended to the side and includes a ground floor kitchen window facing towards the application site. The proposed dwelling on plot 8 would front elevation facing No 8 Laurel Close and have a separation distance varying from 9.7m to 11m. Although the separation distance falls below the standard required it is considered that the proposed development would result in an improvement in residential amenity. Currently there is an agricultural building at a similar distance and the proposed development would result in the removal of potential amenity impacts from the use of

the farm yard at Fields Farm. This would outweigh the limited harm caused by the shortfall in separation distances.

The dwelling at No 15 Laurel Close has a blank side elevation facing the application site. There would be a separation distance of 22m to the front elevation of the dwelling on plot 13. This relationship is considered to be acceptable.

Noise

The applicant has submitted a Noise Impact Assessment (NIA) which recommends mitigation designed to ensure that occupants of the proposed dwellings are not adversely affected by road traffic noise from the A534.

The proposed mitigation is as follows;

- No mitigation is required for external amenity areas
- Internal habitable rooms would be mitigated through the provision of double glazing and trickle ventilation.

The mitigation measures recommended are considered to be sufficient to mitigate the development and the Environmental Health Officer has raised no objection to this application.

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.

Air quality impacts have been considered within the air quality assessment submitted in support of the application.

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

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

- 2018 - Verification;
- Opening year Do-Minimum (DM) (predicted traffic flows in 2021 should the proposals not proceed); and,
- Opening year Do-Something (DS) (predicted traffic flows in 2021 should the proposals be completed).

The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to all modelled pollutants.

The proposed development is considered significant in that it is highly likely to change traffic patterns in the area. Sandbach has two Air Quality Management Areas and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

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

However, the Environmental Health Officer also believes that further robust mitigation measures are required to reduce the impact on sensitive receptors in the area. Therefore, the developer should submit information in relation the Electric Vehicle Infrastructure which could be controlled via a planning condition.

Contaminated Land

Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site. Part of the application area has a history of former mill, former pond use, and agricultural use therefore there may be localised contamination and ground gas issues associated with these features. Part of the proposed application is for new residential properties which are a sensitive end use and could be affected by any contamination present.

Conditions could be imposed to mitigate the impact of the proposed development.

Lighting

Light spill from the development has the potential to impact upon the existing and proposed dwellings. The matter of lighting within the site could be controlled via the imposition of a planning condition.

Impact from Houndings Lane Farm

As part of the previous appeal decision on the site the Inspector expressed concern over the impact from the working farm at Houndings Lane Farm to the south on the proposed housing development.

At the request of the Case Officer the applicant has submitted a Noise Impact Assessment and an Odour Assessment in relation to Housings Lane Farm. Both the Noise and Odour reports indicate that the farm will have minimal impact upon the proposed development and the Environmental Health Officer has stated that he accepts this conclusion.

Given that the two reports indicate minimal impact on the development the Environmental Health Officer has stated that no mitigation is required in respect of noise or odour.

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'

Connections - Amber

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

The development would have a vehicular access to the north off Old Mill Road. There would be pedestrian/cyclist connections to Laurel Close to the east and Houndings Lane to the south. The majority of the PROW would be retained within the development and the PROW Officer is happy with the treatment of these apart from the lengths of footpaths No 19 and 17 which would be diverted along estate roads (this issue is discussed in the PROW section below).

Although a Toucan crossing would be provided to Old Mill Road to the north of the site the road would act as a vehicle dominated barrier to the development.

It is difficult to gauge how the development will integrate into its surrounding landscape but the mass and scale of the extra care is a concern (even though it is 2 storeys). It is a large building in an area characterised by smaller building sizes and on a part of the site that could make it very prominent.

The main entrance into the development is via a straight over-engineered access road which would lack natural surveillance and activity for part of its length. There is concern about the space for trees and whether the trees will have sufficient stature. Because of the location of the development site with land between it and Old Mill Road, the scheme does feel disconnected from rather than integrated into the town. Old Mill Road creates a barrier that further amplifies this sense of disconnection. The development would be dominated by a long straight access road which has been previously designed for the purposes of a retail development to the north of the site, however this does not form part of this application.

The development is orientated to be outward looking on its southern, western and eastern edges. However, the development presents rear gardens to the open land to the north in the north eastern corner. Integration with the land to the north is unclear from the submitted information. In relation to the previous mixed use scheme there could be issues in relation to the treatment of levels in this part of the site and the integration between uses depending on the type of development to the north.

Facilities and services - Amber

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

Sandbach is a Key Service Centre and as such provides a range of services and facilities to meet the needs of local people. Outline permission for residential development of the site has previously been granted; therefore the principle has been established.

Public transport - Green

Does the scheme have good access to public transport to help reduce car dependency?

The layout provides for bus access into the site with a turning facility designed into a 'square' to the front of the care facility. The nearest current bus stop is on Old Mill Road approximately 200m from the development.

Pedestrian connections are provided along the new spine road and connecting into the PROW and Laurel Close. The main access includes a 3m combined footpath/cycleway.

The site is roughly 2.5 km from the railway station, which is accessible on street by bicycle and is accessible via bus along Middlewich Road.

Meeting local housing requirements – Green

Does the development have a mix of housing types and tenures that suit local requirements?

The development would provide 30% affordable housing in accordance with Policy SC 5. The Head of Strategic Infrastructure is happy with the proposed housing mix.

The proposed development would provide the following housing mix;

41 x two bed houses

35 x three bed houses

7 x four bed houses

2 x five bed houses

The layout includes a high proportion of two and three bed units and would comply with Policy SC4.

Character - Red

Does the scheme create a place with a locally inspired or otherwise distinctive character?

In the absence of revised architectural information for the housing and the extra care the development is rated red. The extracare in particular is of a scale and siting that will have a significant bearing upon the character of the site

There has been enhancement of the secondary 'urban' spaces within the development but concern over the character of New Crosses Square persist, notwithstanding the additional narrative and landscape information provided by the applicant.

The main access verge needs to be 3 metres wide to ensure that substantial Avenue trees can be achieved (as per the CEC residential design guide). It still looks to be 2 metres wide in the revised scheme.

Concern about the approach to the site also remains. This is a stand alone application and has to be viewed as such in the absence of a more comprehensive proposal. The site would be dominated by a straight over-engineered access road and bus turning circle. The rear boundaries of the dwellings on plots 1-8 would appear prominent as you enter into the proposed development.

Working with the site and its context – Amber

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

Fields Farm is excluded from the site but the house and certain outbuildings were proposed to be retained in the recent hybrid application. The Design and Access Statement advises there are no heritage assets within the site or its immediate vicinity but the farm and outbuildings are shown on the earliest edition OS and therefore would be considered to have some local heritage value (i.e. non-designated heritage assets). Consequently, their setting is a consideration in this application although they are not within the red line boundary. The scale and design of the Extra Care in relation to the farm complex is of concern. The higher density housing to the north east of the farm complex also needs to have regard to the farm complex in terms of relationship and design and more space should be provided around the heritage buildings.

The levels information submitted identifies that significant levels changes are proposed west of the proposed care home requiring a substantial retaining structure between it and the proposed route of FP19. No details have been submitted as to the nature of the retaining structure and no details have been provided for the proposed access. Retaining structures are also indicated on the eastern edge of the care home car park and the proposed sections drawing identifies retaining wall to the south, between the care home and the adjoining housing. More information, including details of the retaining structures and more detailed levels information and sections will assist in determining the impacts.

Whilst sections of hedgerow and trees around the edges of the site are largely being retained, two trees and sections of hedgerow are proposed to be removed. The Design and Access Statement states that the trees to be lost are of low value and that landscaping within the scheme will mitigate loss. There is a concern that further trees could be lost as part of the proposed level changes and this would increase the prominence and landscape impact of the development.

Creating well defined streets and spaces – Amber

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

For the most part buildings generally define the edges of streets in a coherent way with corner turning designs emphasising both street frontages. However the large parking area for the extra care creates a sterile section of street frontage in an important part of the layout. The integrity of the avenue also breaks down through the housing layout.

There are several smaller areas of open space that might become unloved or problem spaces over time because their management/responsibility is ambiguous.

Easy to find your way around - Green

Is the scheme designed to make it easy to find your way around?

The scheme is relatively modest and the location of the extra care building (not the design of the building itself) at the head of the access could create a strong visual focus at the entrance to the site).

The secondary urban spaces have been reinforced, to make them more distinctive features within the layout. Further soft landscape elements with an urban character would further strengthen those spaces. However, there is still concern about the quality of New Crosses Square as the main public realm feature.

Streets for all – Green

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

The revised plans show an additional enhancement of key urban spaces to reinforce pedestrian priority and a 20mph speed limit within the site.

New Crosses square will be a calming feature on entry to the development although there is still concern that its character is principally designed around vehicular use.

Car parking – Amber

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

There are localised pockets of frontage parking that still detract from the quality of the scheme. For example the four spaces to the front of plots 17-20 are located in a focal location, where a stronger building grouping could be created. There is a bank of 6 frontage spaces with limited landscaping in front of plots 52-55. Elsewhere there are instances of combinations of driveways and small banks of frontage parking bays that create extensive hard frontage

Public and private spaces – Amber

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

There were areas where boundaries between public and private were not sufficiently well defined. Further information has been provided regarding the design and management principles for spaces, confirming that public areas to be managed by a management company, with details of the different landscape character areas, function, planting and maintenance.

External storage and amenity space – Green

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

There would be bin and external storage to all properties together with bin collection points.

Some rear garden sizes would fall below the Councils Standards set out in the Congleton SPG.

Design Conclusion

This is a prominent site within Sandbach at a gateway location. In addition to the concerns raised above the phasing of the development to the south of the site would mean that the development is dominated by the proposed access and New Cross Square as you enter into the site. This is the same access road which was designed to serve the retail development which was refused as part of application 19/2539C. The access is designed as a long straight road which would run through the northern part of the site this would then lead to the Fields Farm complex and the rear boundaries of plots 1-8. There is no certainty as to whether development may come forward on the northern portion of the site.

The approach to developing the rear portion of the site first which would be accessed by a long straight road is illogical. This would dominate the site and together with the changing levels across the site this could impact upon the design of the future phases of the development.

The proposed development is contrary to Policy SE1 of the CELPS, Policy H2 of the SNP and guidance contained within the NPPF.

Archaeology

The application site is accompanied by an Archaeological Assessment. There are no statutorily-designated Heritage Assets within the application area but the report does conclude that the site does contain several areas of archaeological potential which are likely to need further archaeological mitigation, in the event that planning permission is granted. These include historic field boundaries, that part of the Brook Mill site within the application area, the Fields Farm complex, and the field known as 'Scot's Meadow'.

The Councils Archaeologist has stated that the above features are not significant enough to generate an objection. The programme of archaeological mitigation can be controlled through the imposition of a planning condition.

Public Rights of Way

The proposed development would affect PROW Nos 17, 18, 19 & 50. Following discussions between the PROW Team and the applicant and the submission of amended plans the PROW Officer has confirmed that they have no objection to the PROW that are not proposed to run along estate roads.

It should be noted that *"any alternative alignment [of a Public Right of Way] should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic"* (Defra Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2, October 2009, para 7.8).

The diversion or accommodation of a public right of way along estate roads or pavements is effectively an extinguishment of the public right of way and therefore not a suitable provision. This applies to Footpath no. 19 and Footpath no.17.

The majority of the previous concerns relating to the PROW on the site have been addressed apart from the diversion of the PROW along estate roads. The objection raised by the PROW Team is noted and although this is a disbenefit of the proposed development it is not considered

that a reason for refusal can be sustained on this ground alone. The connections would be retained and would be useable for pedestrians.

The proposed development is considered to be acceptable in terms of its PROW impacts.

Landscape

The application site recently formed part of a hybrid application as an outline application (19/2539C), the northern part of the site was a full application for a foodstore, a petrol station, a sales kiosk, a drive through restaurant and drive through coffee shop, offices, retail pods, parking and landscaping. The access route from the A533 roundabout serves the whole application site, namely that part of the site that also formed the previous application referred to above.

While the access route forms part of this application the cross sections that were submitted as part of application 19/2539C have not been submitted. The Cross Section Plan (Drawing No: SCP/18217/SK04 C) of application 19/2539C, this plan identifies that the cross-sections identified as J-J, K-K, A-A, B-B, C-C, D-D, E-E, F-F all cross the access route. These show a raised road approximately 6m above existing levels at J-J, at cross-section K-K this is approximately 3.5m above existing levels and a 1 in 1 slope along each boundary, by cross-section the road route is at existing ground levels. The levels previously submitted show that changes were proposed at sections A-A, B-B, C-C and D-D. As this application does not include any cross sections across the access route to the north of the proposed care home there is insufficient information in relation to the proposed levels of the access route through the site.

Other than the access the main part of the application affected by the proposed levels changes is the area of the proposed care home. Section A-A taken through the proposed care home shows that there would be a retaining structure to the western boundary and that this would measure approximately 4.9m in height. This is not considered to be acceptable and would cause harm to the character and appearance of the area.

Where the main access route meets the care home and residential development, this area is identified as New Crosses Square. The amended plans show that there are a number of changes surrounding the square. The footpath that previously extended further to the west, outside the red line boundary is now in closer proximity to the square, within the red line boundary. This has resulted in a change to the route of the path and to connecting pathways. Planting in the square remains broadly similar, with just one additional tree to the north-west corner of the care home. The road alignment to the front of the care home remains the same, although it now incorporates an extended wildflower strip along both sides of the road and an area of shrub planting. While these are positive changes, the changes are not substantial. In reality it has the appearance of a bus turning circle, an expanse of hard surfacing with seven densely crowned trees, overlooked to the by the 78 bed care home to the immediate south. This is an unsatisfactory solution to what could be positive and exemplary area of public realm.

The care home is bound to the north by New Crosses Square, to the immediate east by a car park and the access route and to the south by residential development, on an extremely constrained site, at some points to southern part of the care home building is just 3m from the rear boundary fence, this ensures that there is minimal green infrastructure around most of the proposed building. The western aspect has a number of retained existing trees and so has a more verdant aspect.

The residential area itself relies on surrounding green infrastructure. The tree lined avenue which does extend to the west of the care home terminates at the boundary of the residential area, with just a few isolated trees along the very southern part of the road. All remaining trees within the residential area are constrained by the very restricted areas for any type of green infrastructure, consequently there is no real sense of hierarchy across this part of the development site. Opportunities to provide a more varied hierarchy of trees have also been missed on the area of open space to the east of the care home.

Overall this is a disappointing scheme. While a landscape approach has been attempted, this has been of limited success due to the space allowed for any green infrastructure across the site. The resulting scheme relies on the existing retained boundary vegetation to provide any vegetation of any size or scale, this will not be remedied by the planting proposals, which are limited and of a scale that will struggle to enhance the development. More consideration should be given to the space for trees along the access route, the design and layout of New Crosses Square and the incorporation of areas to allow a wider and more varied hierarchy of tree planting across the site. In its current form the proposals are of a high enough standard to provide a positive contribution or of a high enough character or quality to either enhance or contribute to local distinctiveness, and without further consideration.

It is not considered that development would result in a design that either conserves, enhances or contributes to local distinctiveness. The proposed development would be contrary to policies SE 1 and SE4 of the CELPS.

Trees

The application is supported by an Arboricultural Impact Assessment. This identifies 1 Grade A tree (High Quality and Value), 5 Grade B trees (Moderate Quality and Value), 15 Grade C trees (Low Quality and Value) and 4 Category U trees (Trees which cannot be realistically retained as they have a life span of no longer than 5 years). The site also includes 1 Grade B group of trees and 7 hedgerows (4 Grade B and 3 Grade C).

At para 7.10 of the Arboricultural Assessment comments on the impact of proposed driveway and encroachment with the RPA of a Grade B Oak tree (T26). The Assessment suggests that the encroachment is only minor and that any damage can be minimised by proposing a Cellular Confinement System (CCS) 'no dig' construction method to form the driveway. The Councils Tree Officer has carried out a further appraisal of T26 and is of the view that there may be an argument from downgrading the tree from moderate B category as there are signs of physical decline.

Whilst the Assessment suggests the incursion within the Root Protection Area (RPA) is minor, the planning layout overlay indicates the encroachment appears to be between 19%-25% of the RPA. The difference between what is a 'minor' encroachment and up to 25% (a quarter) of the trees RPA is significant. It should also be noted that the area of the RPA shown on the drawing should not be drawn as a circle, but as a polygon, to take account of the RPA constraint to the south of the tree (Houndings Lane). The statement that there is 'additional compensatory rooting space contiguous with the RPA given the location of the proposed road' is therefore incorrect.

The issue of adoptability is straightforward as the Highway Authority would not be in a position to agree to a Cellular Confinement System to protect the rooting area of the tree if the road was to be

adopted. A condition requiring this type of design would therefore not be implementable. In light of this the Council Tree Officer has stated that whilst desirable in the overall context of its overall quality the retention of Tree T26 is not essential.

In addition to the above there is a concern over the change in levels around the proposed care home and the impact upon the nearby trees, Section A-A shows that the proposed retaining wall would be about 1.6m from the stem of a Grade C Holly (T10) and about 3.5m from a Grade C Hazel (T11). From an arboricultural perspective the loss of trees T10 and T11 is not considered to be significant due to the low quality of the trees. However the loss of the trees would raise landscape impacts due to the proposed retaining wall. It is considered appropriate that the Arboricultural Impact Assessment should take into consideration the proposed change in levels and determine whether the trees could be retained given the position of the retaining wall.

To the south of the proposed care home is a mature Grade B Sycamore (T12). The impact upon this tree from the proposed change in levels is not clear as the tree lies between the cross sections A-A and B-B and the tree is not shown on either section. Given that the cross section shows a proposed fall of 1:10 and proposed retaining wall ends short of the tree it can only be concluded from this that there is a likelihood of level changes within the RPA of this tree which has not been considered in the supporting AIA.

In response the applicants consultant has stated that *'the applicant agrees that the landscaping of the site and the detailed grading of the area surrounding T12 be undertaken in such a way as to ensure there be no change in the soil level within the RPA area of T12. The applicant would suggest no change in the position of the retaining wall is necessary to achieve this but that an approach such as installation of a geotextile matting to the slope adjacent to T12 be employed to ensure slope stability and avoid any additional soil impacting upon T12 RPA'*. However it is not clear whether this approach would be acceptable as the changes in levels may result in the requirement for further retaining structures or engineered slopes outside the RPA of T12.

Hedgerows

As part of the previous applications on the site for the purposes of the Hedgerow Regulations 1997 none of the hedgerows are deemed to be important under the various criteria under the Regulations, although as stated a number have significant local nature conservation value/wildlife benefits.

Ecology

Statutory Designated Sites

The application site falls into Natural England's SSSI impact risk zones for residential developments of over 50 units. In this case Natural England have been consulted and have raised no objection to the proposed development.

Sandbach Wildlife Corridor/Arclid Brook

The proposed development is located partly within the Sandbach Wildlife Corridor. Designated Wildlife Corridors are protected under Congleton Local Plan Policy NR4, CELPS Policy SE3 and SNP Policy PC4. The proposed development will result in a loss of a substantial area of habitat

from within the wildlife corridor. The habitat lost is however of relatively limited nature conservation value. The proposed development would result in the culverting of a small section of Arclid Brook and the loss of hedgerows (a UK BAP priority habitat and a material consideration).

Policy PC4 states that proposals which are likely to have a significant adverse impact on a Wildlife Corridors will not be permitted except in exceptional circumstances where the reasons for the proposed development clearly outweigh the value of the wildlife corridor and there are no alternatives.

A strategy to deliver compensatory habitats to address the impacts of the proposed development upon the Wildlife Corridor was submitted and accepted in respect of earlier applications at this site. Whilst the submitted application includes features such as SUDS ponds and open space areas, a specific strategy to compensate for the loss of habitat from the Wildlife Corridor has not been submitted in support of this application.

Biodiversity Net Gain

Policy SE3 requires that all developments aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity.

The Councils Ecologist recommends that the applicant undertakes and submits an assessment of the residual ecological impacts of the proposed development using the Defra biodiversity offsetting 'metric' methodology. An assessment of this type would both quantify the residual impacts of the development and calculate in 'units' whether the proposed development would deliver a net gain or loss for biodiversity.

This approach would ensure that the overall loss/gain of biodiversity is assessed in an objective manner and determine whether adequate compensation is delivered for the loss of habitat from the Wildlife Corridor which is protected by Congleton Local Plan Policy NR4, CELPS Policy SE3 and SNP Policy PC4. The Councils Ecologist also advises that losses and gains of hedgerows habitats should also be assessed using the Defra methodology.

Without this information the proposed development would be contrary to Congleton Local Plan Policy NR4, CELPS Policy SE3 and SNP Policy PC4.

Water Voles

Water voles are known to occur on water courses in the locality of the proposed development. A recent survey did not record any evidence of water voles. The Councils ecologist advises that water voles are no likely to be present or affected by the proposed development.

Otter

Evidence of otter was recorded during the submitted water vole survey. The Councils Ecologist advises that the proposed development is not likely to result in an offence under the habitat regulations in respect of otter due to the lack of suitable features for use for shelter and protection.

The proposed access road crossing Arclid Brook is however likely to have an impact on otter as a result of loss of connectivity and increased risk of road traffic collisions. The Councils Ecologist

advises that in order to mitigate this effect the applicant must submit proposals for the incorporation of a mammal ledge under the culvert and suitable protective fencing to limit the risk of otters crossing the proposed road. This could be controlled via the imposition of a planning condition.

Roosting Bats (Buildings)

An intermittently used bat roost is known to be present within one of the buildings at Fields Farm. This roost was not in active use during the most recent bat surveys. The building which supports this roost is located outside the red line boundary of the current application. As a result roosting bats are unlikely to be directly affected by the proposed development.

Lighting

To avoid any adverse impacts on bats and other wildlife resulting from any lighting associated with the development if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

Other Protected Species

Potential evidence of other protected species activity on site was recorded during the initial Phase One habitat survey. A follow survey has been undertaken and no conclusive evidence of other protected species activity was recorded.

The proposed development is unlikely to have a significant effect upon other protected species.

Nesting Birds

If planning consent is granted conditions could be imposed to safeguard and provide mitigation for nesting birds.

Flood Risk/Drainage

The application site is located largely within Flood Zone 1 (low probability of flooding) although the far north of the site around the existing watercourse is identified as Flood Zone 2 (medium probability of flooding) and 3 (high probability of flooding). The proposed buildings would all be located within Flood Zone 1, but part of the access is within Flood Zones 2 & 3 and the watercourse would be culverted under the proposed access.

In this case the Councils Flood Risk Manager, the Environment Agency and United utilities have all been consulted as part of this application and have raised no objection to the proposed development in relation to flood risk/drainage 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.

Affordable Housing

The Cheshire Homechoice waiting list shows a need with Sandbach as their first choice of 560 homes. This can be broken down to 254 x one bedroom, 178 x two bedroom, 85 x three bedroom, 24 x four bedroom and 19 x four+ bedroom dwellings. The Cheshire Home Choice data also shows a need for 114 x one bedroom and 7 x two bedroom Older Persons accommodation.

The SHMA 2013 showed the majority of the house type demand annually in Sandbach is for 18 x one bedroom, 33 x two bedroom, 18 x three bedroom and 6 x four bedroom dwellings for general needs. The SHMA 2013 also showed an annual requirement for 11 x one bedroom and 5 x two bedroom dwellings for older persons. These can be via flats, cottage style flats, bungalows and lifetime standard homes.

The proposed development consists of 85 new dwellings for C3 use. The 30% affordable housing requirement in this instance will be 26 units.

The tenure split for these properties should be in line with policy (65% affordable rent/35% intermediate). In this case the development would provide 17 affordable rent and 9 intermediate tenure.

The submitted affordable housing statement identifies that the development would provide the following affordable housing mix

Rented

12 x two bed units

5 x three bed units

Shared Ownership

7 x two bed units

2 x three bed units

The Head of Strategic Housing has considered that the affordable mix and the Affordable Housing Statement and has raised no objection to the proposed development. The affordable units are located within four groups across the site and are considered to be sufficiently pepper-potted.

Public Open Space

On Site Provision

Policy SE6 of the Cheshire East Local Plan Strategy provide a clear policy basis to require new developments to provide or contribute to Children's Play Space, Amenity Green Space, Green Infrastructure Connectivity and Allotments.

There is a deficiency of children's play within 800m of the development site. A development of this size should offer a NEAP (Neighbourhood Equipped Area for Play) catering for all ages to Fields in Trust standards taking into account the 30m buffer to the nearest dwelling. Although this sites topography poses a challenge the Councils POS Officer has suggested that the NEAP should be predominantly flat and centrally located giving the development a focal point with surrounding open space for informal socialising and recreation.

Policy SE6, Table 13.1 denotes the level of green infrastructure required for major developments. This shows that the development should provide 40m² children's play and amenity green space per family dwelling. In addition to this 20m² should be allocated to G.I. Connectivity (Green Infrastructure Connectivity). In line with CELPS Policy CO1, Design Guide and BFL12 "Connections" this should be an integral part of the development connecting and integrating the site into the existing landscape in a sustainable way for both walking and cycling.

Using these figures the development would be required to provide 3,400m² of children's play and amenity green space for the family dwellings, and 1,700m² of G.I. Connectivity.

The submitted site plan shows that the development would provide a sufficient level of open space to serve the proposed development in accordance with Policy SE6. The final details in terms of the layout and design of the NEAP could be secured via a condition.

Outdoor Sport

In line with Policy SC1 and SC2 Outdoor Sport contributions are required. In this case the development would require a contribution of £1,000 for a family dwelling or £500 per 2 bed apartment space.

These contributions would be secured as part of a S106 Agreement.

Indoor Sport

Policies SC1 and SC2 of the Cheshire East Council Local Plan Strategy provide a clear policy basis to require new developments to provide or contribute towards both outdoor and indoor recreation.

In this contributions would be required to improve the quality and number of health and fitness stations at Sandbach Leisure Centre. In this case there has been a request for a contribution of £29,531. This would be secured as part of a S106 Agreement.

Education

A development of 85 dwellings is expected to generate 15 primary aged children, 13 secondary aged children and 1 SEN child.

The education department have confirmed that there is capacity within local primary schools to serve this proposed development. The reason for the change in position since the refusal of application 19/2539C is that capacity has/is being created as part of new build projects at St Johns (35 extra places) and Elworth CofE (105 spaces). On this basis there is no request for a contribution to mitigate the impact upon local primary schools.

There will be a shortfall within the local secondary schools and on this basis a contribution of £212,455.00 will be required to mitigate the impact of this development upon local secondary provision.

For SEN education provision the Councils Education department have confirmed that children in the Borough cannot be accommodated under current provision and some children are currently

being educated outside the Borough. A contribution of £45,500 is required based on the increase in population.

Health Infrastructure

The patient list at Ashfields Medical Centre has been increasing at a significant level. Whilst the building is considered adequate, the increasing population will create significant pressure points within the practice and these are already starting to appear. Short term solutions are being looked at to review the increases in patient population. Expansion of the existing building is also being considered. On this basis a contribution of £70,812 will be required to mitigate the impact of this development if the care home is developed.

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 demand for NHS provision in Sandbach where there is limited spare capacity. In order to increase capacity of the medical centre which would support the proposed development, a contribution towards health care provision is required. This is considered to be necessary and fair and reasonable in relation to the development.

The development would result in increased demand for education provision in Sandbach and the wider Borough in terms of SEN where there is limited spare capacity. In order to increase capacity of the local schools which would support the proposed development, a contribution towards secondary education and SEN provision is required. This is considered to be necessary and fair and reasonable in relation to the development.

The development site is in an area of Sandbach where there is a shortfall in provision and would require POS, children's play, outdoor sport mitigation and indoor leisure mitigation in accordance with Policies within the CELPS. This is considered to be necessary and fair and reasonable in relation to the development.

The development of the site is reliant on the highway improvements between the site access roundabout and the junction with The Hill. As a result mitigation is required in accordance with Policies within the CELPS. This is considered to be necessary and fair and reasonable in relation to the development.

On this basis the S106, recommendation is compliant with the CIL Regulations 2010.

CONCLUSION

The application site is within the Settlement Zone Line as identified by the SNP and has an extant planning permission for residential development.

The highways implications of the development are considered to be acceptable. This is subject to the required highway works contribution. However the parking for the proposed care home falls below the CEC Standards and this issue will form a reason for refusal.

The amenity implications of the proposed development, including noise, air quality and contaminated land are considered to be acceptable and would comply with GR6 and GR7 of the CLP and SE 12 of the CELPS.

The site is an important gateway to Sandbach and the proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policies SE1 and SE4 of the CELPS, Policy H2 of the SNP and guidance contained within the NPPF.

The site has a challenging topography and the development would require large retaining structures and little landscape mitigation. The proposed development is therefore contrary to Policies SD2, SE1 and SE4 of the CELPS and PC2 of the SNP.

There is insufficient information in relation to the impact upon trees on the site due to the potential level changes. The development would not comply with Policy SE 5 of the CELPS.

The drainage and flood risk implications of the proposed development are considered to be acceptable and the development complies with Policy CE 13 of the CELPS.

The proposed development would affect PROW Nos 17, 18 and 19. The impact upon the PROW network is now considered to be acceptable.

The proposed development is located partly within the Sandbach Wildlife Corridor. The proposed development would result in an overall loss of biodiversity from the designated wildlife corridor.

The application demonstrates that the development can accommodate the required level of POS to serve the proposed quantum of development. As such the proposed development complies with Policy SE6 of the CELPS, Policy GR22 of the CLP.

The impact of the development upon archaeology, infrastructure (education and health) and the affordable housing provision is acceptable and would be controlled via a S106 Agreement.

RECOMMENDATION:

REFUSE for the following reasons;

- 1. This is an important gateway location and prominent site in Sandbach. The phasing of the development would result in a development which is dominated by engineered access with a poor relationship to the frontage of the site (north). The development will not suitably integrate or add to the overall quality to the area in character or landscape terms. Furthermore the topography of the site is not conducive to a large floorplate of the care home and would result substantial engineered retaining structures. The proposed development fails to take the opportunities available for improving the character and quality of the area and is contrary to Policies SE1 and SE4 of the CELPS, Policy H2 of the SNP and guidance contained within the NPPF.**

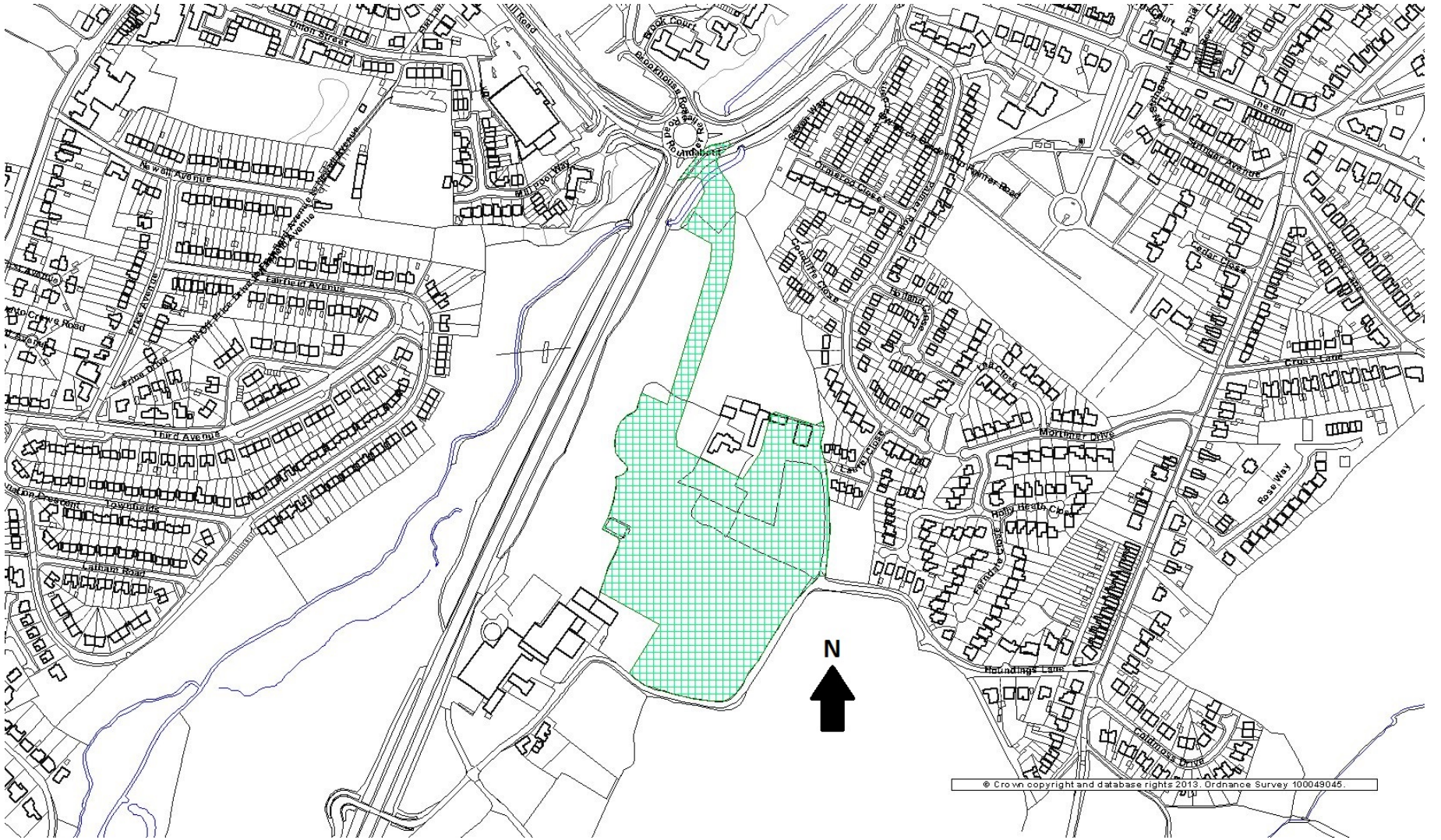
2. The application site is of a very challenging topography including an escarpment that runs along the central part of the site. The submitted information demonstrates that the care home part of the development will require engineered retaining wall with minimal landscape mitigation along the western boundary and it is unclear how land levels would be treated to avoid any changes within the RPA of a mature Sycamore Tree (T12). Furthermore the application does not include sections or levels information in relation to the proposed access north of the proposed care home. On this basis the development would not achieve a sense of place and would be harmful to the character of the area. The proposed development is therefore contrary to Policies SD2, SE1, SE4 and SE5 of the CELPS, PC2 of the Sandbach Neighbourhood Plan and guidance contained within the NPPF.
3. The proposed development includes the provision of a 74 bed care home/extra care facility with the provision of 33 car parking spaces. The level of car parking proposed falls below the standards set out within Appendix C of the Cheshire East Local Plan Strategy. This shortfall in parking would result in on-road parking within the development which would harm the character and appearance of the development and vehicle movements within the site. The proposed development is contrary to Policy CO 2 and Appendix C of the CELPS and the NPPF.
4. The proposed development is located partly within the Sandbach Wildlife Corridor. The proposed development would result in a loss of a substantial area of habitat within the wildlife corridor. The proposed development would result in an overall loss of biodiversity from the designated wildlife corridor. As a result the proposed development would be contrary to Congleton Local Plan Policy NR4, CELPS Policy SE3, SNP Policies PC4 and JLE1 and the NPPF.

In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Development Management 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 |
|---------------------------|---|--|
| Affordable Housing | 30% (65% Affordable Rent / 35% Intermediate) | In accordance with phasing plan to be submitted at the reserved matters stage. No more than 80% open market occupied prior to affordable provision in each phase. |
| Education | For a development of 85 dwellings; | SEN – Full amount prior to first occupation of the housing development |

| | | |
|---|---|---|
| | $13 \times £17,959 \times 0.91 = £212,455.00$ (secondary) $1 \times £50,000 \times 0.91 = £45,500.00$ (SEN) Total education contribution: £257,955 | Secondary – Full amount prior to first occupation of 30 dwellings |
| Health | Contribution of £70,812 | Full amount to be paid prior to the commencement of the housing/care home |
| Indoor recreation | Contribution of £29,531 | Full amount to be paid prior to the commencement of the housing/care home |
| Outdoor recreation | Contribution of £1,000 for a family dwelling or £500 per 2 bed apartment space | Full amount prior to first occupation of 50 dwellings |
| Public Open Space | Private Management Company Provision of a NEAP and the open space | On first occupation On occupation of 50% of the dwellings |
| Highways Contribution for works between the The Hill junction and the site access roundabout | Contribution of £200,000 | 50% prior to the commencement 50% prior to the first occupation of the housing/care home |



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Application No: 19/3162C

Location: Land South of, Waggs Road, Congleton, Cheshire

Proposal: Outline planning application for the erection of up to 98 dwellings with public open space, landscaping, and sustainable drainage system (SuDS) and vehicular access point from Waggs Road. Footpath and carriageway improvements along Waggs Road fronting properties between 75 and 89 Waggs Road. All matters reserved except for means of access.

Applicant: Gladman

Expiry Date: 18-Dec-2019

SUMMARY

The proposed development would be contrary to Policies PG6 & SD1 of the CELPS & Policy PS8 of the Congleton Borough Local Plan as the development would result in a loss of open countryside. There is also inadequate infrastructure in place to support further major residential development and safe and suitable access has not been achieved contrary to Policies SD1, SD2, SC3, CO1 & CO4 of the Cheshire East Local Plan and Saved Policies GR9, GR10 and GR18 of the Congleton Borough Local Plan. Given that Cheshire East can demonstrate a 5 year supply of deliverable housing sites, significant weight is given to these factors.

The development would also result in some visual harm to the landscape given that it seeks to develop a site that is currently free from built form and this factor is given moderate weight. The proposal would also result in the loss of agricultural land. This factor is given limited weight.

The development would provide benefits in terms of affordable and open market housing provision, public open space, delivery of economic benefits during construction and through the spending of future occupiers. These factors can be given moderate weight.

The development would have a neutral impact upon education, protected species/ecology, flooding, living conditions, landscape, trees, design, air quality and contaminated land.

The proposed development is contrary to the Development Plan. In the light of section 38(6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused unless material considerations indicate otherwise. It is not considered that the benefits outweigh the adverse impacts and there are no material considerations which outweigh the harm caused. As such it is considered that the development does not constitute sustainable development and should therefore be refused.

RECOMMENDATION

REFUSE

PROPOSAL

The application seeks outline planning application for the erection of up to 98 dwellings with public open space, landscaping, and sustainable drainage system (SuDS) and vehicular access point from Waggs Road. Footpath and carriageway improvements are also proposed along Waggs Road fronting properties between 75 and 89 Waggs Road.

All matters are reserved except for means of access. Access, both vehicular and pedestrian, would be taken from a single point adjacent to No.124 Waggs Road.

The framework and illustrative plans shows that the north western corner of the site is to be retained as an area of public open space and a child's play area to the southern boundary.

SITE DESCRIPTION

The application site comprises an irregular parcel of greenfield land, 4.03 hectares in size, situated to the south of Waggs Road and Meadow Avenue, Congleton. The land is designated as being within the open countryside in the adopted local plan.

The land is in agricultural use. There are native hedgerows on the northern boundary with the existing housing development, a bank top hedgerow on the western boundary with Fol Hollow and a hedge and trees on part of the southern boundary in the vicinity of New Bank Farm. The remainder of the southern boundary and the eastern boundary are largely open giving views towards the hills. The site is divided by a continuous central hedge running north-south and there are two mature field oak trees near to the proposed site entrance.

Public Footpath No.6 runs along the eastern boundary of the site.

The north western corner of the site slopes steeply down several metres to Waggs Road where there is a large amount of mature vegetation and this is a valuable habitat for protected species.

RELEVANT HISTORY

17/0195C – The erection of 104 residential dwellings, including open space, together with associated works including landscaping, the formation of access, site works, necessary engineering works to facilitate highway and footway improvements to Waggs Road and other necessary works – Refused 19-Apr-2017 for the following reasons:

1. *The proposed residential development is unsustainable because it is located within the Open Countryside contrary to Policies PS8 (Open Countryside), GR1 (New Development), GR2 (Design), H6 (Residential Development in the Open Countryside and the Green Belt) of the Congleton Local Plan, Policies PG5 (Open Countryside) and SD1 (Sustainable Development in Cheshire East) of the emerging Cheshire East Local Plan Strategy and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside*

is protected from inappropriate development and maintained for future generations enjoyment and use. As such it creates harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

2. *The visibility of an existing access opposite the proposed site access has been affected by the revised access plans and the visibility has been reduced to an unacceptable distance, rendering the access unsafe and unsuitable for the existing residents. The reduced carriageway widths and on-street parking on Waggs Road and Fol Hollow are existing issues. However the inadequate infrastructure that provides access to the site and local schools is considered not to be of a satisfactory standard to support further major development proposals whose generated traffic will have a direct impact on both Waggs Road and Fol Hollow. As a result the development would have a severe adverse impact on Waggs Road and Fol Hollow, due to the sub-standard nature of these two highway routes. This severe adverse impact would significantly and demonstrably outweigh the benefits of the scheme namely housing land supply. The development is therefore contrary to Policies GR1 (New Development), GR2 (Design), GR3, GR7, GR9 (New Development), GR10 and GR18 (Traffic Generation) of the adopted Congleton Borough Local Plan, Policies SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles), SC3 (Health and Well-being), C01 (Sustainable Travel and Transport) of the Emerging Cheshire East Local Plan and the requirements of the NPPF*

16/25025 – EIA screening opinion for the proposed development of 104 no. dwellings, public open space, access and landscaping – approval not required 24-May-2016

13/3764C – The erection of 104 residential dwellings, including open space, together with associated works including landscaping, the formation of access, site works and other necessary works – Refused 10-Dec-2013 and dismissed at appeal APP/R0660/A/14/2214018 for the following reason:

The proposed development is located within Open Countryside and would have a severe adverse impact on Waggs Road and Fol Hollow due to the sub-standard nature of these two highway routes. This severe adverse impact would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policies GR1(V), GR18, PS8 and H6 of the Congleton Borough Local Plan First Review 2005 and to a core planning principle of the National Planning Policy Framework (paragraph 17), which recognises the intrinsic character and beauty of the countryside.

13/30785 – Environmental Impact Assessment Screening Opinion for 104 Dwellings together with associated access roads, footpaths, parking and amenity planting and the provision of public open space/play areas – Approved 20-Nov-2013

20958/1 & 20956/1 – 8 NEW HOUSES – Refused 02-May-1989 for the following reason:

1. *the proposed development would be contrary to the policies and proposals contained in the recently approved congleton town local plan.*

2. *the site lies outside any area proposed for development and would represent an undesirable intrusion into the agricultural and rural surrounding to the town.*

3. adequate supplies of land for housing to meet the requirements of the town for the next five years at least.

DIFFERENCE BETWEEN THE PROPOSAL AND REFUSED SCHEMES

The current proposal seeks a reduction in the total number of houses proposed with subsequent alterations to the previous illustrative layout.

The proposal also seeks to improve the off site highway improvement/widening works.

NATIONAL & LOCAL POLICY

Development Plan

The Development Plan for this area comprises of the Cheshire East Local Plan Strategy (CELPS).

Cheshire East Local Plan Strategy (CELPS):

MP1 – Presumption in Favour of Sustainable Development

PG1 - Overall Development Strategy

PG2 – Settlement Hierarchy

PG6 - Open Countryside

PG7 – Spatial Distribution of Development

SC4 – Residential Mix

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE3 – Biodiversity and Geodiversity

SE5 – Trees, Hedgerows and Woodland

SE 1 - Design

SE 2 - Efficient Use of Land

SE3 – Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 3 - Biodiversity and Geodiversity

SE9 - Energy Efficient Development,

SE12 - Pollution, Land Contamination and Land Instability

SE 13 - Flood Risk and Water Management

SE 6 – Green Infrastructure

IN1 – Infrastructure

IN2 – Developer Contributions

IN1 – Infrastructure

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

Congleton Borough Local Plan Saved Policies (CBLP):

| | |
|-------|--|
| PS8 | Open Countryside |
| GR6-8 | Amenity and Health |
| GR9 | Accessibility, servicing and provision of parking |
| GR14 | Cycling Measures |
| GR15 | Pedestrian Measures |
| GR16 | Footpath, Bridleways and cycleway networks |
| GR17 | Car parking |
| GR18 | Traffic Generation |
| GR 22 | Open Space Provision |
| NR2 | Statutory Sites (Wildlife and Nature Conservation) |
| NR3 | Habitats |
| NR5 | Habitats |
| DP9 | Transport Assessment |

Congleton Neighbourhood Plan (CNP) – Plan withdrawn from examination so carries no weight

National Planning Policy Framework (NPPF)

The relevant paragraphs include;

- 17 - Core planning principles
- 47-50 - Wide choice of quality homes
- 55 - Isolated dwellings in the Countryside
- 56-68 - Requiring good design

CONSULTATIONS

CEC Highways: Objection as there is inadequate infrastructure in place to support further major residential development and safe and suitable access has not been achieved

CEC Flood Risk Manager: No objection subject to drainage conditions

CEC Environmental Health: Recommend conditions/informatives regarding working hours for construction sites, piling, dust, electric vehicle charging, boilers and contaminated land

CEC Education: No objection subject to developer contribution of £485,873 towards primary, secondary and Special Educational Needs (SEN).

CEC Housing: No objection subject to provision of 30% affordable housing. The exact mix and tenures can be finalised at the Reserved Matters stage.

CEC ANSA: Proposal requires the provision of 20m² amenity green space per dwelling, 20m² children's play space per dwelling, provision of a community allotment/orchard measuring 500m² and a contribution of £1,000 per family dwelling for improvements to outdoor sports

CEC Public Rights of Way (PROW): No objection subject to conditions/informatives requiring new residents to be provided with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted. Also advisory notes reminding the applicant of their obligations.

NHS England: Request contribution to support the development of the Readsmore Medical Centre

United Utilities: No objections subject to conditions regarding surface water and foul drainage

Ramblers Association: No comments received at the time of writing the report

Environment Agency: No comments received at the time of writing the report

VIEWS OF THE PARISH/TOWN COUNCIL

MP Fiona Bruce: Objection on the following grounds:

- Application has been previously refused twice
- Greenfield land outside of the settlement boundary
- Cheshire East has a 7.2 year housing land supply
- Insufficient road capacity
- Site is not sustainable
- Flooding issues
- Footway improvements cover only 2 small areas of the road/footpath

Congleton Town Council: Objection on the following grounds:

- Local, strategic, regional and national planning policies
- Previous planning decisions (including appeal decisions)
- Layout and density of buildings
- Noise and disturbance
- Highway and safety issues
- Traffic generation
- Vehicular access
- Nature conservation
- Intrusion into Open Countryside/Green Belt
- Risk of potential flooding
- Safer routes to school and general safety
- Traffic statements to take into account junction assessments at the bottom of Foll Hollow and into Town via Waggs Road. Also the traffic surveys to include information gathered at the beginning and end of the school days in addition to normal rush hour times
- In conflict with the draft neighbourhood plan

REPRESENTATIONS

288 letters of objection received regarding the following:

- Road and pedestrian safety
- Harm to character/appearance of the area

- Loss of amenity
- Loss of open countryside
- Not required to deliver the local plan housing
- Previously refused appeal
- Outside of the settlement
- Not sustainable location
- Impact on the future Congleton link road
- Impact on local infrastructure and services (schools, health, roads)
- Flooding
- Air quality
- Loss of landscape
- Loss of wildlife
- Merging of settlements
- Loss of trees/hedgerows
- No one bedroom units proposed
- Loss of agricultural land

APPRAISAL

Principle of Development

The site lies largely in the Open Countryside as designated by the Adopted Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may be made where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built up frontage elsewhere, affordable housing or where the dwelling is exceptional in design and sustainable development terms.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result, it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “in accordance with the plan unless material considerations indicate otherwise”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

Housing Land Supply

The Cheshire East Local Plan Strategy was adopted on the 27th July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted.

The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These are:

- Where a local planning authority cannot demonstrate a five year supply of deliverable housing sites (with appropriate buffer) or:
- Under transitional arrangements, where the Housing Delivery Test Measurement 2018 indicates that the delivery of housing was substantially below 25% of housing required over the previous three years (note: this will change to 45% once the Housing Delivery Test Measurement 2019 is published later this year).

In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2019) was published on the 7th November 2019. The report confirms:

- A five year housing requirement of 11,802 net additional dwellings. This includes an adjustment to address historic shortfalls in delivery and the application of a 5% buffer.
- A deliverable five year housing land supply of 7.5 years (17,333 dwellings).

The 2018 Housing Delivery Test Result was published by the Ministry of Housing Communities and Local Government on the 19th February 2019 and this confirms a Cheshire East Housing Delivery Test Result of 183%. Housing delivery over the past three years (5,610 dwellings) has exceeded the number of homes required (3,067). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.

Relevant policies concerning the supply of housing should therefore be considered up-to-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is not engaged.

SOCIAL SUSTAINABILITY

Affordable Housing

The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of up to 98 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 29 Affordable Dwellings to be provided, 19 units should be provided as Affordable/Social rent and 10 units as Intermediate tenure.

The affordable housing provision will be secured as part of a S106 Agreement.

Public Open Space

Policy SE6 of the Cheshire East Local Plan Strategy seeks to deliver a good quality and accessible network of green spaces for people to enjoy, providing for healthy recreation and biodiversity and continuing to provide a range of social, economic and health benefits.

The Design and Access Statement submitted with this application states that the development would provide 1.19 hectares of land dedicated to formal and informal open space with the north western corner of the site retained as an area of public open space and a child's play area to the southern boundary.

Play/green space

In accordance with Policy SE6 the development needs to provide:

1960m² amenity green space (AGS) – defined as 'most commonly, but not exclusively in housing areas, inc. informal recreation spaces, greenspaces in and around housing, domestic gardens and village greens'

1960m² children's play space – defined as 'including play areas, skateboard parks, outdoor basketball hoops, and other more informal areas – for example 'hanging out' areas, teenage shelters'

The play and amenity green space should:

- Follow FiT guidance
- provide LAP's and a NEAP for all ages (minimum 1000m²) with associated freeplay / kickabout space
- be moved to a central location – currently sits on the southern boundary
- have good surveillance from overlooking properties
- be located to meet minimum buffer distances, away from roads and hazards and avoid conflict with future residents
- be enclosed to avoid problems with dogs, roads, water bodies etc. if necessary dependant on the design
- have good hard surfaced pedestrian access and be an inclusive facility with the play area being predominately flat
- include amenity greenspace and landscaping with seats and features for the wider community

Although the development framework plan shows the plan as providing 9,900m² AGS much of this is landscaping for the retention of existing trees/hedgerows, buffer planting and SUDS. However, this will contribute to the Green Infrastructure Connectivity requirement.

ANSA have been consulted who advise that the area of open space to the west, as in the previous application, does not flow. They suggest consideration is given to the removal of 3 properties and re-orientation of the fourth most southerly to give open purposeful entrance to the site. Again the current layout creates a narrow pinch point which has a potential to cause nuisance to the residents living the those plots. These comments are noted however as the proposal is submitted in outline form it is considered that this could be addressed at reserved matters stage once the layout has been fixed.

In addition to the above, the Green Space Strategy identifies a shortage of allotments therefore space allocated for allotments/community food production should be provided. Allotments are not practical on this site therefore ANSA suggest approximately 500m² uncontaminated land, preferably set away from roads should be allocated for community food growth. This could be in the form of a community allotment/orchard, herb gardens, raised beds etc. – ultimately once the community is established it will be for the community to decide.

Outdoor sport

Policy SE6 & SC2 also require major developments (10 or more) contribute through land assembly and/or financial contributions, to new or improved sports facilities where development will increase demand and/or there is a recognised shortage in the locality that would be exacerbated by the increase in demand arising from the development. Therefore, a financial contribution of £1,000 per family dwelling is sought for improvements to outdoor sports in line with the recently updated Playing Pitch Strategy. Please note this figure is subject to change.

Indoor sport

In line with the Indoor Built Facility Strategy there should be a focus on improvement of provision at Congleton Leisure Centre (IBFS Page 40). Whilst new developments should not be required to address an existing shortfall of provision, they should ensure that this situation is not worsened by ensuring that it fully addresses its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand may not be sufficient to require substantial indoor facility investment through capital build there is currently a need to continually improve the quality and volume of health and fitness opportunities at the Leisure Centre to accommodate localised demand for indoor physical activity.

In this case the proposal would require the following contribution towards indoor sport based on 98 dwellings:

- 98 dwellings at 1.61 people per residence = a population increase of 158
- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East = 67 additional “active population” due to the new development at Waggs Road, Congleton
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional equivalent 2.7 stations or their financial equivalent (one fitness station equivalent of £6,500). Total contribution requested £17,550

The above contributions towards open space, allotments and sports facilities can be secured as part of a S106 Agreement.

Education

A development of up to 98 dwellings is forecast to generate 18 primary, 15 secondary and 1 SEN school children.

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

$18 \times £11,919 \times 0.91 = £195,233$
 $15 \times £17,959 \times 0.91 = £245,140$
 $1 \times £50,000 \times 0.91 = £45,500$ (SEN)
Total education contribution: £485,873

As such there is a requirement for a contribution from this development towards school provision and the sum of £485,873 will be secured as part of a S106 Agreement.

Health

There are 3 medical centres in Congleton within 1 mile of the site and according to the NHS choices website these practices are currently accepting patients.

The South Cheshire Clinical Commissioning Group (CCG) have also been consulted to advise on capacity and whether or not any contributions are required towards medical provision. In this instance they have requested contribution to support the development of the Readsmore Medical Centre using a formula of occupancy x the number of units in the development x £360.

As such the contribution can be secured as part of a S106 Agreement.

Location of the site

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

An assessment detailing the proximity of the site to the services within the tool kit has not been provided however and brief assessment has been made by the case officer. The site is located 780m to the nearest bus stop of Newcastle Road however this is not assessable by public footpath. The site is also located 1100m to the nearest bus stop on West Street. Whilst this is accessible by public footpath it is quite narrow in places and was noted as a concern by the planning inspector for the appeal that was dismissed ref APP/R0660/A/14/2214018 where the inspector stated:

“Whilst town centre facilities, services and transport links would be nearby, access to these facilities by pedestrians would in the majority of cases be along the sub-standard footways of Waggs Road. The proposed road junction would fail to provide safe highway conditions”

As a result it is clear that the site is outside of those distances as recommended in the checklist and would likely result in future occupants relying on motor vehicles in which to reach local services and amenities. However it is noted that the planning inspector considered that “facilities, services and transport links would be nearby”, suggesting that he considered the proximity of the site to be within acceptable levels.

Whilst the Council does not necessarily agree with this view given the distance of the site to services, the physical location of the site remains unchanged since the appeal decision, therefore it would be difficult to argue this point based on the comments of the Inspector.

Whilst locational sustainability is not considered to be the determinative factor in its own right it does nevertheless weigh against the proposal in the overall planning balance.

ENVIRONMENTAL SUSTAINABILITY

Housing Mix

Paragraph 61 of the Framework states that ‘the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited

to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes’.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). This is echoed within the SNP Policies H3 (Housing Mix and Type) which states that housing should be designed to provide a mix of houses to meet identified need (e.g. affordable housing, starter homes and provision for housing an ageing population) and Policy H4 (Housing and an Ageing Population) which states that developments will be supported that provide suitable, accessible houses

A condition could be imposed to secure a mix of house types at the reserved matters stage.

Residential Amenity

The main residential properties affected by this development are properties to the east of the site on Waggs Road (124-102) & 17-7 Meadow Avenue, property to the south New Bank Farm and properties to the north 139-135 Waggs Road.

The application is in outline form and the indicative layout suggests that adequate interface distances could be achieved without causing significant harm to neighbouring properties.

Whilst the final layout will not be set until reserved matters stage, it does appear that the site could accommodate the number of dwellings proposed.

Contaminated Land

As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

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 whilst Policy H2 of the SNP states that development should not cause unacceptable air pollution. This is in accordance with paragraph 170 of the NPPF and the Government’s Air Quality Strategy.

This outline proposal is for the residential development of up to 98 dwellings and has been supported by an Air Quality Assessment. This has been reviewed by Environmental Protection Officers who advise that the proposed development is considered significant in that it is likely to change traffic patterns and congestion in the area.

However, should, on balance, the application be recommended for approval, Environmental Protection Officers consider the following conditions necessary to ensure that local air quality is not adversely impacted for existing and future residents:

- Dust Control
- Travel Plan

- Electric Vehicle Infrastructure
- Ultra Low Emission Gas Boilers

Subject to the imposition of these conditions the impact upon air quality from this development is considered to be acceptable.

Public Rights of Way (PROW)

According to the legal record of Public Rights of Way, the proposed development appears to be adjacent to Public Rights of Way, namely Footpaths No. 6 and 7 in the parish of Congleton (working copy extract enclosed).

The potential pedestrian access locations would affect the public footpaths and as such the further details on these is required i.e. surfacing, widths, gradients, landscaping and structures etc if planning consent is granted.

As a result the Councils Public Rights of Way Team have been consulted who have raised no objection subject to conditions/informatives requiring new residents to be provided with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

Highways

Site description and current application proposal

This site is located in a rural location and is proposed to be accessed from Fol Hollow/Waggs Road. This is an unclassified road that links to the A34 Newcastle Road to the west and Congleton town centre to the east.

Access is to be determined in this application. The proposed access location is in the similar location that has been submitted previously that connects to Fol Hollow.

The applicant is proposing improvements as part of this application; there is a traffic calming feature proposed immediately to the east of the access, this involves a road narrowing with priority traffic working and give way. Additionally, there is a length of carriageway and footway improvements proposed on Waggs Road.

Infrastructure and Accessibility

As in the previous applications, the highway concerns regarding the development of a major residential site in this location, is the poor standard of infrastructure that connects the site to the wider transport network. Fol Hollow is a rural road and is no more than single track in places with a very poor alignment and sharp bends and forward visibility is limited. The carriageway width on Fol Hollow measures between 5.3m to 4.8m, there are no pedestrian footways and for much of its length has no street lighting and it also has a derestricted speed limit.

Waggs Road is a narrow road that varies in width that has limited footway provision with a section of the road having a footway on one side only. There are sections of Waggs Road where the usable carriageway width is reduced due to boundary walls constructed on the edge of the carriageway. It has existing traffic calming installed in the form of road humps and narrowings with priority traffic working.

Waggs Road predominately serves residential properties although it serves as access to Marfields primary school.

The site is located a considerable distance from the nearest bus services, the closest bus services are located in West Street, Congleton approximately a kilometre from the site. In addition to this being a significant walking distance for pedestrians it is also made difficult due to the sharp incline of Waggs Road and would be a deterrent to making journeys by foot.

It is important that major residential developments are accessible not only to pedestrians but also to cyclists, there are no segregated cycle paths that link this site to the town centre. Cyclists would be required to use Waggs Road that is narrow and steep and be in conflict with the vehicular traffic due to the narrow carriageway widths. The applicant has indicated that there is cycle path to south of the site that routes along Lamberts Lane and Howley Lane, this route is no more than a unmade narrow track and is not suitable to be used as a shared pedestrian/cycle facility.

Whilst the comments of the planning inspector for the appeal scheme are noted regarding the accessibility of the site, it remains the view of the Local Planning Authority that the accessibility of the site to sustainable modes of travel is considered to be very poor and it is likely that the vast majority of trips to this development would be a car based.

Traffic Impact

The traffic generated by the 98 units proposal has been calculated using the Trics database, in the morning peak this would result in 58 two way movements and 64 two way trips in the evening peak and there would likely be approximately 450 total trips to the site per day. As the existing background traffic flows are low this would increase traffic flows using Fol Hollow and Waggs Road by some 22%. This development traffic has been distributed by the applicant and it is indicated that 60% would travel to the town centre with the remaining 40% travelling towards the A34.

Access and Infrastructure

As previously indicated there is a single main access proposed to the site, this consists of 5.5m carriageway and 2.0m footways on either side of the road. The access proposals also include a traffic calming feature located to the right of the access, this is a road narrowing that includes a pedestrian drop crossing facility and would operate as a priority traffic arrangement.

The available visibility at the access in the leading direction was a main point of concern in the previous applications. Speed surveys undertaken in 2019 confirms that a 2.4m x 43m visibility is required to be provided at the site access as the recorded 85%ile speeds are 30 mph.

The proposed road narrowing/ traffic calming feature could not be installed without prior consultation with the police and with local residents, In addition, Cheshire East Council (CEC) would not install road narrowing's on roads that are likely to have significant Heavy Goods Vehicle (HGV) traffic.

The standard of internal road infrastructure being proposed with the site is 5.5m with two 2m footways this is the minimum standard that CEC would accept to support the development of 98 units. This standard is well in excess of the existing infrastructure on Waggs Road and Fol Hollow that already serves a significant number of residential properties, the carriageway is well below 5.5m wide in places and there is not a 2m footway provision that links to the site.

The existing footway provision on Waggs Road from the site to Congleton town centre is sub-standard with sections of the road having no footway provision at all and other areas having a very narrow footway. It has been proposed to improve a section of the footway on northern side of Waggs Road by providing a 2m footway, approximately 300m east of the site for a distance of 250m. There would still be sections of footway on Waggs Road that are narrow and below the 2m standard.

In this section of Waggs Road where the footway is being widened, the carriageway has also been widened to 5m. Whilst the widening of the carriageway is welcomed, on Waggs Road there are other sections that are considerably narrower and unsuitable to accommodate the additional traffic that would be generated from this development. While a 5m carriageway width is adequate to allow for a car and an HGV to pass each other, the practical width of the carriageway is reduced by the presence of a wall which sits alongside the eastern side of the carriageway edge. This reduces the carriageway width to almost one way flow and would not allow a HGV and car to safely pass each other.

Continuing north towards the town centre, the carriageway width reduces to 4.5m, at this width a car and HGV cannot pass each other and although 2 cars could pass each other, they could only do so with extreme care and at very low speeds.

In summary, there is a significant section of Waggs Road that is substandard in terms of road width and also it does not have an adequate standard of footway provision. In addition, there is no segregated cycle provision that provides links to the development site, requiring all cyclists to use unsuitable narrow roads in conflict with vehicular traffic. The general level of infrastructure is not in place to accommodate a major residential scheme that would see increased traffic flows and pedestrian movements using this already substandard infrastructure.

Summary and Conclusion

The proposed access design is similar to the previous proposals although the location of the access has been moved further south increasing the level of visibility available. Speed surveys have confirmed that a 2.4m x 43m visibility splay is required and the access can only be acceptable if these splays are provided and a condition is required to ensure that this level of visibility is provided.

Although the applicant has submitted improvements as part of the application especially the widening of a section of footway on Waggs Road, there remains a substantial section of the road where the footway and road widths are narrow and substandard.

Given the general poor level of road infrastructure that serves the site this affects the accessibility of the site in regards to making pedestrian and cycle movements and is a deterrent to making sustainable trips to the development.

It is important that safe and suitable access is provided for all users and the lack of suitable footways and cycle tracks create conflicts with vehicles due to the reduced carriageway widths on Waggs Road and Fol Hollow. It is therefore concluded that there is inadequate infrastructure in place to support further major residential development and the application is therefore recommended for refusal on grounds that safe and suitable access has not been achieved.

As a result the proposal is contrary to Policies SD1, SD2, SC3, C01 & C04.

Appeal decision

The appeal scheme ref 13/3764C was refused given the severe adverse impact on Waggs Road and Fol Hollow due to the sub-standard nature of these two highway routes

The appeal decision is therefore clearly an important consideration here and has been fully considered. The main highway concern on this application relates to the impact on Waggs Road. The impact on Fol Hollow was considered by the inspector and this does not form part of any refusal reason despite concerns still remaining from the Local Planning Authority in this regard.

Landscape

Although located within the Open Countryside there are no landscape designations on the site. The application site is currently agricultural land with native hedgerows along the northern boundary and a hedge and a number of trees along the southern boundary in proximity to New Bank Farm, and the remainder of the southern boundary being open. There is a hedgerow that divides the site along a north-south alignment and there are a number of mature trees located near to the proposed access from Waggs Road.

The Landscape and Visual Appraisal indicates that existing boundary hedgerows will be retained and enhanced; that green link corridors will be provided and that there will be new tree and shrub planting, as well as structural planting. However, this is an outline application and these objectives are indicative of what could be done, rather than what will be done.

The submitted Landscape and Visual Appraisal identifies the National Character Area as well as the most recently updated Cheshire East Landscape Character Assessment, which identifies that the application site is wholly located in the Lower Wooded Farmland –Landscape Type 7 and more specifically the Brereton Character Area 7e. The appraisal identifies that the site has a medium landscape value. The landscape appraisal indicates that there would be a minor adverse landscape effect during the construction period, and that following completion a negligible landscape effect on the local landscape character and a minor adverse to negligible effect on the site and immediate area character. The visual appraisal identifies a moderate adverse effect at the construction phase, major to moderate adverse effects for adjacent sensitive receptors, moderate to minor adverse effects to less sensitive receptors to the south and negligible effects to more distant receptors. The Councils Landscape Officer broadly agrees with landscape and visual appraisal.

The application has been the subject of a number of previous applications. The Planning Inspector at an appeal for this site (APP/R0660/A/14/22214018) noted that:

“The appeal site lies within an area know as Priestly Fields that has survived largely unchanged for many centuries and forms part of the rural setting of Congleton. The construction of 104 dwellings on the site would fundamentally alter its appearance resulting in the loss of its rural and agricultural character. Protection of the natural and historic environment is part of the environmental role of the planning system as set out in paragraph 7 of the Framework. In simple terms the proposal would conflict with this objective. That said, whilst suburban development would extend further along the northern end of Stony Lane, the proposed housing would be seen here in the context of existing housing in Meadow Avenue. From further south, down the slope and along Lambert’s Lane the appeal site is largely concealed by the ridge of the hill. Gardens and planting would form the southern boundary of the site and where visible at all only glimpses of the houses would be seen. From Fol Hollow the enclosing banks, rising ground and

vegetation would largely screen the buildings none of which would sit on the road frontage. The visual impact of the development on the wider landscape character would therefore be limited and the weight I give to harm in this respect is therefore modest”..

The Councils Landscape Officer agrees with the Inspector's comments that the proposed development would result in the loss of the site's rural and agricultural character, and that this would be seen in the context of existing dwellings along Waggs Road and Meadow Avenue, and also that in terms of the visual effects, the proposals would also be seen in the context of existing development, largely screened along Waggs Road/Fol Hollow by existing residential dwellings and along the western part of the application site by the rising ground and vegetation.

Consequently the landscape officer does not feel that the proposed development would result in long term substantially adverse effects but notes the application site would have some landscape impact and it is located within an area identified as Open Countryside. The limited landscape harm is considered to carry modest weight against the proposal.

Trees

The loss of the trees located on Waggs Road to facilitate the proposed highways improvements was accepted as part of the application 17/0195C, the Councils Forestry Officer see no reason to alter this decision and implementation of a Tree Preservation Order individually or collectively is not considered appropriate.

The proposed access into the site is located between number 124 Waggs Road and two large mature Oak trees (T3 & T4) located within the proposed development area protected as part of the Cheshire East Borough Council (Congleton - Land to the South of Fol Hollow/Waggs Road) Tree Preservation Order 2013, and requires a significant degree of engineering to accommodate the change in levels between the lower level off Waggs Road and the higher elevation associated with the proposed development site.

The access associated with previous application (17/0195C) respected the Root Protection Areas (RPA) of both the protected trees T3 and T4 with the western edge of the access banking graded down to the carriageway outside the RPA's.

However the Croft Transport Planning and Design proposed site access arrangement plan (Ref 2210-F02 Rev E) supporting this present application depicts the western edge of the highway pavement on the edge of the RPA associated with T3 and makes no allowance for the grading of the banking or any retaining structure which will clearly be required and can only be accommodated within the trees RPA within this present layout, this is clearly not desirable.

The Councils Forestry Officer has been consulted who advises that despite this there are practical solutions, re-location of the footpath would be an option, this would establish additional space for the required engineering option to retain the banking which supports T3; faced sheet Piling on the edge of the RPA would also be another option subject to any other engineering constraints. A very minor incursion within the RPA of T3 providing the remaining area remains undisturbed and intact would also be acceptable.

The potential impact of the proposed new access on the protected Oak has been recognised within the AIA, the proposed engineering detail / solution should have been submitted as part of the application supporting detail, but this could be resolved by a precisely worded condition.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 127 states that decisions should ensure that developments;

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

The illustrative plan shows that the layout would be based on a cul-de-sac style layout with one point of access from Waggs Road to the north-west. An area of open space is proposed to the southern and north-western boundaries.

Design - Assessment

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

Need assurance regarding securing the pedestrian links to the edge of the site to features and pedestrian routes beyond the site boundary.

Concern that the proposed off-site enhancements on Waggs Road to the north east of the site will not be sufficient to promote a positive pedestrian environment to promote walking and cycling to the various facilities identified closer to the town centre

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

Not enough evidence provided re: walking distances to the facilities identified in the Design and Access Statement (DAS). No walking isochrones(times).

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

More information needs to be provided to evidence the assertions in the DAS about access to public transport.

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

This cannot be fully assessed until the detailed stage, having regard to mix, distribution and design of both market and affordable housing. However, it is noted that strategic housing seem to be agreeable to the principles for affordable housing.

Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

This cannot be fully assessed given this is an outline application. However, based on the framework plan and the information in the DAS, there are likely to be a number of issues in any resulting reserved matters.

- The arrangement of streets and development blocks and likely orientation of housing to the feature trees at the site entrance and the central hedgerow
- The street hierarchy not reflecting that in the Design Guide leading to over engineered rather than social streets
- The potential for excessive areas of frontage parking, harming the character of streets
- The development encroaching too close to Stony Lane with little space to reinstate hedgerow
- The SUDS limiting the opportunity for edge landscaping on the southern edge of the site.

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

Trees and hedgerows largely being retained, including 2 feature trees off Waggs Road. View to Astbury Church identified from area of open space on the Framework Plan.

A pocket of trees/greenery in the eastern parcel toward the southern boundary not being

The site slopes from north to south and so there is an opportunity utilise the topography to promote passive benefits in terms of solar capture which isn't considered within the application information or the design principles set out in the DAS.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

As this is outline, this cannot be fully assessed however, the principle of the framework of streets spaces and the street hierarchy set out in the framework plan can be considered.

The hierarchy does not reflect that in the design guide and the illustrative masterplan shows that lower tier streets would be overly engineered. The position of the street in the western corner of the site creates an awkward development block that could lead to housing having a poor relationship to the 2 feature trees at the site entrance (with housing backing onto the trees and associated space).

There are pinch points in the southern fringe of open space created by proximity to the site boundary and the SUDs and adjacent to Stony Lane on the eastern boundary .

Easy to find your way around

Is the scheme designed to make it easy to find your way around?

Retained trees create a positive entrance into the site

As above in relation to street hierarchy. The framework plan also does not identify the feature spaces shown in the DAS and illustrative masterplan..

Streets for all

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

Based on the framework the street hierarchy is not in conformity with the Design Guide, which is further reinforced by the illustrative masterplan where the formality of lower tier streets is excessive and creates a pretty uniform street character rather than one with a clear hierarchy.

Car parking

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

As this is not a detailed scheme it is not possible to assess this. However, the scheme in the illustrative masterplan does present issues that would translate to over dominance of car parking in certain parts of the development that would be detrimental in a detailed proposal and could lead to a red assessment.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

This cannot be fully assessed at this time given it is an outline application. In terms of strategic principles in the framework plan, the rating is informed by the comments of landscape and open space colleagues are noted re: the quantum, quality and mix of open space within the proposal. It is not understood how all the open space requirements can be met based on the framework plan submitted.

Large flood attenuation facilities are identified on the development framework plan within open space on the southern edge of the site. The open space to the west will be contained by the sloping topography. It is unclear where the allotment space is to be provided

Natural features such as the central dividing hedgerow and 2 trees at the site entrance are proposed for retention but there is concern about the relationship that will be created to the space by the enveloping development.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

Outline and therefore it cannot be fully assessed and insufficient information has been included to explain that this has been provided in the supporting information to identify that this issue is being properly considered from the outset.

Adequate provision for bin, cycle and external storage – garage sizes, outbuildings for smaller house types.

Garden sizes on smaller units insufficient to enable adequate private amenity space.

Design Conclusion

On the basis of the above assessment it is considered that the proposed development raises a number of concerns against the Cheshire East Design Guide. However given that the proposal has been submitted in outline form there will be scope to ensure that the detailed layout addresses these matters.

Land Levels

The application is in outline form and no land levels details have been provided. If approved a condition could be imposed to require the details at the reserved matters stage.

Ecology

Statutory Designated Sites

The application site does not fall within Natural England's SSSI impact risk zones. The proposed development is therefore not likely to have an adverse effect upon any statutory designated sites. No further action in respect of designated sites is therefore required under the Habitat Regulations or Wildlife and Countryside Act.

Local Wildlife Sites

The application site is located in relatively close proximity to two local Wildlife Sites, Astbury Mere and The Howty Corridor. Whilst these would not be likely to be directly affected by the proposed development, there is a risk of adverse impacts occurring as a result of construction phase related dust contamination.

In the event that outline planning permission is granted the Councils Ecologist recommends that the submission of dust control measures, as part of a Construction Environmental Management Plan, be secured by means of a planning condition.

Bats

Only one bat activity transect survey has been completed. Based on the available bat activity data bat activity on site was relatively low and is broadly as would be expected for a site of this nature. Bat activity on site occurred mostly around the hedgerows and boundary vegetation. The loss of sections of hedgerow as a result of the proposed development is likely to have a localised impact on foraging bats. This would however be unlikely to be significant enough to amount to an offence. To compensate for this impact the Councils Ecologist advises that it must be ensured that adequate compensatory planting is provided in relation to that lost. This can be assessed as part of the biodiversity metric calculation discussed below.

Two trees on site were identified as having potential to support roosting bats. Both of these trees can be retained as part of the proposed development. The Councils Ecologist therefore advises that the proposed development is not likely to have an adverse impact upon roosting bats. It must however be ensured, at the detailed design stage, that the retained trees are not subject to excessive lighting.

Lighting

Whilst levels of bat activity on site appear relatively low, the introduction of additional lighting of this site has the potential to have a localised impact upon foraging bats. To avoid any adverse impacts on bats resulting from any lighting associated with the development the Councils Ecologist recommends that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed.

Great Crested Newts and Common Toad

The Councils Ecologist advises that these amphibian species are unlikely to be significantly affected by the proposed development.

Reptiles

Limited potential for reptiles was identified on site. The low risk of any reptiles being harmed during the construction phase can be reduced through the implementation of Reasonable Avoidance Measures during site clearance works. Outline mitigation proposals have been included with the submitted ecological assessment and these can be secured by condition.

Other Protected Species (OPS)

Two OPS setts were recorded. The proposed development is unlikely to have an adverse impact on the setts. The proposed development will result in the loss of OPS foraging habitat. This impact is unlikely to be significant, however if outline planning permission is granted the Councils Ecologist recommends that fruit trees be incorporated into the landscaping scheme produced at the reserved matters stage.

As the status of badgers on a site can change he also recommends that if outline consent is granted a condition should be attached which requires any reserved matters application to be supported by an updated survey and mitigation method statement.

Breeding Birds

The habitats on site are likely to support a range of breeding bird species including more widespread priority species which are a material consideration for planning. The Councils Ecologist advises that the

impacts of the proposed development on breeding birds can be reduced if sufficient replacement hedgerows are provided to compensate for those lost.

Hedgerows

Native Species hedgerows are a priority habit and hence a material consideration. In addition Hedgerow (H6) was found to be Important under the Hedgerow Regulations. Much of the existing hedgerows could be retained under the submitted Framework Plan, however the potential pedestrian access points may result in the loss of sections of Important hedgerow H6 and access roads are likely to result in the loss of sections of other hedgerows on site. The Councils Ecologist therefore advises that the Framework plan must be amended to minimise the losses of existing hedgerows.

However he also suggests that if this is not possible if outline planning permission is granted, it must be ensured that any losses of hedgerow are minimised at the reserved matters stage and compensatory hedgerow planting must be provided for any sections of hedgerow unavoidable lost. This can be secured by condition.

Brown Hare, Hedgehog, Pole Cat

The above Biodiversity Action Plan priority species have been recorded within 1km of the application site and so it is reasonable that they would utilise the site on at least a transitory basis. The proposed development would result in the loss of habitat for these species, which would result in a low impact. This impact can be compensated for provided adequate habitat creation is proposed on site as assessed by the Defra metric below.

Ecological enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. The Councils Ecologist recommends the applicant undertakes and submits an assessment of the residual ecological impacts of the proposed development using the Defra biodiversity offsetting 'metric' methodology.

An assessment of this type would both quantify the residual impacts of the development (after identified potential impacts have been avoided, mitigated and compensated for in accordance with the mitigation hierarchy) and calculate in 'units' whether the proposed development would deliver a net gain or loss for biodiversity.

At the time of writing the report no assessment was provided. It is expected that further details of this will be provided in the update report with updated comments from the Councils Ecologist.

Inclusion of features to enhance biodiversity

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

The Councils Ecologist therefore recommends that the applicant submits an ecological enhancement strategy which can be secured by condition.

Ecology conclusion

It would appear that most ecological impacts can be suitably addressed by conditions to mitigate any negative impacts. The suggested conditions are considered both reasonable and necessary to mitigate harmful impacts and could be added to any decision notice.

Therefore it would appear that the proposal could be accommodated without significant ecological impacts.

However further information is required to consider the residual ecological impacts using the Defra metric which has been requested and will be considered further in the update report.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps and requires a Flood Risk Assessment (FRA) given the size of the site. The submitted FRA concludes that it has been demonstrated that surface water can be managed such that flood risk to and from the site following the development will not increase through restricted greenfield discharge rates and appropriately sized detention basins with outfalls to water course.

The FRA demonstrates the development would be operated with minimal risk from flood and would not increase flood risk elsewhere. The development should therefore not be precluded on the grounds of flood risk and surface water drainage.

The United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to conditions surface water and foul drainage.

The Councils Flood Risk team have also been consulted who advise that following recent events Fol Hollow Road was recently subject to flooding, it is key for the proposed development must be limited to existing SW run-off rates to not increase any SW discharge off site. Additionally, drainage ditch 1 and 2 appear to start boarding the proposed site boundary, if both ordinary watercourses run through the proposed development CEC byelaw 10 states "No Obstructions within 8 Metres of the Edge of the Watercourse". As such they raise no objection subject to conditions requiring the development to be undertaken in accordance with the submitted Flood Risk Assessment & requiring a detailed drainage strategy.

Therefore it would appear that any flood risk/drainage issues, could be suitably addressed by planning conditions.

Agricultural Land Quality

Policies SE2, SD1, SD2 advise that development should safeguard natural resources including high quality agricultural land. This is defined in the glossary of the Local Plan as being land in grades 1, 2 and 3a of the Agricultural Land Classification.

The National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this instance, no Agricultural Land Quality Report has been provided in support of the application. However an Agricultural Land Use and Land Classification Report was submitted for the previously refused scheme. This report found the site is not graded in the 1 to 5 category and as such was not classed as being the 'best and most versatile agricultural land' defined in the NPPF.

Thus, it was concluded that whilst the proposal would have resulted in the loss of a small quantity of Grade 3 agricultural land, the loss would not be 'significant' and was weighed in balance against the benefits of the scheme.

It is considered reasonable to arrive at the same conclusion for this proposal.

ECONOMIC SUSTAINABILITY

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

CIL Regulations

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.

As explained within the main report, the area of open space/play area, is identified on the indicative plans. It is necessary to secure these works and a scheme of management and allotments and sports facilities. These are directly related to the development and are fair and reasonable.

The development would result in increased demand for school places in the area and there is very limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards primary, secondary and SEN education is required. This is considered to be necessary and fair and reasonable in relation to the development.

The proposal would result in a requirement for the provision of 30% affordable units which would be split on a social rented/intermediate basis. This is considered to be necessary and fair and reasonable in relation to the development.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010.

PLANNING BALANCE

The proposed development would be contrary to Policies PG6 & SD1 of the CELPS & Policy PS8 of the Congleton Borough Local Plan as the development would result in a loss of open countryside. There is also inadequate infrastructure in place to support further major residential development and safe and

suitable access has not been achieved contrary to Policies SD1, SD2, SC3, CO1 & CO4 of the Cheshire East Local Plan and Saved Policies GR9, GR10 and GR18 of the Congleton Borough Local Plan. Given that Cheshire East can demonstrate a 5 year supply of deliverable housing sites, significant weight is given to these factors.

The development would also result in some visual harm to the landscape given that it seeks to develop a site that is currently free from built form and this factor is given moderate weight. The proposal would also result in the loss of agricultural land. This factor is given limited weight.

The development would provide benefits in terms of affordable and open market housing provision, public open space, delivery of economic benefits during construction and through the spending of future occupiers. These factors can be given moderate weight.

The development would have a neutral impact upon education, protected species/ecology, flooding, living conditions, landscape, trees, design, air quality and contaminated land.

The proposed development is contrary to the Development Plan. In the light of section 38(6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused unless material considerations indicate otherwise. It is not considered that the benefits outweigh the adverse impacts and there are no material considerations which outweigh the harm caused. As such it is considered that the development does not constitute sustainable development and should therefore be refused.

RECOMMENDATION:

REFUSE

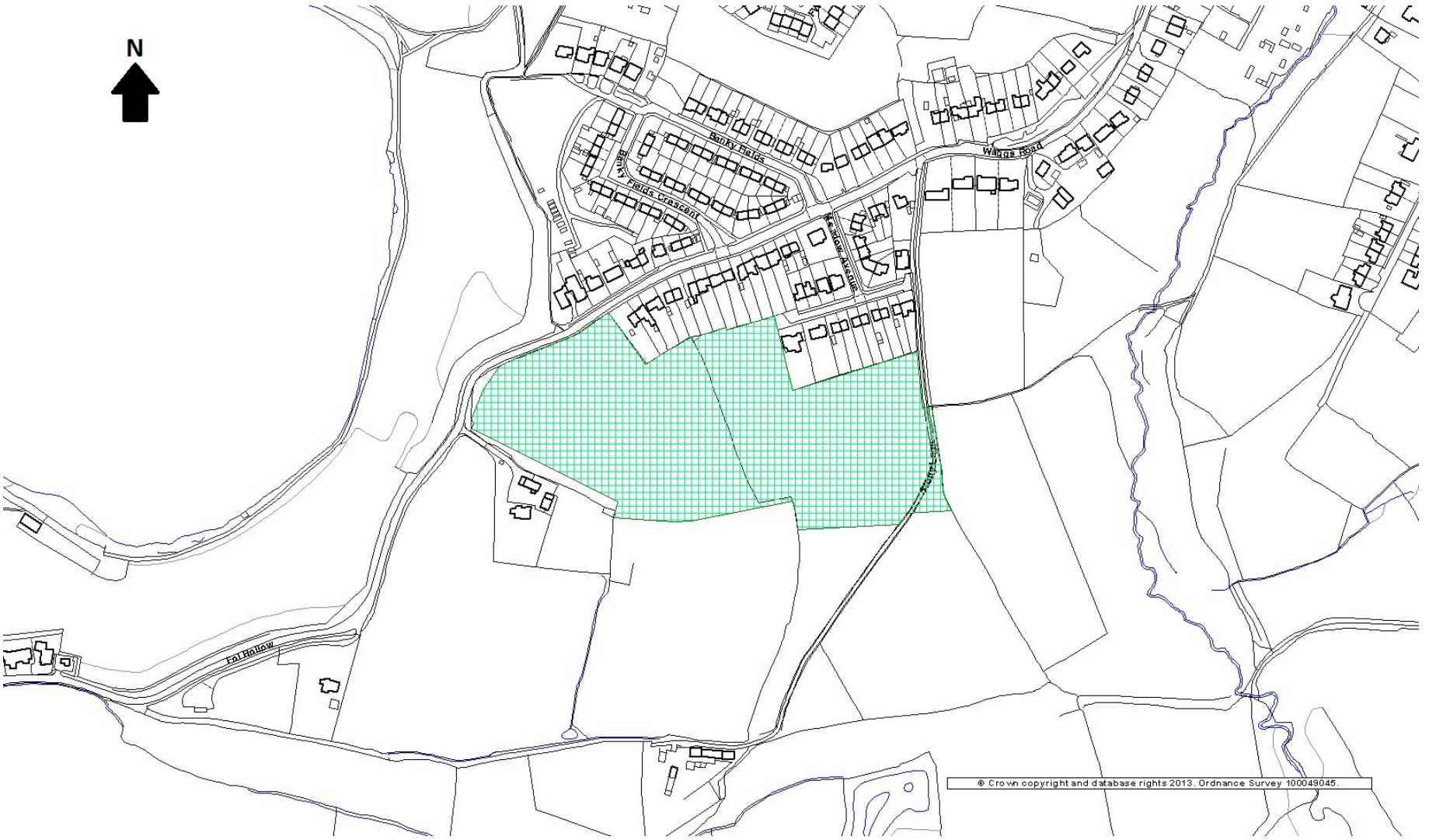
- 1) The proposed residential development is unsustainable because it is located within the Open Countryside contrary to Policies PG6 (Open Countryside) & SD1 (Sustainable Development in Cheshire East) of the Cheshire East Local Plan Strategy, Saved Policy PS8 (Open Countryside) of the Congleton Borough Local Plan and the principles of the National Planning Policy Framework, which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use.
- 2) The proposal would not provide safe and suitable access for all users and the lack of suitable footways and cycle tracks would create conflict with vehicles due to the reduced carriageway widths on Waggs Road. It is therefore concluded that there is inadequate infrastructure in place to support further major residential development as safe and suitable access has not been demonstrated. The development is therefore contrary to Policies SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles), SC3 (Health and Well-being), C01 (Sustainable Travel and Transport), C04 (Travel Plans and Transport Assessments) of the Cheshire East Local Plan, Saved Policies GR9, GR10 and GR18 (Traffic Generation) of the Congleton Borough Local Plan and the requirements of the NPPF

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Acting Head of Planning 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 the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

| S106 | Amount | Triggers |
|---------------------------|---|---|
| Affordable Housing | 30% (65% Affordable Rent / 35% Intermediate) | In accordance with phasing plan to be submitted and approved |
| Health | Contribution to support the development of the Readsmore Medical Centre using a formula of occupancy x the number of units in the development x £360. | 50% Prior to first occupation 50% at occupation of half the eventual number of dwellings (for e.g. if 98 provision at occupation of 49th dwelling) |
| Public Open Space | <p>Provision of 20m2 amenity green space per dwelling</p> <p>Provision of 20m2 children's play space per dwelling</p> <p>Provision of a community allotment/orchard measuring 500m2</p> <p>Contribution of £1,000 per family dwelling for improvements to outdoor sports</p> <p>Contribution towards indoor sport using the below formula</p> <ul style="list-style-type: none"> - Number of dwellings at 1.61 people per residence = the population increase - The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East = % based on the above figures additional "active population" due to the new development at Waggs Road, Congleton - Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional equivalent ? stations or their | <p>50% Prior to first occupation</p> <p>50% at occupation of half the eventual number of dwellings (for e.g. if 98 provision at occupation of 49th dwelling)</p> |

| | | |
|------------------|--|---|
| | financial equivalent (one fitness station equivalent of £6,500). | |
| Education | <p>Contribution to support school provision using the below formula:</p> $18 \times £11,919 \times 0.91 = £195,233$ $15 \times £17,959 \times 0.91 = £245,140$ $1 \times £50,000 \times 0.91 = £45,500$ <p>(SEN)</p> | <p>50% Prior to first occupation</p> <p>50% at occupation of half the eventual number of dwellings (for e.g. if 98 provision at occupation of 49th dwelling)</p> |



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Working for a brighter future together

Strategic Planning Board

Date of Meeting: 18 December 2019

Report Title: Brooks Lane Development Framework Supplementary Planning Document

Portfolio Holder: Councillor Toni Fox - Planning

Senior Officer: Frank Jordan, Executive Director - Place

1. Report Summary

- 1.1 The report seeks the Strategic Planning Board's views on the Brooks Lane (Middlewich) Development Framework ("BLDF") Final Draft Supplementary Planning Document ("SPD"). An initial draft of the SPD was subject to a six-week consultation in January / February 2019 and has been amended in response to comments received. The next step is to seek approval to publish the final draft of the SPD and report of consultation for public representations for a period of six weeks before the SPD can be considered for adoption.

2. Recommendations

That the Strategic Planning Board:-

- 2.1 Consider the comments made on the initial draft of the Brooks Lane (Middlewich) Development Framework SPD and the proposed changes to the document, as set out in the report of consultation (Appendix 1).
- 2.2 Recommend that the Portfolio Holder for Planning approve and publish the Final Draft of the Brooks Lane Development Framework SPD (Appendix 2) alongside the report of consultation for public representations for a period of six weeks.

3. Reasons for Recommendations

- 3.1 The preparation of the BLDF fulfils the requirement of the Local Plan Strategy that the development of this designated Strategic Location will be achieved through a masterplan-led approach.
- 3.2 Public consultation on the initial draft of the SPD took place between 14 January 2019 and 25 February 2019. A total of 28 comments were received from 25 parties. A report of consultation has been prepared summarising the main issues raised and explaining how these issues have been addressed through amendments to the SPD. The next step would be for the Council to publish the report of consultation (Appendix 1) alongside the final draft of the SPD (Appendix 2) and seek public representations on them for a period of six weeks, in line with the Council's Statement of Community Involvement.
- 3.3 SPDs are not part of the statutory development plan but are a recognised way of putting in place planning guidance. They are capable of being material to the determination of relevant planning applications.

4. Other Options Considered

- 4.1 The preparation of a masterplan is a requirement of policy LPS 43 (Brooks Lane Strategic Location) of the Local Plan Strategy and the preparation of an SPD is a recognised way of putting into place local planning guidance.

5 Background

Context

- 5.1 The LPS identifies the Brooks Lane area (site reference LPS 43) as an area of potential future regeneration. The site area is shown in figure 1 (below). The LPS requires a masterplan led approach to the site which reflects a number of key principles including:
- The delivery of around 200 homes;
 - The delivery of leisure and community facilities to the north of the site;
 - The provision of appropriate retail facilities to meet local needs;
 - The incorporation of green infrastructure;
 - The improvement of existing, and provision of new, pedestrian and cycle links to connect development to existing employment, residential areas, shops, schools health facilities, recreation and leisure opportunities and the town centre;
 - The potential provision of a Marina at the Trent and Mersey Canal; and
 - The provision of land for a new railway station including lineside infrastructure, access and forecourt parking.

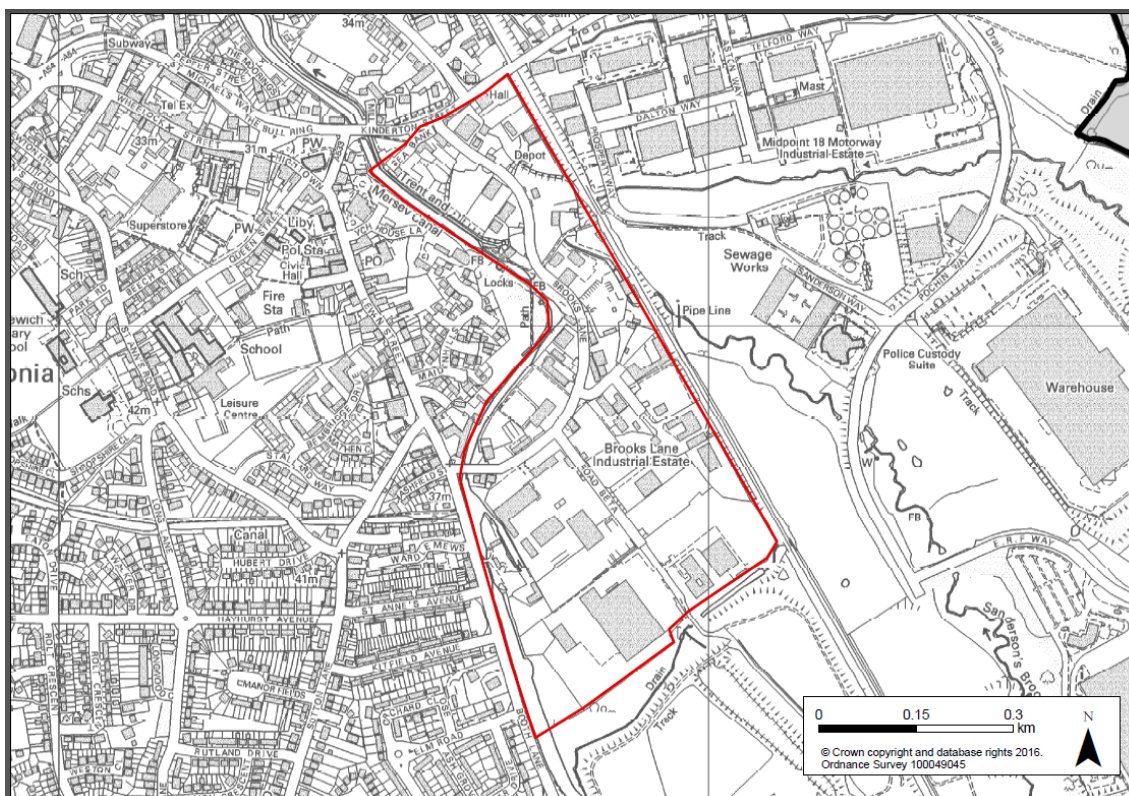


Figure 1: LPS 43 Brooks Lane Site

- 5.2 Consultants Barton Willmore have prepared the BLDF on behalf of the Council. Its production has been informed by feedback from residents, businesses and landowners across the site obtained through engagement events in April and August 2018 and the outcome of wider public consultation on the initial draft SPD in January / February 2019. Barton Willmore and the Council's project team have also met with Middlewich Town Council and the Canal and Rivers Trust during the development of the BLDF.

The structure and purpose of the document

- 5.3 The SPD is intended to provide over-arching guidance for the development of the site, including potential shorter-term opportunities for residential development on the south west part of the site adjacent to the Trent and Mersey Canal. It emphasises that further detailed design and site specific assessments will be necessary to support any future planning applications in order to achieve the desired design quality.

The public consultation process

- 5.4 The initial draft of the SPD was subject to six weeks public consultation concluding on 25 February 2019. The document was published on the Council's website and hard copies placed in the customer service centres at Crewe and Macclesfield, the Council offices at Westfields (Sandbach) and Middlewich Library. Two 'drop in' consultation events were also held at the

Middlewich Community Church on Wednesday 23 January and Monday 28 January from 5pm until 8pm.

- 5.5 In total, 28 comments were received from 25 parties. These comments are summarised in a report of consultation (Appendix 1) which also sets out how the draft SPD is proposed to be amended in response to them.
- 5.6 The comments received covered a wide range of matters. Key issues raised included:
- Provision of infrastructure on the site and phasing
 - Improvements to highways, access into and parking arrangements on the site
 - Support for the provision of a train station
 - Concern over the relationship of new housing with existing, retained employment uses on the site
 - Responses from statutory bodies and infrastructure providers
 - Relationship and status of the BLDF and its links to the adopted Local Plan Strategy.

Amendments to the BLDF in the light of consultation feedback

- 5.7 Proposed changes to the document in the light of feedback include:
- The introduction of new section in the document underlining the need for further detailed assessments in support of future development proposals on the site.
 - Minor amendments to the text included in the document to reflect the importance of design quality and the relationship of the BLDF with policies contained in the Local Plan Strategy.
 - Amendments to the illustrative masterplan to further emphasise the shorter-term development opportunity adjacent to the Trent and Mersey Canal.

6 Implications of the Recommendations

6.1 Legal Implications

- 6.1.1 The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012 provide the statutory Framework for the adoption of SPDs. The 2012 Regulations require that an SPD contains a reasoned justification of the policies within it and stipulate that it must not conflict with adopted development plan policies. The National Planning Policy Framework and the associated Planning Practice Guidance sets out national policy about the circumstances in which SPDs should be prepared.
- 6.1.2 SPDs are guidance, which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. They must be consistent with national planning policy, must undergo consultation and must be in conformity with policies contained within the Local Plan.
- 6.1.3 Regulations 11 to 16 of the Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements for producing SPDs.
- 6.1.4 The process for preparing SPDs is similar in many respects to that of a Local Plan document. However, they are not subject to independent examination by the Planning Inspectorate. There are a number of stages in their production:
- Preparation of a draft SPD including consultation: Consultees were invited to submit comments on the initial draft of the Brooks Lane Development Framework SPD for a period of six weeks in January / February 2019, in line with the Council's Statement of Community Involvement.
 - Publication: this makes available to the public the final SPD including information on who has been consulted in its preparation and how feedback has been taken into account in the final draft SPD. The final draft SPD is now ready for publication with its report of consultation (Appendix 1).
 - Adoption: Having considered public representations, the Council may adopt the SPD with or without modifications. It must then publish the SPD with an adoption statement explaining any modifications.

Strategic Environmental Assessment

- 6.1.5 Strategic Environmental Assessment (“SEA”) involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.
- 6.1.6 The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (SA), which is a requirement for Development Plan Documents.
- 6.1.7 There is no legal requirement for Supplementary Planning Documents to be accompanied by Sustainability Appraisal, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008- 20140306). However, “in exceptional circumstances” there may be a requirement for SPDs to be subject to SEA where it is considered likely that they may have a significant effect on the environment that has not already been assessed within the SEA of the Local Plan. A screening assessment has been undertaken for the SPD (in Appendix 3) which has determined that a SEA is not required for the SPD.

6.2 Finance Implications

- 6.2.1 There are no significant direct financial costs arising from the approval to publish the SPD and consultation report. It will be published on the Council’s website and made available in Council Offices and Middleswich Library for interested parties to view. The costs of printing and the staff time in developing the SPD are covered from existing planning budgets.

6.3 Policy Implications

- 6.3.1 The SPD will expand and amplify existing development plan policy.

6.4 Equality Implications

- 6.4.1 The Council has a duty under Section 149 of the Equalities Act to have due regard to the need to: eliminate discrimination; advance equality of opportunity between persons who share a “relevant protected characteristic” and persons who do not share it; foster good relations between persons who share a “relevant protected characteristic” and persons who do not share it.

6.4.2 The SPD provides guidance on the regeneration of an existing site. The SPD will support the implementation of adopted policies in the Local Plan Strategy which was subject to an Equalities Impact Assessment as part of its integrated Sustainability Appraisal.

6.4.3 An Equality Impact Assessment screening assessment has been carried out and this has not identified any actual or potential negative impact on people with protected characteristics that would warrant a full assessment being carried out. It is available to read at:

https://www.cheshireeast.gov.uk/council_and_democracy/council_information/equality-and-diversity/equality_analysis.aspx

6.5 Human Resources Implications

6.5.1 There are no direct implications for human resources.

6.6 Risk Management Implications

6.6.1 There are no direct implications for risk management.

6.7 Rural Communities Implications

6.7.1 As the SPD addresses a brownfield site in the settlement of Middlewich then there are no implications for rural communities.

6.8 Implications for Children & Young People/Cared for Children

6.8.1 There are no new direct implications for children and young people.

6.9 Public Health Implications

6.9.1 To ensure that any new residents on the site achieve acceptable living conditions, the SPD highlights the need for development proposals to carefully address the relationship between any new homes and existing employment uses. The regeneration of the area brought about by the proposals within the SPD and the enhancement of the local environment, coupled with improved opportunities for walking and cycling could have a beneficial effect on public health.

6.10 Climate Change Implications

6.10.1 New development on the site will bring with it additional and unavoidable carbon emissions. However, the site is located within the built up area of Middlewich and residents will generally have less reliance on the car, having opportunities to walk and cycle to a range of local services and facilities and be close to bus services. Other policies in the Local Plan aimed at mitigating the effect of climate change will also be relevant to any planning application proposals.

7 Ward Members Affected

- 7.1 The site is located within the Middlewich Ward. Councillor Carol Bulman, Councillor Mike Hunter and Councillor Jonathan Parry are the Ward Councillors.

8 Consultation & Engagement

- 8.1 As noted earlier in the report, the initial draft SPD was subject to six weeks consultation during January and February 2019. Following this, all comments have been considered and revisions made to the SPD (Appendix 2) so that it is ready for publication, alongside the report of consultation (Appendix 1)

9 Access to Information

- 9.1 Key documents:-

Cheshire East Local Plan Strategy (July 2017)

Appendix 1: Report of Consultation including summary of representations and responses

Appendix 2: Brooks Lane (Middlewich) Development Framework (Masterplan)

Appendix 3: Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report for the Brooks Lane Development Framework

10 Contact Information

- 10.1 Any questions relating to this report should be directed to the following officer:

Name: Jeremy Owens
Job Title: Development Planning Manager
Email: jeremy.owens@cheshireeast.gov.uk

Cheshire East Local Plan

Report of Consultation: Brooks Lane (Middlewich) Draft Development Framework (Masterplan)

November 2019

Contents

| | |
|--|----|
| 1. Introduction..... | 2 |
| 2. Consultation documents | 2 |
| 3. Document availability | 2 |
| 4. Publicity and engagement | 3 |
| Consultation notifications..... | 3 |
| Other publicity..... | 3 |
| Consultation 'drop-in' session..... | 4 |
| 5. Submitting comments | 4 |
| 6. Representations received | 5 |
| Appendix 1: Notification letter and email | 6 |
| Appendix 2: Screen shot from the council website | 9 |
| Appendix 3: Press releases..... | 10 |
| Appendix 4: Consultation response forms..... | 12 |
| Appendix 5: Summary of key issues and responses | 15 |

1. Introduction

- 1.1 The Brooks Lane site is identified as a strategic location in the Council's Local Plan Strategy (adopted July 2017) as site reference 'LPS 43'. The Local Plan Strategy ('LPS') requires that future re-development of the site will be supported by a masterplan led approach that will help determine the nature and quantum of development that is appropriate for the site.
- 1.2 Consultants Barton Willmore, on behalf of the Council, prepared a draft framework to support the future development of the site. The development framework was prepared as a draft Supplementary Planning Document (SPD) and intended to provide over-arching guidance for the future development of the site.
- 1.3 The Brooks Lane (Middlewich) draft Development Framework (masterplan) SPD was published for consultation between 14 January and 25 February 2019.
- 1.4 This report of consultation sets out the details of the consultation exercise on the draft development framework held in January / February 2019. This consultation was preceded by a number of engagement events held in April and August 2018 with landowners, business and residents on the site which helped inform the draft document. The outcomes of those consultation events have been documented already in the draft Development Framework which was consulted upon in January / February 2019.

2. Consultation documents

- 2.1 Comments were invited on the Brooks Lane (Middlewich) draft Development Framework (masterplan) SPD. A Sustainability Appraisal and Habitats Regulations Assessment Screening Assessment were also included as an appendix and comments could be made on both documents.

3. Document availability

- 3.1 Electronic copies of the consultation documents were available on the council's consultation portal which could be accessed via the council's website.
- 3.2 Printed copies of the consultation document were available for inspection at the council's principal offices at Westfields, Middlewich Road, Sandbach CW11 1HZ.
- 3.3 Printed copies of the consultation document were also available for inspection at:
 - Crewe Customer Service Centre, Delamere House, Delamere Street, Crewe CW1 2JZ;

- Macclesfield Customer Service Centre, Town Hall, Macclesfield SK10 1EA;
- Middlewich Library, Lewin Street, Middlewich, CW10 9AS

4. Publicity and engagement

Consultation notifications

- 4.1 Notification of the consultation was sent to all active stakeholders on the council's local plan consultation database. This consisted of 132 printed letters sent on 10 January and 2,413 emails sent on 10 January 2019. The stakeholders on the consultation database include residents of Cheshire East, landowners and developers, as well as planning consultants, businesses and organisations.
- 4.2 Copies of the notification email and letter are included in Appendix 1.
- 4.3 Separate email letters were also sent to Natural England, Historic England, the Environment Agency and Natural Resources Wales as statutory consultees.
- 4.4 In addition, 160 letters were sent to landowners, businesses, organisations and residents within the Brooks Lane site.
- 4.5 Town and parish councils adjoining Cheshire East in neighbouring authorities are included in the local plan consultation database and received the notification letter / email as detailed in paragraph 4.2.

Other publicity

- 4.6 A number of pages on the Cheshire East Council website provided information and links to the consultation. These pages included:
 - The homepage (in the 'have your say' section): www.cheshireeast.gov.uk
 - The Cheshire East Local Plan page: www.cheshireeast.gov.uk/localplan
 - The Local Plan consultations page: www.cheshireeast.gov.uk/planning/spatial_planning/cheshire_east_local_plan/local_plan_consultations
- 4.7 A press release was issued; informing people of the consultation (Consultation on Middlewich Marina Scheme). A copy of the press release is included in Appendix 2.
- 4.8 A number of articles related to the consultation were published, including:
 - Middlewich Brooks Lane Masterplan Unveiled & Council Asks Middlewich Residents for thoughts on Masterplan (Winsford Guardian, 16 December 2018 & 8 January 2019)
 - Marina, Homes and Train Station form part of Middlewich Masterplan (Cheshire Live, 17 December 2018)

- Cheshire East to consult on Middlewich Masterplan (Place North West, 13 December 2018)

Consultation ‘drop-in’ session

- 4.9 Two consultation ‘drop-in’ sessions were held at the Middlewich Community Church on Brooks Lane in Middlewich on Wednesday 23 January 2019 and Monday 28 January 2019 from 5pm-8pm. These ‘drop in events’ were publicised on the council’s website, as well as details being included on the notification letter / emails and the press release. Representatives from Cheshire East Council were available to discuss the draft SPD proposals.
- 4.10 Approximately 40 people attended the sessions, with a variety of comments made, including:
- Concerns over the relationship between employment and future housing proposals included in the draft SPD
 - Concerns over access constraints into and out of the site
 - Concerns the impact of any future proposals on infrastructure in Middlewich
 - Concerns over the deliverability of the scheme
- 4.11 These issues have been considered alongside the issues raised through the formal consultation responses in the summary of key issues raised (Appendix 5).

5. Submitting comments

- 5.1 Comments could be submitted in a number of ways:
- Using the online consultation portal, linked from the council’s website;
 - By email to locaplan@cheshireeast.gov.uk; or
 - By post to Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ.
- 5.2 Printed copies of consultation response forms were available for people to take away from the council’s offices at Westfields, Sandbach and the locations listed in paragraph 3.3. The response form is shown in Appendix 4.
- 5.3 Information on how to submit comments was included on the consultation portal; in the foreword of the printed and PDF versions of the draft SPD; and on the printed comments form.

6. Representations received

- 6.1 In total, 28 comments were received from 25 parties. These comments can be viewed on the consultation portal at <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/brookslane?tab=list>
- 6.2 The comments received covered a wide range of topics and issues. However the key matters brought out during the consultation can be summarised as follows:
- Provision of infrastructure on the site and phasing
 - Improvements to highways, access into and parking arrangements on the site
 - Support for the provision of a train station
 - Concern over relationship of new housing with existing retained employment uses on the site
 - Responses from statutory bodies and infrastructure providers
 - Relationship and status of the development framework and its links to the adopted Local Plan Strategy.
- 6.3 A full summary of the key issues raised alongside the council's response and how the SPD has been amended as a result is set out in Appendix 5.

Appendix 1: Notification letter and email



Working for a *brighter future* together

address

Planning & Environment
Westfields
c/o Municipal Buildings, Earl Street,
Crewe, CW1 2BJ
01270 685893
localplan@cheshireeast.gov.uk
www.cheshireeast.gov.uk

DATE: 10/01/2019 OUR REF: BLDF

Brooks Lane (Middlewich) Draft Development Framework Supplementary Planning Document Consultation

You have received this letter as you have previously responded to a Local Plan consultation or you have been asked to be kept informed of future Local Plan consultations.

Following the adoption of the Local Plan Strategy, the Council has been preparing a number of additional planning policy documents to provide further guidance. The Brooks Lane (Middlewich) draft Development Framework (Masterplan) Supplementary Planning Document ("SPD") has been prepared to provide further guidance about a site allocated for redevelopment in the Local Plan Strategy - Brooks Lane (Middlewich) strategic location (LPS 43). The draft development framework has been prepared by consultants, Barton Willmore, on behalf of the council. The council is now seeking views on the document prior to it being finalised and adopted as a SPD. As a SPD, its guidance would need to be taken into account in deciding relevant planning applications affecting the site.

Consultation on the draft Brooks Lane (Middlewich) Development Framework is taking place between the 14 January and 5pm on the 25 February 2019. The document will be available to view on line at www.cheshireeast.gov.uk/localplan, at Middlewich Library and at the following Council Offices during their normal opening hours:

- Delamere House, Delamere Street, Crewe, Cheshire, CW1 2JZ;
- Macclesfield Town Hall, Macclesfield, Cheshire, SK10 1EA; and
- Westfields, Middlewich Road, Sandbach, CW11 1HZ

Comments forms are available at the above locations. We would encourage you to respond using the consultation portal on our website. Alternatively you can e-mail your views to localplan@cheshireeast.gov.uk or send them by post to Spatial Planning (Westfields) C/O Municipal Buildings, Earle Street, Crewe, CW12BJ.

OFFICIAL

All other enquiries 0300 123 5500

www.cheshireeast.gov.uk

Two public consultation drop-in events are also being held at Middlewich Community Church, Brooks Lane, on:


**Wednesday 23 January (5pm – 8pm); and
Monday 28 January (5pm – 8pm)**

Council staff will be on hand at each event to explain the proposals and answer any questions.

Please note that the deadline for the receipt of comments is 5pm on the 25 February 2019.

Your personal data will be processed in line with our privacy notice and your name and comments will be published and made available to view on the consultation portal. Further information can be obtained from the Council's website or by contacting the Spatial Planning team using the details at the top of this letter.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J Owens', is written over a light blue rectangular background.

**Jeremy Owens
Development Planning Manager**

OFFICIAL

From: LOCAL PLAN
To: LOCAL PLAN
Cc:
Subject: [OFFICIAL] CEC Consultation on Brooks Lane Draft Development Framework Supplementary Planning Document - 14 Jan - 25 Feb 2019

Sent: Thu 10/01/2019 14:07

You have received this e mail as you have previously responded to a Local Plan consultation or you have been asked to be kept informed of future Local Plan consultations.

Following the adoption of the Local Plan Strategy, the Council has been preparing a number of additional planning policy documents to provide further guidance. The Brooks Lane (Middlewich) draft Development Framework (Masterplan) Supplementary Planning Document ("SPD") has been prepared to provide further guidance about a site allocated for redevelopment in the Local Plan Strategy - Brooks Lane (Middlewich) strategic location (LPS 43). The draft development framework has been prepared by consultants, Barton Willmore, on behalf of the council. The council is now seeking views on the document prior to it being finalised and adopted as a SPD. As a SPD, its guidance would need to be taken into account in deciding relevant planning applications affecting the site.

Consultation on the draft Brooks Lane (Middlewich) Development Framework is taking place between the 14 January and 5pm on the 25 February 2019. The document will be available to view on line at www.cheshireeast.gov.uk/localplan, at Middlewich Library and at the following Council Offices during their normal opening hours:

- Delamere House, Delamere Street, Crewe, Cheshire, CW1 2JZ;
- Macclesfield Town Hall, Macclesfield, Cheshire, SK10 1EA; and
- Westfields, Middlewich Road, Sandbach, CW11 1HZ

Comments forms are available at the above locations. We would encourage you to respond using the consultation portal on our website. Alternatively, you can e-mail your views to localplan@cheshireeast.gov.uk or send them by post to Spatial Planning (Westfields) C/O Municipal Buildings, Earle Street, Crewe, CW1 2BJ.

Two public consultation drop-in events are also being held at Middlewich Community Church, Brooks Lane, CW10 0JQ on:

- Wednesday 23 January (5pm – 8pm); and
- Monday 28 January (5pm – 8pm)


Council staff will be on hand at each event to explain the proposals and answer any questions.

Please note that the deadline for the receipt of comments is 5pm on the 25 February 2019.

Your personal data will be processed in line with our privacy notice and your name and comments will be published and made available to view on the consultation portal. Further information can be obtained from the Council's website or by contacting the Spatial Planning team on 01270 685893 or by e mailing localplan@cheshireeast.gov.uk


Jeremy Owens,
Development Plans Manager
Spatial Planning Team
Westfields, Middlewich Road, Sandbach, CW11 1HZ

Appendix 2: Screen shot from the council website



A to Z site index

Enter Keywords


 Search

[Home](#) / [Planning](#) / [Spatial Planning](#) / Cheshire East Local Plan

Cheshire East Local Plan

The Local Plan sets planning policies and allocates sites for development. It is part of the statutory development plan for Cheshire East and is the basis for deciding planning applications. The Local Plan covers a range of matters including the number and location of new homes; the amount and location of employment land; protection and improvement of important open areas; provision of new infrastructure; and improvement of town centres and community facilities in the borough.

Our [Spatial Planning Update](#) provides a regular bulletin on planning policy matters affecting Cheshire East.



In this section

- [Local Plan Strategy Development Plan Document](#)
- [Area Action Plan for Crewe](#)
- [Authority Monitoring Report](#)
- [Cheshire East Local Plan](#)
- [Local Development Scheme](#)
- [Local Plan Consultation Portal](#)
- [Local Plan Consultations](#)
- [Site Allocations and Development Policies Document](#)
- [Statement of Community Involvement](#)
- [Supplementary Planning Documents](#)

Contact us

Local Plan matters only

[Email Local Plan Team](#)

01270 685893

Consultations


- Consultation on the [Crewe Station Hub Area Action Plan](#) Development Strategy is underway until 26 March 2019.
- Consultation on the draft Brooks Lane Masterplan (Middlewich) Supplementary Planning Document will start on Monday 14 January and run until 5pm on 25 February 2019. [Further details and the consultation documents](#) can be viewed on our consultation portal.

Key Local Plan documents


The Local Plan consists of a number of key documents which form part of the statutory development plan:

| Document | Status | Description |
|-------------------------------------|----------------------|---|
| Local Plan Strategy | Adopted 27 July 2017 | The LPS is the centrepiece of the Local Plan, setting out strategic priorities for the development of the area along with planning policies and proposals. It is accompanied by an interactive policies map, which shows sites, policies and environmental / heritage designations. |

Appendix 3: Press releases


A to Z site index

[Home](#) / [Council and Democracy](#) / [Council Information](#) / [Media Hub](#) / [Media releases](#) / 8/1/2019 - Consultation on Middlewich marina scheme



Council unveils exciting proposals for new rail link, homes and marina

8 January 2019

Cheshire East Council is set to unveil proposals for an exciting redevelopment incorporating new homes, a marina and railway station – and it wants the public's views on the plans.

Residents, businesses and stakeholders in Middlewich are to be asked to comment on the proposed Brooks Lane development framework – a 23-hectare site where 200 new homes could be built, together with a marina on the Trent and Mersey Canal, which runs through the town.

The draft framework also includes an impression of how a new railway station for Middlewich could enhance the whole scheme. This envisages the re-opening of the Sandbach-Middlewich-Northwich line for passenger services, something many local people have called for to coincide with the arrival of HS2 at Crewe.

And a plan to set the old brine works within an accessible public space is also included within the framework. The Murgatroyd's Brine Works is a scheduled ancient monument containing a late 19th Century 'wild' brine pumping plant with an original brine shaft, pump house, gantry, power house and other rare features.

The council first opened business, landowners and residents on the site – together with the town's history of some 200 years of

The council first engaged businesses, landowners and residents on the site – together with the informal views of town council members – and those views have helped planners to shape the draft Brooks Lane development framework.

The Brooks Lane site is allocated as a 'strategic location' in the Cheshire East Local Plan Strategy and is one of a number of sites earmarked for new homes and employment, alongside a proposed Middlewich Eastern Bypass, currently subject to planning approval.

A six-week public consultation will be launched from Monday (14 January), closing at 5pm on 25 February. The draft development framework will be available for public viewing and two drop-in events will be held at Middlewich Community Church, Brooks Lane, on:

Wednesday 23 January (5pm–8pm);

and Monday 28 January (5pm–8pm).

Council staff will be on hand at each event to explain the proposals and answer any questions.

Councillor Ainsley Arnold, Cheshire East Council cabinet member for housing, planning and regeneration, said: "I would encourage everyone to engage with this consultation to help shape the final planning guidance for this important site.

"The Trent and Mersey Canal is an important, historic and environmental asset in the town and we would like to see it enhanced through new investment. Canals and waterways have been the catalyst for positive change in so many towns and we would like Middlewich to similarly benefit in this way.

"As part of the local enterprise partnership, Cheshire East Council is also developing an outline business case for the transport minister to bring back rail passenger services to the town. The draft development framework supports that ambition by showing how a station could potentially be provided."



Green open spaces, pedestrian and cycle ways also feature in the proposed scheme and a key element of the plan is the offer of waterside living, which has become so popular in many towns and cities across the country.

Following the consultation and consideration of the feedback, the council intends to adopt the development framework as 'supplementary planning guidance' and, as such, it would be obliged to consider the guidance in making decisions on relevant planning applications affecting the site.

The draft development framework will be available to view at the council's Sandbach head office and at Middlewich Library. [It can also be viewed via the council's website from Monday.](#)

Further information can also be obtained by contacting the council's spatial planning team on 01270 685893.

Appendix 4: Consultation response forms

Cheshire East Local Plan



Brooks Lane Draft Development Framework (Masterplan) Supplementary Planning Document - Comments Form

Following the adoption of the Local Plan Strategy, a draft development framework (masterplan) Supplementary Planning Document ('SPD') has been prepared to support the delivery of strategic location (LPS 43) at Brooks Lane, Middlewich. Consultation on the draft development framework (masterplan) SPD will take place between Monday 14 January and 5pm on Monday 25 February 2019. The consultation documents can be viewed online at www.cheshireeast.gov.uk/localplan and at:

- Westfields, Middlewich Road, Sandbach CW11 1HZ;
- Crewe Customer Service Centre, Delamere House, Delamere Street, Crewe CW1 2JZ;
- Macclesfield Customer Service Centre, Town Hall, Macclesfield SK10 1EA; and
- Middlewich Library, Lewin Street, Middlewich, CW10 9AS

The draft SPD is linked to the Local Plan Strategy, which identified that the precise quantum and nature of new development at Brooks Lane will be determined through a masterplan led approach. A draft development framework has been prepared by consultants Barton Willmore, on behalf of the Council, to inform the preparation of development proposals for the site, setting out key matters that proposals should address in order to achieve high quality new development that will significantly enhance the area and benefit the town as a whole.

A screening exercise has been carried out to determine whether the draft document gives rise to the need for further Sustainability Appraisal or Appropriate Assessment (under the Habitats Regulations), or whether those matters have been adequately addressed through the Local Plan process. This screening concludes that further such assessment is not necessary and is also available for consultation, alongside the draft development framework.

A number of consultation 'drop in' events are being held at the Middlewich Community Church, Brooks Lane, Middlewich on the following day / times:

- Wednesday 23 January 2019 – 5pm – 8pm
- Monday 28 January 2019 – 5pm – 8pm

Submit your views

The council's online consultation portal is our preferred method of submitting responses, but you can also respond by email or in writing using this comments form. You can also contact us:-

Online: Via the consultation portal at www.cheshireeast.gov.uk/localplan

By e-mail: To localplan@cheshireeast.gov.uk

By post: Spatial Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please make sure that your comments reach us by **Monday 25 February 2019**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Spatial Planning Privacy Notice, which is available on the council's website. Your name and comments will be published and made available to view on the consultation portal.

Cheshire East Local Plan

Brooks Lane Draft Development Framework(masterplan)

Supplementary Planning Document - Comments Form



Please return to:

Spatial Planning (Westfields)
C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ or by email to
localplan@cheshireeast.gov.uk

Please return by:

Monday 25 February 2019

This comment form has two parts:

- Part A – Personal details.
- Part B – Your representation(s).

Comments Form Part A: Personal Details

| | Personal Details* | Agent's Details (if applicable) |
|-----------------------------------|--|---------------------------------|
| | <i>* If an agent is appointed, please complete only the Title, Name and Organisation in column 1 but complete the full contact details of the agent in column 2.</i> | |
| Title | | |
| First Name | | |
| Last Name | | |
| Job Title (where relevant) | | |
| Organisation (where relevant) | | |
| Address Line 1 | | |
| Address Line 2 | | |
| Address Line 3 | | |
| Address Line 4 | | |
| Postcode | | |
| Telephone Number | | |
| Email Address (where relevant) | | |
| Your Reference No. (if known) | | |

Please complete a separate Part B form for each comment that you would like to make. This response form provides enough space for four comments but please copy and attach further part B forms if required.

For further assistance in making comments please contact the Spatial Planning Team at localplan@cheshireeast.gov.uk or by telephone on 01270 685893.

Comment Form Part B: Brooks Lane Draft SPD Comment Form

Name and
Organisation:

Office Use Only:

PID:

RID:

Q1. Which section of the document are you commenting on?

Page / Chapter / Paragraph / Figure

(please delete as appropriate and state which): _____

Q2. What is your overall view on this section? (please tick one box)

☐ Support

☐ Object

☐ Comment only

Q3. Please set out your comments or views on this section:

Appendix 5: Summary of key issues and responses

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|----------------------------|---|--|--------------------|
| BLMP2 – Geoffrey Williams | <ol style="list-style-type: none"> 1) The comment expressed concerns regarding the traffic impacts of the masterplan proposals including highways and access arrangements into the site. 2) More homes in Middlewich is putting local infrastructure (doctor's / school places) under pressure. | <ol style="list-style-type: none"> 1) The development framework identifies the potential for highway improvements to the Brooks Lane Canal Bridge & at the junction of Brooks Lane and Kinderton Street. Point E of the site specific principles of development for the strategic location (LPS 43) makes reference to contributions towards highways improvements. 2) The Local Plan Strategy ("LPS") in establishing the Brooks Lane site as a strategic location (LPS 43) considered infrastructure provision through the preparation of an Infrastructure Delivery Plan which supports the LPS. Policy wording contained in the site principles for LPS 43, (which the Brooks Lane Development Framework seeks to supplement), includes requests for contributions towards, education, health and highways infrastructure. The need for contributions from developments will be considered on a case by case basis when planning application(s) are submitted on the site. | No change proposed |
| BLMP3 – The Coal Authority | <ol style="list-style-type: none"> 1) No specific comments on the masterplan. | <ol style="list-style-type: none"> 1) Noted. | No change proposed |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|--|---|---|--|
| BLMP 4 - South Cheshire Clinical Commissioning Group ("CCG") | 1) Request for contributions to Oaklands Medical Practice and Water's Edge Medical Centre. Additional information submitted regarding the ability of the CCG to continue to provide the expected level of Primary Care services in Middlesbrough. This includes the view that Oaklands Medical Practice and Water's Edge Medical Centre are working at capacity currently for additional patients and steps are being considered in response to ensure a continued level of service at both practices. Estimated level of contributions that would be requested for a proposal for 200 homes and proposal for 450 homes provided. | 1) Noted. LPS 43 (Brooks Lane, Middlesbrough) includes reference to contributions towards health infrastructure (point F of the site specific principles of development). The type and level of contributions sought will be considered in response to planning applications as and when they come forward on the site. | No change proposed |
| BLMP 5 - Worsley Plant Limited | 1) Worsley Plant Limited have just recently constructed a new unit on their site and have no intention of moving. | 1) Noted – the location of Worsley Plant Limited is within the area expected in the development framework to be retained for employment related uses. | No change proposed |
| BLMP 6 - Rainbow Day Nursery | 1) Please amend to show the day nursery (Rainbow Day Nursery) area as retained on the illustrative masterplan | 1) Noted and change proposed | Rainbow Day nursery - shown as retained on the revised version of the masterplan framework (figure 18) |
| BLMP 8 - David Roberts | 1) Support for the re-use of a brownfield site 2) Development needs to modernistic, | 1) Noted 2) Noted, the development framework includes clear recommendations on matters including | No change proposed |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|---------------|--|--|------------------|
| | <p>address diverse residential requirements and house types, use building designs/structures which are energy efficient, fulfil leisure and recreational requirements, appealing/pleasant to the eye, environmentally friendly and future proof (in terms of house/building design) and provide appropriate landscaping and parking.</p> <p>3) Key requirement of the masterplan is the integration with the current town centre (pedestrianised walkway)</p> <p>4) Landscaped areas should be provided with appropriate planting</p> <p>5) Support for train station</p> <p>6) Adequate car parking should be provided for. Bowling green could be enhanced to include modern facilities</p> <p>7) Review traffic volumes before development starts</p> <p>8) Concerns regarding the infrastructure</p> | <p>layout and appearance. The draft development framework tested a number of options for delivery across the site. The development framework includes a number of character areas, with example layouts shown.</p> <p>3) The access plan in figure 20 of the revised development framework shows the potential for enhanced connections into Middlewich Town Centre from the site.</p> <p>4) Noted. The masterplan includes references to the importance of a landscape framework and includes a green infrastructure framework for the site (figure 21).</p> <p>5) Noted</p> <p>6) The revised masterplan framework included in the document (figure 18) identifies that the Community Church is retained for commercial / community use.</p> <p>7) The SPD should be read alongside existing provisions contained within the LPS. Policy CO 4 (Travel Plans and Transport Assessments) of the LPS requires all major</p> | |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|------------------------|--|---|---|
| | requirements generated from future development on the site. | <p>developments likely to generate significant additional journeys to be accompanied by a transport assessment, and where appropriate a Travel Plan.</p> <p>8) The Local Plan Strategy (LPS) when it established the Brooks Lane site as a strategic location (LPS 43) considered matters in relation to infrastructure through the preparation of an Infrastructure Delivery Plan. Policy wording contained in the site principles for LPS 43 (which the Brooks Lane Development Framework seeks to supplement), includes requests for contributions towards, education, health and highways infrastructure. This will be considered on a case by case basis for planning application(s) submitted on the site</p> | |
| BLMP 9 - National Grid | 1) An assessment has been carried out with respect to National Grid's electricity and gas transmission apparatus which includes high voltage electricity assets and high-pressure gas pipelines, and also National Grid Gas Distribution's intermediate and High-Pressure apparatus. National Grid has identified that it has no record of such apparatus within the area. | 1) Noted | No change proposed |
| BLMP 17 - Canal and | 1) Introduction – Vision in para 1.3 should be expanded to reflect potential for new | <p>1) Noted and change proposed</p> <p>2) Noted</p> | 1) Reference to Marina added to the overall |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|---------------|---|--|--|
| Rivers Trust | <p>canal marina</p> <p>2) Para 2.1.2 – welcome reference to importance of Canal</p> <p>3) Para 2.2.3 – welcome reference to sustainable transport modes</p> <p>4) Para 2.2.4 – role that the canal plays in acting as a wildlife corridor should be referenced here. Any enhancements to canal habitats would improve the functionality of the wildlife corridor</p> <p>5) Para 2.4.1 – reference should be made to existing boating businesses – Kings Lock Chandlery and others add to character of the canal</p> <p>6) Page 23 – document includes a photograph of the Middlewich Wharf outside of the masterplan area</p> <p>7) Para 2.4.2 – welcome inclusion of canal towpath in figure 16. Supporting text should be included to make reference to the canal towpath as a sustainable transport route</p> <p>8) Para 2.4.3 – the proposed green infrastructure should seek to connect to the canal, where possible, to enhance functionality of the corridor</p> <p>9) Para 2.4.4 – welcome acknowledgment of the listed heritage assets of the canal. May be worth adding reference to the canal as a designated conservation area (although noted that depicted in figure 20).</p> | <p>3) Noted</p> <p>4) Noted and change proposed</p> <p>5) Noted and change proposed</p> <p>6) Noted, the photographs are illustrations of Brooks Lane and its immediate surrounds.</p> <p>7) Noted and change proposed</p> <p>8) This section is a contextual analysis of the existing site and so no change proposed to this section of the document.</p> <p>9) Noted and change proposed</p> <p>10) Noted and change proposed</p> <p>11) Noted and change(s) proposed</p> <p>12) Para 6.11 (5.11 in the revised SPD) relates to specific recommendations that are identified on the Plan. Section 6.1.4 (5.1.4 in the revised SPD) supports green& blue infrastructure across the site</p> <p>13) Figure 29 (figure 18 in the revised SPD) relates to the core elements set out in para 6.11 (section 5.11 in the revised SPD). It does not include every element of the site.</p> <p>14) Noted and change proposed</p> <p>15) The imposition of weight restrictions on the Brooks Lane Canal Bridge is outside of the remit of this SPD. Support for references to the potential signalisation of Brooks Lane Canal Bridge is noted. Change proposed in respect of locks 72 and 73.</p> <p>16) Noted and change proposed</p> <p>17) Reference to Canal side park identifies that separation will be required. Additional text added to the drainage section regarding</p> | <p>vision included in the revised SPD (section 1.3)</p> <p>2) No change proposed</p> <p>3) No change proposed</p> <p>4) Reference to the role that the Canal has as a wildlife corridor has been included in section 2.2.4 in the revised SPD.</p> <p>5) Reference to Kings Lock Chandlery added to the example businesses listed in the SPD (section 2.4.1 of the revised SPD)</p> <p>6) No change proposed</p> <p>7) Reference to Canal towpath added to section 2.4.2 of the revised SPD.</p> <p>8) No change proposed</p> <p>9) Reference to the canal as a designated Conservation Area added to section 2.4.4 of the revised SPD.</p> <p>10) Reference to structural integrity of Canal added to para 4.1.1 of the revised</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|---------------|--|---|---|
| | <p>10) Para 5.11 – should be expanded to include ‘protection of the structural integrity of the canal both during and post construction’. Any development adjacent or on landholdings of the canal and rivers trust should be in accordance with third party works code of practice.</p> <p>11) Para 5.12 – pedestrian routes should connect to existing bridge crossings. Reference to canal boat marina should note separate consent process from the Trust to make connection to waterway. Should also include reference to – ‘enhancing of green / blue infrastructure across the site’.</p> <p>12) Para 6.11 - should also include reference to – ‘enhancing of green / blue infrastructure across the site’.</p> <p>13) Page 39 – figure 29 should include existing dry dock between locks 72 and 73. This should be shown as being retained</p> <p>14) Para 6.12 – reference to marina should state about separate permission from trust to connect to waterway. Community church location could include a canal car park</p> <p>15) Para 6.13 – reference to improvements to Brooks Lane Canal Bridge – bridge has suffered from parapet strikes and long vehicles being</p> | <p>engagement with Canal and Rivers Trust.</p> <p>18) Noted and change proposed</p> <p>19) Noted and change proposed</p> <p>20) It is considered that the existing description of the character area is sufficient for its purpose.</p> <p>21) Noted and change proposed</p> <p>22) Section 6.2.2 (section 5.3.2 in the revised SPD) refers to urban design principles and canal frontages</p> <p>23) Comments are noted. Existing wording is considered appropriate.</p> <p>24) Noted and change proposed</p> <p>25) Noted and change proposed</p> | <p>SPD</p> <p>11) Reference added to enhancing Green/Blue infrastructure and the role of the Canal and Rivers Trust acknowledged in the document in section 4.1.2 of the revised SPD.</p> <p>12) No change proposed</p> <p>13) No change proposed</p> <p>14) Reference to consent procedure for a Canal Boat Marina added to the masterplan framework (section 5.1.2 of the revised SPD).</p> <p>15) Reference to pedestrian access (section 5.1.3 of the revised SPD) across the two locks on the canal has been amended to refer to appropriate enhancements to ensure user safety in</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|---------------|---|---------------------------|--|
| | <p>grounded on the bridge. A weight restriction should be applied to potential enhancement works to the junction. Support for introduction of light – controlled junction. Consideration also needs to be given to pedestrian and cycle access to the site. The Kings Lock bridge is Grade II listed – not support increased vehicle movements over the bridge and are not designed for cycle use but could be a pedestrian connection for development with access to the canal towpath and then to the town centre. Should not encourage pedestrian movements over canal lock 72 and 73.</p> <p>16) Para 6.1.4 – green infrastructure – should be titled ‘green / blue infrastructure. Reference should also be made to protection as well as enhancement</p> <p>17) Canal side park – concerns over reference to dry dock – it is a working boat yard and concerns over housing being located so close to industrial uses. Opportunity to celebrate the canal and salt works in this location. Canal may be able to receive surface water and this should be acknowledged. The trust is not a land drainage authority and subject to commercial agreement. Detailed design processes need to consider water</p> | | <p>the development framework</p> <p>16) Reference added to blue infrastructure and protection of infrastructure in section 5.1.4 in the revised SPD.</p> <p>17) Additional text added to the drainage section regarding engagement with Canal and Rivers Trust (section 5.1.4 in the revised SPD).</p> <p>18) Reference to consent procedure added alongside reference to the importance of sign posting (section 5.3.2 in the revised SPD).</p> <p>19) Reference to cycling added to section 5.3.3 of the revised SPD.</p> <p>20) No change proposed</p> <p>21) Reference to enhancements to support user safety added to the</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|---------------|---|---------------------------|---|
| | <p>drainage.</p> <p>18) Para 6.2.2 - consideration needs to be given to the Trust separate consent process. Size and form of marina will need more consideration. Buffer between the marina and residential uses needs to be given consideration and signposting and directions needed at key locations</p> <p>19) Para 6.2.3 - street hierarchy should make reference to bicycles. Primary residential street and shared street examples have little tree planting shown.</p> <p>20) Para 6.2.5. – town centre gateway village – development adj to the Canal should have an active frontage</p> <p>21) Para 6.2.6 – train station village – do not support increased pedestrian and cycle use across of the lock crossings. Noise sensitive development adjacent to the dry dock would need to be considered and appropriate and landscaped buffer provided for.</p> <p>22) Para 6.2.7 – canal side village – active frontage by the canal (similar comments to 6.2.6)</p> <p>23) 6.2.8 – Marina village – welcome reference to boat access – need consent from the Trust. Any fencing would have to be appropriate and a publicly accessible launce site is recommended here with parking for canal uses –</p> | | <p>development framework in respect of locks 72 & 73.</p> <p>22) No change proposed</p> <p>23) No change proposed</p> <p>24) Figure 44 deleted to remove inconsistency in the revised SPD.</p> <p>25) References amended to the Canals and Rivers Trust throughout the document</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|------------------------|---|---|--|
| | <p>reference should also be made to improved boating facilities for other users (as required by the Middlewich NP).</p> <p>24) Para 6.3 and 7 – discrepancy between 6.3 which shows a phase 4 but does not appear on the map on pg 67.</p> <p>25) General – reference to trust should use their full title (Canal and River Trust).</p> | | |
| BLMP 10 - Nikk Smith | 1) Document should guarantee that the marina, access improvements, station and Brine pump are all developed either before or alongside residential development. | 1) The Brooks Lane (Middlewich) Development Framework SPD provides further guidance on Strategic Location (LPS 43) in the LPS. There is no policy requirement in the LPS for development being brought forward simultaneously on the site. The LPS includes policy IN 1 (infrastructure) and IN2 (Developer contributions) to which any future planning application would be considered. Each application on the site would be considered on its own merits and against the requirements of the LPS, including strategic location policy LPS 43, supplemented by detail included in the Brooks Lane Development Framework SPD (once adopted), as appropriate. | No change proposed |
| BLMP 18 - Network Rail | 1) Confirm that the route of the railway line is currently freight only – 4-5 trains per week. Needs to be an evidence based approach to amending the current | 1) The Cheshire and Warrington Local Enterprise Partnership, Cheshire East and Cheshire West and Chester Council's have commissioned initial feasibility work, called | Additional text has been inserted to section 5.1.3 of the revised SPD regarding the need to consider the |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|---------------|---|---|---|
| | <p>network. Feasibility work will need to ensure that it feeds into the broader strategy for meeting future demands on the railway.</p> <p>2) There are 5 user worked level crossings and 2 public footpath level crossings in the area. The Council has purchased land in the SPD area from Network Rail and are currently engaging with them regarding the future of 3 level crossings on the back of the Middlewich Eastern Bypass proposal.</p> <p>3) Network Rail consider that the proposals within the SPD area could have an unacceptable risk on level crossings (individually or cumulative). Assessment of the impact on level crossings would need to consider any changes in volume and character of users. SPD should include specific wording that:-</p> <p>-detailed assessments should be carried out on the impact of level crossings prior to development coming forward and where necessary: the level crossings are stopped up (via s257 of the Town and Country Planning Act 1990). Closure of the level crossings and any diversionary route(s) must be completed prior to the undertaking of the development proposals or an appropriate level of development / occupation.</p> | <p>the Mid Cheshire and Middlewich Rail Feasibility Study to consider options for the re-opening the Sandbach – Middlewich – Northwich line to passenger services. This document has informed the revised version of the SPD:-</p> <p>http://www.871candwep.co.uk/latest-news/initial-findings-of-the-mid-cheshire-and-middlewich-rail-study-now-available/.</p> <p>2) Noted</p> <p>3) Additional text has been added to the SPD relating to an assessment of impacts on level crossings to support future planning applications on the site.</p> | <p>impact on railway level crossings prior to development coming forward in consultation with Network Rail. The positioning of the railway station in the revised SPD has taken into account the initial feasibility work undertaken and reflected within the Mid Cheshire and Middlewich Rail Feasibility Study.</p> |
| BLMP 19 - | 1) Welcome proposals to regenerate the | 1) Noted. | No change proposed. |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|------------------|---|--|------------------|
| Historic England | <p>site that would improve public access and interpretation of the industrial heritage of the area. There are significant opportunities for sympathetic redevelopment to enhance the significance of designated and non-designated heritage assets – historic salt manufacture and its export via the canal and railway infrastructure.</p> <p>2) The Murgatroyd Brine Works is a designated scheduled monument and recently received funding from Historic England's Heritage at Risk programme for the roof to be replaced and asbestos removal. The work is being overseen by the Middlewich Heritage Trust who has a long-term lease of the site from Cheshire East Council. A second phase of work is due to start in April 2019 to repair the external fabric and to stabilise the brine extraction shaft. There are plans for a third phase of work to improve landscaping around the site and to add interpretation. The Trust would be well placed to help incorporate this into the Development Framework proposals to create new and enhanced pedestrian and cycle routes through the area as part of Green Infrastructure public realm improvements and signage etc. Industrial heritage of the site could tell the story of salt manufacture and could</p> | <p>2) The update on the ongoing work of the Middlewich Heritage Trust relating to the Murgatroyd Brine Pump is noted and welcomed. Section 5.1.2 of the revised SPD makes reference to the Brine Works and notes how the pump should be restored with enhanced public access (including the potential provision of a visitor information centre) and public space, green infrastructure and new landscaping provided to improve the setting of the Monument.</p> | |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|---|--|---|--|
| | be provided in a number of ways, including the proposal for a visitor information centre or interpretation panels at key locations across the site. | | |
| BLMP 20 - Susan Jones on behalf of Middlewich Tank Wash (P Sheeran) | <p>1) There is a need for a detailed environmental assessment as part of the SPD - noise and odour impacts have not been considered sufficiently in developing the masterplan. Lack of consideration of those impacts has not provided sufficient assurance around deliverability of numbers and / or whether mitigation measures (such as buffer planting) are sufficient.</p> <p>2) Observations when visiting the site include long hours of operation and industrial operations. The masterplan fails to take account of material considerations – taking account of para 182 of the NPPF. SPD should be subject to in depth assessment of environmental constraints and then consulted upon again.</p> <p>3) The owners want to retain employment uses on the site without introduction of sensitive users in the locality.</p> | <p>1) The Brooks Lane (Middlewich) Development Framework SPD provides additional guidance on the strategic location included in the adopted LPS (as reference – LPS 43). The allocation of the site was supported by a detailed site selection process including the Middlewich Settlement Report. The development framework considers a number of broad parameters for the site whereas future planning application(s) will provide additional and detailed justification for individual proposals. These will be considered on their own merits against the policies contained within the Development Plan and any other relevant material considerations.</p> <p>2) See above.</p> <p>3) Noted. The development framework includes an area of retained employment land. This includes the Middlewich Tank Wash area.</p> | <p>1) New section added to the revised SPD (in section 5.2) - 'development parameters and delivery considerations' which details site specific considerations, where additional assessments and potential mitigation on the site would likely be required. Alongside the relationship of the SPD to existing policies contained in the Development Plan.</p> <p>2) As above</p> <p>3) No change proposed</p> |
| BLMP 21 - Centec | <p>1) Support the comments by S Jones on behalf of P Sheeran (BLMP 20).</p> | <p>1) Noted</p> | <p>See response to comment reference BLMP 20</p> |
| BLMP 22 - Martin's MOT centre | | | |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|------------------------------|--|---|--|
| BLMP 23 - Worsley Plant Hire | | | |
| BLMP 25 - BIP organics | | | |
| BLMP 24 - Environment Agency | <p>1) Re-development of the site provides opportunity to restore the ecological value of the River Croco and Sanderson's Brook. To restore these areas which are currently in culvert. The Agency would be supportive of a re-development proposal which seeks to remove the aforementioned culverted extents and restore these watercourses to their natural state. Re-naturalisation of these watercourses would offer both ecological benefits and a lowered fluvial flood risk. Engineered river channels are one of the most severe examples of the destruction of ecologically valuable habitat; we therefore seek to restore and enhance watercourses to a more natural channel wherever possible, as required and promoted under the Water Framework Directive.</p> <p>2) Currently the Water Framework Directive waterbody, River Croco, (GB112068055460) ecological status is classified as poor but this development provides a pathway to improve this</p> | <p>1) Support for the restoration of the River Croco noted.</p> <p>2) Noted and change proposed</p> <p>3) Noted and change proposed</p> | <p>1) No change proposed</p> <p>2) Reference made to inclusion of a green infrastructure buffer alongside River Croco and Sanderson's Brook (8 metre buffer strip) – section 5.1.4</p> <p>3) See point 2 (above)</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
|------------------------|--|---|--|
| | <p>status. It is standard Environment Agency practice to seek, as part of any new development that lies close to a watercourse, the inclusion of a green undeveloped buffer strip alongside the watercourse. Where such a buffer strip does not currently exist, we normally seek that this is implemented; this is a key way in which we carry out our legal duty to further and promote the ecological and landscape value of rivers and land associated with them.</p> <p>3) A permit may be required from the EA for any proposed works or structures in 8 metres of the River Croco and Sanderson's brook. Standard practice to seek the inclusion of green infrastructure along the watercourse.</p> | | |
| BLMP 11-Tata Chemicals | <p>Representation made on behalf of British Salt Limited. Reference made to Cledford Lagoons south of the site.</p> <p>1) The Lagoons offer little likelihood of providing a multi-functional open space unless investment is made available, which can only be released through development opportunities coming forward. The Cledford Lagoons site was not carried forward within the Local Plan Strategy (LPS) and was not allocated for residential-led mixed development, however the reasoned justification for the inclusion of Brooks Lane within the</p> | <p>1) The role of the Brooks Lane Development Framework is not to allocate additional land but provide supplementary detail on the existing policy context set out in the Local Plan Strategy (site LPS 43), utilising the existing boundary for the Brooks Lane Strategic Location as shown on the policies Map for the Local Plan Strategy.</p> <p>2) The draft development framework does not rely heavily on Cledford Lagoons as a recreation and landscape asset. Its presence is mentioned for contextual purposes.</p> <p>3) The reference to the Cledford Lagoons as a Local Wildlife Site is accurate and is correctly</p> | <p>1) No change proposed</p> <p>2) No change proposed</p> <p>3) No change proposed</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
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| | <p>LPS states that; "There is potential to expand the site into the salt lagoons in the future" (Para 15.501) . It goes on to state, at Para 15.503 that; "The British Salt Lagoons located directly to the south of the site offer an opportunity to explore the potential for enlarging the site in future and making best use of brownfield land here. The design of the development should respect and capitalise on its canal-side setting</p> <p>2) The Draft Masterplan relies heavily on the Cledford Lagoons as a 'recreation and landscape asset' (see section 2.2.4) despite the fact that currently public access to it is restricted solely to a single footpath on the eastern boundary, and it offers no notable landscape or recreational benefit. We believe this is therefore misleading and disingenuous.</p> <p>3) British Salt undertook a process of ecological assessment of the Cledford Lagoon in support of prospective local plan designation. The conclusions from this process were that Local Wildlife Sites (LWS) (such as the SBIs) form an important layer within the hierarchy of sites that are designated biodiversity and ecological value. However, the importance of such sites within the local context needs to be carefully considered when designating sites within the plan</p> | referenced in the documentation. | |

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| | <p>making process. We note that Appendix 1 (Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report) refers to the Cledford Lagoons as being a Local Wildlife Site. It states (at Paragraph 13) that the Sustainability Appraisal undertaken for the LPS recognised that mitigation provided through the Plan would not have any significant effects. We assume this is a typographical error and, for the reasons set out above, reference to Local Wildlife Site should be replaced by Site of Biological Importance until such time as an assessment has been done to confirm that the site warrants LWS status. As set out above, we strongly believe that the site does not meet the LWS criteria and its designation as an SBI should be removed.</p> | | |
| BLMP 26 - Alison Roylance – Whyte | <ol style="list-style-type: none"> 1) Displacing local businesses for residential will not benefit to town. 2) Remove reference to Middlewich Folk and Boat Festival as no longer exists (pg 12) 3) Challenging to relocate limited housing near a new marina and safeguards to protect current employment sites and employers. To keep the two areas separate is essential to provide a marina but keep our employment sites. | <ol style="list-style-type: none"> 1) The Brooks Lane Development framework is seeking to provide additional guidance on the strategic location (LPS 43) included in the adopted development plan – the Local Plan Strategy. LPS 43 sets out that the site is likely to include the delivery of around 200 homes (point 1 of the policy). 2) Noted and change proposed 3) The purpose of the framework is to unlock the site's regeneration benefits, whilst recognising that there are existing | <ol style="list-style-type: none"> 1) No change proposed 2) Reference to Middlewich Folk and Boat Festival now removed from the revised development framework 3) No change proposed 4) No change |

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| | <p>4) As one of the largest towns in the north west without a railway station, and a net outflow of residents to places of work, a railway station with passenger trains is a necessity for Middlewich</p> <p>5) In favour of a marina village, definitely in agreement of a train station (but fail to see why we cannot use the current platform areas and space left for car parks on earlier developments) and ensure our employment on Brooks Lane is supported but left in situ. I am not in favour of a gateway village, train station village nor losing a vital employment area and jobs.</p> | <p>businesses that may wish to remain operating on the Site. It provides guidance to inform the preparation of development proposals for the site, setting out key matters that proposals should address in order to achieve high quality new development that will significantly enhance the area and benefit the town as a whole.</p> <p>4) Support noted</p> <p>5) See response to point 3 (above)</p> | <p>proposed</p> <p>5) No change proposed</p> |
| BLMP 12 - Sean Boyle | 1) Traffic problems already exist on Brooks Lane. No development until Middlewich Eastern Bypass is completed and Wheelock Street is rejuvenated. | 1) The development framework identifies the potential for highway improvements to the Brooks Lane Canal Bridge & at the junction of Brooks Lane and Kinderton Street. | No change proposed |
| BLMP 27 - Walsingham Planning on behalf of Centec International | <p>1) Centec are a specialist chemical manufacturing and recovery business and has no intention of relocating its business</p> <p>2) Hazardous substances consent has now been sought (18/4186c). Subject to this being approved then a further submission of a Major Accident Prevention policy will be submitted to the HSE. Development should be located at a safe and considerable</p> | <p>1) Centec are shown in the development framework within the area proposed to be retained for employment purposes.</p> <p>2) The Brooks Lane Development Framework is a requirement of policy LPS 43 Brooks Lane Strategic Location which established the principle of residential uses on the site. An SPD is needed in order to provide additional guidance regarding the allocation.</p> <p>3) The SPD makes appropriate references to</p> | <p>1) No change proposed</p> <p>2) No change proposed</p> <p>3) A new section has been added to the revised document (section 5.2) on 'development parameters and delivery considerations' which details site specific considerations, where additional assessments</p> |

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| | <p>distance from the Centec site. It is not possible to confirm the exact distance that the HSE would consider to be appropriate for development until our client has further engaged with them. Our client has begun this process by applying for a Hazardous Substance Consent to Cheshire East Council. In this regard, to avoid a potential land use conflict, our preferred outcome is that the adoption of this SPD is put on hold until this is clarified or that it is not adopted at all and the required policy is adopted through the second part of the Cheshire East Local Plan;</p> <p>3) Welcome the retained employment area but are concerned over the proximity of the residential uses. Disappointed to see the framework does not facilitate the protection of existing businesses or that it contains separation distances.</p> <p>4) Policy DHI of the Middlewich NP refers to landscaped buffer zones to protect residential areas for existing nearby users and this is supported. Policy OS2 in the NDP refers to the BLMP setting separation distances and it does not do this.</p> <p>5) Our client will not have sufficient clarity on this issue until the Risk Contour Analysis has been undertaken by the</p> | <p>existing businesses and additional detailed assessments required to support development on the site.</p> <p>4) The local referendum for the Middlewich Neighbourhood Plan was held on the 14 March 2019 and returned a 'no vote'.</p> <p>5) The Brooks Lane Development Framework is a requirement of policy LPS 43 Brooks Lane Strategic Location which established the principle of residential uses on the site. An SPD is needed in order to provide additional guidance regarding the allocation.</p> <p>6) One of the purposes of the development framework is to determine the precise location and quantum of development across the strategic location. This is focused on an initial phase of proposed development to the south west of the site.</p> <p>7) The illustrative masterplan highlights Brooks Lane and various access roads into the site. The masterplan framework identifies the potential for highway improvements to the Brooks Lane Canal Bridge & at the junction of Brooks Lane and Kinderton Street. Policy LPS 43 in the LPS also identifies highways and public transport contributions.</p> <p>8) The SPD when read as a whole provides the necessary guidance on the site relative to its strategic nature. It recognises that the document provides a framework that seeks</p> | <p>and potential mitigation on the site would likely be required</p> <p>4) References to the Middlewich Neighbourhood Plan have been removed from the development framework.</p> <p>5) see response to point 3 above</p> <p>6) No change proposed</p> <p>7) No change proposed</p> <p>8) see response to point 3 above</p> <p>9) The location of the proposed railway station has been amended to reflect the initial appraisal work undertaken in the "Mid Cheshire and Middlewich Rail Feasibility Study" (2019).</p> <p>10) The illustrative masterplan has been amended to reflect the focus on a potential shorter term development opportunity adjacent to the Trent and Mersey Canal.</p> |

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| | <p>HSE. It is not acceptable that the future growth of this successful business is curtailed by the potential of residential development that is too close to allow the granting of a lower tier COMAH licence by the HSE. As such, this document, or indeed any related adopted policy, should not be further progressed until this is clear.</p> <p>6) The figure of around 200 dwellings in line with the strategic location wording should be adhered to.</p> <p>7) Concerned about the impacts of increased traffic within the industrial estate; at the junction of the A54 and Brooks lane and on the one-way Brooks Lane Bridge. The vehicular access to the Centec site should be clearly set out within the illustrative drawings. Centec receive circa 6 road tanker deliveries per day, most of which contain highly flammable liquids.</p> <p>8) The SPD does not contain any written policy protecting the interests of our client, other existing employment uses that wish to stay, or future residents. We believe strongly, for reasons set out within this letter, that policies covering the following spatial strategies should be clearly set out and the wording formally consulted upon:</p> <ul style="list-style-type: none"> • Separation Distances – The required | <p>to supplement policies in the development plan. The development framework is clear that any future planning application(s) would need to be supported by further detailed appraisal.</p> <p>9) The station location reflects initial appraisal work undertaken by Cheshire and Warrington Local Enterprise Partnership, Cheshire East and Cheshire West and Chester Council's have commissioned initial feasibility work, called the Mid Cheshire and Middlewich Rail Feasibility Study to consider options for the re-opening the Sandbach – Middlewich – Northwich line to passenger services which has informed the final version of the SPD:- http://www.871candwep.co.uk/latest-news/initial-findings-of-the-mid-cheshire-and-middlewich-rail-study-now-available/</p> <p>10) The revised SPD refers to a 'longer term' opportunity subject to securing an acceptable relationship between employment and residential uses on the site.</p> | |

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| | <p>separation distances between proposed residential development and existing industrial uses should be clearly set out;</p> <ul style="list-style-type: none"> • Highways Improvements – A policy should be adopted setting out the requirement for highways improvements before any residential development takes place, or at least that developer contributions are required; • Buffer Zones – The precise requirements for adopted buffer zones should be clearly set out in written policy. This should contain required sizes, materials and locations. <p>9) The Railway Station should be located at the more northerly of the two proposed locations;</p> <p>10) The aspirational further stages of the masterplan should be removed, all policy requirement for housing can be met through the 'shorter term phase';</p> | | |
| BLMP 13 - Thomas Hardie Commercials | <p>1) The proposed use of the development area will be sensitive to the existing use of our client's site, noise and air pollution. The proposed residential development will be detrimentally impacted by the environmental effects arising from the retained employment land, including our client's site. THCL's business operates 24 hours per day, 365 days per year in order to meet customer</p> | <p>1) The Brooks Lane (Middlewich) Development Framework SPD provides additional guidance on the strategic location included in the adopted LPS (as reference – LPS 43). The allocation of the site was supported by a detailed site selection process including the Middlewich Settlement Report. The development framework considers a number of broad parameters for the site</p> | <p>1) New section added to the document (section 5.2) on 'development parameters and delivery considerations' which details site specific considerations,</p> |

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| | <p>demand and their industry means that without constant access, their business would not be viable at their site. Our client has concerns regarding future restrictions over their land. Despite the introduction of the agent of change principle in the revised NPPF 2018 (placing the burden of mitigating the impacts of our client's use of an adjacent site onto future developers of residential property), real concerns remain that our client could be subject to pressure to curtail or limit their obligations</p> <p>2) We have particular concerns with the proposed location of Extra Care Housing for the elderly. Retention of the employment land means that HGV traffic would pass extremely close to Extra Care Housing, down Brooks Lane immediately adjacent to the accommodation</p> <p>3) The proposed locations of a new train station also mean that residents of the 200 homes planned in stage 1, and further afield from housing to the west of the site, will travel along Brooks Lane, past the junction of Road Beta and directly adjacent to the employment area in order to access the train station. The resulting increased traffic, particularly pedestrians and cyclists, raises serious safety concerns when coupled with high intensity industrial and employment traffic on the already busy, single carriage, Brooks</p> | <p>whereas future planning application(s) will provide additional and detailed justification for proposals. These will be considered on their own merits against the policies contained within the Development Plan. An additional section has been added to the development framework which sets out the need for additional assessments in support of future planning applications on the site.</p> <p>2) The location of extra care housing in the draft masterplan has been removed in the revised version.</p> <p>3) The station location reflects initial appraisal work undertaken by Cheshire and Warrington Local Enterprise Partnership, Cheshire East and Cheshire West and Chester Council's have commissioned initial feasibility work, called the Mid Cheshire and Middlewich Rail Feasibility Study to consider options for the re-opening the Sandbach – Middlewich – Northwich line to passenger services:- http://www.871candwep.co.uk/latest-news/initial-findings-of-the-mid-cheshire-and-middlewich-rail-study-now-available/</p> <p>4) To Canal site village section refers to buffer planting and landforming to provide separation between new residential development and the retained / enhanced employment area.</p> | <p>where additional assessments and potential mitigation on the site would be required.</p> <p>2) References to extra care housing in the illustrative masterplan framework have been removed.</p> <p>3) The location of the proposed railway station has been amended to reflect the initial appraisal work undertaken in the Mid Cheshire and Middlewich Rail Feasibility Study.</p> <p>4) Canal side village section confirms that buffer planting and landforming may be required to provide separation between new residential</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
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| | <p>Lane.</p> <p>4) We note the proposed buffer planting and land-forming along the eastern edge of the Canal-Side Village. It is submitted that this limited area (shown to be the width of 3 trees on illustrative plans) will be insufficient to mitigate the effects of vehicular disturbance from Road Beta, even on the assumption that mature specimens are used from the outset. Impact will be increased at particularly sensitive times, such as at nights and weekends in light of the fact that the proposed development at Canal-Side Village includes homes for families and older people. There does not appear to be any mitigation measures contained in the Proposals relating to the northern part of the site.</p> <p>5) THCL are not opposed to carefully considered re-development which will be of advantage to Middlewich, local residents and business. THCL supports the redevelopment of the entire Brooks Lane strategic location in accordance with the allocation in the Cheshire East Local Plan Strategy.</p> | <p>5) The Brooks Lane (Middlewich) Development Framework SPD provides additional guidance on the strategic location included in the adopted LPS (as reference – LPS 43). Following engagement and a review of the constraints on the site. It is proposed to retain an area on the site for employment uses.</p> | <p>development and retained / enhanced employment area (s).</p> <p>5) No change proposed</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
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| BLMP 14 / BLMP 15 - Green 4 Developments / Chave Planning | <p>1) The scale of marina proposed in planning application 17/6366C is based upon an identified market requirement for a marina and a proposal to integrate it with the adjacent Boatyard. Green 4 Developments do not agree to provide a 20 berth marina. In view of the above, we request that the sentence under 'Canal Boat Marina' is changed to 'An approximate location has been identified for the provision of a canal boat marina, subject to viability, physical constraints and integration with the surrounding development and waterways network'. We also request that references to a proposed '20-berth marina' should also be replaced elsewhere in the document with 'a marina'. The above amendments will provide adequate flexibility so that the size of the marina can be determined taking into account relevant factors at planning application stage.</p> <p>2) It is acknowledged that Figure 29 shows Phase 1 vehicular access equally from both Brooks Lane and Road Beta, so it would appear on the face of it that our previous comments have been taken into account in terms of the access from Road Beta having been indicated as for construction purposes only. However there is still a very worrying reference at paragraph 6.1.3 that, in the longer-term,</p> | <p>1) Reference to Canal Boat Marina in the development framework is set out in the terms of an approximate location – it is identified as providing for a 20 berth canal boat marina (subject to viability). These references are considered to be appropriate.</p> <p>2) In the longer term, the preference would be for the phase 1 area of development being accessed from Brooks Lane rather than Road Beta. This could be secured by planning condition.</p> | <p>1) No change proposed</p> <p>2) No change proposed</p> |

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| | <p>Road Beta should accommodate employment and emergency residential traffic only. It is stated that vehicle access should ultimately be provided from Brooks Lane as opposed to Road Beta, the aim being to change the Road Beta access to an emergency access when the opportunity arises. Quite apart from how this would be achieved in practice - i.e. how would a planning application be determined with full vehicular access, only for it to be taken away by some means at an indeterminate point in the future? - the effect of this policy is that it impacts on deliverability. Intertechnic currently has an access from Road Beta and there has been no objection from the local highway authority to the access proposals in planning application reference 17/6366C. There is no reasoning in the SPD as to why it is necessary to restrict access from Road Beta. Green 4 Developments request that the sentences under 'Road Beta' and 'Phase 1 Vehicle Access' are removed from paragraph 6.1.3</p> | | |
| BLMP 16 - J Wilcock | <p>1) Brooks Lane bridge is a narrow bridge and dangerous for pedestrians. The bridge should be made two way, if possible, with a separate pedestrian footpath. Also a road from the development should link to the Middlewich Eastern Bypass.</p> | <p>1) The development framework identifies the potential need for highway improvements to the Brooks Lane Canal Bridge & at the junction of Brooks Lane and Kinderton Street. LPS 43 in the LPS also makes reference to contributions towards highways and public transport</p> | <p>1) No change proposed</p> |

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| | | improvements. | |
| BLMP 28 - Pochin (Avison Young) | <p>1) The SPD could follow a better structure by providing clear design parameters and requirements within boxes supported by justification text. This approach would be similar to other SPDs recently adopted by CEC and would accord with CELPS Policy LPS 43 which states that the SPD will determine the precise nature and quantum of development appropriate for the Strategic Location.</p> <p>Initial Option 1 – Shorter-term Change</p> <p>2) With regard to ‘Initial Option 1 – Shorter-term Change’, Pochin supports the retention of canal-side businesses and agrees in principle with environmental enhancements and improved public access to the canal frontage. However, Pochin would not support any environmental enhancements or infrastructure requirements that would be overly burdensome or threaten the viability of development at the site. Greater flexibility should be provided within the Masterplan to allow for further employment uses to be accommodated within the Phase 1 residential area in the case that the residential development proposed does not come forward in its</p> | <p>1) The structure of the development framework is considered appropriate in detailing the design considerations and context for the site. Additional text has been added to note further assessments that may be required on the site.</p> <p>2) Initial option 1 is presented as an option that informed the development framework as a whole. This section has now been removed from the document to reflect its final status.</p> <p>3) Initial option 2 is presented as an option that informed the development framework as a whole. This section has now been removed from the document to reflect its final status.</p> <p>4) Noted</p> <p>5) Policy LPS 43 of the LPS already includes references to contributions and improvements required on the site. Contributions / improvements would be requested by development proposals as they came forward on the site in line with policies IN 1 and IN2 of the Local Plan Strategy.</p> <p>6) Development proposals would be considered on their own merits in line with the development plan. This would include the need for transport assessments, in line with policy CO4 of the Local Plan Strategy and contributions in line with the requirements of the development framework, policy LPS 43 and policies IN1 and IN2 of the Local Plan Strategy.</p> | <p>1) Additional section added in 5.2 of the revised SPD on ‘development parameters and delivery considerations’.</p> <p>2) Section on initial option 1 – shorter term phase – removed from the document</p> <p>3) Section on initial option 2 - longer term phase removed from the document</p> <p>4) No change proposed</p> <p>5) No change proposed</p> <p>6) No change proposed</p> <p>7) No change proposed</p> <p>8) No change proposed</p> <p>9) No change proposed</p> <p>10) No change proposed</p> |

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| | <p>entirety.</p> <p>Initial Option 2 – Longer-term Change</p> <p>3) Regarding 'Initial Option 2 – Longer-term Change', Pochin seeks further clarification as to who will be responsible for undertaking the extensive environmental enhancements and green infrastructure cited. Pochin would not support any requirement or enhancement that would render development at the site unviable.</p> <p>4) Pochin is supportive of the public engagement that has been undertaken by CEC and Barton Willmore. In particular, Pochin is pleased to see that a 'key change' included in the final Masterplan, as a result of the engagement undertaken, comprised the expansion of the area of retained employment land.</p> <p>5) Pochin supports in principle the opportunities identified at the Brooks Lane site. However, Pochin seeks further clarification as to who would be expected to undertake the identified potential works</p> <p>6) Regarding the constraints identified in the Draft SPD, it is stated that the Brooks Lane and Kinderton Street (A54) junction, which provides primary access to the site, will require improvements to support the site's redevelopment.</p> | <p>7) The masterplan acknowledges that there are businesses on the site who wish to remain in situ. The document highlights this and emphasises the need to ensure that new residential uses are compatible with existing, retained employment uses. This is a matter that will have to be addressed in detail as part of relevant planning application proposals.</p> <p>8) See response to point 7</p> <p>9) Policy LPS 43 of the LPS already includes references to contributions and improvements required on the site. Contributions / improvements would be requested by development proposals as they came forward on the site in line with policies IN 1 and IN2 of the Local Plan Strategy.</p> <p>10) Noted</p> <p>11) The phasing section of the document has been revised noting that the redevelopment of the site needs to be considered alongside existing businesses that remain operational in the Brooks Lane site.</p> <p>12) Noted</p> | <p>11) Section 6 of the revised SPD, in respect of phasing has been revised in the SPD.</p> <p>12) Document has been proof read.</p> |

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| | <p>Furthermore, the Draft SPD states that improvements and potential signalisation of the Bridge junction need to be explored to support the site's redevelopment. The aforementioned highways enhancements and identified potential works are likely to be costly, yet the Draft SPD does not state who will be expected to pay for these works. Pochin suggests that further investigation should be undertaken into the feasibility of utilising the canal bridge for access into the site. This would enable access into the proposed Phase 1 residential area which does not pass through employment uses.</p> <p>7) Pochin also seeks further clarification with regard to how businesses that wish to remain operating at the site will be able to do so</p> <p>8) At present, the Draft SPD states that 7.7ha of land will be retained/enhanced for employment provision at the site. Pochin supports the retention and enhancement of this land for employment use, which is required to deliver new jobs on site. Pochin would like to reiterate that greater flexibility should be incorporated into the Masterplan to allow for the release of more land for employment use if the residential development does not come forward in its entirety and to allow businesses that wish to remain at Brooks</p> | | |

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| | <p>Lane to occupy suitable premises.</p> <p>9) Although Pochin broadly supports the proposed landscape planting and environmental and highways enhancements outlined in the Draft SPD, Pochin would not support any green infrastructure requirements, ecological enhancements or pedestrian/cycle connections that would make development at the site unviable. Pochin seeks further clarification as to who would be expected to provide the stated enhancements.</p> <p>Character Areas</p> <p>10) With regard to the identified 'Canal-side Village' Character Area, Pochin supports the retention of canal-side businesses and reference to retained employment uses to the east, and agrees with the statement that these should be "key structural elements underpinning the design of the Illustrative Masterplan".</p> <p>Phasing Strategy</p> <p>11) Regarding the proposed Phasing Strategy, Pochin has concerns as to how the rest of the site will remain in employment use, while part of the site is redeveloped for residential use. Pochin</p> | | |

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| | <p>asks that further consideration is given to the phasing of development at the site, setting out how employment uses at the site will be safeguarded during the proposed phases of development to ensure that businesses are able to remain in operation during this period.</p> <p>Further comments</p> <p>12) Pochin acknowledges that the Draft SPD is a working document and is not yet in its final form. However, the text currently contains a number of spelling mistakes and grammatical errors. It is thus recommended that a thorough review of the SPD is undertaken prior to its adoption.</p> | | |
| BLMP 29 - Natural England | <p>1) Section 6.14 (Green Infrastructure) - In our view this chapter could be strengthened and provide more guidance for future developments coming forward at this site. The Green Infrastructure (GI) aspects listed in this chapter do not have much relation to each other and we would like to see a landscape scale approach that would achieve multi-functional benefits for GI.</p> <p>2) Cheshire East Local Plan Policy SE3 Biodiversity and Geodiversity states that all development should positively contribute to the conservation and enhancement of</p> | <p>1) The masterplan framework, alongside the green infrastructure plan seek to provide for the multiple benefits of Green Infrastructure across the site</p> <p>2) The content of the Brooks Lane Masterplan should be read alongside the policy provisions set out in the Local Plan Strategy.</p> | <p>1) No change proposed</p> <p>2) No change proposed</p> |

| Consultee Ref | Summary of key issues including where the comment relates | Response to issues raised | Changes required |
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| | biodiversity and that enhancement measures will include increasing the total area of valuable habitat in the Borough, linking up existing areas of high value habitat to create 'ecological stepping stone sites' and 'wildlife corridors'. Brooks Lane SPD could go further by identifying the appropriate GI enhancements that would enhance ecological networks and provide stepping stones between the network of wetland sites in Cheshire and Greater Manchester. | | |
| BLMP 30 – United Utilities | <p>1) United Utilities wishes to highlight that we will seek to work closely with the Council during the development process to develop a coordinated approach for the delivery of the Brooks Lane allocation.</p> <p>2) We wish to highlight our free pre-application service for developers</p> <p>3) Development of allocations in multiple ownership (s) - the experience of United Utilities is that where sites are in multiple ownership, the achievement of sustainable development can be compromised by developers/applicants working independently. Specifically we recommend consideration of a land value equalisation mechanism amongst land owners which is in the best interest of ensuring an overall strategy for the delivery of development and the</p> | <p>1) Noted</p> <p>2) Noted</p> <p>3) Noted. Matters such as equalisation agreements are not matters for this SPD to consider.</p> <p>4) Additional summary text added to section 5.1.4 of the revised SPD on drainage requirements.</p> | <p>1) No change proposed</p> <p>2) No change proposed</p> <p>3) No change proposed</p> <p>4) Additional summary text on drainage matters added to section 5.1.4 of the revised SPD.</p> |

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| | <p>implementation of infrastructure.</p> <p>4) Green Infrastructure Network and Surface Water Management - United Utilities appreciates the reference made to drainage provision that will be encouraged by the amount of green infrastructure network in the draft layout. United Utilities feel that there is opportunity as part of the SPD to further reference an expectation that future applications utilise the green infrastructure for surface water attenuation to ensure all new to development comes forward in the most sustainable way.</p> | | |

MIDDLEWICH CANALSIDE LAND AT BROOKS LANE, MIDDLEWICH

Development Framework

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November 2019

**BARTON
WILLMORE**



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|---|-----------|
| 1 INTRODUCTION | 4 |
| 1.1. THE PURPOSE | 4 |
| 1.2. THE STUDY | 4 |
| 1.3 VISION | 6 |
| 1.4. LOCAL PLANNING CONTEXT | 8 |
| 2 ASSESSING THE CONTEXT | 10 |
| 2.1. HISTORICAL CONTEXT | 10 |
| 2.2. MIDDLEWICH STRUCTURE | 12 |
| 2.3. CHANGING CONTEXT | 18 |
| 2.4. SITE APPRAISAL | 20 |
| 3 ENGAGEMENT-LED APPROACH | 28 |
| 3.1 INVOLVEMENT | 28 |
| 4 EVALUATION | 30 |
| 4.1 OPPORTUNITIES AND CONSIDERATIONS | 30 |
| 5 DESIGN AND DEVELOPMENT PARAMETERS | 32 |
| 5.1 MASTERPLAN FRAMEWORK | 32 |
| 5.2 DEVELOPMENT PARAMETERS AND DELIVERY CONSIDERATIONS | 40 |
| 5.3 LAYOUT AND APPEARANCE | 42 |
| 6 CONCLUSION | 60 |
| 6.1. SUMMARY AND PHASING | 60 |

1 INTRODUCTION

This development framework is the result of a study undertaken by Barton Willmore on behalf of Cheshire East Council, to provide a strategy for the redevelopment of land at Brooks Lane, Middlewich (the Site). The strategy proposed has been underpinned by a detailed site and contextual assessment, alongside engagement with a range of groups, including people who own property and work on the Site, the Council and other relevant stakeholders.

1.1 PURPOSE

The purpose of the framework is to unlock the Site's regeneration benefits, whilst recognising that there are existing businesses that may wish to remain operating on the Site.

The development of this framework is linked to the adopted Cheshire East Council Local Plan Strategy (2017), which has identified the Site as 'Strategic Location LPS 43: Brooks Lane, Middlewich' and addresses the expectation that its development will be achieved through a masterplan-led approach.

It provides guidance to inform the preparation of development proposals for the Site, setting out key matters that proposals should address in order to achieve high quality new development that will significantly enhance the area and benefit the Town as a whole.

The development framework should be read alongside the policy provisions set out in the Local Plan Strategy, particularly policy LPS 43 (Brooks Lane) Strategic Location.

1.2 THE STUDY

The study has been underpinned by an analysis of the Site and an assessment of Middlewich and its history. At an early stage, workshop(s) were held with people who own property and work on the Site, to understand their views on redevelopment. Their feedback, and the feedback of other stakeholders, helped to inform the preparation of a preferred masterplan option.

A draft version of the development framework, which set out the preferred masterplan option (consulted on as a draft Supplementary Planning Document), was the subject of public consultation from the 14 January 2019 until the 25 February 2019.

This engagement-led approach has directed the production of this report, which sets out an analysis of the Site and the local area, informed by engagement and consultation with the local community and other relevant stakeholders. The development framework addresses the potential future redevelopment of the Site, both in the shorter and longer term. In the shorter-term, it envisages the delivery of c.200 units (as identified within Strategic Location LPS 43), whilst retaining a significant amount of employment uses on the Site. In the longer-term, this could see a greater proportion of the Site redeveloped over the next 15-20 years or more (outside of the period covered by the Local Plan).

The redevelopment of the Site would be subject to land owners intentions and an acceptable relationship between housing and employment uses being achieved on the Site.

Document Structure

The document is structured as follows:

- » **Part 1:** Introduces the work and sets the relevant planning context.
- » **Part 2:** Sets out a baseline analysis of Middlewich and the Site.
- » **Part 3:** Summarises the engagement process.
- » **Part 4:** Presents an evaluation of the site and details the development parameters for future development.
- » **Part 5:** Details the masterplan framework and illustrative proposals to help inform future proposals.
- » **Part 6:** Provides a summary of the report and a proposed phasing strategy.

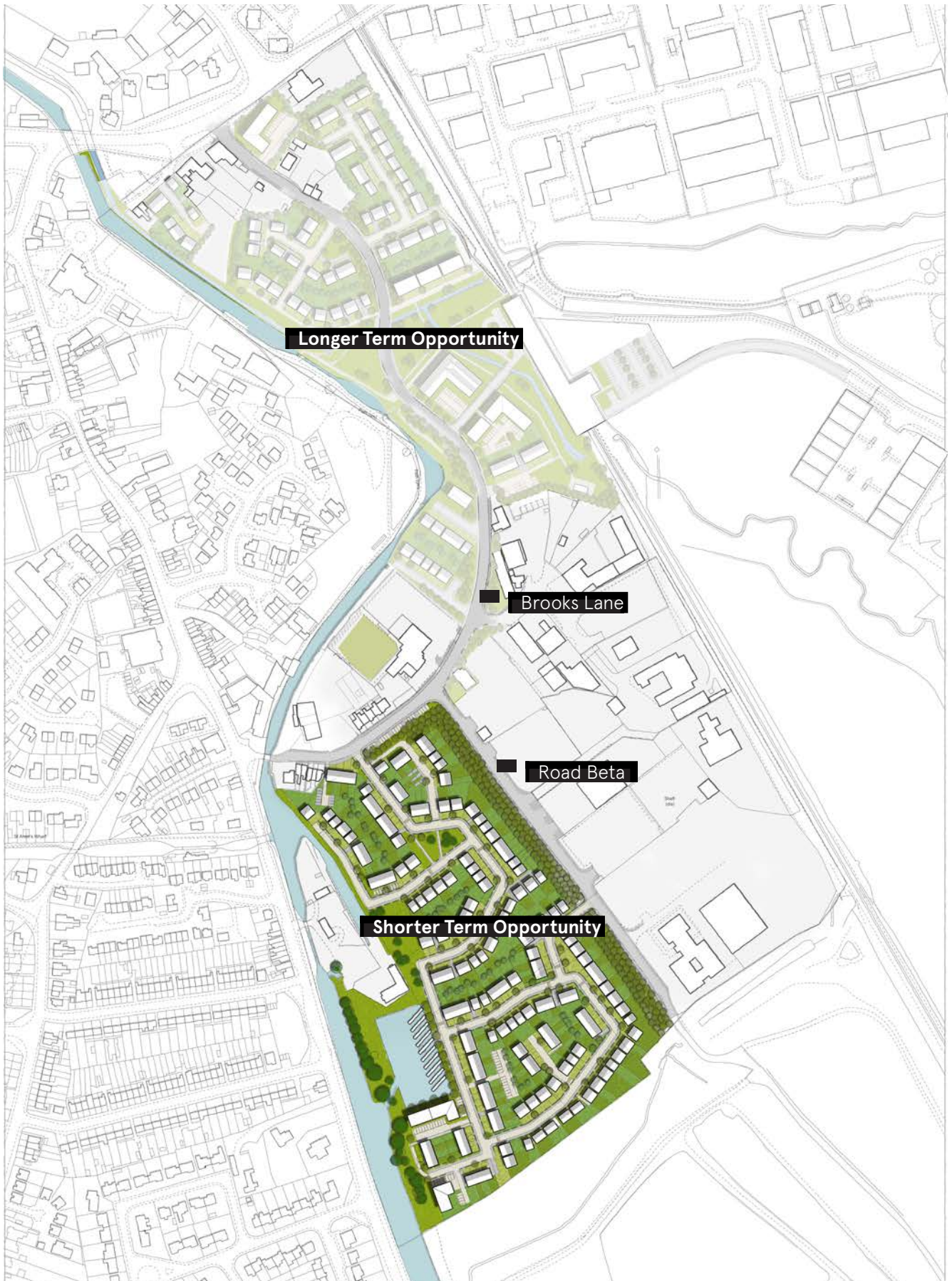


Figure.1 Illustrative Masterplan

1.3 THE VISION

The Site provides an exciting opportunity to deliver an attractive mixed-use development comprising new homes, leisure, community facilities, a potential new train station and a Marina,

The transformation from industrial uses to a new mixed-use community could regenerate the canal-side, enhance the vitality of the Town Centre and provide significant benefits to the Middlesbrough community.

Retained Bowling Green

Trent & Mersey Canal

Canal Boat Marina





Figure.2 Illustrative Birdseye Model

1.4 LOCAL PLANING POLICY CONTEXT

1.4.1. Cheshire East Local Plan Strategy (2017)

The adopted Local Plan Strategy (2017) identifies the Site as 'Strategic Location LPS 43: Brooks Lane, Middlewich', with the potential to include:

- » The delivery of around 200 homes;
- » The delivery of leisure and community facilities to the north of the Site;
- » The provision of appropriate retail facilities to meet local needs;
- » The incorporation of Green Infrastructure (Green Corridor and Open Space including an equipped children's play space);
- » The improvement of existing and provision of new pedestrian and cycle links to connect development to existing employment, residential areas, shops, schools health facilities, recreation and leisure opportunities and the town centre;
- » The potential provision of a Marina at the Trent and Mersey Canal; and
- » The provision of land for a new railway station including lineside infrastructure, access and forecourt parking.

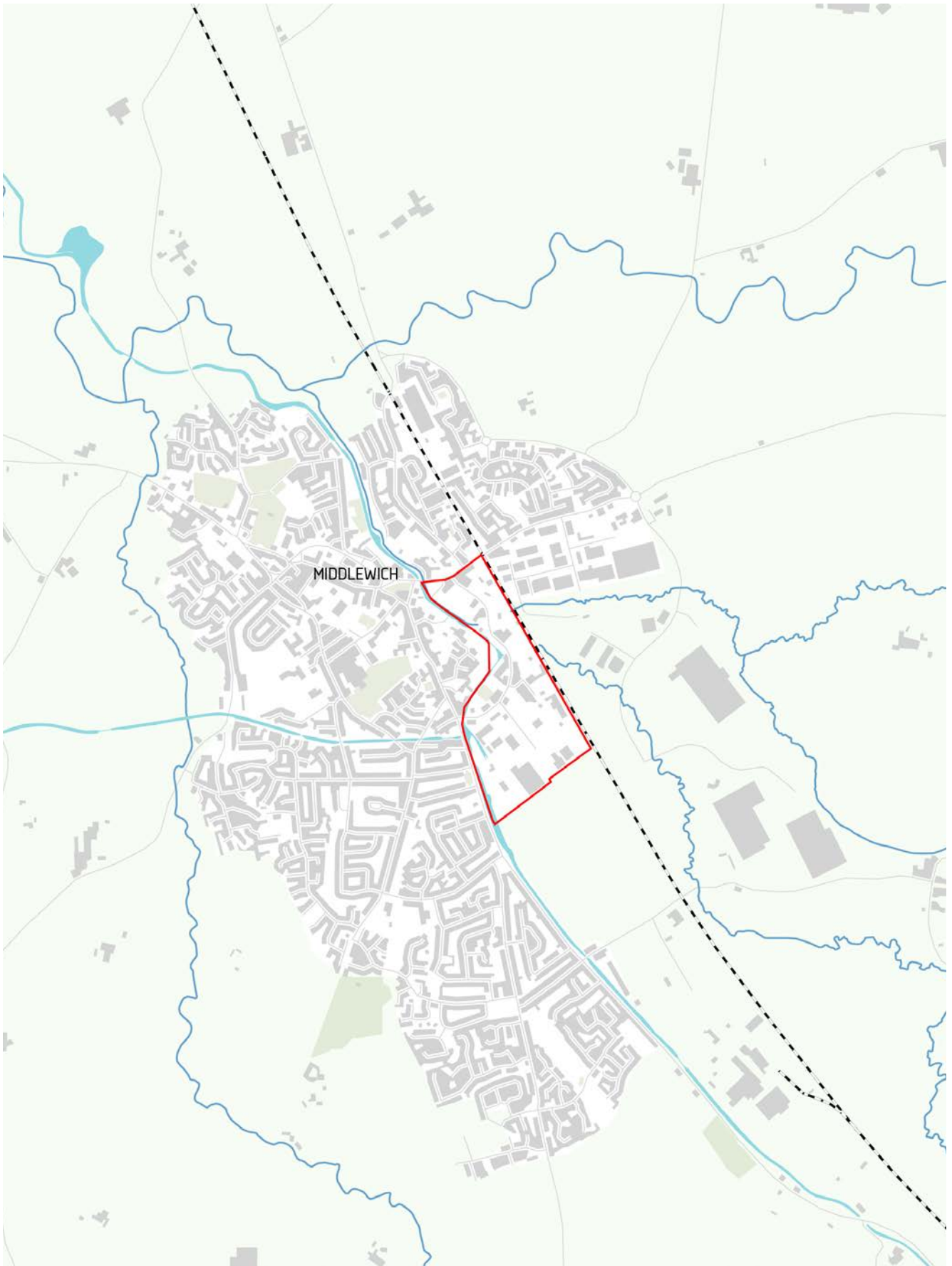


Figure.3 Strategic Location LPS 43: Brooks Lane, Middlewich (the Site)

2 ASSESSING THE CONTEXT

The Development Framework has been informed by an understanding of the unique nature of Middlewich and the Site. Accordingly, this chapter explains the various contextual and site-specific elements that should influence and shape the future development of the Site.

2.1 HISTORICAL CONTEXT

Middlewich dates back to the medieval times. The Town's heritage is heavily influenced by salt production, the Industrial Revolution, and the canal network which underpinned its growth.

The maps opposite show the expanding built development across the Town and on the Site through the 19th and 20th Century. The 1898 Map is the oldest map to show development on the Site, with the Mid-Cheshire Works and the tramway being evident. Since 1898, the Town has witnessed several stages of predominately residential growth, encompassing the Site. The Present-day Map shows the Site situated between the railway and the canal, towards the edge of the settlement but also sitting close to the historic core.

2.1.1. Salt Manufacture

Production of salt has been a common thread throughout Middlewich's history. The Roman Army set up a settlement at Middlewich centered on salt production,

which included a Medieval Market that forms the historic core of today's Town Centre. By the early 20th century, there were nine industrial scale salt companies in Middlewich.

2.1.2. Canal Network

The need to export the salt deposits of Middlewich efficiently and economically was a driving force behind the construction of the canals during the 18th century. The Industrial Revolution saw the expansion of the canal network in Middlewich and today three canals converge in the Town; the Trent and Mersey Canal; the Shropshire Union Canal; and the Wardle Canal.

2.1.3. Railway

Railways were first introduced to the Middlewich area in 1867. In 1868, the line provided a passenger service and became a vital mode of transport for the Town. Train services ran from Crewe via Sandbach to Middlewich and Northwich. By 1922, nine services a day operated between Crewe and Northwich, and

a service to Manchester Oxford Road and London Euston also operated on weekdays.

There was a drastic reduction in the number of train services serving Middlewich Station during World War II and the years that followed. Eventually, the Station was closed as part of the Beeching British Railways closure programme, and passenger trains ceased to use the station by early 1960. The Station buildings were subsequently demolished, and the railway line, whilst still active, is only used by freight trains today.

A strategic outline business case to re-open the line to passenger traffic was formally requested by government earlier this year. The Mid Cheshire and Middlewich Rail Feasibility Study was jointly commissioned by the Council in-conjunction with Cheshire West and Chester Council and the Local Enterprise Partnership. The initial findings of the study are now available to view on the Local Enterprise Partnership website. .





Figure.4 1899

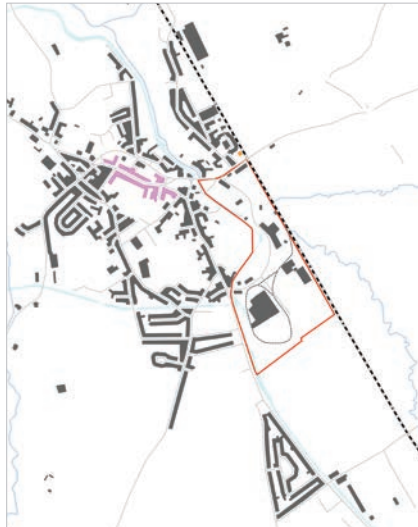


Figure.5 1954

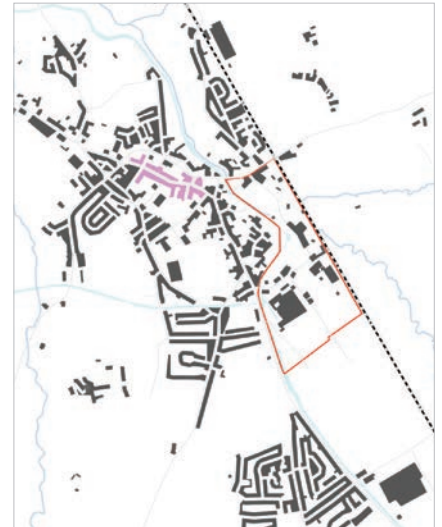


Figure.6 1969



Figure.7 Present-day



2.2 MIDDLEWICH STRUCTURE

Throughout this section, an overview is provided of the structure and character of present-day Middlewich before identifying the changing context of the Town and providing an analysis of the Site.

2.2.1. Middlewich Today

The population of Middlewich was estimated at 14,100 people in mid-2017. Salt still plays an important role in the economy, with British Salt, the UK's leading manufacturer of pure dried vacuum salt products, located within the Town.

While the commercial use of the canals has reduced, they remain an important cultural asset and the leisure industry is a continued source of activity and investment, as is a renewed interest in the heritage value of the canal system.





Page 161

Welcome to Middlewich

Middlewich

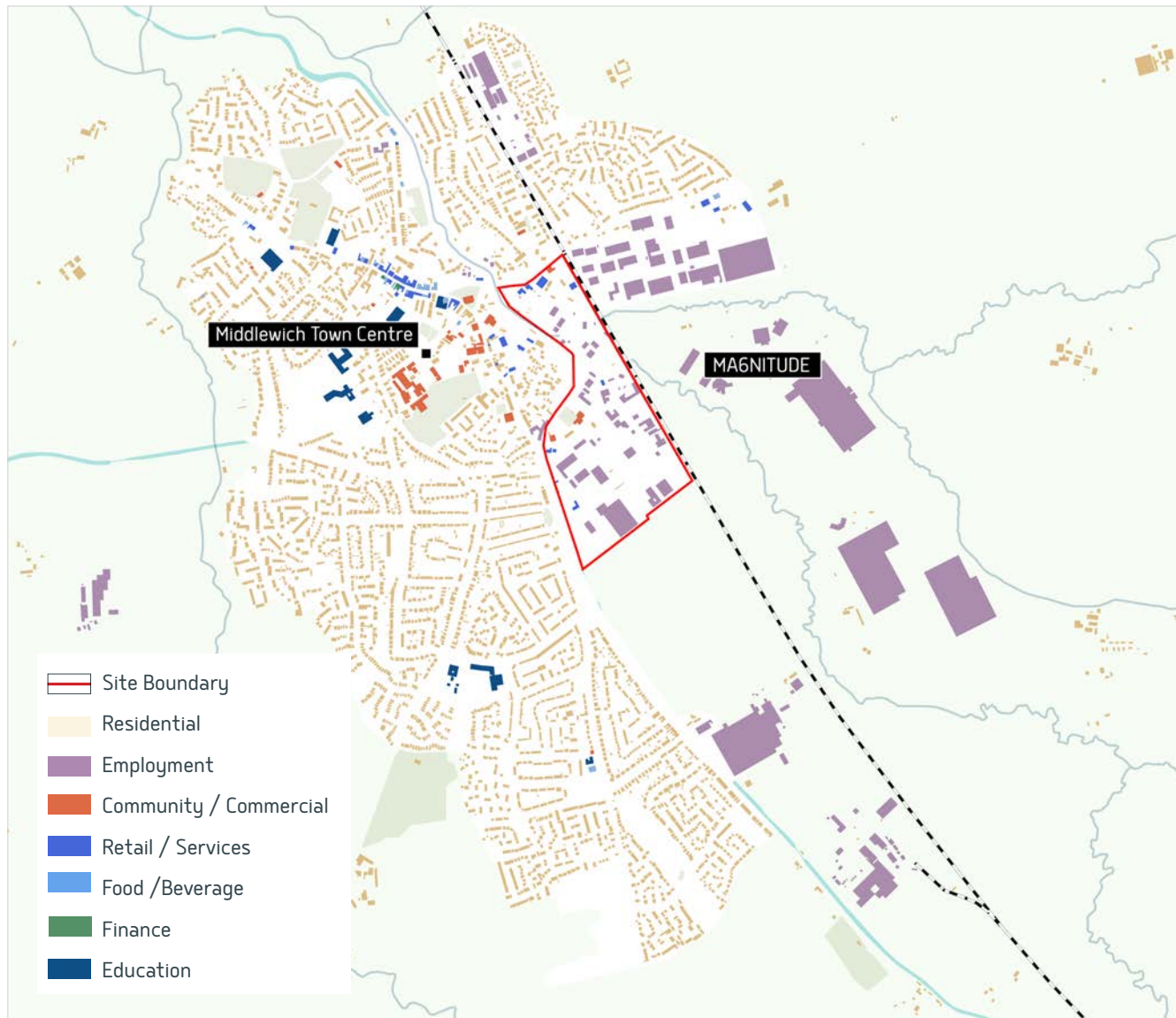
In the old days, salt brought most of the traffic to Middlewich's canals, along with coal boats which enabled industry to grow. Now the canal is predominantly concerned with pleasure boating, with two hire fleets, a chandlery, a boatyard and a dry dock adding to the often busy Trent & Mersey Canal.

Bridge 168 spans the Wardle Canal. Built in 1829 so that the navigation authority of the Trent & Mersey Canal could maintain control over the junction, the Wardle Canal is the shortest canal in the UK at 154 feet (47 m).

Canal & River Trust is the shortest canal in the UK



Figure.8 Land Use Plan



2.2.2. Land Use

The Town comprises a mix of residential, commercial, industrial and community uses.

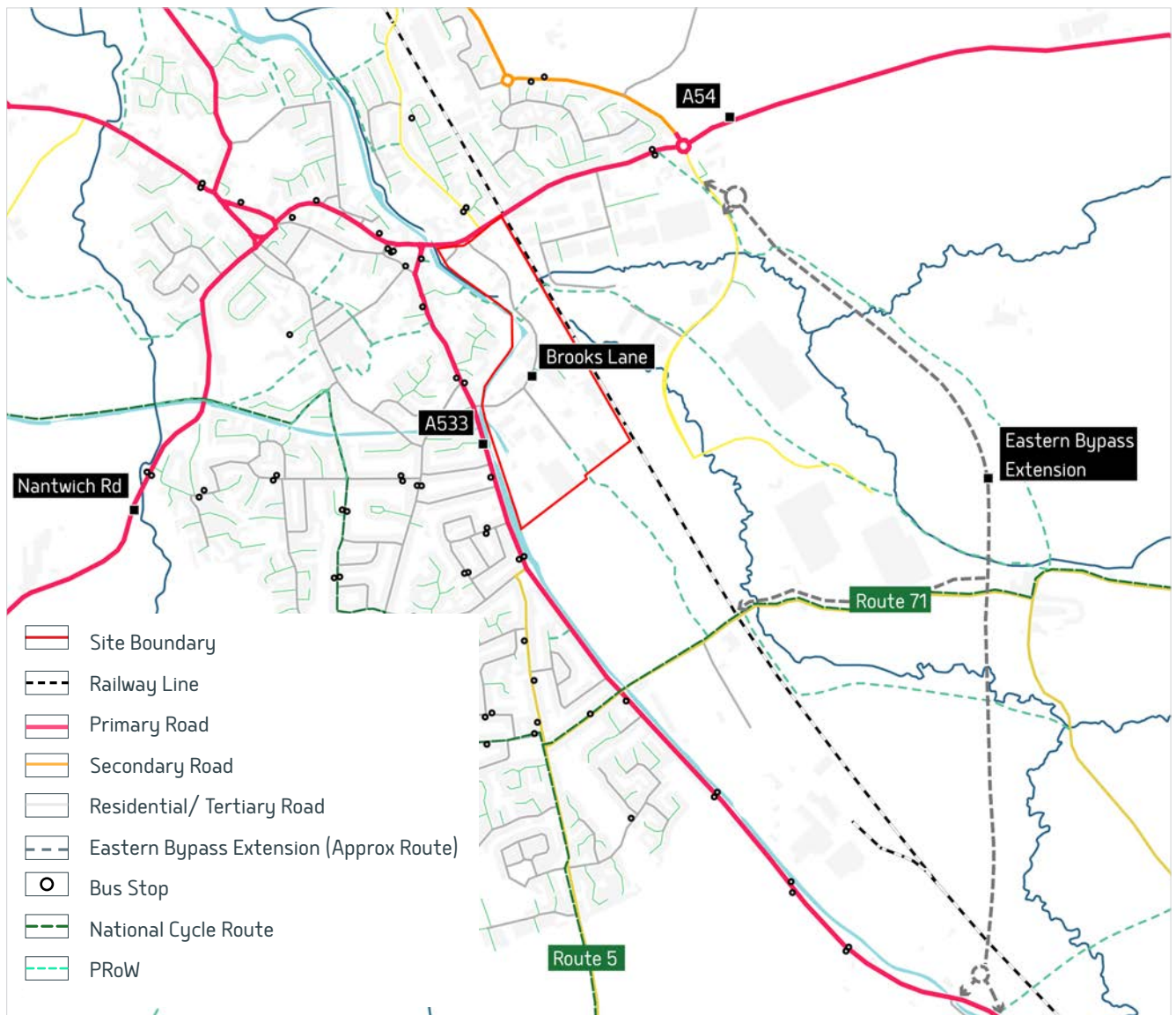
The Town Centre is located to the north of the Site and comprises the length of Wheelock Street, the Hightown and, to a lesser extent, Lewin Street. There are some smaller branch roads including Leadsmithy Street and Lady Anne Court. The Town Centre has several local shops, a public house, cafes and restaurants. There are also four supermarkets; Jacks, Lidl, a Tesco Express, and Morrisons.

The Town's industrial and employment uses have historically been focused around the Trent and Mersey Canal and the railway line. The Site, which is contained to the west and east by the canal and railway respectively, is predominately industrial in nature but does also include residential and community uses.

To the east of the Site, beyond the railway line, lies a significant business park known as Midpoint 18 (MAGNITUDE) which is planned for expansion within the Local Plan period.

The proposed redevelopment of the Brooks Lane Site has the potential to deliver new homes and bring significant regeneration benefits to the wider settlement and Town Centre.

Figure.9 Connectivity Plan



2.2.3. Connectivity

The plan above shows the street hierarchy of Middlewich. The A533, A530, and the A54 meet at the Town Centre and the latter provides connectivity to Junction 18 of the M6, which is within 3.5km of the Site. Secondary roads provide through routes that link with the primary roads, beyond which is a network of tertiary roads and cul-de-sacs.

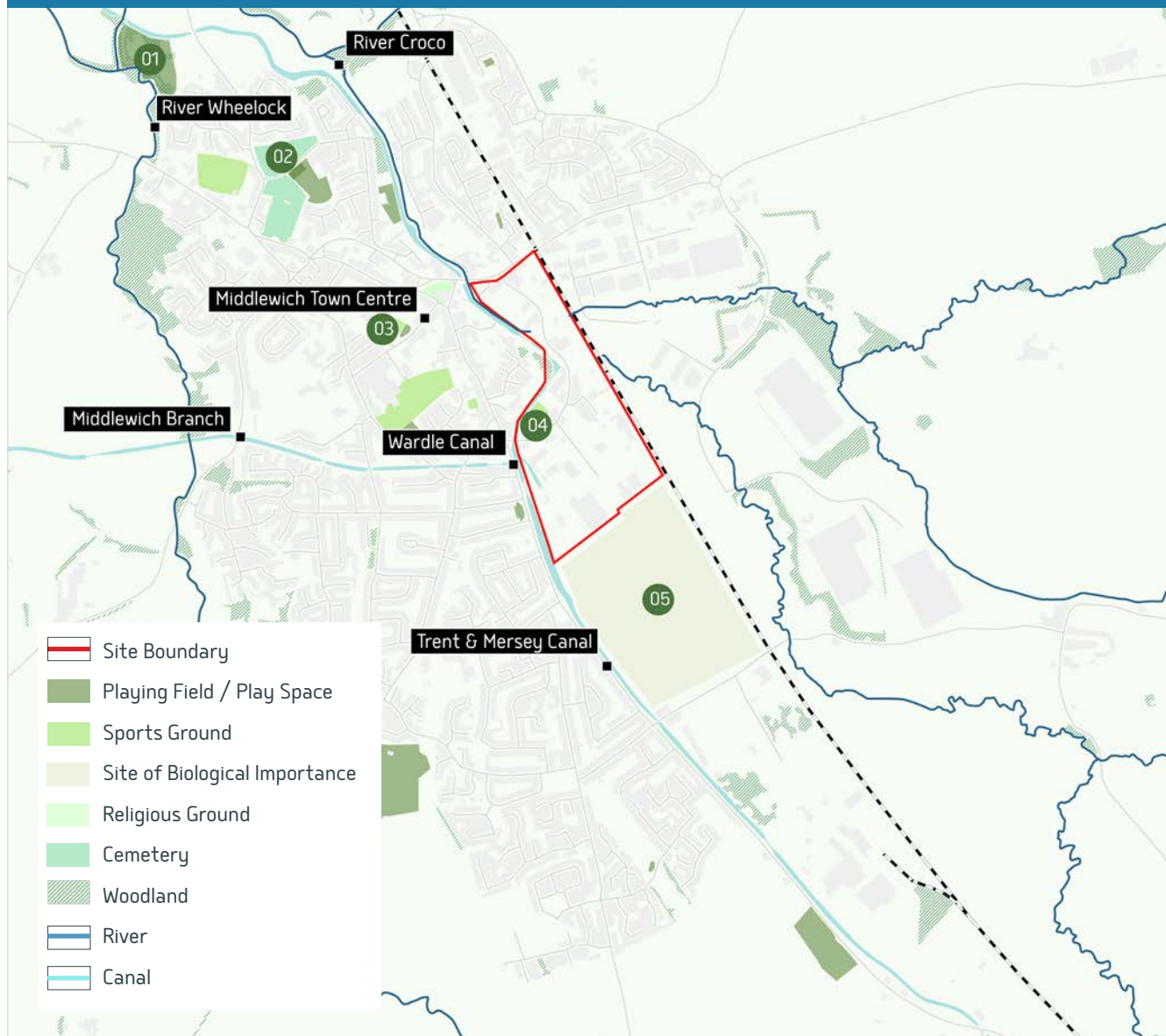
Permeability across the settlement is dictated by the canal network and the railway line. Reasonable connections are provided across the Shropshire Union Canal, with four vehicle bridges. However, connections across the Trent and Mersey

Canal are limited to only two vehicle crossing points, including the Brooks Lane Bridge which connects the Site with the A533. Vehicle movement across the railway is even more limited with only one vehicle crossing point. The combined effect is traffic congestion within the Town Centre and particularly at the junction of the A54 and A533.

The construction of the Middlewich Bypass, linking the A54 with the A533 to the south of the Town, will help alleviate congestion. The redevelopment of the Site will help reduce the number of heavy vehicles crossing the railway into the Town Centre.

Middlewich is well served by national cycle routes and PRoWs. This includes the Middlewich Waterside Trail which is a c.5km route connecting Town Wharf with the Shropshire Union Canal.

Figure.10 Landscape Plan



2.2.4. Landscape

Middlewich is a generally flat and open landscape at the confluence of three rivers, the Dane, the Croco and the Wheelock.

Industry and salt production have impaired the Town's wider landscape quality, which offers less aesthetic value and less mature vegetation cover than elsewhere across Cheshire.

Whilst Middlewich's rural hinterland is a predominately agricultural landscape, there is marked influence of industry

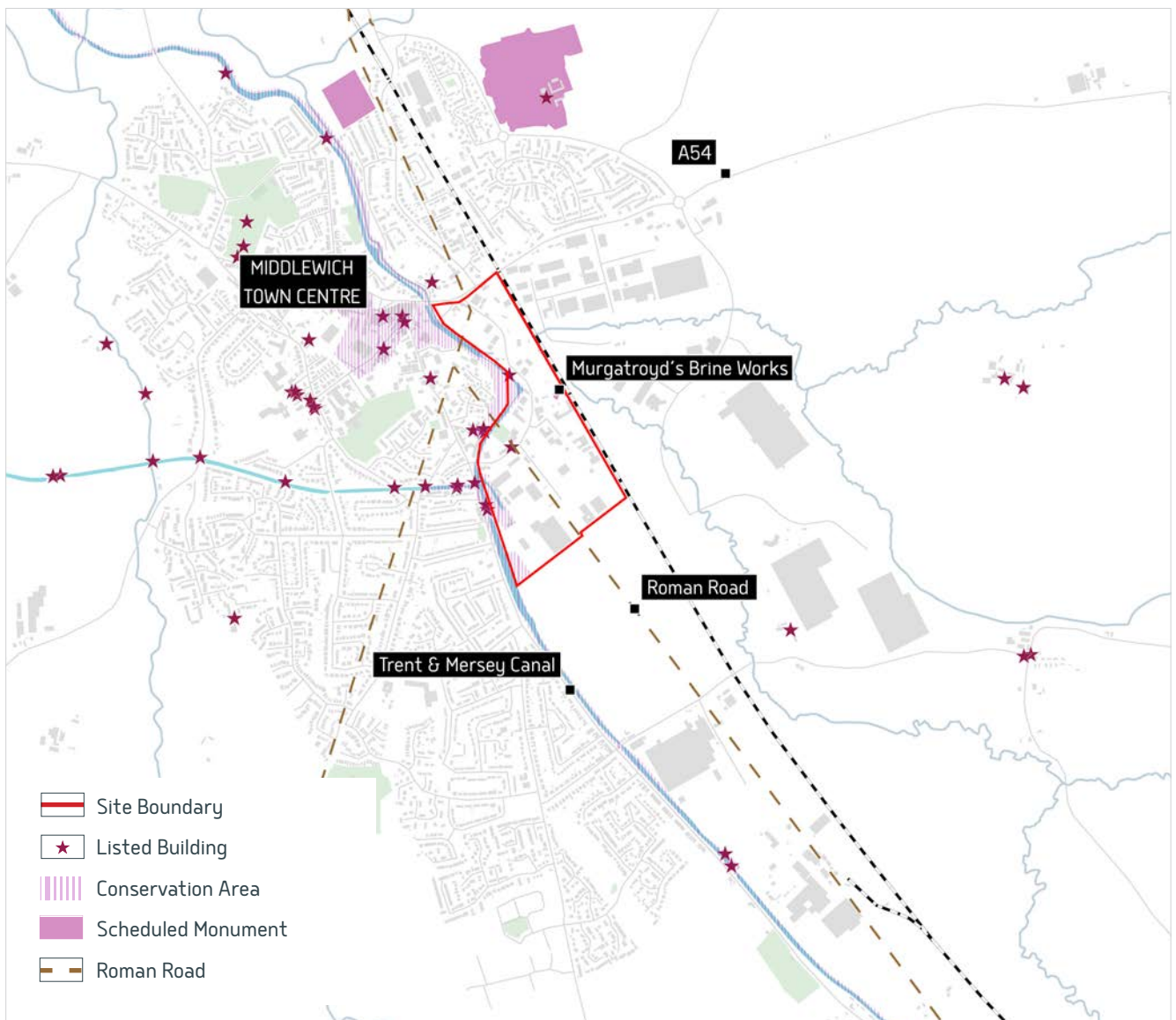
on the settlements urban fringe. The Site lies within a corridor of industrial infrastructure that runs between the A533, the Trent and Mersey Canal and the railway. Due to the relatively low land-form and low vegetation cover, this industrial corridor is prominent from many views.

The proposed redevelopment of the Site has the potential to provide new landscape features, whilst also forging green connections with nearby areas of landscape quality. This includes the

Cledford Lane Lime Beds local wildlife site (LWS)) which is located directly to the south of the Site and contains lagoons and a diverse flora. The Canal is also an important landscape feature and wildlife corridor.

Notable recreation and landscape assets shown on the plan above include but are not limited to: 1. Croxton Park; 2. Middlewich Cemetery; 3. Fountain Fields Park; 4. Bowling Green at Middlewich Church; and 5. Cledford Lane Lime Beds.

Figure.11 Heritage Plan



2.2.5. Heritage

Middlewich has 40 Listed Buildings. There are also 3 Scheduled Monuments, including the Murgatroyd's Brine Works which is located within the Site. There are 2 Conservation Areas in Middlewich; Middlewich Conservation Area which is focused around the historic core of the Town Centre, and The Trent and Mersey Canal and Wardle and Shropshire Union Canal Conservation Area which lies along the Site's eastern most boundary. There is also a network of historic Roman roads that potentially remain below the ground and run through Middlewich and the Site.

2.3 CHANGING CONTEXT

Cheshire East Council has an ambitious investment strategy for Middleswich, aimed at boosting economic growth and enhancing the vibrancy and attractiveness of the Town. The overarching objectives include the provision of new housing, support for the Town Centre, new employment opportunities, enhancement of the built and natural environment, and improved infrastructure, including road and rail.

To help Middleswich deliver these objectives, the Council has affirmed its commitment to securing several development proposals through the Local Plan. This includes new employment development at Midpoint 18 (MAGNITUDE), new housing at Glebe Farm and the completion of the Middleswich Eastern Bypass. In addition, the Brooks Lane Site has been identified to deliver attractive mixed-use development comprising new homes, leisure and community facilities and a potential new train station. This offers an exciting opportunity to regenerate the canal-side, whilst also enhancing the vitality of the Town Centre.

2.3.1. Middleswich Eastern Bypass

The Middleswich Eastern Bypass, running to the east of Middleswich, between Pochin Way and the Salt-Cellar Roundabout and Booth Lane (A533) now has planning permission and will reduce traffic congestion in the Town Centre once constructed, and support the development potential of the Site, whilst also helping the wider settlement realise its full employment and housing growth potential

2.3.2. Glebe Farm

Glebe Farm is a large green field to the south of Middleswich covering approximately 17ha. It is expected that around 525 new homes will be delivered on this site, along with the provision of pedestrian and cycle connections and enhanced green infrastructure. The site will provide contributions to the delivery of the Middleswich Eastern Bypass and towards local facilities.

2.3.3. Midpoint 18

Midpoint 18 (MAGNITUDE) is a large strategic employment site with a total area of some 221.7ha. It comprises an area of existing employment development of 100.7ha and an undeveloped area of 121ha. It is expected that up to 70ha of the undeveloped area will come forward within the plan period, with the remainder in reserve for employment purposes, when required. The site is strategically important due

to its ability to deliver significant employment growth, whilst potentially helping to unlock the future redevelopment of the Brooks Lane Site.

2.3.4. Brooks Lane, (the Site)

The Brooks Lane Site comprises an area of around 23ha of land that is largely used for employment purposes and includes under-used land. The Site is c.0.5km to the south of the Town Centre and provides an exciting opportunity to regenerate the canal-side whilst also enhancing the vitality of the Town Centre.

The Site is well related to the existing urban area of Middleswich, with excellent access to services and facilities in the Town Centre and includes the Trent and Mersey Canal and associated Conservation Area within its boundary. The Site's central position makes it an ideal location for a new train station and a modern mixed-use community.

A detailed assessment of the Site is provided throughout the following section.

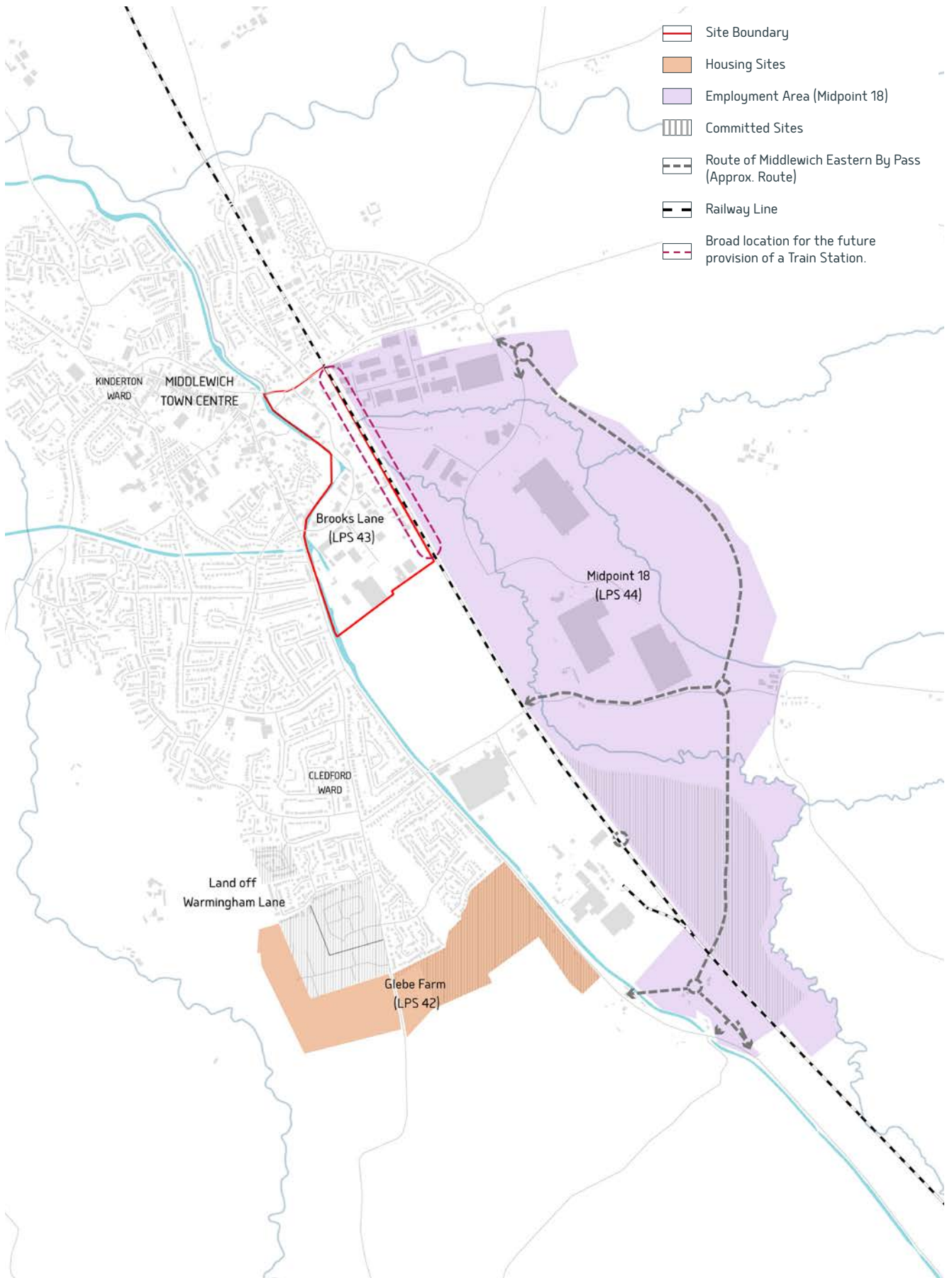


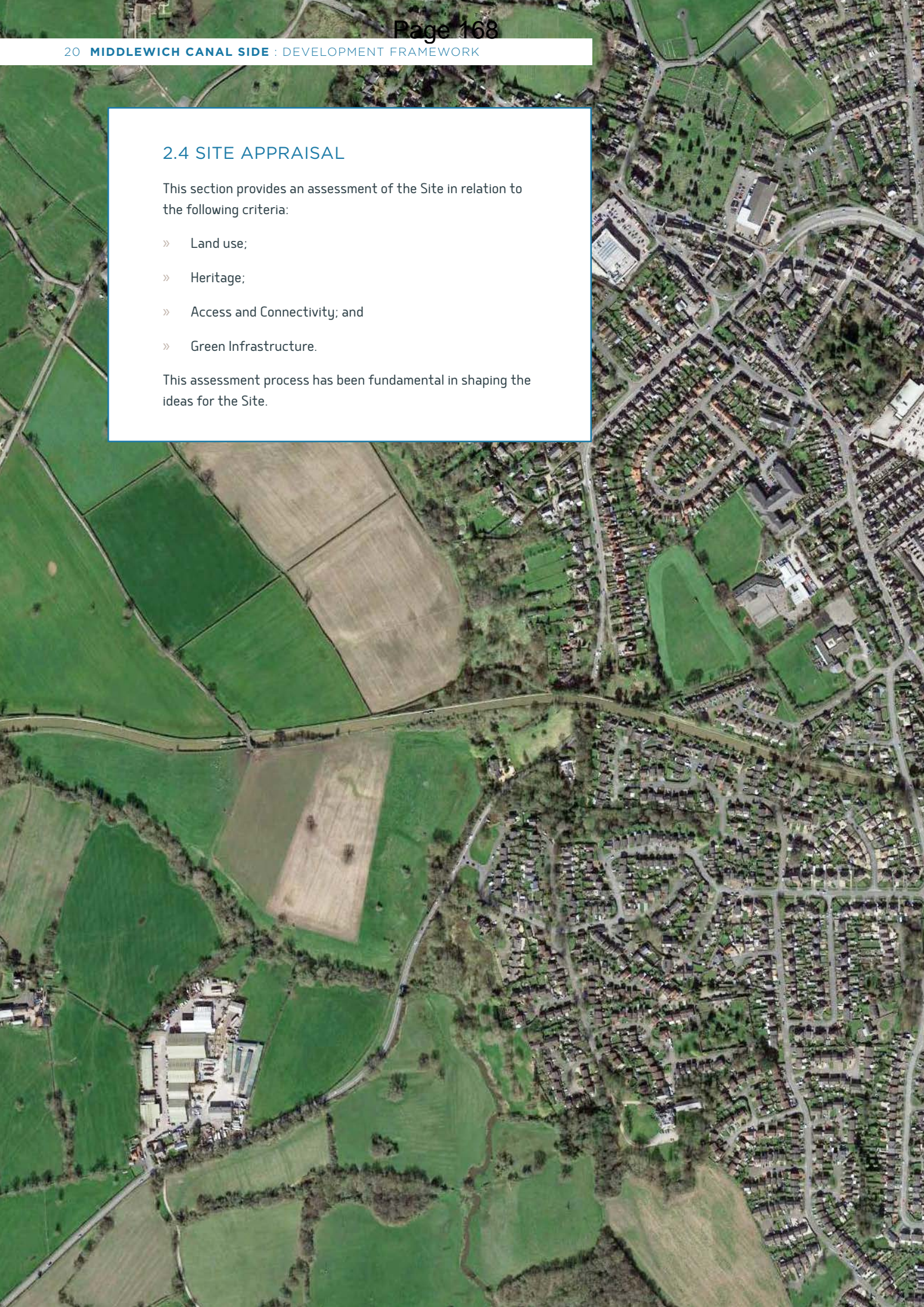
Figure.12 Changing Context Plan

2.4 SITE APPRAISAL

This section provides an assessment of the Site in relation to the following criteria:

- » Land use;
- » Heritage;
- » Access and Connectivity; and
- » Green Infrastructure.

This assessment process has been fundamental in shaping the ideas for the Site.





A54 (Holmes Chapel Rd)

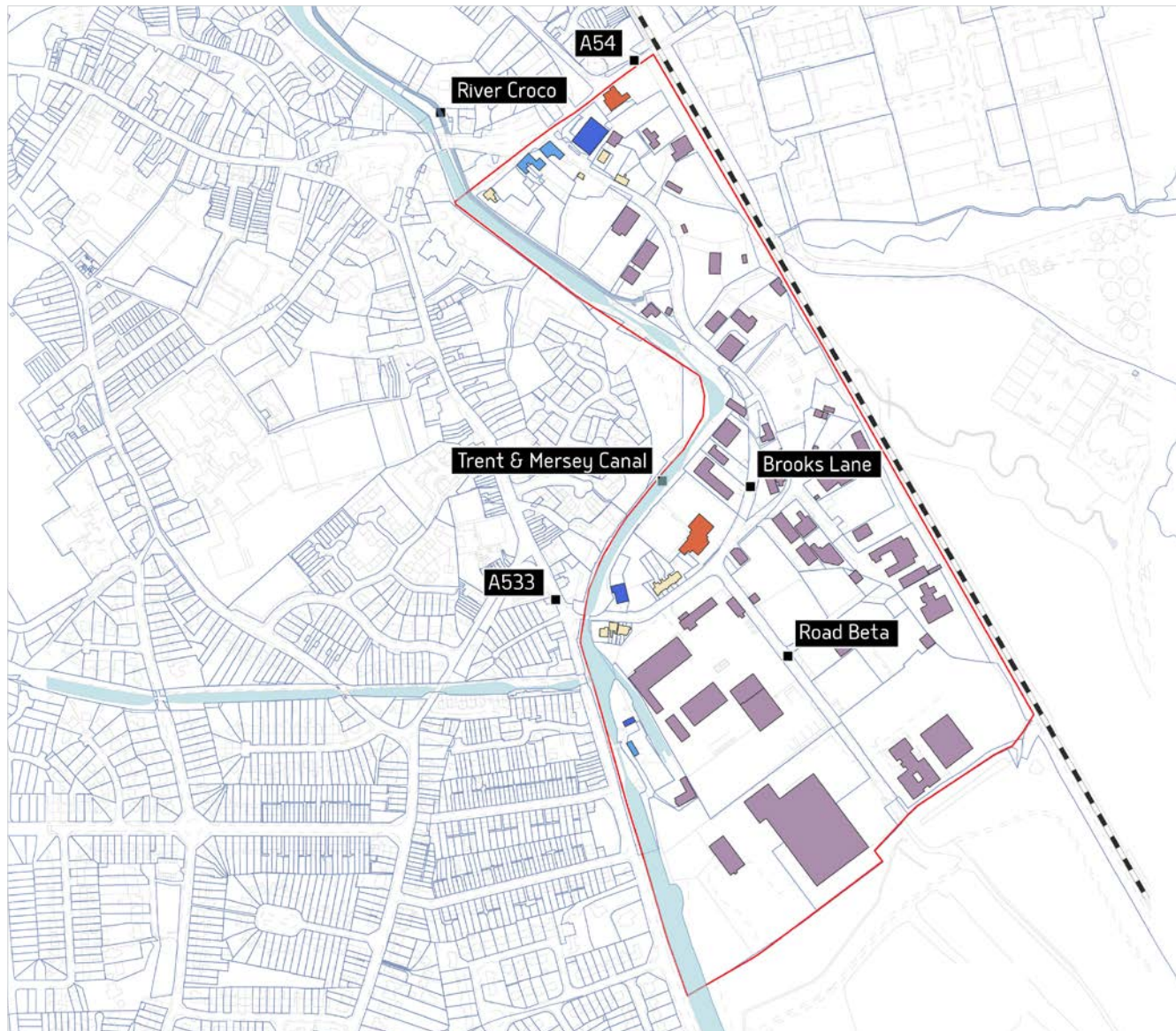
Brooks Lane

Road Beta

A533 (Booth Lane)

Trent & Mersey Canal

Figure.13 Land Use Site Analysis Plan



2.4.1. Land Use

The plan above shows the boundaries of over 60 businesses on the Site. These range from haulage and chemical manufacturing to smaller scale local employers.

Several residential properties are located within the Site. This includes four semi-detached properties and eight terrace properties, located adjacent to the Canal in the south western area of the Site, three houses located towards the northern part of the Site and two properties accessed via Seabank Road.

Existing commercial uses located within the Site include the Kings Lock Pub, the Boars Head Pub, the Kinderton House Hotel, Kings Lock Chandlery and Unique Fitness Gym. Community/commercial uses include Middlewich Community Church, which is located at the centre of the Site, Middlewich Masonic Hall at the northern most edge of the Site, and the Rainbow Day Nursery.








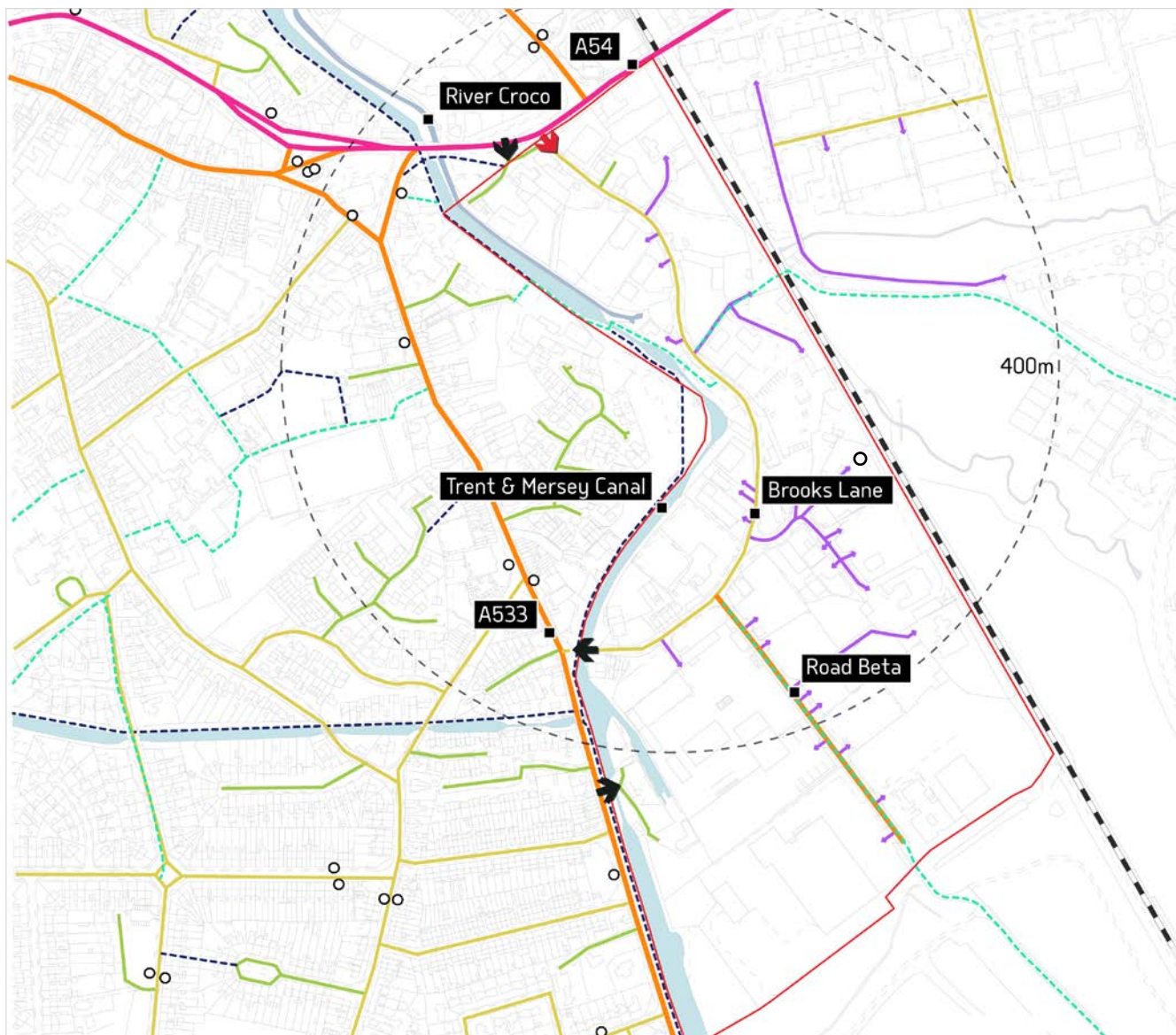
-  Site Boundary
-  Land Ownership Boundary
-  Residential
-  Employment/ Industrial
-  Community/ Commercial
-  Commercial
-  Food/ Beverage



Figure.14 Access and Connectivity Plan



2.4.2. Access & Connectivity

Vehicle access into the Site is via the Brooks Lane and Kinderton Street junction and via the Brooks Lane Bridge. The latter provides a one-way crossing point over the Trent and Mersey Canal.

A third point of vehicle access enters the Site adjacent to the Kings Lock Inn. However, existing land uses prevent traffic moving through the Site from this location.

Brooks Lane is the primary road traversing the Site and connects with Road Beta, which runs south of Brooks Lane and provides a connection to the southern part of the Site.

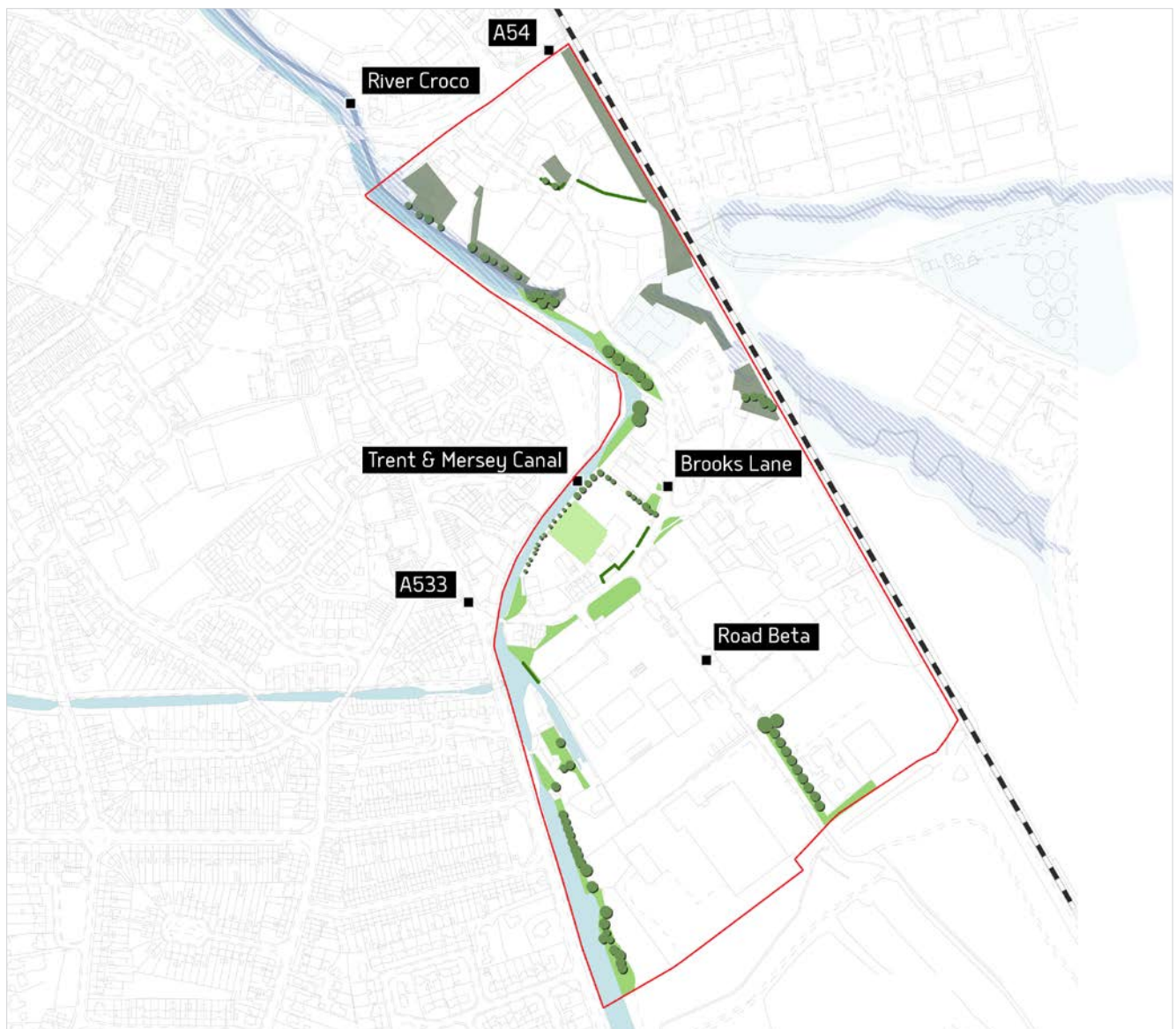
The existing railway line runs along the eastern edge of the Site.

The closest bus stops to the Site are located along the A533 with services that run to Northwich, Congleton and Winsford.

The Site is within a 400m walking distance of the Town Centre and an existing PRoW connects the Site to the Town Centre and runs east beyond the railway line. A second PRoW runs south from the Site towards the Cledford Lane Lime Beds LWS. The canal tow path also provides for a sustainable transport route.

- Site Boundary
- Primary Vehicle Access
- Secondary Vehicle Access
- Railway Line
- Primary Road
- Secondary Road
- Tertiary Road
- Cul-de-Sac
- Employment Access Road
- PRoW
- Pedestrian / Cycle Path
- Bus Stop

Figure.15 Landscape Analysis Plan



2.4.3. Green and Blue Infrastructure

The Trent and Mersey Canal runs along the western edge of the Site. The canal splits and forms Carillon Dock, a mooring point and dry dock.

The River Croco runs within the Site, following the Trent and Mersey Canal, before running in a culvert towards the railway. This watercourse includes a flood risk area within the Site; however, restoring the waters natural flow may alleviate this issue.

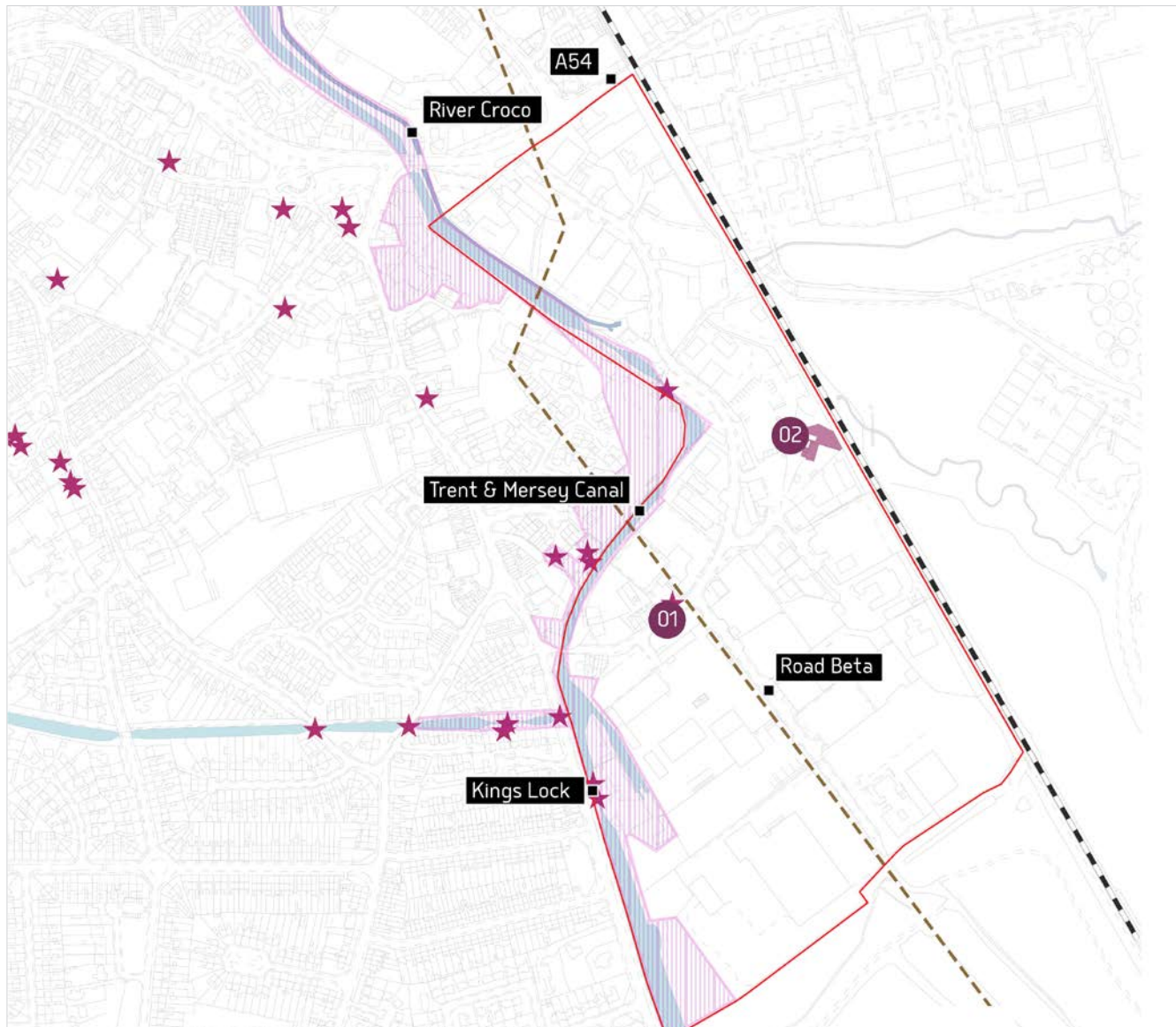
Green infrastructure across the Site is limited due to its industrial nature.

Features include a bowling green, semi-natural green space, existing mature trees running adjacent to the Canal in the south-western edge of the Site, areas of green space and scrub planting along Brooks Lane, scrubland along the edge of the railway and an area of scrubland located adjacent to the culverted sections of the River Croco. The Site also includes the occasional mature tree and hedgerow.

As documented, the Cledford Lane Lime Beds Local Wildlife Site sits adjacent to the southern boundary of the Site.

- Site Boundary
- Bowling Green
- Informal Green Space
- Shrubland
- Hedgerows
- Trees
- River
- Canal
- Flood Zone 3
- Flood Zone 2

Figure.16 Heritage Analysis Plan



2.4.4. Heritage

Brunner Mond Middlewich War Memorial is a Grade II listed WWI memorial, erected in 1921 and is located along Brooks Lane.

There are several Grade II listed structures that form part of the Trent and Mersey Canal including the King's Lock, several listed mileposts and a bridge over the Trent and Mersey Canal. The Canal is also a Conservation Area.

Murgatroyd's Brine Pump is a Scheduled Monument and is the last remaining part of Murgatroyd's Salt Works, located within the central area of the Site. It

is not currently accessible to visitors and can only be accessed by private arrangement.

A historical Roman road is believed to run through the Site adjacent to Road Beta.

Notable heritage features on Site, include but are not limited to:

1. Brunner Mond Middlewich War Memorial; and
2. Murgatroyd's Brine Pump.

»

- Site Boundary
- Conservation Area
- Listed Building
- Scheduled Monument
- Roman Road Location



Murgatroyd's Brine Pump



Brunner Mond Middlewich War Memorial

Trent & Mersey Canal



3 ENGAGEMENT-LED APPROACH

This chapter provides a summary of the engagement process, including a summary of engagement with the people who own property, live and work on the Site, the Local Planning Authority, relevant stakeholders and the local community.

3.1 INVOLVEMENT

Engagement on this project has included:

- » Project and technical team meetings – held with representatives of the Council and Barton Willmore to provide clarity on policy and technical matters.
- » Landowner and business workshop(s) – held on the 11 April 2018 & Thursday 23 August 2018 to seek views on initial option(s) regarding the future development of the site.
- » Meetings with Middlewich Town Council – held on 11 April 2018 & Thursday 23 August 2018 to seek views on initial option(s) development regarding the future development of the site.
- » Canal and Rivers Trust Meeting – one on one meeting regarding the marina proposals included in the development framework followed by a further investigation of site options.
- » Formal consultation on the Brooks Lane Development Framework draft SPD which took place between 14 January 2019 until the 25 February 2019.

The Brooks Lane Development Framework SPD is supported by a detailed consultation report. Key changes made following the consultation on the draft SPD include:

- » The introduction of new section in the document confirming the need for further detailed assessments in support of future development proposals on the site.
- » Minor amendments to the text included in the document to reflect the importance of design quality and the relationship of the BLDF with policies contained in the Local Plan Strategy
- » Amendments to the illustrative masterplan to further emphasise the shorter-term development opportunity adjacent to the Trent and Mersey Canal.

3.1.1 Canal and Rivers Trust Meeting

Given the importance placed on the delivery of a canal boat marina by the Council and Town Council, a one-on-one meeting was held with the Canal and River Trust. Representatives from the Trust, in 2018, provided advice on the most likely suitable location for the marina.

Following this meeting an investigation into canal boat marinas was undertaken, including an analysis of the size required to accommodate up to 50 boats. Precedent images of UK based marinas are shown opposite.

An analysis of UK based canal boat marinas was undertaken to understand the preferred design and size requirements. Precedent images and dimensions are shown opposite.



c.14 Berth Residential Marina in Edinburgh



c.50 Berth Leisure Marina in Carnforth, Lancaster



4 EVALUATION

This chapter takes account of the assessment and engagement stages set out previously to provide a concise summary of the Site's constraints and opportunities.

4.1 OPPORTUNITIES AND CONSIDERATIONS

4.1.1. Considerations

- » Multiple landownerships on the Site.
- » The Books Lane and Kinderton Street (A54) junction provides the primary means of vehicle access to the Site and will require improvements to support redevelopment.
- » The Brooks Lane Canal Bridge provides a one-way vehicle route from the Site to Booth Lane (A533). Improvements and the potential signalization of the Bridge junction need to be explored to support the redevelopment.
- » Existing residential properties on the Site.
- » Enabling of businesses which wish to remain operating on the Site.
- » The railway line running along the Site's eastern boundary and its associated no- development easement.
- » Existing public rights of way (PRoW).
- » Existing landscape features.
- » Existing culverted watercourse and associated Flood Zone 2.
- » Potential land contamination.
- » Site levels adjacent to the Canal and protection of the structural integrity of the canal both during and post construction'

4.1.2. Opportunities

- » The restoration of the Grade II listed scheduled monument (Murgatroyd's Brine Pump) and the provision of a visitor information centre.
- » Provision of new homes across the short-term phase, subject to securing an acceptable relationship between employment and residential uses.
- » Potential to deliver longer-term, more extensive, redevelopment proposals, capable of delivering more new homes and considerable canal-side enhancements – subject to securing an acceptable relationship between employment and residential uses.
- » Potential provision of a canal boat marina in consultation with the Canal and Rivers Trust and subject to separate consent procedure
- » Potential new railway station and associated line-side infrastructure.
- » Potential to provide new pedestrian/ cycle routes through the Site, including new canal-side footpaths.
- » Opportunity to restore the culverted watercourse running through the Site and potential to reduce any flood risk from the Site.
- » Potential to intensify the community use of Middlewich Community Church
- » Retention of the existing bowling green
- » Enhancements to the existing pedestrian subway connecting the Site with Midpoint 18.
- » Enhancement of Green and Blue Infrastructure across the Site.

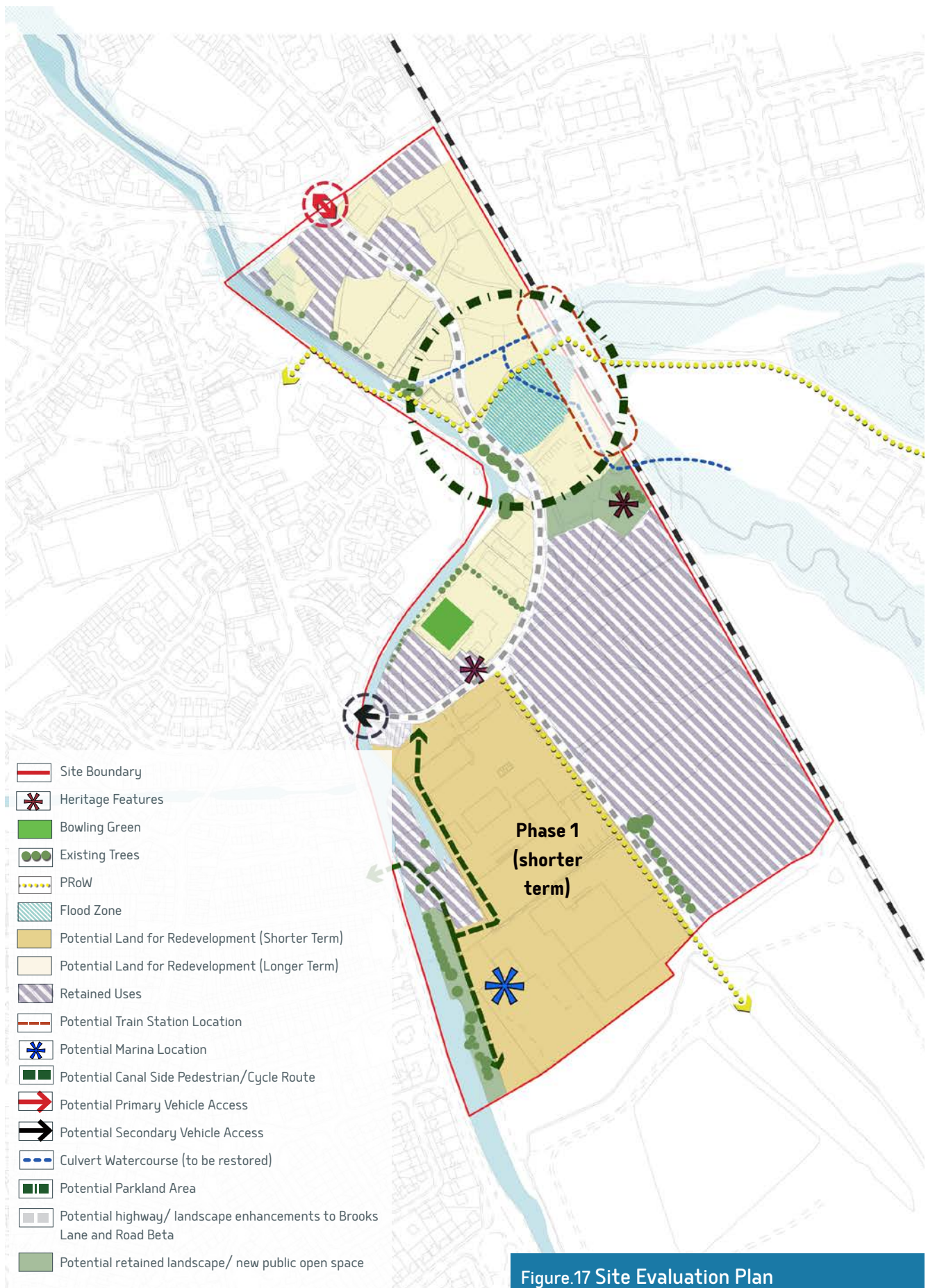


Figure.17 Site Evaluation Plan

5 DESIGN AND DEVELOPMENT PARAMETERS

This Chapter details the Masterplan Framework and illustrative proposals to help inform future design proposals.

5.1 MASTERPLAN FRAMEWORK

The Masterplan Framework, shown opposite, represents an amalgamation of the engagement process and the considerations and opportunities set out in the previous section.

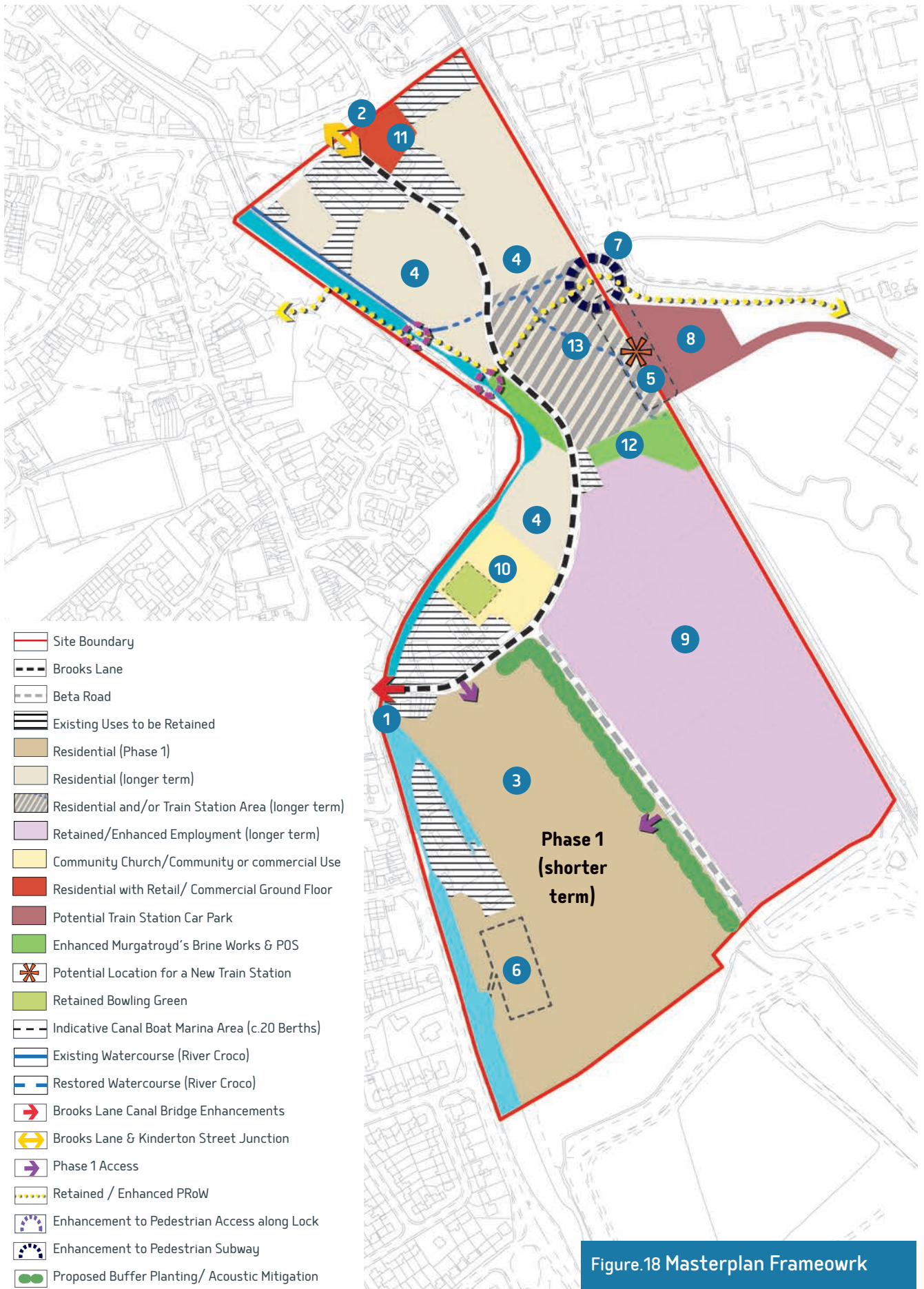
The Masterplan Framework illustrates the broad structure that future design stages should follow. The following pages provide a description of the Masterplan Framework in terms of the following layers:

- » Land Use;
- » Access and Movement; and
- » Green and blue Infrastructure.

The Masterplan Framework will be a material consideration in determining relevant planning applications across the site. It is important that development proposals have appropriate regard to the masterplan proposals when read alongside relevant policies in the Local Plan, particularly LPS 43 (Brooks Lane, Middlewich) in the Local Plan Strategy.

5.1.1. Core elements of the Masterplan Framework

- 1 Highway enhancements to the Brooks Lane Canal Bridge.
- 2 Highway enhancement to the Brooks Lane and Kinderton Street Junction.
- 3 Redevelopment of the Site in the shorter-term (Phase 1), subject to securing an acceptable relationship between employment and residential uses.
- 4 Potential redevelopment of the wider Site in the longer-term, subject to securing an acceptable relationship between employment and residential uses.
- 5 Opportunity to provide a train station.
- 6 Potential delivery of a circa 20-berth canal boat marina (indicative location shown).
- 7 Enhancements to the pedestrian subway.
- 8 Provision of a Train Station Car Park to the east of the railway line and outside the Site boundary. This land is subject to an approved planning application for employment development. As such, further investigation would be required.
- 9 Area of retained/ enhanced employment use.
- 10 Middlewich Community Church retained for commercial/ community use.
- 11 Potential residential development with ground floor retail adjacent to the Town Centre.
- 12 Enhancements to Murgatroyd's Brine Works.
- 13 Reinstatement culvert watercourse.



5.1.2. Use Amount and Density Parameter

Residential

Shorter Term: Approximately 6.2ha of land has been identified to deliver residential development in the shorter-term, subject to securing an acceptable relationship between employment and residential uses. This land can provide c.200 dwellings which addresses the Local Plan Strategy LPS 43 requirements. The average net development density of 200 dwellings is approximately 40 dph. Densities higher than 40dph may also be considered.

Longer Term: There may be the potential to achieve additional residential development in the longer-term on other parts of the over the next 20 years or more (beyond the Plan period), subject to securing an acceptable relationship between employment and residential uses.

Canal Boat Marina

An approximate location has been identified for the provision of a circa 20 berth canal boat marina, subject to feasibility / viability and the separate consent procedure with the Canal and Rivers Trust.

Housing Mix

To provide a balanced community, the development should provide a wide variety and mix of new homes, comprising apartments, older person housing and a range of family house types and sizes in line with policy SC4 (residential mix) of the Local Plan Strategy.

Affordable Housing

The development should provide affordable homes including those available for a mixture of tenures. In line with policy SC5 (affordable homes) in the Local Plan Strategy.

Train Station

Land has been identified as having the potential to accommodate a new train station. Whilst the exact position of the train station will be subject to a further technical and feasibility assessment, the following design requirements should be considered:

- » Platform length and its relationship with the culvert watercourse and pedestrian subway crossing the railway line;
- » Connectivity with the Town Centre and Midpoint 18;
- » Relationship with Murgatroyd's Brine Works and the potential to combine train station infrastructure with a visitor information center; and
- » The provision of line-side infrastructure, including a bus stop, taxi rank, drop-off point and car parking.

Train Station Car Park

An approximate area of land, extending to some 0.6ha, has been indicated to accommodate a car park for the train station. The land is located outside the Site boundary and is affected by an approved planning application for employment development. As such, further investigation would be required.

Middlewich Community Church

It is envisaged that the Middlewich Community Church site and bowling green would be retained for community use.

Commercial Uses

An area of land, adjacent to the Town Centre and extending to 0.2ha, has been provided for residential development and commercial uses i.e. community or town centre uses.

Additional small-scale leisure or commercial uses could be provided adjacent to the marina e.g. a local café. However, this would be subject to a further assessment to ensure provision does not detract from the vitality and viability of the Town Centre in line with policy EG 5 (promoting a town centre first approach to retail and commerce) in the Local Plan Strategy.

Employment

An area of land extending to c.7.7ha has been provided for retained/ enhanced for employment provision.

Murgatroyd's Brine Works.

Murgatroyd's Brine Works should be sympathetically restored with enhanced public access (including the potential provision of a visitor information centre). Public space, green infrastructure and new landscaping should be provided adjacent to the Brine Works. This will improve the setting of the Monument whilst helping to separate retained employment uses and new development.

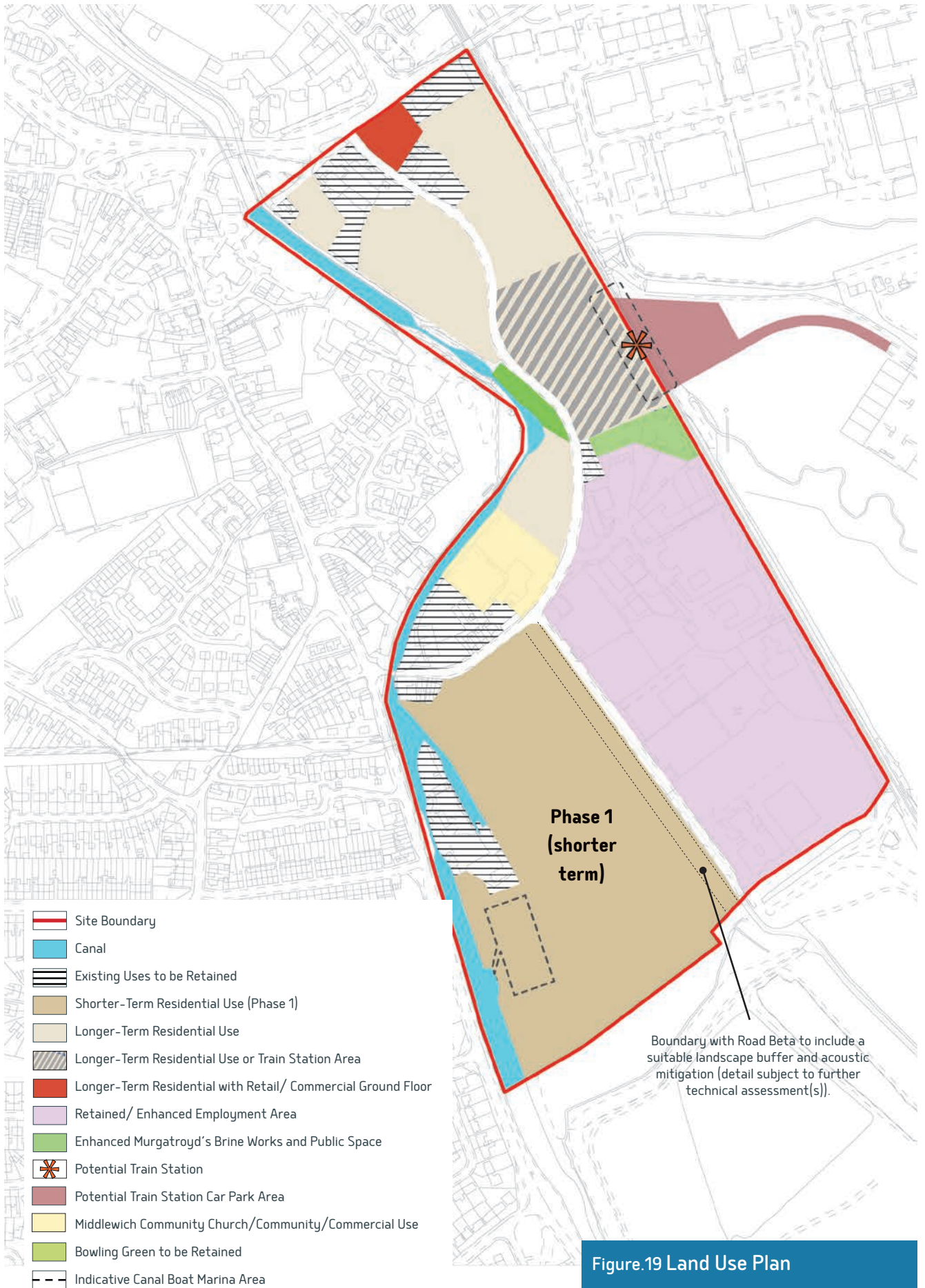


Figure.19 Land Use Plan

5.1.3. Access Parameter

Vehicle Access

The future redevelopment of the Site should include highways enhancements to the Brooks Lane / Kinderton Street junction.

The future redevelopment of the Site should be supported by highways enhancements and the potential signalisation of the Brooks Lane Canal Bridge.

In line with policy C04 (Travel Plans and Transport Assessments) of the Local Plan Strategy – all ‘major’ development proposals on the site should be accompanied by a transport assessment including parking and access arrangements into and out of the Site.

Brooks Lane

Brooks Lane should accommodate both employment and residential vehicle traffic.

Road Beta

In the longer-term, the aspiration is that Road Beta should accommodate employment traffic only. Emergency residential vehicle traffic could also be permitted.

Phase 1 Vehicle Access

Residential vehicle access to the shorter-term development opportunity (Phase 1) should ultimately be provided from Brooks Lane as opposed to Road Beta. Notwithstanding, a residential access from Road Beta may also be necessary in the shorter-term to serve Phase 1. The aim will be to eventually change this to solely an emergency access into residential development.

A construction vehicle access to Phase 1 should be provided from Road Beta.

Train Station Access

The train station should be dual aspect with connections to the Site and Midpoint 18.

The provision of line-side infrastructure, including a bus stop, taxi rank, drop-off point and car parking should be provided on the Site and, potentially, Midpoint 18.

Street Hierarchy

The proposed development should include a hierarchy of street types designed in accordance with the Cheshire East Design Guide.

Pedestrian and Cycle Access

Pedestrian access to the Site should be provided from:

- » Brooks Lane Canal Bridge;
- » Brooks Lane/ Kinderton Road junction;
- » The two locks crossing the Canal, subject to enhancements to support user safety;
- » The canal bridge located adjacent to the Kings Lock Pub; and
- » The subway crossing the railway line.

Each of these pedestrian connection points should be enhanced to improve user safety.

Permeability

The proposed development should include a permeable network of routes to provide easy access throughout the Site.

Residential Car Parking

Car parking provision should be provided in accordance with the Local Plan Strategy Parking Standards and the Cheshire East Design Guide. The general approach should be to provide streets which are attractive and functional places for pedestrians, cyclists and cars.

Public Rights of Way

Existing public rights of way should be retained and where possible accommodated in new areas of public open space. Proposed developments should present an opportunity to deliver and improve sustainable transport initiatives. There are, under the Council’s statutory Rights of Way Improvement Plan, aspirations for the improvement of Public Footpaths Nos. 19 and 21 for use by both pedestrians and cyclists.

Railway Crossings

Development proposals that impact on railway level crossings should be supported by an assessment on the impact of level crossings in consultation with Network Rail.

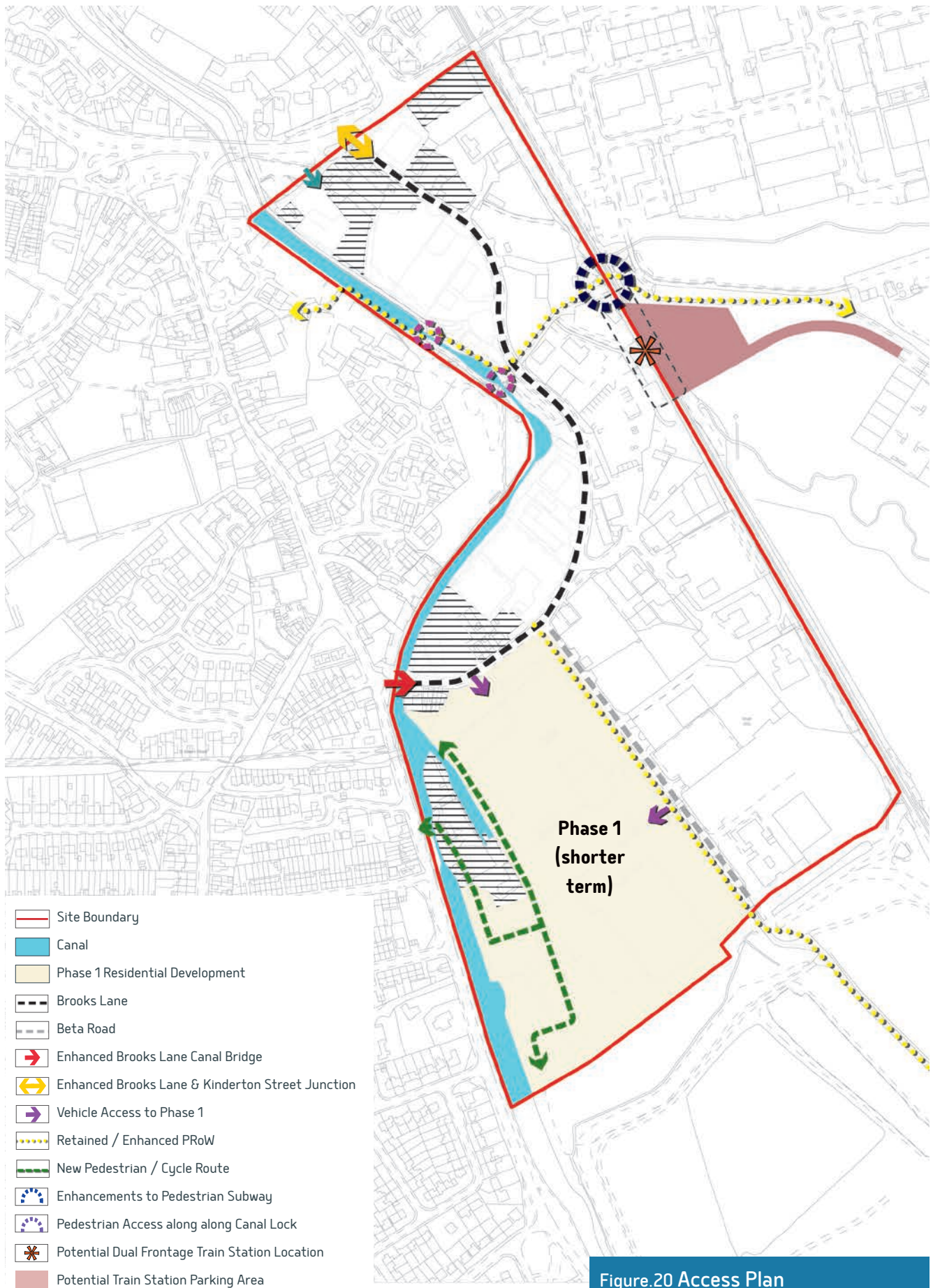


Figure.20 Access Plan

5.1.4. Green and Blue Infrastructure Parameter

Landscape Enhancements to Brooks Lane and Road Beta

In line with policy SE 4 (the landscape) in the Local Plan Strategy The redevelopment of the Site should include new landscape planting and environmental enhancements along Brooks Lane and Road Beta. This will improve the appearance of the street-scene and help soften the relationship between new residential development and retained employment uses.

Road Beta Buffer Planting

Buffer planting and land-forming should be provided between Phase 1 and Road Beta. This will help to separate residential development provided within Phase 1 from the retained/enhanced employment area. The aim of which will be to secure the amenity of future residents whilst supporting the continuation of existing business operations.

Culvert Watercourse

The culvert watercourse running through the Site should be restored and improvements should be made to the flow of the watercourse to remove any flood risk from the Site in line with policy SE 13 (flood risk and water management) in the Local Plan Strategy.

Parkland

An area of parkland should be provided to accommodate the restored watercourse, an existing PRoW and Murgatroyd's Brine Works (the extent of the parkland area on the plan opposite is shown indicatively).

Existing Landscape Features

Existing landscape features of value, including hedgerows and trees should be retained and incorporated into a green infrastructure network.

Drainage

The future redevelopment of the Site will be expected to provide a Sustainable urban Drainage Strategy (SuDS) in line with policy SE 13 (flood risk and water management) in the Local Plan Strategy.

Detailed design processes need to consider water drainage. The development of the Site will be expected to follow National Planning Guidance and provide evidence of thorough investigation of the surface water hierarchy and incorporate Sustainable Drainage methods, where possible.

The Canal may be able to receive surface water, in certain circumstances and subject to a commercial agreement with the Canal and Rivers Trust.

Ecology

The proposed development should conserve and enhance any ecological assets identified on the Site in line with policy SE 3 (biodiversity and geodiversity) in the Local Plan Strategy. New development should be designed to provide ecological enhancements. Consideration should be given to the impact on the Cledford Lane Lime Beds Local Wildlife Site to the south of the Site.

Retained Bowling Green.

The bowling green should be retained and provided for community use.

Trent and Mersey Canal

Future development of the Site should include environmental enhancements and improved public access to the Trent and Mersey Canal.

Landscape Framework

The proposed development should provide a connected network of landscaped streets and open spaces of varying sizes, to cater for a range of uses.

Canal-side Park

The proposed development should include a canal-side park; separating new development from retained canal-based employment uses including the existing dry dock (the extent of the park is shown indicatively on the plan opposite).

Pedestrian & Cycle Connections

The proposed development should provide pedestrian and cycle connections across the Site to link up proposed green infrastructure and connect with the surrounding pedestrian and cycle network.

River Croco and Sanderson Brook

A permit is required from the Environment Agency for any proposed works or structures in 8 meters of the River Croco and Sanderson's Brook. It is standard and recommended practice to seek the inclusion of green infrastructure along the watercourse.

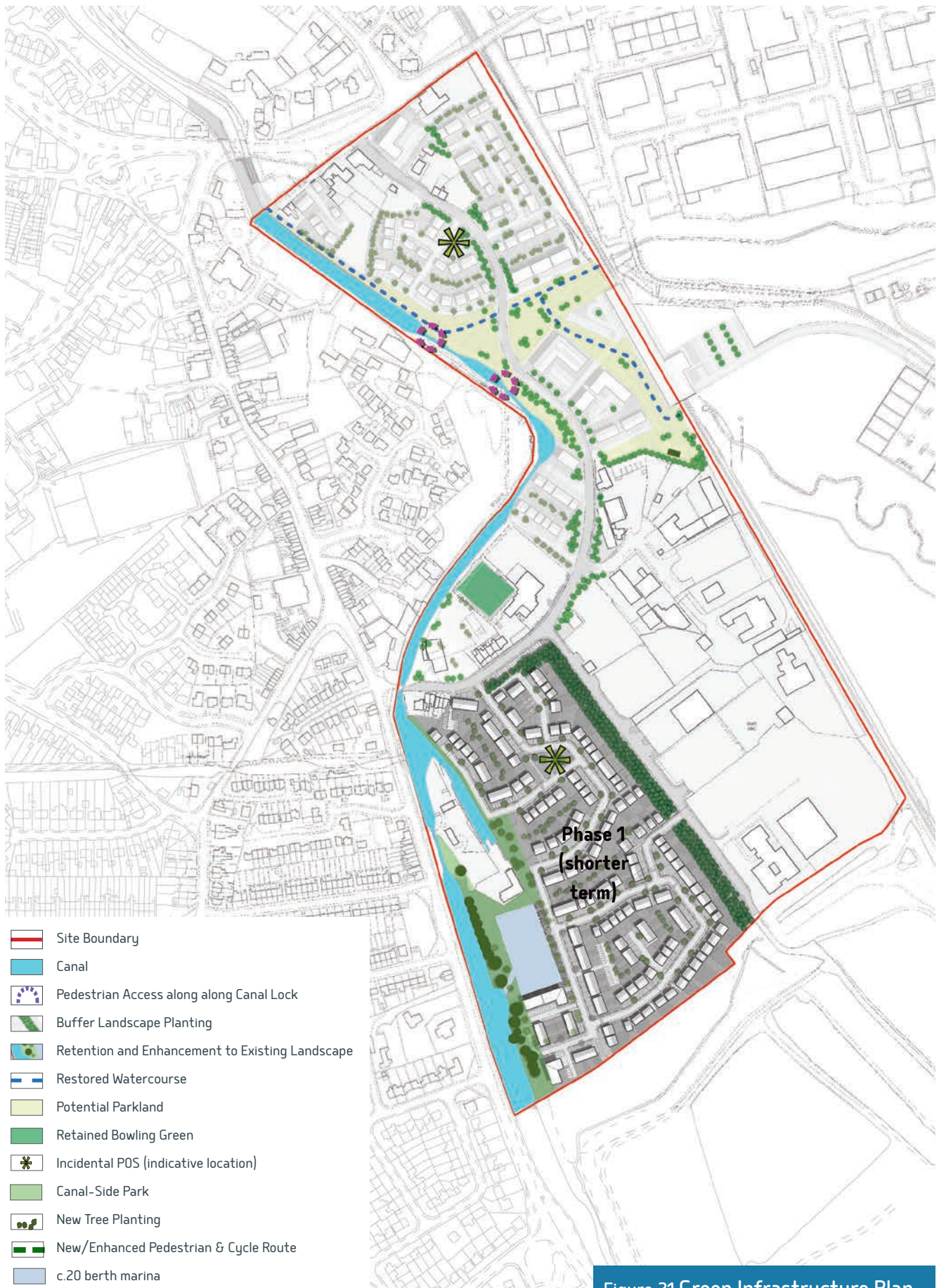


Figure.21 Green Infrastructure Plan

5.2. DEVELOPMENT PARAMETERS AND DELIVERY CONSIDERATIONS

A key purpose of the SPD is to establish the overarching planning and design framework for the delivery of the Site. The framework should be taken into account by those parties wishing to bring forward development proposals on the site. This framework should be read alongside relevant policies in the Local Plan Strategy, particularly LPS 43 (Brooks Lane, Middlewich). Those parties wishing to promote development schemes are advised to contact the Council at an early stage to, amongst other things, agree the supporting information that should be submitted with their planning applications.

Planning applications should be accompanied by appropriate studies and reports including, for example, design and access statements, transport assessments, environmental statements, flood risk assessments and drainage strategies. The development framework also identifies a number of key additional planning considerations that require further assessment and potential mitigation, including:

1. In line with policy SE 12 (pollution, land contamination and land instability) in the Local Plan Strategy, the Council will expect the following considerations to be addressed in any future planning application on the Site:

» **Noise** – The introduction of potential noise sensitive residential properties is required to be adequately assessed through a noise impact assessment in order to ensure adequate protection for future noise sensitive occupiers from

existing industrial and transport noise sources and allow Brooks Lane Industrial Estate business operators to continue work activities without risk of significant complaint from future residential neighbours.

» **Air Quality assessment** – to consider the impacts on air quality of any future proposal and establish adequate mitigation measures, such as electronic car charging points, where necessary. Contact should be made with the Council's environmental health team regarding the scope of this assessment

» **Construction Management Plan** – to consider matters such as opening hours, noise, dust, piling and delivery requirements.

» **Contaminated land and geotechnical assessments** – to consider historical uses on the Site. This should include consideration of impacts of additional surface water, for example through the marina and reinstatement of culverted watercourse, on the Site. This may include ongoing monitoring / maintenance obligations that should be built into viability assessments on the Site.

2. In line with SE 7 (the historic environment) in the Local Plan Strategy, development should respond positively to the heritage assets on the Site including:

» The Scheduled Monument (Murgatroyd's Brine Works).

» Listed Buildings.

» The Trent and Mersey Canal and its Conservation Area.

» Applications should also be supported by an archaeological desk-based assessment, as a minimum, to consider the presence of archaeological deposits on the Site.

» Reference should also be made to the heritage impact assessment prepared by the Council to support the sites allocation in the Local Plan Strategy.

3. In line with SE1 (design) in the Local Plan Strategy and the Cheshire East Design Guide – Site specific coding and masterplanning to manage the delivery of design quality across the Site.

4. In respect of policies IN1 (infrastructure) and IN2 (development contributions) in the Local Plan Strategy – the Cheshire East Community Infrastructure Levy was implemented in March 2019. The whole of the Brooks Lane, Middlewich Site is within Zone 1 (£0 per sqm) for residential uses. Section 106 agreements will be used, where appropriate, to secure infrastructure across the Site. It will also be used to secure long term use, maintenance and management of infrastructure across the site. Policy LPS 43 (Brooks Lane, Middlewich) in the Local Plan Strategy notes the likely need for contributions towards highways, education and health infrastructure which will be considered on a case by case basis.





5.3. LAYOUT AND APPEARANCE

This section provides guidance on how the layout and the appearance of the proposed development could be progressed at the more detailed design stages.

5.3.1. Illustrative Masterplan

The purpose of the Illustrative Masterplan is to demonstrate how the Masterplan Framework can be combined with best practice urban design standards and the Cheshire East Design Guide to provide a varied and attractive development comprising of both residential and employment uses, alongside community infrastructure and a rich green infrastructure framework. Alternative approaches to the Illustrative Masterplan may be considered provided they offer suitable design justification and pay due regard to the underlining Masterplan Framework.

Key components of the Illustrative Masterplan:

- 1 Middlewich Community Church retained and intensified for community.
- 2 Retained and enhanced employment area.
- 3 Provision of c.200 new homes (c.40dph) across the shorter-term phase to meet the Local Plan requirement, subject to securing an acceptable relationship between employment and residential uses.
- 4 Provision of a circa. 20-berth Marina.
- 5 Provision of a new railway station, drop-off point within the Site and car parking to the east of the railway line.
- 6 Restoration of Murgatroyd's Brine Works and potential provision of visitor information centre.
- 7 New pedestrian/ cycle routes through the Site, including new canal-side footpaths.
- 8 Retention of existing landscape features and provision of new landscape and public spaces.
- 9 Buffer planting along Brooks Lane and Road Beta.
- 10 Retail and community facilities close to the Town Centre.
- 11 Restored watercourse.

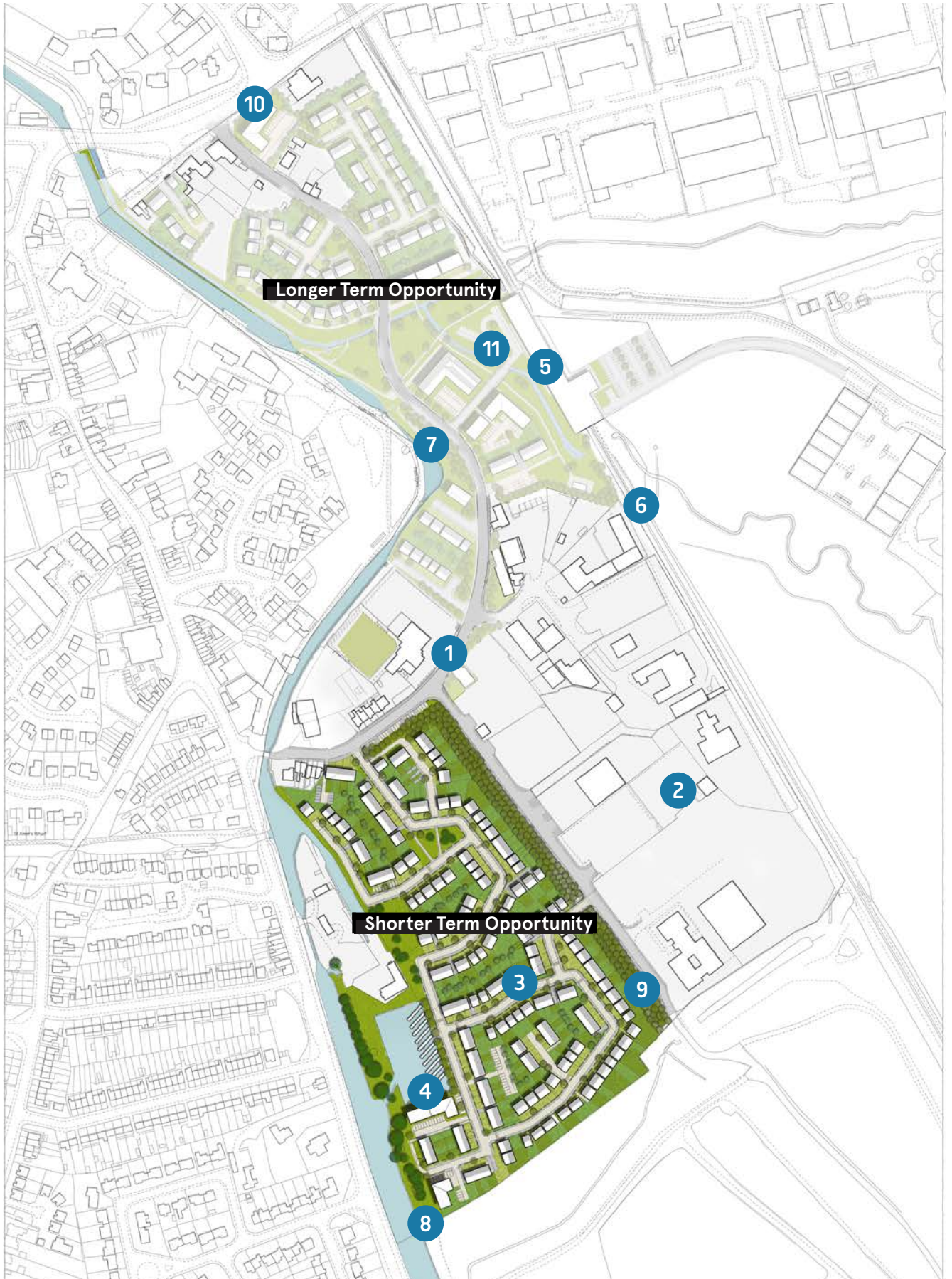


Figure.22 Illustrative Masterplan

5.3.2. Urban Form Principles

The Illustrative Masterplan has a distinctive urban form and structure, strongly influenced by the Site's context, proposed infrastructure such as the train station, and the marina, and best practice urban design principles. The urban form principles are described through this section.

Brooks Lane Frontage

In general, new residential development should be orientated to avoid directly facing Brooks Lane. This approach, alongside the provision of new landscape features, will help soften the impact of employment traffic on future residential properties. Gables that front onto Brooks Lane should be animated with windows and architectural details.

Where new residential development is orientated to overlook Brooks Lane, additional landscape features and public open space should be provided

Train Station Arrival

An area of parkland accommodating larger blocks of 3 storey residential development has been illustrated adjacent to the proposed train station. The use of scale, massing and landscape should help accentuate this area as an important gateway to Middlewich.

Canal Boat Marina

Residential development overlooking the marina comprises a continuous building line with buildings varying in height, from 2 storey to 3 storey. A range of parking typologies are provided, alongside street trees and a shared public realm.

The marina and its immediate context should cater to the needs of boat users, future residents and visitors. Early engagement with the Canal and Rivers Trust should take place. The provision of a Marina will be subject to a separate consent procedure with the Canal and Rivers Trust. Conflict between these users should be minimised through careful design, including:

- » Positioning the marina to maximise its physical and visual connections with the Canal.
- » Provision of an adequate separation between the marina and residential development
- » Integration of tree planting to filter views and help maintain amenity.

Canal Frontage

New housing positioned adjacent to the Canal comprises a range of house types with building heights ranging from 2-3 storey.

Dry-dock Interface

Residential development has been set-back from the dry-dock and the proposed buildings have been orientated to avoid directly overlooking the business operations.

Key Buildings

Key buildings have been used to emphasise spaces and routes throughout the Site and assist with legibility.

Key Spaces

A sequence of spaces should be provided throughout the development to provide variation in character, promote traffic calming, and assist with legible movement for pedestrians and cyclists.

Corner Elevations

Generally, corner elevations should have windows, avoiding long sections of blank walls.

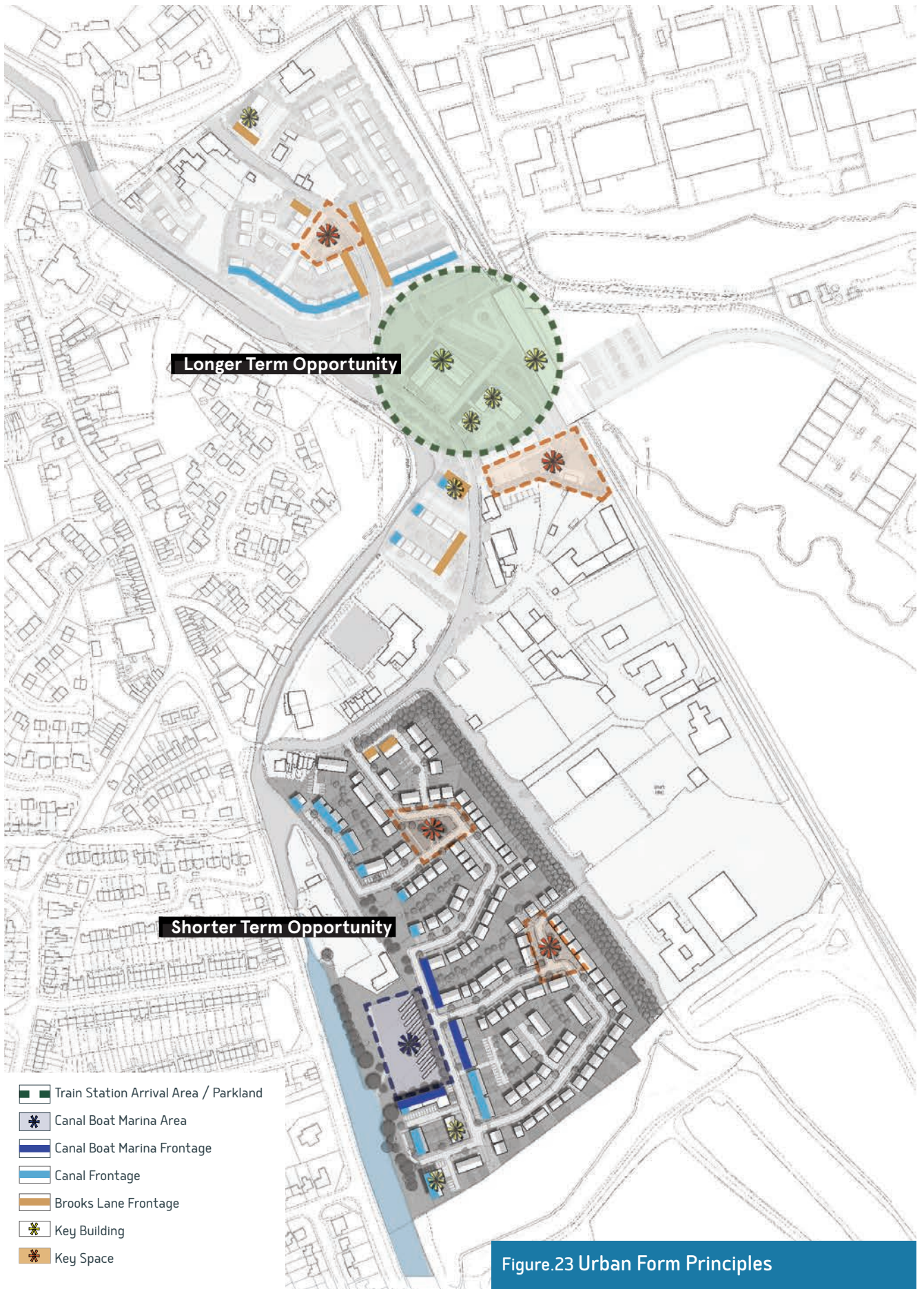
Signposting

Clear signposting and directions will be required at key locations across the Site.

Heritage led approach

Where possible, regeneration should focus on the historic waterside and look to maximise that opportunity, whilst fully integrating and supporting the working character of the site. Green and blue infrastructure can be used to help reinforce the areas distinctive sense of place. Green Infrastructure and public realm can create a high quality green infrastructure framework to help characterise different parts of the site.

Further masterplanning and design coding, in line with this development framework, could help ensure there is a strong interface with the Canal and associated mixed use. Future detailed masterplanning should also make reference to the heritage impact assessment prepared for the site (dated 19 September 2014).



5.3.3. Street Hierarchy

The principles for the design of streets set out over the following pages have been prepared to be in accordance with 'Manual for Streets' and the Cheshire East Design Guide. The streets create a legible and permeable network and the identity of the street types will assist in developing a sense of place as well as enhancing legibility.

In preparing the Illustrative Masterplan, the following design principles have been applied and these should be reflected in any proposed schemes on the Site:

- » The creation of a grid of connected streets to facilitate a 'walkable neighbourhood' where cycling is also encouraged.
- » A network of quiet shared streets will be provided.
- » The design of streets will be integrated with the character area they are within and the built form enclosing them. It may be appropriate for the character of streets to change along their length.
- » Measures such as shared surfaces, changes in surface materials, horizontal alignment, lighting and the design of the street should be used as appropriate to encourage slow speeds.

Street Types

The development has five types of street hierarchy as follows:

- » Brooks Lane and Road Beta;
- » Primary Residential Street;
- » Secondary/ Shared Residential Street; and
- » Private Drive.

The location of each street type is shown on plan opposite (figure 24) and an indicative cross section on each street type is shown on the following page (see figures 25-28).



Primary Street



Shared Street



Private Drive



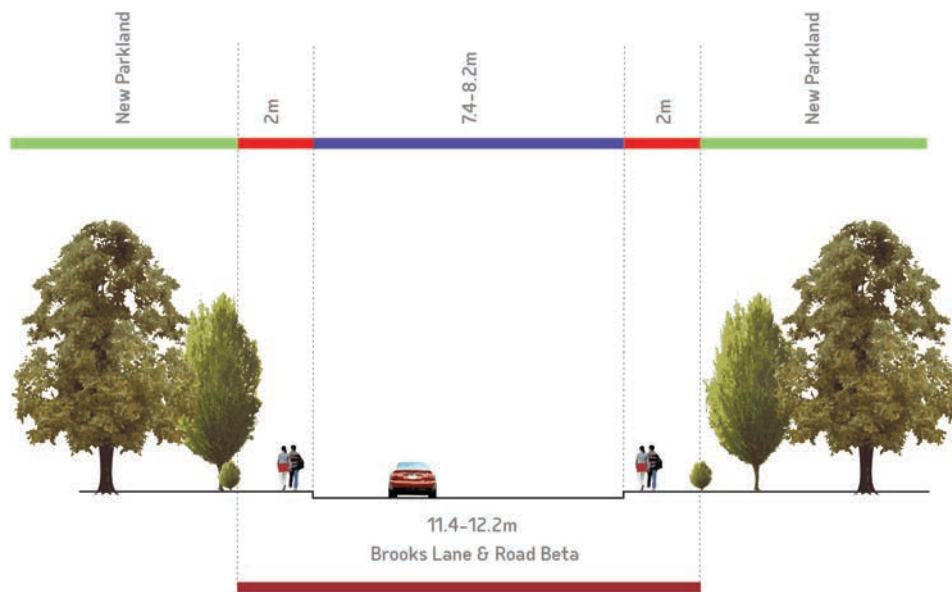


Figure.25 Brooks Lane/ Road Beta

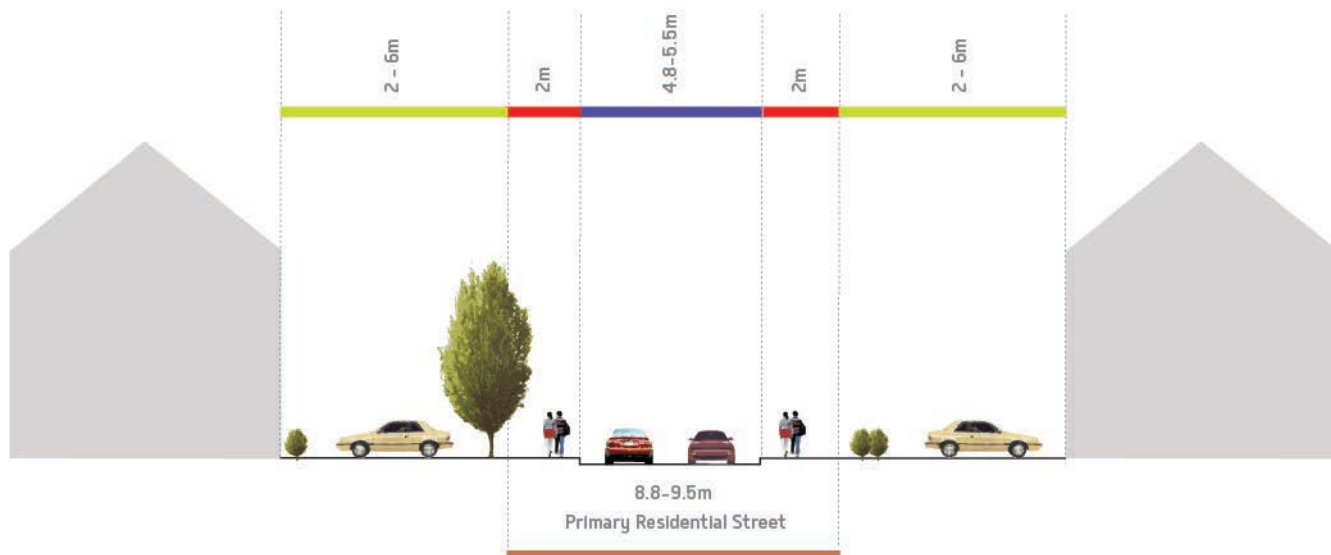


Figure.26 Primary Street

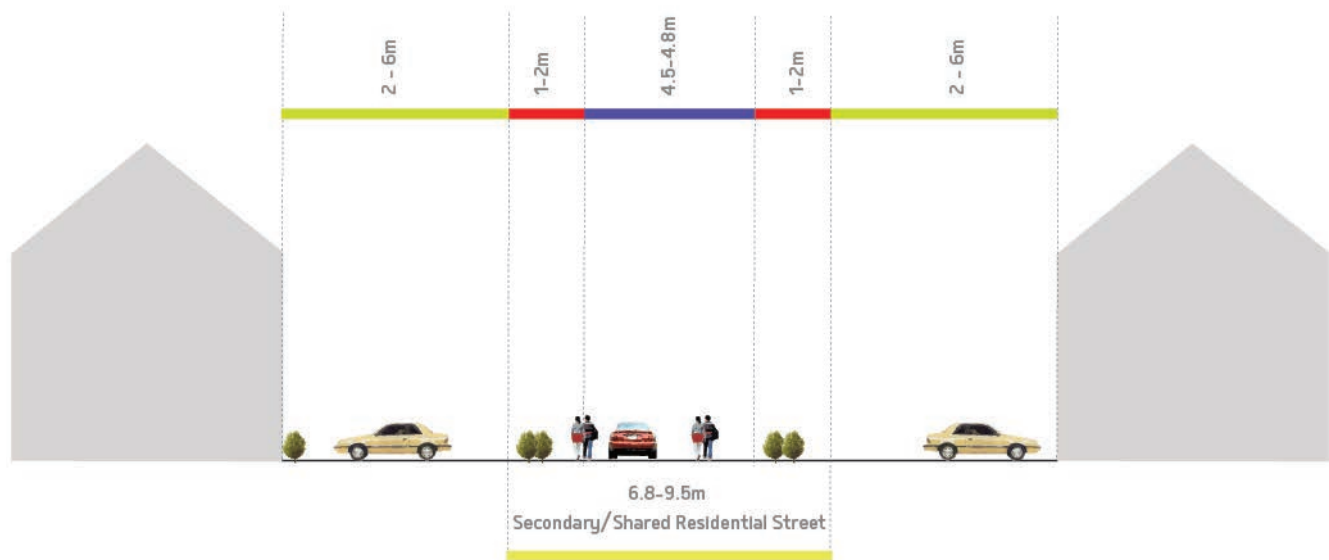


Figure.27 Shared Street

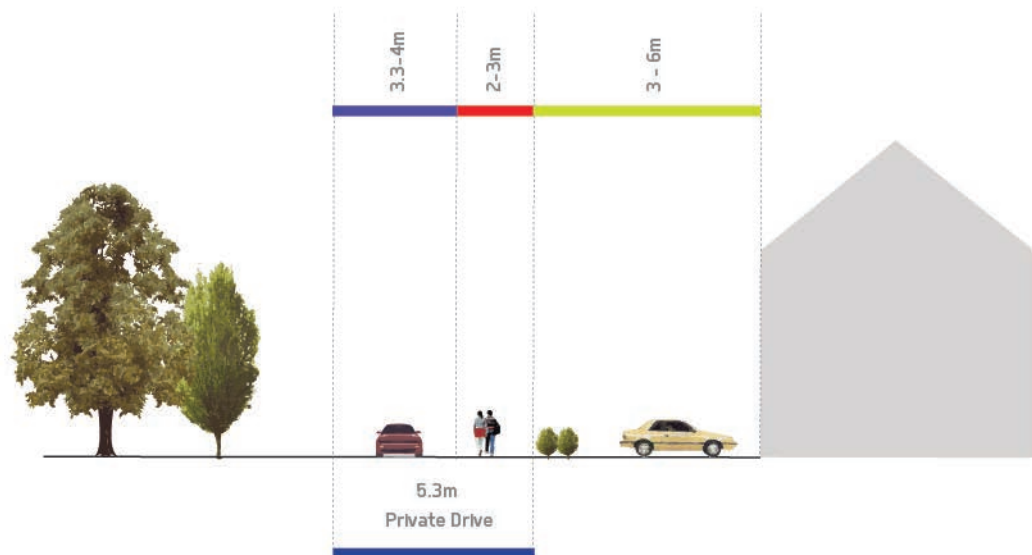



Figure.28 Private Drive

5.3.4. Character Areas

The purpose of this section is to provide an illustration and description of the different character areas that could be provided across the proposed development.



Shorter Term Opportunity

Shorter Term Opportunity



Longer Term Opportunity

Longer Term Opportunity

- Town Centre Gateway
- Train Station Gateway
- Canal Side Village
- Marina Village

Figure.29 Character Areas

5.3.5. Town Centre Gateway Village

An acceptable relationship between employment and new residential uses will need to be achieved and demonstrated.

The Town Centre Gateway has the opportunity to provide a gateway to the Site from Middlewich Town Centre. The Brooks Lane junction with Kinderton Street will potentially be defined by a 3-story residential apartment block with ground floor commercial space. A range of house types should be provided throughout the character area, and could include a high proportion of family homes. Development overlooking the Canal could comprise larger family homes, with a subtle variation in building heights. The parkland that sits to the south of the character area is illustrated as being defined by 3 story apartment blocks.

The following characteristics define the character area:

Layout and Built Form

- » Existing residential development is retained.
- » Provision of a 3 storey apartment block with ground floor commercial uses at the Brooks Lane and Kinderton Street junction.
- » A range of family homes.
- » Heights ranging from 2-3 storeys.
- » Larger family homes adjacent to the Canal.
- » Higher densities and 3 story apartment blocks to define an area of urban parkland.
- » Development softened by areas of parkland and planting.
- » Residential development has been orientated so gables of new dwellings facing Brooks Lane.

Landscape

- » Informal planting along Brooks Lane including buffer planting.
- » Scattered tree planting to property frontages and public open space. Native hedgerow planting to front of properties. Tree and hedgerow species palettes to be native / informal in character.
- » Provision of a landscape space adjacent to the Canal, accommodating the existing watercourse.
- » Incidental open spaces provided throughout.





5.3.6. Train Station Village

Should an acceptable relationship be achieved between employment and residential uses

The Train Station Gateway has the potential to provide an important gateway to the Site and Middleswich Town Centre. The train station will be a defining feature and the provision of 3 story residential development will help signify a sense of arrival. An area of urban parkland surrounding the 3 storey development and accommodating the restored watercourse and Murgatroyd's Brine Pump, could help to create an attractive and welcoming gateway to Middleswich.

The following characteristics define the character area:

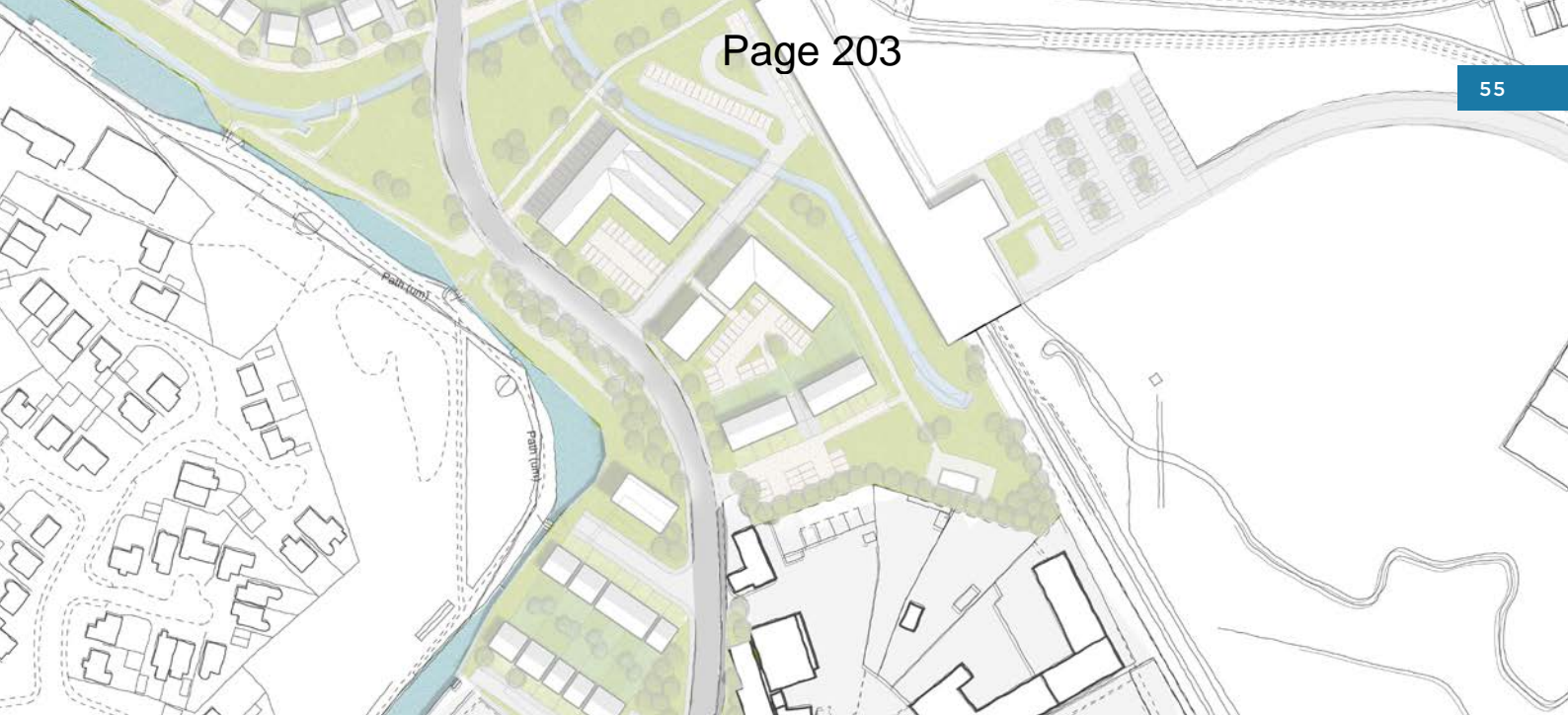
Layout and Built Form

- » Train station as the defining feature.
- » Provision of higher density residential development.
- » 3 storey apartment blocks to provide a sense of arrival adjacent to the railway.
- » 2.5 storey town houses overlooking Murgatroyd's Brine Pump

Landscape

- » Parkland area to accommodate new planting, restored watercourse, Murgatroyd's Brine Pump, short stay car park, bus stop and taxi rank, pedestrian and cycle links and children's play.
- » Landscape enhancements adjacent to the Canal.
- » Enhancements and improvements to pedestrian and cycle connections across two locks to improve user safety.





5.3.7. Canal-side Village

The Canal-side Village will provide an area of mixed residential development comprising a range of house types. The character area will also feature existing residential development and Middlewich Community Church. The interface between new residential development, retained canal-side businesses and retained employment uses to the east are key structural elements underpinning the design of the Illustrative Masterplan.

The following characteristics define the character area:

Layout and Built Form

- » Medium density family homes.
- » Streets to provide improved connections to the Canal.
- » Middlewich Community Church intensified for community use.
- » Continuous frontages.
- » Development set-back from the working dry-dock.
- » Variation in building heights, ranging from 2 storey to 3 storey.
- » Formal parking provided adjacent to Brooks Lane.
- » Retention of Brunner Mond Middlewich War Memorial.

Landscape

- » Planting along Brooks Lane.
- » Buffer planting and land-forming, along the eastern edge of the Character Area, to provide separation between new residential development and the retained/enhanced employment.
- » Scattered tree planting to property frontages and public open space. Native hedgerow planting to front of properties. Tree and hedgerow species palettes to be native / informal in character.
- » Provision of parkland to separate the dry-dock from new residential development.
- » Incidental open spaces provided throughout.





5.3.8. Marina Village

The character of the Marina Village will be heavily influenced by the provision of a new circa 20-berth canal boat marina. New development positioned immediately adjacent to the marina will comprise a range of house types including 2.5 storey town houses and 3 storey apartment blocks. The marina will become an important focal point for the redeveloped Site and a destination for Middleswich. Its importance will be emphasised through the provision of a high-quality public realm and landscaping, alongside the potential for the occasional commercial use i.e. a small café with outdoor seating. The marina is positioned with its longest edge adjacent to the Canal as this will ensure maximum physical and visual connectivity with the waterway, which will be favoured by canal boat users. The amenity standards for both canal boat users and the residents of new housing will be protected through the provision of adequate separation distances and well considered landscape design.

The following characteristics define the the character area:

Layout and Built Form

- » circa 20-berth marina.
- » Ensure adequate boat access arrangements are provided for the marina (to be agreed with the Canal and Rivers Trust).
- » Residential dwellings to be provided with parking in accordance with the Local Plan.
- » Marina to provide the focus with higher densities and variation in scale.
- » Residential development orientated to avoid directly overlooking the dry dock
- » Provision of a car parking for canal users.
- » Residential streets designed in accordance with the Cheshire East Design guide and to provide a range of housetypes
- » Development density at c.40dph.
- » Variation in scale from 2-3 story.

Landscape

- » High-quality public realm adjacent to the marina.
- » Buffer planting and land-forming, along the eastern edge of the Character Area, to provide separation between new residential development and the retained/enhanced employment.
- » Retention of existing landscape features, including mature trees between the marina and the canal.
- » Scattered tree planting to property frontages and public open space. Native hedgerow planting to front of properties. Tree and hedgerow species palettes to be native / informal in character.



6 CONCLUSION

6.1. SUMMARY AND PHASING

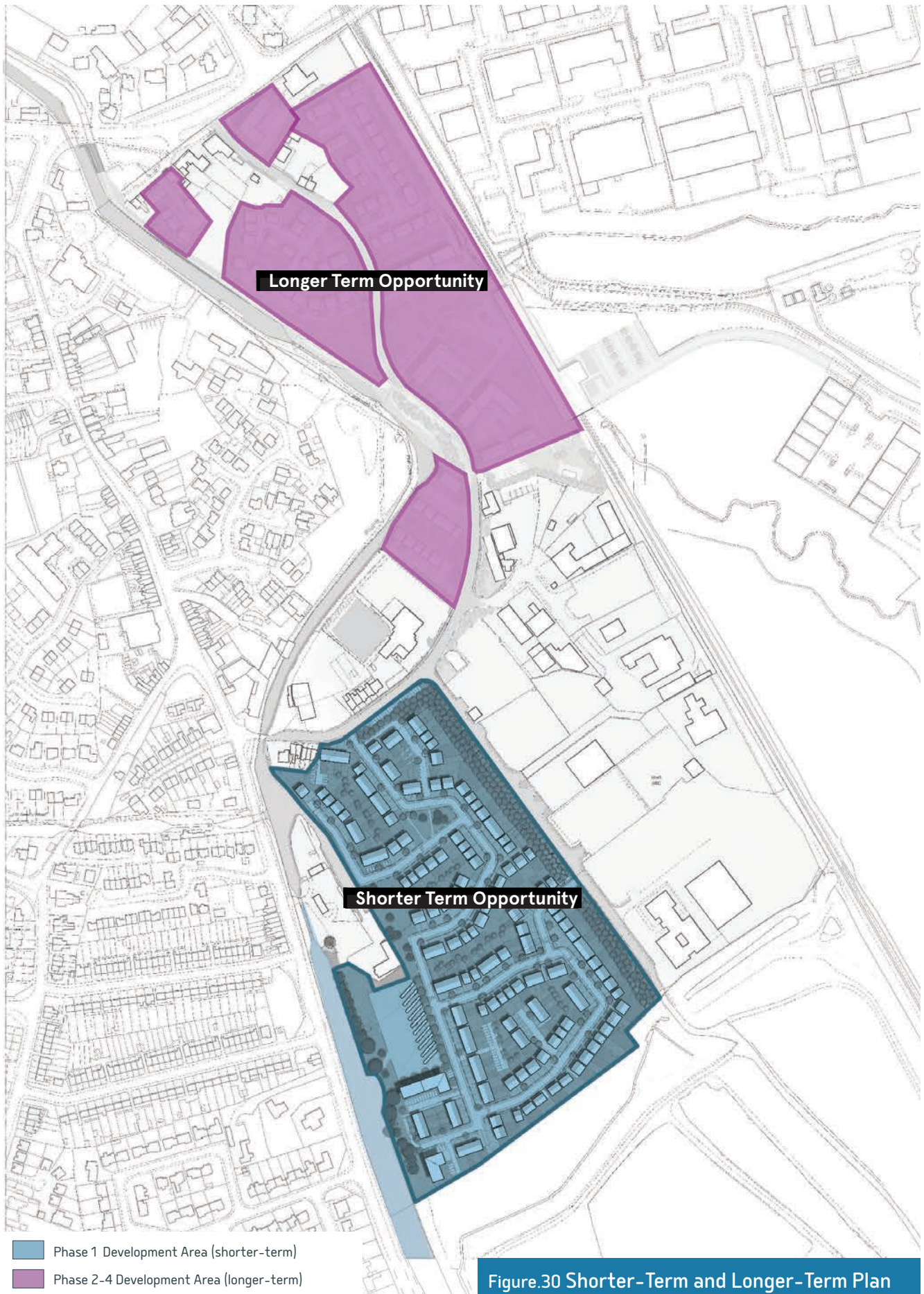
This document sets out a planning and design framework to guide, in additional detail, the redevelopment of the Brooks Lane Site in line with policy LPS 43. It shows the rigorous design process based on Assessment, Consultation, Evaluation and Design has been carried out. The design process has been strongly informed by the businesses wishing to remain operating on the Site.

Summary of Proposal

- » Provision of c.200+ homes in the shorter term (Phase 1) to meet the Local Plan requirements.
- » Redevelopment of the wider site in the longer term, with the potential to deliver a further c.250+ new homes, comprising a range of house types, including family homes, starter homes and older persons accommodation.
- » Potential provision of a train station, including line-side infrastructure.
- » Provision of a c.20 boat marina.
- » Provision of commercial uses close to the Town centre.
- » Highways enhancements.
- » Environmental enhancements and the provision of public open space.

The redevelopment of the Site needs to be considered alongside the wish for existing businesses to remain operating in the area. This reality may see part of the Site redeveloped in the shorter-term to deliver new homes in accordance with the Local Plan Strategy requirements (circa 200 dwellings), whilst the rest of the Site remains in employment use. However, a more significant regeneration proposal could see more of the Site coming forward for redevelopment in the longer-term extending beyond 2030, the end of the current Local Plan period.

The plan opposite show a potential phasing strategy for the Site. Phase 1 shows an area of the Site that could deliver homes in the shorter-term, meeting the Local Plan requirements. We could perhaps then see development moving clock-wise around the Site, over the course of the next 15-20 or more years, with businesses remaining in operation during this period.



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Brooks Lane Supplementary Planning Document

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Introduction and Purpose

1. This screening report is designed to determine whether or not the contents of the Brooks Lane Development Framework Supplementary Planning Document (“the SPD”) requires a Strategic Environmental Assessment (“SEA”) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also addresses whether the SPD has a significant adverse effect upon any internationally designated site(s) of nature conservation importance and thereby subject to the requirements of the Habitats Regulations.
2. The policy framework for the SPD is found in the Local Plan Strategy (“LPS”) as Strategic Location LPS 43: Brooks Lane, Middlewich.
3. A preliminary version of this statement, alongside the draft SPD was the subject of consultation in accordance with the relevant regulations and the Council’s Statement of Community Involvement from the 14 January 2019 until the 25 February 2019. This included consultation with the relevant statutory bodies (Natural England, Environment Agency and Historic England). There were no comments received regarding the SEA / HRA screening statement from the statutory consultees.

Strategic Environmental Assessment Screening

Legislative Background

4. The objective of Strategic Environmental Assessment (“SEA”) is to provide for a high level of protection of the environment with a view to promoting the achievement of sustainable development. It is a requirement of European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (also known as the SEA Directive). The Directive was transposed in UK law by the Environmental Assessment of Plans and Programmes Regulations 2004, often known as the SEA Regulations.

5. Article 3(3) and 3(4) of the regulations make clear that SEA is only required for plans and programmes when they have significant environmental effects. The 2008 Planning Act removed the requirement to undertake a full Sustainability Appraisal for a SPD although consideration remains as to whether the SPD requires SEA, in exceptional circumstances, when likely to have a significant environmental effect(s) that has not already been assessed during the preparation of a Local Plan. In addition, planning practice guidance (PPG – ref Paragraph: 008 Reference ID: 11-008-20140306) states that a SEA is unlikely to be required where a SPD deals only with a small area at local level, unless it is considered that there are likely to be significant environmental effects.

Overview of Brooks Lane Masterplan SPD

6. The Brooks Lane site is circa 23 hectares in size and is largely used for employment purposes and includes unused or under used land. There are several existing residential properties in the site alongside some commercial and community uses. The site is 0.5km to the south of Middlewich town centre.

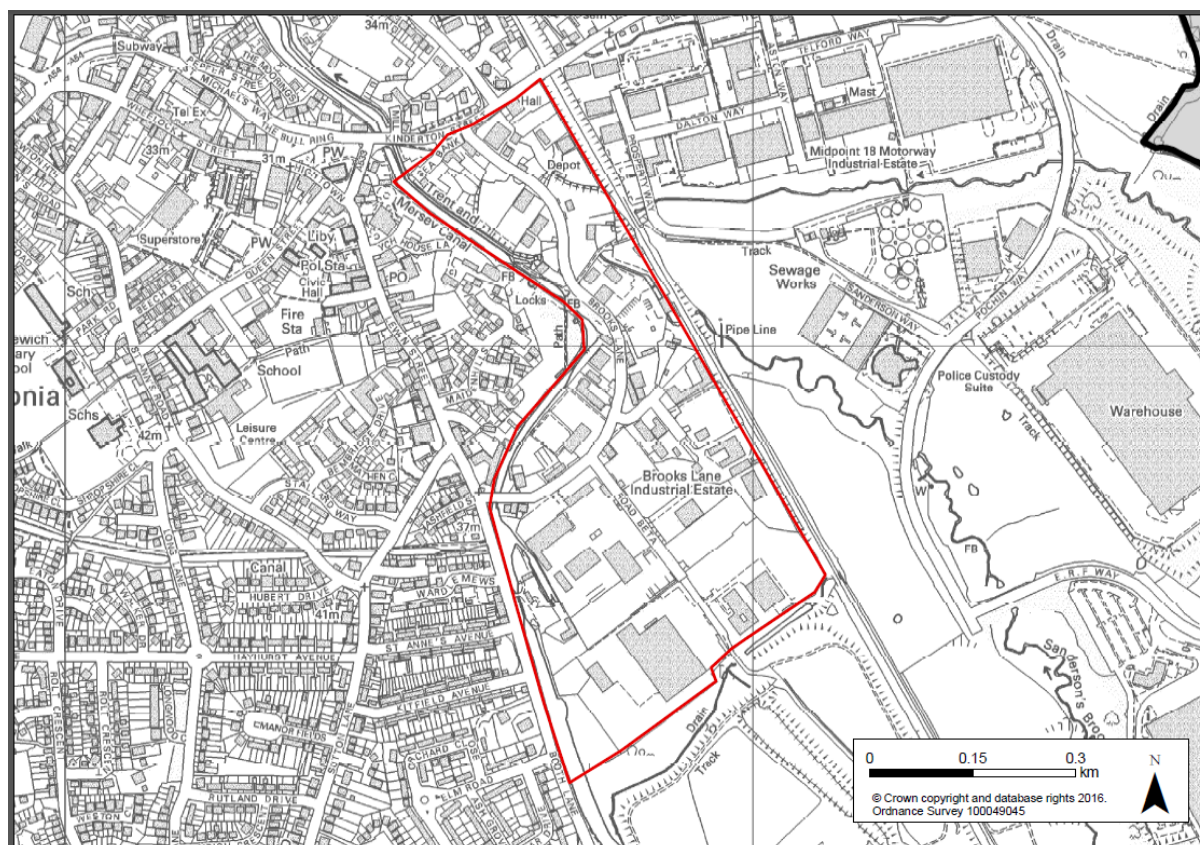


Figure 1: LPS 43 Brooks Lane Site

7. The Brooks Lane site is identified as a strategic location in the Council's LPS (adopted July 2017) as site reference 'LPS 43; Brooks Lane, Middlewich'. The LPS sets a clear expectation that future development at the site will be achieved through a masterplan led approach that will determine the nature and quantum of development that is appropriate for the site.
8. The LPS outlines a number of other key site principles, to be supported by a masterplan, including:
 - The delivery of around 200 homes;
 - The delivery of leisure and community facilities to the north of the site;
 - The provision of appropriate retail facilities to meet local needs;
 - The incorporation of green infrastructure (green corridor and open space including an equipped children's play space);
 - The improvement of existing, and provision of new, pedestrian and cycle links to connect development to existing employment, residential areas, shops, schools health facilities, recreation and leisure opportunities and the town centre;
 - The potential provision of a marina at the Trent and Mersey Canal; and
 - The provision of land for a new railway station including lineside infrastructure, access and forecourt parking
9. The SPD is consistent with policy LPS 43. It sets out the local context, principles and design parameters to help guide the preparation and assessment of future planning applications and development within the Brooks Lane area. The development framework recognises that there is a short term opportunity to deliver the principal policy requirements, such as up to 200 homes alongside a Marina to the southern part of the site adjacent to the Trent and Mersey Canal. There is also an acknowledgement of longer term opportunities, extending beyond the Local Plan period, relating to development that could take place over other parts of the site. It will need to be demonstrated through detailed information accompanying and forming part of any planning application that an acceptable relationship can be achieved between employment and residential uses.

Screening procedure

10. SEA has been undertaken for policy LPS 43, as part of the Integrated Sustainability Appraisal that supported the LPS. For the purposes of compliance with the UK SEA Regulations and the EU SEA directive, the following reports comprised the SA “Environmental Report”:

- SD 003 – LPS Submission Sustainability (Integrated) Appraisal (May 2014);
- PS E042 – LPS Sustainability (Integrated) Appraisal of Planning for Growth Suggested Revisions (August 2015);
- RE B006 – LPS Sustainability (Integrated) Appraisal Suggested Revisions to LPS Chapters 9-14 (September 2015);
- RE F004 – Sustainability (Integrated) Appraisal – Proposed Changes (March 2016);
- PC B029 – Sustainability (Integrated) Appraisal - Proposed Changes to Strategic and Development Management Policies (July 2016);
- PC B030 – Sustainability (Integrated) Appraisal - Proposed Changes to Sites and Strategic Locations (July 2016);
- MM 002 - Sustainability (Integrated) Appraisal - Main Modifications Further Addendum Report.

11. In addition, an SA adoption statement was prepared in July 2017 to support the adoption of the LPS.

12. The SA work that appraised the Brooks Lane site for the LPS allocation, considered different levels of housing development; initially for ‘around 400’ dwellings and then revised to ‘around 200 dwellings’. The SA found that the site has the potential for long-term positive effects against a number of SA objectives, relating to the provision of housing as well as accessibility to services / facilities and sustainable transport modes. The delivery of leisure and community facilities, as well as a marina, has the potential to help improve access to facilities and contribute to improved health and wellbeing. Provision is also made for land to deliver a new railway station, including lineside infrastructure, access and parking, which were assessed as having a potential longer term positive effect with increased access to sustainable modes of public transport. This could include the provision and enhancement of existing public transport services/facilities, pedestrian and cycle links, with the potential for a resulting improvement in air quality and health and wellbeing. The site is also

expected to contribute towards educational facilities and health infrastructure. Development of the site would also regenerate previously developed land, with the potential for positive effects on landscape and prudent use of land.

13. The LPS Sustainability Appraisal also found potential for negative effects in terms of the potential increase in traffic travelling to and from the site. In relation to the historic environment there is potential for a major long term negative effect as the site is bound by the Trent and Mersey Canal to the west, and therefore includes the associated Conservation Area, although it is recognised that the visual improvement of the site may have the potential for a minor long term positive effect. There are also a number of Grade II Listed Buildings, a Scheduled Monument and an Area of Archaeological Potential in its vicinity/on the site. It also recognised, however, that there is the potential for a positive effect on the Scheduled Monument in terms of improved access into the site, subject to appropriate safeguards.
14. The site is located adjacent to the Cledford Lane Lime Beds Local Wildlife Site. However, the SA associated with the LPS recognised that mitigation provided through Local Plan policies and available at a project level should ensure that development will not have any significant negative effects. A suitable buffer should be provided between the two sites.
15. The appraisal concluded that the Policy LPS 43, alongside other LPS policies should make sure that there are no major negative effects as a result of the proposed development. Despite the mitigation provided there is still likely to be cumulative residual minor negative effects on SA Objectives relating to traffic and potential impacts on air quality. However, development is also likely to have major positive cumulative effects for the residents of Middlewich through improved accessibility to housing, employment, facilities/services as well as public transport through a new Railway Station, and an enhanced green infrastructure network.
16. Schedule 1 of the directive sets out the assessment criteria for considering significant environmental effects. The SPD has been assessed against this criteria and the outcomes set out in Table 1

Conclusion and SEA screening outcome

Cheshire East Council believes that the impact of the SPD, through responses to the SEA Directive Criteria, will have a beneficial environmental effect on Brooks Lane. In addition, the SPD is not setting new policy; it is supplementing and providing further

guidance on an existing LPS policy. Therefore, it is considered that an SEA is not required on the Brooks Lane Masterplan SPD. This conclusion has been informed by consultation with statutory consultees (Environment Agency, Historic England and Natural England).

Table 1: assessment of likely significance of effects on the environment

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|--|---|--|
| 1.Characteristics of the SPD having particular regard to: | | |
| (a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources. | <p>Guidance is supplementary to policy LPS 43 in the LPS, which provides an overarching framework for development in Cheshire East.</p> <p>The SPD provides further clarity and certainty to form the basis for the submission and determination of planning applications on the site, consistent with policies in the LPS.</p> <p>Final decisions will be determined through the development management process.</p> <p>No resources are allocated.</p> | No |
| (b)The degree to which the SPD influences other plans and programmes including those in a hierarchy. | The SPD is in general conformity with the LPS, which has been subject to a full Sustainability Appraisal (incorporating SEA). The guidance provided is supplementary to policy LPS 43. | No |
| (c)The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development. | <p>The SPD promotes sustainable development in accordance with the NPPF and LPS policies. The LPS has been the subject of a full Sustainability Appraisal (incorporating SEA).</p> <p>A number of environmental topics have been considered through the SPD including support for a restored watercourse, and green infrastructure and landscape structure across the site to support Canal-side activity. The development framework also seeks to support opportunities for a sustainable urban drainage strategy and a landscape framework. It also seeks to support and enhance heritage assets on the site.</p> | No |
| (d)Environmental problems relevant to the SPD. | <p>The SPD will apply to the Brooks Lane site boundary. It is considered unlikely to exacerbate environmental problems and may help to address some of the issues set out below:</p> <ul style="list-style-type: none"> • Surface water flooding • Provision of green infrastructure | No |

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|--|--|--|
| | <ul style="list-style-type: none"> Land remediation <p>The site is located adjacent to the Cledford Lane Lime Beds Local Wildlife Site. However, the SA associated with the LPS recognised that mitigation provided for through Local Plan policies and available at a project level should ensure that development will not have any significant negative effects. A suitable buffer should be provided between the two sites.</p> | |
| (e)The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection). | <p>The SPD will not impact on the implementation of community legislation on the environment.</p> <p>The SPD will support the implementation of, and will be in compliance with, the LPS, which has already taken account of existing relevant European and National legislative framework for environmental protection.</p> | No |
| 2.Characteristics of the effects and area likely to be affected having particular regard to: | | |
| (a)The probability, duration, frequency and reversibility of the effects. | The SPD adds detail to adopted LPS policy; itself the subject of SA. | No |
| (b)The cumulative nature of the effects of the SPD. | The SPD adds detail to adopted LPS policy, itself the subject of SA. The SA associated with the LPS considered relevant plans and programmes. No other plans or programmes have emerged that alter this position.. | No |
| (c)The trans boundary nature of the effects of the SPD. | Trans-boundary effects will not be significant. The effects of the SPD will be local in nature. | No |
| (d)The risks to human health or the environment (e.g. due to accident). | <p>The SPD is not considered to pose any risks to health or the environment and is envisaged to result in largely beneficial effects through land remediation, introduction of green infrastructure and landscape.</p> <p>The SPD recognises that future development is subject to securing an acceptable relationship between employment and residential uses.</p> | No |
| (e)The magnitude and spatial extent of the effects (geographic | The SPD adds detail to adopted LPS policy; | No |

| SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004 | Summary of significant effects, scope and influence of the document | Is the Plan likely to have a significant environmental effect (Yes / No) |
|--|--|---|
| area and size of the population likely to be affected) by the SPD. | itself the subject of SA. | |
| (f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> • Special natural characteristics of cultural heritage • Exceeded environmental quality standards or limit values • Intensive land use | <p>The SPD is unlikely to result in exceeded environmental standards. The site is not within an Air Quality Management Area. The impact of a change in land use has been considered through the SA process associated with the adoption of the LPS and appropriate policy guidance has been set out for the site. The area likely to be considered will be guided by individual planning applications. The appropriateness of those locations will be guided by policies within the Local Plan, which has been subject to SEA.</p> <p>The site is located adjacent to the Cledford Lane Lime Beds Local Wildlife Site. However, the SA associated with the LPS recognised that mitigation provided through Local Plan policies and available at a project level should ensure that development will not have any significant negative effects. A suitable buffer should be provided between the two sites.</p> | No |
| (g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status. | There are no community or internationally protected landscapes impacted upon by the SPD. | No |

Habitats Regulations Assessment Statement

17. The Council has considered whether its planning documents would have a significant adverse effect upon the integrity of internationally designated sites of nature conservation importance. European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) provides legal protection to habitats and species of European importance. The principal aim of this directive is to maintain at, and where necessary restore to, favourable conservation status of flora, fauna and habitats found at these designated sites.
18. The Directive is transposed into English legislation through the Conservation of Habitats and Species Regulations 2017 (a consolidation of the amended Conservation of Habitats and Species Regulations, 2010) published in November 2017.
19. European sites provide important habitats for rare, endangered or vulnerable natural habitats and species of exceptional importance within the European Union. These sites consist of Special Areas

of Conservation (SACs, designated under the EU Directive 92/43/EEC on the conservation of natural habitats and of fauna and flora (Habitats Directive)), and Special Protection Areas (SPAs, designated under EU Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)). Government policy requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.

20. Spatial planning documents may be required to undergo Habitats Regulations Screening if they are not directly connected with or necessary to the management of a European site. As the SPD is not connected with, or necessary to, the management of European sites, the HRA implications of the SPD have been considered.
21. The SPD follows the allocation of the site in the LPS (ref LPS 43). The LPS has been the subject of screening under the Habitats Regulations Assessment associated with the development of the document.
22. A recent judgement, published on the 13 April 2018 (People Over Wind and Sweetman v Coillte Teoranta (C-323/17) clarified that measures intended to avoid or reduce the harmful effects of a proposed project on a European site may no longer be taken into account by competent authorities at the Habitat Regulations Assessment “screening stage” when judging whether a proposed plan or project is likely to have a significant effect on the integrity of a European designated site.
23. The Habitats Regulations Assessment that supported the LPS determined that the Brooks Lane site (LPS 43) is over 7km from its nearest European Site (Midland Meres and Mosses Phase 1 Ramsar (Bagmere SSSI)) and that no potential impact pathways were identified regarding any European site. As such it was not necessary to proceed to the next stage of the Habitats Regulations Assessment process, i.e. the requirement for an appropriate assessment. This conclusion is still relevant in the light of the legal ruling (People over Wind, Peter Sweetman v Coillte Teoranta).
24. The Brooks Lane Masterplan SPD does not make any change to the site area, or the general policy guidance contained within policy LPS 43 of the LPS. The overall conclusion of this screening assessment is that the Brooks Lane Masterplan SPD is unlikely to have any significant effects on the Natura 2000 or Ramsar sites identified alone or in combination with other plans or projects. As such it is not considered necessary to proceed with the next stage of the Habitats Regulations Assessment process, i.e. the requirement for an appropriate assessment. This conclusion has been informed by consultation with statutory consultees (Environment Agency, Historic England and Natural England).



Working for a brighter future together

Strategic Planning Board

Date of Meeting: 18 December 2019

Report Title: Planning Appeals Report

Portfolio Holder: Councillor Toni Fox, Portfolio Holder for Planning

Senior Officer: David Malcolm, Acting Head of Planning

1. Report Summary

- 1.1. A statistical overview of the outcome of Planning Appeals that have been decided between 1st January 2019 and 30th September 2019. The report provides information that should help monitor the Council's quality of decision making in respect of planning applications.

2. Recommendations

- 2.1. That the Report be noted.

3. Reasons for Recommendations

- 3.1. To acknowledge the appeal outcomes from the Council's decision making on planning applications.

4. Other Options Considered

- 4.1. The report is for information only and no other options are applicable

5. Background

- 5.1. All of the Council's decisions made on planning applications are subject to the right of appeal under section 78 of the Town and Country Planning Act 1990. Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. However, the Secretary of State also has the power to make the decision on an appeal rather than it being made by a Planning Inspector - this is referred to as a 'recovered appeal'.

- 5.2. Appeals can be dealt with through several different procedures: written representations; informal hearing; or public inquiry. There is also a fast-track procedure for householder and small scale commercial developments.
- 5.3. All of the Appeal Decisions referred to in this report can be viewed in full online on the planning application file using the relevant planning reference number.
- 5.4. This report relates to planning appeals and does not include appeals against Enforcement Notices or Listed Building Notices.

6. Commentary on appeal statistics

- 6.1. The statistics on planning appeals for the full year of 2018/19 are set out in Appendix 1 and 2. The statistics on planning appeals for the year to date of 2019/20 are set out in Appendix 3 and 4.
- 6.2. The statistics are set into different components to enable key trends to be identified:
 - Overall performance;
 - Outcomes by type of appeal procedure;
 - Outcomes of delegated decisions;
 - Outcomes of committee decisions;
 - Overall numbers of appeals lodged;
 - Benchmarking nationally.
- 6.3. The overall number of appeals lodged has remained consistent and averages out at approximately 120 planning appeals annually. At present, approximately 30% of decisions to refuse planning permission will result in a planning appeal.
- 6.4. In terms of the outcomes of the appeals decided, the performance is very close to the national average; 36% of appeals were allowed in the full year for 2018/19. For the first two quarters of this financial year 25% of appeals have been allowed. Across the whole reporting period 32% of appeals have been allowed. The national average for the same period is 30%.
- 6.5. It should be noted that, due to the timescales of the appeals process, these figures will generally reflect planning application decisions made by the Council prior to 1st April 2019.

7. Implications of the Recommendations

7.1. Legal Implications

7.1.1. As no decision is required there are no legal implications.

7.2. Finance Implications

7.2.1. There are no financial implications.

7.3. Policy Implications

7.3.1. There are no policy implications.

7.4. Equality Implications

7.4.1. There are no Equality implications

7.5. Human Resources Implications

7.5.1. There are no HR implications

7.6. Risk Management Implications

7.6.1. There are no risk management implications

7.7. Rural Communities Implications

7.7.1. There are no direct implications for rural communities.

7.8. Implications for Children & Young People/Cared for Children

7.8.1. There are no direct implications for children and young people.

7.9. Public Health Implications

7.9.1. There are no direct implications for public health.

7.10. Climate Change Implications

7.10.1. There are no climate change implications

8. Ward Members Affected

8.1. The Report relates to all Wards. The report is for noting only.

9. Consultation & Engagement

9.1. Not applicable.

10. Access to Information

- 10.1. Planning Appeal statistics for 2018/19 (Appendix 1 and 2)
- 10.2. Planning Appeal statistics for 01-Apr-2019 to 30-Sept-2019 (Appendix 2 and 3)

11. Contact Information

- 11.1. Any questions relating to this report should be directed to the following officer:

Name: Peter Hooley

Job Title: Planning and Enforcement Manager

Email: peter.hooley@cheshireeast.gov.uk

Quarterly Planning Appeals Report

Appendix 1. Planning Appeal Statistics 2018/19

| All Planning Appeals decided | | | | | |
|---|--------------|--------------|--------------|------------|------------------|
| Q1 (1st Apr 2018 to 30th Jun 2018) | | | | | |
| Q2 (1st Jul 2018 to 30th Sept 2018) | | | | | |
| Q3 (1st Oct 2018 to 31st Dec 2018) | | | | | |
| Q4 (1st Jan 2019 to 31st Mar 2019) | | | | | |
| | Q1 | Q2 | Q3 | Q4 | Full Year |
| Number of Planning Appeals determined | 30 | 21 | 30 | 31 | 112 |
| Total Allowed | 11 | 5 | 11 | 13 | 40 |
| Total Dismissed (%) | 19 | 16 | 19 | 18 | 72 |
| Percentage allowed | 36.7% | 23.8% | 36.7% | 42% | 36% |
| <i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i> | | | | | |

| Public Inquiries | Q1 | Q2 | Q3 | Q4 | Full Year |
|------------------------------|------------|------------|------------|------------|------------------|
| Number of appeals determined | 0 | 0 | 0 | 0 | 0 |
| Total Allowed | 0 | 0 | 0 | 0 | 0 |
| Total Dismissed | 0 | 0 | 0 | 0 | 0 |
| Percentage allowed | n/a | n/a | n/a | n/a | n/a |

| Hearings | Q1 | Q2 | Q3 | Q4 | Full Year |
|------------------------------|------------|--------------|-------------|-----------|------------------|
| Number of appeals determined | 2 | 6 | 2 | 3 | 13 |
| Total Allowed | 1 | 1 | 2 | 1 | 5 |
| Total Dismissed | 1 | 5 | 0 | 2 | 8 |
| Percentage allowed | 50% | 16.7% | 100% | 0% | 38% |

| Written representations | Q1 | Q2 | Q3 | Q4 | Full Year |
|--------------------------------|------------|------------|--------------|------------|------------------|
| Number of appeals determined | 19 | 10 | 24 | 23 | 76 |
| Total Allowed | 5 | 3 | 8 | 9 | 25 |
| Total Dismissed | 14 | 7 | 16 | 14 | 51 |
| Percentage allowed | 26% | 30% | 33.3% | 39% | 33% |

Quarterly Planning Appeals Report

| Householder Appeal Service | Q1 | Q2 | Q3 | Q4 | Full Year |
|-----------------------------------|------------|------------|------------|------------|------------------|
| Number of appeals determined | 9 | 5 | 4 | 5 | 23 |
| Total Allowed | 5 | 1 | 1 | 3 | 10 |
| Total Dismissed | 4 | 4 | 3 | 2 | 13 |
| Percentage allowed | 56% | 20% | 25% | 60% | 43% |

Appeals against Delegated Decisions

| | Q1 | Q2 | Q3 | Q4 | Full Year |
|------------------------------|------------|--------------|------------|------------|------------------|
| Number of appeals determined | 26 | 17 | 25 | 30 | 98 |
| Total Allowed | 8 | 3 | 9 | 13 | 33 |
| Total Dismissed | 18 | 14 | 16 | 17 | 65 |
| Percentage allowed | 31% | 17.6% | 36% | 43% | 34% |

Appeals against Planning Committee Decisions

| | Q1 | Q2 | Q3 | Q4 | Full Year |
|------------------------------|------------|------------|------------|-----------|------------------|
| Number of appeals determined | 4 | 4 | 4 | 1 | 13 |
| Total Allowed | 3 | 2 | 2 | 0 | 7 |
| Total Dismissed | 1 | 2 | 2 | 1 | 6 |
| Percentage allowed | 75% | 50% | 50% | 0% | 54% |

Appeals Lodged this year

| | Q1 | Q2 | Q3 | Q4 | Full Year |
|----------------------|-----------|-----------|-----------|-----------|------------------|
| Public Inquiries | 0 | 0 | 0 | 1 | 1 |
| Hearing | 6 | 3 | 3 | 3 | 15 |
| Written Rep | 22 | 21 | 20 | 17 | 80 |
| Household fast-track | 3 | 9 | 4 | 11 | 27 |
| Total | 31 | 30 | 22 | 32 | 123 |

**Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

Benchmarking**Latest national figures for s78 Planning Appeals**

| 2018/19 | | | | |
|------------------------------|-----------------------|-----------------|--------------------------------|------------|
| | Public Inquiry | Hearings | Written Representations | All |
| Number of appeals determined | 202 | 488 | 9,486 | 10,176 |
| Percentage allowed | 48% | 42% | 29% | 30% |

Quarterly Planning Appeals Report

National figures for Householder Appeal Service

| 2018/19 | |
|------------------------------|--------------------|
| | Householder |
| Number of appeals determined | 4,462 |
| Percentage allowed | 38% |

Source: Planning Inspectorate Statistics 09/12/2019.

Appendix 2. Appeals determined 1st Jan 2019 – 31st March 2019

| LPA ref. | Site Address | Development Description (short description) | Decision Level | Procedure | Appeal Outcome | Committee Overturn Y/N |
|-----------------|--|---|-----------------------|----------------------------|-----------------------|-------------------------------|
| 18/0356C | CHERRY LANE FARM, CHERRY LANE, RODE HEATH, ST7 3QX | Demolition of existing commercial buildings and construction of 14 no. residential | Southern Planning | Written Representations | Dismissed | Yes |
| 15/5637M | Land off SCHOOL LANE, MARTON | Erection of up to 23No. Dwellings | Northern Planning | Public Inquiry | Withdrawn | No |
| 17/4545M | Holly Tree Farm, Plumley Moor Road, Plumley, WA16 9RU | Application for single storey groom's accommodation. (In retrospect) | Delegation | Informal Hearing | Dismissed | N/A |
| 16/2585M | BRYANCLIFFE, WILMSLOW PARK SOUTH, WILMSLOW, SK9 2AY | Erection of four houses (two detached and two semi-detached). | Delegation | Written Representations | Dismissed | N/A |
| 18/2014N | NESS COTTAGE, WRENBURY ROAD, ASTON, CW5 8DQ | Two storey extension to rear of dwelling (Re-submission of application 18/0389N) | Delegation | Householder Appeal Service | Allowed | N/A |
| 17/6472C | Land adjacent to 23, Sandbach Road, Church Lawton, ST7 3DW | Residential dwelling | Delegation | Written Representations | Allowed | N/A |
| 18/1441M | HOPE LANE COTTAGE, HOPE LANE, ADLINGTON, SK10 4NX | Removal of existing single storey conservatory to side and construction | Delegation | Informal Hearing | Allowed | N/A |
| 18/3136M | Grove End Farm, Blossoms Lane, WOODFORD, SK7 1RF | Prior approval for change of use of agricultural building | Delegation | Written Representations | Dismissed | N/A |
| 18/2619N | Bridge House Farm, Bridgehouse Lane, WINTERLEY, CW11 4RU | Certificate of Lawful Existing Use for The use of buildings | Delegation | Written Representations | Dismissed | N/A |
| 17/2206M | Land at Congleton Road, MACCLESFIELD | Creation of a roundabout junction and new access road at Congleton Road | Delegation | Written Representations | Dismissed | N/A |
| 18/2962M | Hillcrest Farm, HOLMES CHAPEL ROAD, OVER PEOVER, WA16 9RB | Prior approval for change of use of agricultural building into a residential dwelling | Delegation | Written Representations | Dismissed | N/A |
| 18/2620M | NYWEN, PICKMERE LANE, | The proposal is for part demolition, | Delegation | Householder | Dismissed | N/A |

Quarterly Planning Appeals Report

| | | | | | | |
|----------|--|--|------------|----------------------------|-----------|-----|
| | PICKMERE, WA16 0JP | extensions and alterations | | Appeal Service | | |
| 18/2976M | FODENS FARM, WOODHOUSE END ROAD, GAWSWORTH, SK11 9QT | Demolition of an existing two-storey detached dwelling, outbuildings and barns | Delegation | Written Representations | Allowed | N/A |
| 18/1595N | Larden Green Farm, Spring Lane, Baddiley, CW5 8JN | Change of use of existing oak framed outbuilding and extension | Delegation | Written Representations | Dismissed | N/A |
| 18/3074N | BARNs AT HAUGHTON BARN, BADCOCKS LANE, SPURSTOW, CW6 9RR | Prior approval for a proposed change of use of barns to two dwellings | Delegation | Written Representations | Allowed | N/A |
| 18/2012M | Land at Locoshed, BOLLINGTON LANE, NETHER ALDERLEY, SK10 4TB | Demolition of existing building and removal of external storage | Delegation | Written Representations | Dismissed | N/A |
| 18/4634M | 44, Buxton Road, Disley, SK12 2EY | Proposed One No Pitched Roof Front Dormer. | Delegation | Householder Appeal Service | Dismissed | N/A |
| 17/5078M | Land to the west of FROG LANE, PICKMERE | Outline application with some matters reserved for an infill residential development | Delegation | Written Representations | Allowed | N/A |
| 18/3893M | WILLOWS WOOD, NEWTON HALL LANE, MOBBERLEY, WA16 7LB | Alterations and extensions to an existing dwelling | Delegation | Householder Appeal Service | Allowed | N/A |
| 17/5671M | WHITE LODGE, CHESTER ROAD, TABLEY, WA16 0HF | Amendments to previously approved extensions ref: 16/2815M | Delegation | Written Representations | Allowed | N/A |
| 17/5672M | WHITE LODGE, CHESTER ROAD, TABLEY, WA16 0HF | Listed building consent for amendments to previously approved extensions | Delegation | Written Representations | Allowed | N/A |
| 18/1014C | Sandy Lane Farm, GIANTSWOOD LANE, HULME WALFIELD, CW12 2JJ | Conversion of agricultural building into dwelling | Delegation | Written Representations | Allowed | N/A |
| 18/3434M | 49D, KNUTSFORD ROAD, WILMSLOW, SK9 6JD | Alterations to existing private driveway including new vehicle and pedestrian access | Delegation | Householder Appeal Service | Allowed | N/A |
| 18/1897M | Beech Tree Lodge, Hocker Lane, Over Alderley, SK10 4SE | Variation of Condition 3 on approved Planning Applications 17/4551M and 17/4552M | Delegation | Written Representations | Allowed | N/A |
| 18/2956M | Beech Tree Lodge, Hocker Lane, Over Alderley, SK10 4SE | Variation of Condition 3 on approved Planning Application 17/4552M (LBC) | Delegation | Written Representations | Allowed | N/A |

Quarterly Planning Appeals Report

| | | | | | | |
|----------|--|--|------------|-------------------------|-----------|-----|
| 18/2921M | OAK BANK FARM, MOSS LANE, MOBBERLEY, WA16 7BU | Rear single storey extension with alterations to the listed building and outbuilding | Delegation | Written Representations | Dismissed | N/A |
| 18/2702M | OAK BANK FARM, MOSS LANE, MOBBERLEY, WA16 7BU | Listed building consent for rear single storey extension with alterations to the | Delegation | Written Representations | Dismissed | N/A |
| 18/1225M | 17, NORTHWICH ROAD, KNUTSFORD, WA16 0AB | Proposed demolition of existing dwelling and erection of 3 new dwellings | Delegation | Written Representations | Dismissed | N/A |
| 17/5322N | FROG MANOR, OVER ROAD, CHURCH MINSHULL, CW5 6EA | Proposed detached dwelling and associated parking & access (re-submission of app | Delegation | Written Representations | Dismissed | N/A |
| 18/2523N | Bookmakers House, 100, WELSH ROW, NANTWICH, CW5 5ET | Proposed detached dwelling | Delegation | Written Representations | Dismissed | N/A |
| 18/0108N | Ivy Cottage, FERRET OAK LANE, HAUGHTON, CW6 9RQ | New infill dwelling house | Delegation | Written Representations | Dismissed | N/A |
| 17/5297M | Maintenance Shed, The Coach House, PEOVER LANE, CHELFORD, SK11 9AN | Conversion of existing maintenance shed outbuilding | Delegation | Informal Hearing | Dismissed | N/A |

Quarterly Planning Appeals Report

Appendix 3. Planning Appeal Statistics 2019/20

| All Planning Appeals decided | | | | | |
|---|------------|------------|-----------|-----------|---------------------|
| Q1 (1st Apr 2018 to 30th Jun 2019) | | | | | |
| Q2 (1st Jul 2018 to 30th Sept 2019) | | | | | |
| Q3 (1st Oct 2018 to 31st Dec 2019) | | | | | |
| Q4 (1st Jan 2019 to 31st Mar 2020) | | | | | |
| | Q1 | Q2 | Q3 | Q4 | Year to date |
| Number of Planning Appeals determined | 40 | 23 | | | 63 |
| Total Allowed | 10 | 6 | | | 16 |
| Total Dismissed (%) | 30 | 17 | | | 47 |
| Percentage allowed | 25% | 26% | | | 25% |
| <i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i> | | | | | |

| Public Inquiries | Q1 | Q2 | Q3 | Q4 | YTD |
|------------------------------|------------|------------|-----------|-----------|------------|
| Number of appeals determined | 4 | 0 | | | 4 |
| Total Allowed | 2 | 0 | | | 2 |
| Total Dismissed | 2 | 0 | | | 2 |
| Percentage allowed | 50% | n/a | | | 50% |

| Hearings | Q1 | Q2 | Q3 | Q4 | YTD |
|------------------------------|------------|-------------|-----------|-----------|------------|
| Number of appeals determined | 6 | 1 | | | 7 |
| Total Allowed | 4 | 1 | | | 5 |
| Total Dismissed | 2 | 0 | | | 2 |
| Percentage allowed | 67% | 100% | | | 71% |

| Written representations | Q1 | Q2 | Q3 | Q4 | YTD |
|--------------------------------|-----------|------------|-----------|-----------|------------|
| Number of appeals determined | 23 | 11 | | | 34 |
| Total Allowed | 2 | 3 | | | 5 |
| Total Dismissed | 21 | 8 | | | 29 |
| Percentage allowed | 9% | 27% | | | 15% |

Quarterly Planning Appeals Report

| Householder Appeal Service | Q1 | Q2 | Q3 | Q4 | YTD |
|-----------------------------------|------------|------------|-----------|-----------|------------|
| Number of appeals determined | 7 | 11 | | | 18 |
| Total Allowed | 2 | 2 | | | 4 |
| Total Dismissed | 5 | 9 | | | 14 |
| Percentage allowed | 29% | 18% | | | 22% |

Appeals against Delegated Decisions

| | Q1 | Q2 | Q3 | Q4 | YTD |
|------------------------------|------------|------------|-----------|-----------|------------|
| Number of appeals determined | 30 | 22 | | | 52 |
| Total Allowed | 6 | 5 | | | 11 |
| Total Dismissed | 24 | 17 | | | 41 |
| Percentage allowed | 20% | 23% | | | 21% |

Appeals against Planning Committee Decisions

| | Q1 | Q2 | Q3 | Q4 | YTD |
|------------------------------|------------|-------------|-----------|-----------|------------|
| Number of appeals determined | 10 | 1 | | | 11 |
| Total Allowed | 4 | 1 | | | 5 |
| Total Dismissed | 6 | 0 | | | 6 |
| Percentage allowed | 40% | 100% | | | 45% |

Appeals Lodged this year

| | Q1 | Q2 | Q3 | Q4 | YTD |
|----------------------|-----------|-----------|-----------|-----------|------------|
| Public Inquiries | 1 | 0 | | | 1 |
| Hearing | 1 | 4 | | | 5 |
| Written Rep | 11 | 25 | | | 36 |
| Household fast-track | 12 | 13 | | | 25 |
| Total | 25 | 42 | | | 67* |

**Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

Benchmarking**Latest national figures for s78 Planning Appeals**

| 2018/19 | | | | |
|------------------------------|-----------------------|-----------------|--------------------------------|------------|
| | Public Inquiry | Hearings | Written Representations | All |
| Number of appeals determined | 202 | 488 | 9,486 | 10,176 |
| Percentage allowed | 48% | 42% | 29% | 30% |

Quarterly Planning Appeals Report

National figures for Householder Appeal Service

| 2018/19 | |
|------------------------------|--------------------|
| | Householder |
| Number of appeals determined | 4,462 |
| Percentage allowed | 38% |

Source: Planning Inspectorate Statistics 09/12/2019

Appendix 4. Appeals determined 1st April 2019 - 30th Sept 2019

| LPA ref. | Site Address | Development Description (short description) | Decision Level | Procedure | Appeal Outcome | Committee Overturn Y/N |
|-----------------|--|--|-----------------------|-------------------------|-----------------------|-------------------------------|
| 15/0400M | Land off Earl Road/Epsom Avenue, Handforth | Demolition of Existing Buildings and Erection of Five Units | Strategic Planning | Public Inquiry | Allowed | No |
| 16/0802M | Land at Earl Road, Handforth | Erection of four restaurants and three drive-thru restaurant/cafe's along with a | Strategic Planning | Public Inquiry | Dismissed | No |
| 16/3284M | LAND AT EARL ROAD, HANDFORTH | Erection of retail floorspace | Strategic Planning | Public Inquiry | Allowed | No |
| 16/0138M | LAND AT EARL ROAD, HANDFORTH | Erection of retail floorspace, cafes, restaurants and drive thru restaurants alo | Strategic Planning | Public Inquiry | Dismissed | No |
| 18/1250N | Land to the rear of Oakleaf Close, Shavington, Crewe, CW2 5SF | 15 new dwellings comprising 11 4/5-bedroomed detached and 4 3-bedroo | Southern Planning | Written Representations | Dismissed | No |
| 17/5016N | LAND AT MILL STREET & LOCKITT STREET, CREWE | Hybrid planning application comprising (1) Full Planning Application for the ere | Southern Planning | Written Representations | Dismissed | No |
| 17/5170C | Land south of DRAGONS LANE, MOSTON | Variation of condition 3 on 12/0971C | Southern Planning | Informal Hearing | Allowed | Yes |
| 17/2114C | THIMSWARRA FARM, DRAGONS LANE, MOSTON | Removal of condition 1 to make permission permanent and non personal and variati | Southern Planning | Informal Hearing | Allowed | Yes |
| 18/3123N | LAND SOUTH EAST OF CREWE ROAD ROADABOUT, UNIVERSITY WAY, CREWE | Erection of a new foodstore (Use Class A1), access, substation and associated ca | Southern Planning | Public Inquiry | Withdrawn | No |
| 17/2879N | 12, CEMETERY ROAD, WESTON, CW2 5LQ | The use of land for the stationing of caravans for residential purposes for one | Southern Planning | Informal Hearing | Allowed | Yes |
| 18/3205M | Land to the south of GASKELL AVENUE, KNUTSFORD | Construction of a single dwelling (Victorian garden walled dwelling) | Northern Planning | Written Representations | Dismissed | No |
| 17/6072M | Ollerton Nursery, CHELFORD ROAD, OLLERTON, WA16 8RJ | Redevelopment of former garden centre to 17no. Dwellings, public open spaces inc | Northern Planning | Written Representations | Dismissed | No |
| 18/1089C | Land off Macclesfield Road, Holmes Chapel, CW4 8AL | Construction of three dwellings (re-submission of 17/4519C) | Delegation | Written Representations | Dismissed | N/A |

Quarterly Planning Appeals Report

| | | | | | | |
|----------|--|--|------------|----------------------------|-----------|-----|
| 18/0205C | THE SPINNEY, NEW PLATT LANE, CRANAGE, CW4 8HS | Erection of a Dwelling. Construct additional access. | Delegation | Written Representations | Dismissed | N/A |
| 18/2968C | DAIRY HOUSE FARM, HALL GREEN LANE, SOMERFORD BOOTHES, CW12 2LY | Erection of key agricultural workers dwelling - resubmission of 17/2753C | Delegation | Written Representations | Dismissed | N/A |
| 18/2623C | Key Green Farm, PEDLEY LANE, CONGLETON | Erection of a log cabin-style agricultural workers dwelling | Delegation | Informal Hearing | Dismissed | N/A |
| 18/3178M | Land off Adlington Business Park, ADLINGTON PARK, ADLINGTON | Erection of a storage unit (Use Class B8) with associated hardstanding areas. | Delegation | Written Representations | Dismissed | N/A |
| 18/5132C | MILL FARM, NEWCASTLE ROAD, SMALLWOOD, CW11 2UA | Demolition of existing steel portal framed building and erection of ancillary re | Delegation | Written Representations | Allowed | N/A |
| 18/3814M | OVER SPINNEY, WHITEBARN ROAD, ALDERLEY EDGE, SK9 7AN | Demolition of existing dwelling and erection of a 2-storey replacement detached | Delegation | Written Representations | Dismissed | N/A |
| 18/3030M | CLOVERDALE, CHELFORD ROAD, PRESTBURY, SK10 4AW | Demolition of an existing dwelling and the erection of 10no. apartments with ass | Delegation | Written Representations | Dismissed | N/A |
| 18/0057M | Coach House, 23, HAWTHORN GROVE, WILMSLOW, SK9 5DE | Conversion of existing coachhouse with 2 x 1-bed apartments into 3 bed dwelling | Delegation | Written Representations | Allowed | N/A |
| 18/4673M | 20, HAYTON STREET, KNUTSFORD, WA16 0DR | Proposed second storey side extension and internal alterations together with two | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/4570M | 24, ELM CRESCENT, ALDERLEY EDGE, SK9 7PQ | Proposed extensions and alterations | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/3961M | Moss Lane Farm, 79 Moss Lane, Styal, SK9 4LQ | Single storey extension to the rear | Delegation | Householder Appeal Service | Dismissed | N/A |
| 17/3858N | Land to south east of CLAY LANE, HASLINGTON | Change of use from agricultural field to haulage yard with site office, car park | Delegation | Informal Hearing | Dismissed | N/A |
| 18/0601M | LAND ADJOINING COPPICE ROAD, POYNTON, SK12 1SP | Proposed erection of two detached bungalows, associated access and landscaping w | Delegation | Informal Hearing | Allowed | N/A |
| 18/5278C | 7 THE STABLES, SOMERFORD HALL, HOLMES | Rear single-storey extension | Delegation | Householder Appeal Service | Dismissed | N/A |

Quarterly Planning Appeals Report

| | | | | | | |
|----------|--|--|------------|-------------------------------|-----------------------------------|-----|
| | CHAPEL ROAD, SOMERFORD, CW12 4SL | | | | | |
| 18/5167C | Former Paul Sheard Autos, NEWCASTLE ROAD, ASTBURY, CW12 4JX | Change of use to mixed use comprising of MOT station, car repairs and car wash w | Delegation | Written Representations | Dismissed | N/A |
| 18/4271M | Land at MIDDLEWOOD ROAD, POYNTON | Erection of 4 no. two-storey semi- detached affordable dwellings with associated | Delegation | Written Representations | Dismissed | N/A |
| 18/6184N | 5 CHORLEY GREEN FARM BARNs, Chorley Green Farm, NANTWICH ROAD, CHORLEY, CW5 8JR | Single-storey rear extension and formation of new window opening | Delegation | Householder Appeal Service | Deemed Invalid by DoE | N/A |
| 18/4216M | Beech Cottage, KNUTSFORD ROAD, KNOLLS GREEN, MOBBERLEY, WA16 7BW | Creation of a single space drive to the front of the property with associated la | Delegation | Householder Appeal Service | Part allowed/Part dismissed | N/A |
| 18/2747C | 4, Jay Close, Somerford, CW12 4AR | Retention of shed and decking with ecological enhancements and habitat creation | Delegation | Written Representations | Dismissed | N/A |
| 18/2152M | Land Opposite Nixons Cottage, HOLMES CHAPEL ROAD, OVER PEOVER | Erection of stable building with associated access and hardstanding | Delegation | Written Representations | Dismissed | N/A |
| 17/6399M | MEREVIEW FARM, PARK LANE, PICKMERE, WA16 0LG | Construction of two infill dwellings. | Delegation | Written Representations | Dismissed | N/A |
| 18/1809M | Land off BROWNS LANE, WILMSLOW | Construction of a new field access and associated infrastructure off Browns Lane | Delegation | Written Representations | Dismissed | N/A |
| 18/4849N | 25, MAIN ROAD, SHAVINGTON, CW2 5DY | Dropped Kerb | Delegation | Householder Appeal Service | Allowed | N/A |
| 18/5766N | SUNNYSIDE, WYBUNBURY LANE, WYBUNBURY, CW5 7HD | Erection of single dwelling, associated landscaping and vehicular access | Delegation | Written Representations | Dismissed | N/A |
| 18/3277N | FIRBANK HOUSE, LONDON ROAD, STAPELEY, CW5 7JW | Proposed new 5-bedroom house | Delegation | Written Representations | Dismissed | N/A |
| 17/2781N | 78, BROAD LANE, STAPELEY, CW5 7QL | Single dwelling | Delegation | Written Representations | Dismissed | N/A |
| 18/3189C | The Hay Barn, The Hayloft, | Restoration of hay barn and construction | Delegation | Written | Dismissed | N/A |

Quarterly Planning Appeals Report

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|----------|--|---|------------|----------------------------|-----------------------------|-----|
| | MILL LANE, HOLMES CHAPEL, CW4 8AU | of dwelling | | Representations | | |
| 18/3190C | The Hay Barn, The Hayloft, MILL LANE, HOLMES CHAPEL, CW4 8AU | Listed Building Consent for restoration of hay barn and construction of dwelling | Delegation | Written Representations | Dismissed | N/A |
| 18/1025M | 51 - 53 Handforth Road, Wilmslow, SK9 2LX | Demolition of existing 2 detached properties and erection of 83 bedroom care home | Delegation | Informal Hearing | Withdrawn | N/A |
| 16/0962C | Land South of DRAGONS LANE, MOSTON | Change of use of land to use as a residential caravan site for one gypsy family | Delegation | Informal Hearing | Allowed | N/A |
| 19/0451C | 76, PALMER ROAD, SANDBACH, CW11 4EZ | Amended application for front two-storey extension following refusal of 18/5241C | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/5741M | Sunnybrook Barn South, CATCHPENNY LANE, LOWER WITHINGTON, SK11 9DG | Proposed single-storey side extension and installation of additional window | Delegation | Householder Appeal Service | Allowed | N/A |
| 18/4598M | 4 Dean Drive, Wilmslow, SK9 2EP | First floor extension on existing single-storey side extension and roof conversion | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/4315M | 8, BEECHWOOD, KNUTSFORD, WA16 8AR | First floor side extension and general alterations. | Delegation | Householder Appeal Service | Dismissed | N/A |
| 19/0572N | 2, POTTER CLOSE, WILLASTON, CW5 7HQ | Extension of boundary wall to incorporate land to the side of the property | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/2051N | Coole Acres, COOLE LANE, NEWHALL, CW5 8AY | Variation of conditions 18 & 29 on approval 09/0819N for change of use from agriculture | Delegation | Informal Hearing | Part allowed/Part dismissed | N/A |
| 18/3918M | OVER PEOVER METHODIST CHURCH, CINDER LANE, OVER PEOVER, WA16 8UR | Conversion of church to single dwelling | Delegation | Written Representations | Dismissed | N/A |
| 18/6283C | 135, ENNERDALE DRIVE, CONGLETON, CW12 4FL | Extension of existing garage at ground floor level to form utility room and extension | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/5179N | PLOT ADJACENT TO 4, PARK ROAD, WILLASTON, CW5 6PW | Detached dwelling (two-bed starter home) | Delegation | Written Representations | Dismissed | N/A |
| 18/6287M | OAKFIELD MANOR FARM, | Demolition of existing two-storey side | Delegation | Householder | Dismissed | N/A |

Quarterly Planning Appeals Report

| | | | | | | |
|----------|--|--|------------|----------------------------|-----------|-----|
| | CHELFORD LANE, OVER PEOVER, WA16 8UQ | extension and rear conservatory | | Appeal Service | | |
| 18/0869M | Land to the east of ECCUPS LANE, WILMSLOW | Demolition of existing residential garage (Use class C3), sheep shed | Delegation | Written Representations | Dismissed | N/A |
| 18/3125N | Grove Cottage, CHESTER ROAD, ALPRAHAM, CW6 9JA | Outline application for proposed two detached dwellings on surplus paddock land | Delegation | Written Representations | Dismissed | N/A |
| 18/1596N | West View, CHURCH ROAD, ASTON JUXTA MONDRUM, CW5 6DR | Outline application for a proposed car park for St Oswald's Worleston CE Primary | Delegation | Written Representations | Dismissed | N/A |
| 18/5979M | THE COACH HOUSE, STAMFORD ROAD, ALDERLEY EDGE, SK9 7NS | Two first floor side extensions and single-storey side extension and replacement | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/4687M | Land adjoining Boundary Lane, Over Peover | Agricultural access track | Delegation | Written Representations | Dismissed | N/A |
| 19/1627M | THE COACH HOUSE, STAMFORD ROAD, ALDERLEY EDGE, CHESHIRE, SK9 7NS | Two first floor side extensions, single-storey side extension and replacement | Delegation | Householder Appeal Service | Allowed | N/A |
| 19/0567N | Oakmoore, Wrenbury Road, Aston, CW5 8DQ | Erect a 1.4m wooden fence with 1.4m wooden gates | Delegation | Written Representations | Allowed | N/A |
| 18/4756N | The Willows, WHITCHURCH ROAD, ASTON, CW5 8DJ | Manege 40m x 25m and lighting | Delegation | Written Representations | Allowed | N/A |
| 18/4001C | The Long Barn, SANDBACH ROAD, WALL HILL, CW12 4TE | Outline application for proposed detached dwelling | Delegation | Written Representations | Dismissed | N/A |
| 18/4329C | Rose Bank, TWEMLOW LANE, CRANAGE, CW4 8EX | Construction of one new detached dwelling | Delegation | Written Representations | Dismissed | N/A |
| 18/6330M | Ivernina, Hobcroft Lane, Mobberley, WA16 7QU | To extend the previously approved 18/2208M extension by 1.55m allowing to create | Delegation | Householder Appeal Service | Allowed | N/A |
| 18/6048M | TARKEN, HALL LANE, MOBBERLEY, WA16 7AE | Proposed single-storey outbuilding. | Delegation | Householder Appeal Service | Dismissed | N/A |
| 19/1674M | 60, WESTFIELD DRIVE, KNUTSFORD, WA16 0BN | Dropped kerb to form driveway access and single-storey side extension | Delegation | Householder Appeal Service | Dismissed | N/A |
| 18/5299C | Acres Farm, WEATHERCOCK | Conversion of existing farm building into | Delegation | Written | Allowed | N/A |

Quarterly Planning Appeals Report

| | | | | | | |
|----------|--|---|------------|----------------------------|-----------|-----|
| | LANE, CONGLETON, CW12 3PS | an extension of existing residential | | Representations | | |
| 19/1517N | 16, BEEHCROFT AVENUE, WISTASTON, CW2 6SQ | Erection of a boundary fence to the front | Delegation | Householder Appeal Service | Dismissed | N/A |

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