

# Northern Planning Committee

## Agenda

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**Date:** Wednesday, 4th December, 2019  
**Time:** 10.00 am  
**Venue:** Council Chamber - Town Hall, Macclesfield, SK10 1EA

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

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

It should be noted that Part 1 items of Cheshire East Council decision-making 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**

To receive any apologies for absence.

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

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

**3. Minutes of the Previous Meeting** (Pages 5 - 10)

To approve the Minutes of the meeting held on 6 November 2019 as a correct record.

**4. Public Speaking**

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

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 Planning Committee
- 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 planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **19/2035M-Demolition of existing building and construction of 2no. new dwellings, Land adj Yew Tree Farm, Moor Lane, Wilmslow for Roger L. and Tim J. Price** (Pages 11 - 26)

To consider the above application.

6. **19/3831M-Demolition of existing 2 detached properties and erection of 60-bedroom care home with associated landscaping, car park and access (revised scheme), 51 Handforth Road, Wilmslow for New Care Projects LLP** (Pages 27 - 42)

To consider the above application.

7. **WITHDRAWN BY OFFICERS-18/5544M-Development of 10 dwellings and associated infrastructure, Land off Dark Lane, Gawsorth, Macclesfield for Mr M Thompson, Engine of the North** (Pages 43 - 60)

To consider the above application.

8. **19/3748M-Change of use of building from the manufacture of PVC windows and doors (B2 use class) to motorbike storage and sales with associated offices, workshop and MOT bay (B1/B2/B8/Sui Generis use classes), Land & Building, Snape Road, Macclesfield for Mr Behrens, Superbike Factory Limited** (Pages 61 - 72)

To consider the above application.

9. **19/4503M-Redevelopment for a new pharmaceutical manufacturing facility (Building 52), AstraZeneca, Charter Way, Macclesfield for Mr N Bennion, AstraZeneca** (Pages 73 - 84)

To consider the above application.

10. **19/1708M-Demolition of existing garage and out buildings and erection of two number 3 bedroom semi-detached houses with associated driveways and gardens, 90 Tytherington Drive, Macclesfield for Mr Tim Holland** (Pages 85 - 92)

To consider the above application.

11. **19/4475M-New Dwelling in the curtilage of 20 Eaton Drive, 20 Eaton Drive, Alderley Edge for Mr Craig Jones, the-cave.co.uk** (Pages 93 - 100)

To consider the above application.

12. **19/4290C-Reserved matters for access, appearance, landscaping, layout, scale relating to planning application 19/0739C - Outline application for an agricultural workers dwelling (permanent), Land to the West of Pexhall Road, Bramhall Hill, Congleton for Mr & Mrs David and Julie Platt** (Pages 101 - 108)

To consider the above application.

13. **19/3201M-Construction of a detached bungalow, 79 Shrigley Road South, Poynton for John Parrott** (Pages 109 - 116)

To consider the above application.

**Membership:** Councillors L Braithwaite, C Browne (Chairman), T Dean (Vice-Chairman), JP Findlow, A Gregory, A Harewood, S Holland, I Macfarlane, N Mannion, B Murphy, B Puddicombe and L Smetham

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 6th November, 2019 at The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

**PRESENT**

Councillor C Browne (Chairman)  
Councillor T Dean (Vice-Chairman)

Councillors L Braithwaite, JP Findlow, A Gregory, A Harewood, S Holland,  
I Macfarlane, N Mannion, K Parkinson (for Cllr Smetham) and B Puddicombe

**NON-COMMITTEE MEMBERS IN ATTENDANCE**

Councillors M Goldsmith and J Nicholas

**OFFICERS PRESENT**

Mr A Crowther (Major Applications Team Leader)  
Mrs N Folan (Planning Solicitor)  
Mr N Jones (Principal Development Officer)  
Mr P Wakefield (Principal Planning Officer)  
Mrs J Zientek (Democratic Services Officer)

**39 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors B Murphy and L  
Smetham.

**40 DECLARATIONS OF INTEREST/PRE DETERMINATION**

The following declarations were made in the interests of openness:

With regard to application number 19/3286M, Councillor N Mannion  
declared that he had known a senior manager of Alderley Park Ltd since  
primary school and through sporting connections since then but that he  
had not had any involvement in the application.

With regard to application number 19/3286M, Councillor C Browne  
declared that, as Deputy Leader, he represented Cheshire East Council on  
the Board of Alderley Park Ltd. The position was not remunerated. He  
would vacate the Chair in favour of the Vice-Chairman and not take part in  
the debate or vote.

**41 MINUTES OF THE PREVIOUS MEETING**

**RESOLVED**

That the minutes of the meeting held on 9 October 2019 be approved as a correct record and signed by the Chairman.

**42 PUBLIC SPEAKING**

**RESOLVED**

That the public speaking procedure be noted.

**43 19/2035M LAND ADJ YEW TREE FARM, MOOR LANE, WILMSLOW, CHESHIRE SK9 6BX: DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF 2NO. NEW DWELLINGS FOR ROGER L. AND TIM J. PRICE**

Note: Councillor M Goldsmith (Ward Councillor), Town Councillor Jon Newell (on behalf of Wilmslow Town Council), Amanda Williams (objector) and Ian Pleasant (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection.

**RESOLVED**

That the application be DEFERRED for further consideration regarding the impact of the proposed height of the buildings on the openness of the green belt.

**44 19/3286M HEATHERLEY WOODS, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY: OUTLINE APPLICATION WITH ALL MATTERS RESERVED EXCEPT FOR ACCESS FOR A RESIDENTIAL DEVELOPMENT OF UP TO 25 DWELLINGS WITH ASSOCIATED LANDSCAPING AND INFRASTRUCTURE FOR ALDERLEY PARK LTD**

Note: Having made a declaration, Councillor C Browne vacated the Chair in favour of the Vice-Chairman and withdrew from the meeting for the duration of the Committee's consideration of this item.

Note: Conor Vallelly attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

**RESOLVED**

(a) That, for the reasons set out in the report, the application be APPROVED subject to a Section 106 Agreement to secure the following:

- Profits to be re invested in life science development
- 15% affordable housing to be provided on site under the established Life Science Employee Housing Scheme or an updated Scheme that could be extended to other Alderley Park employees.

and the following conditions:

1. Outline timescales
  2. Approved plans/documents
  3. Materials
  4. Landscaping
  5. Landscape maintenance
  6. Arboricultural Impact Assessment
  7. Tree Retention/Protection
  8. Levels
  9. Noise mitigation measures
  10. Dust management plan
  11. Electric vehicle infrastructure
  12. Ultra Low Emission Boiler(s)
  13. Importation of soils
  14. Contaminated land assessment
  15. Contaminated land verification report
  16. Measures to deal with unexpected contamination
  17. Foul and surface water on separate systems
  18. Surface water drainage
  19. GCN measures
  20. Lighting
  21. Ecological mitigation measures (including within the 25m Woodland buffer)
- (b) That, 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 be granted delegated authority to do so following consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**45 19/4167M STONE COTTAGE, 14, SUMMERHILL ROAD, PRESTBURY SK10 4AH: OUTLINE APPLICATION WITH SOME MATTERS RESERVED FOR CONSTRUCTION OF THREE INFILL DWELLINGS WITH SHARED ACCESS FOR MR HOWARD BILTON**

Note: Prior to consideration of this application, the meeting was adjourned for a short break.

Note: Rawdon Gascoigne attended the meeting and addressed the Committee on behalf of the applicant.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

**RESOLVED**

- (a) That, for the reasons set out in the report, the application be REFUSED for the following reason:

The proposed development does not amount to limited infilling in a village, and therefore the proposal is contrary to policy PG3 of the CELPS and paragraph 145 of the NPPF.

- (b) That, in order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority be delegated to the Head of Planning, following consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**46 19/3822M BARN HOUSE, OAK LANE, KERRIDGE SK10 5AL: CONVERSION, EXTENSION AND ALTERATION OF AN EXISTING GARAGE/WORKSHOP TO FORM A ONE-BEDROOM DWELLING WITH GARDEN AND PARKING FOR JANET SHARROCKS**

Note: Councillor J Nicholas (Ward Councillor) and Janet Sharrocks (applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral report of the site inspection.

**RESOLVED**

- (a) That, for the reasons set out in the report, authority be DELEGATED to the Head of Planning to APPROVE the application, following consultation with the Chairman of Northern Planning Committee and the Ward Member, subject to:



- receipt of the revised site plan
- clarification as to whether PD rights could be removed for Barn House
- the following conditions:
  1. 3 years commencement
  2. Development in accordance with approved plans
  3. Materials to match existing
  4. EV Charging point to be provided
  5. Tree Protection details to be submitted
  6. Tree Pruning / Felling specification to be submitted
  7. Trees – engineer designed method statement to be submitted
  8. Landscaping scheme to be submitted
  9. Landscaping implementation
  10. Removal of PD rights for the proposed development
  11. Details of bin stores to be submitted
  12. Broadband connection
- (b) That, 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 be granted delegated authority to do so following consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

The meeting commenced at 10.00 am and concluded at 12.35 pm

Councillor C Browne (Chairman)

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Application No: 19/2035M

Location: Land adj Yew Tree Farm, MOOR LANE, WILMSLOW, CHESHIRE, SK9 6BX

Proposal: Demolition of existing building and construction of 2no. new dwellings

Applicant: Roger L. and Tim J. Price

Expiry Date: 08-Nov-2019

### **REASON FOR DEFERRAL**

The application was deferred from the Northern Planning Committee on 6 November 2019 *“for further consideration regarding the impact of the proposed height of the buildings on the openness of the green belt”*.

### **APPLICANTS SUBMISSION**

Following the deferral of the application from the last Committee meeting, the applicant has submitted revised plans which reduce the height of the proposed dwellings as follows:

House 1 – Reduced from 7.6m to 7.2m

House 2 – Reduced from 7.4m to 7.2m

### **KEY ISSUES**

#### **Green Belt**

Having regard to the reduced height of the dwellings, for the reasons set out below in the original report relating to the reduction in footprint, the loss of the existing feed towers (excluded from any volume or floor area calculations), the levels of activity that could be associated with a commercial B2 (general industrial) use compared to the proposed residential use, the siting of the buildings closer to the adjacent residential development, and the lack of prominence when viewed from Moor Lane, the proposed development is not considered to have a greater impact on the openness of the Green Belt than the existing development. The proposal is therefore not considered to be inappropriate development in the Green Belt, and it accords with policy PG 3 of the CELPS and paragraph 145 of the Framework.

#### **Other matters**

The reduction in the height of the dwellings does not have any significant impact upon other relevant matters discussed below in previous reports.

#### **Conclusion**

As in the previous report, a recommendation of approval is made.

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**UPDATE REPORT TO ORIGINAL PUBLISHED 4 NOVEMBER 2019**

***NORTHERN PLANNING COMMITTEE – 06 NOVEMBER 2019***

***UPDATE TO AGENDA***

**APPLICATION NO.**

19/2035M

**LOCATION**

Land adjacent to Yew Tree Farm, Moor Lane, Wilmslow

**UPDATE PREPARED**

04 November 2019

**CONSULTATIONS**

Wilmslow Town Council – Recommend refusal on grounds of being inappropriate development in the Greenbelt with no special circumstances

**REPRESENTATIONS**

9 further letters of representation have been received from local residents, the Wilmslow Civic Trust, the Residents of Wilmslow Group and the local MP objecting to the revised plans on the following grounds:

- Houses too large
- Replace low level barn
- Protrude further into Green Belt
- Impact on character of area and is alien to existing agricultural setting of barn
- Area makes a significant contribution to Green Belt
- No height measurements provided
- Red line shows abattoir site incorrectly, and houses encroach beyond lawful abattoir site
- Houses built off the footprint of the barn
- Loss of privacy to houses on Arlington Crescent
- Fields often flood
- Who will upkeep remaining land?
- Insufficient car parking

- No turning for waste vehicles
- More 4 bed properties seems excessive
- Accuracy of research is questioned
- Calculations do not include drives/parking areas/gardens
- Loss of Green Belt
- Hedging removed between the site and adjacent development
- Where will contractors park?
- Loss of wildlife
- Not enough done to inform neighbours of proposed plans
- No exceptional reasons for proposed development
- Not allocated for development
- Sufficient housing stock in Wilmslow
- Overbearing houses
- Greater impact on openness
- Previously stated *"should the application be allowed, the land would remain as Green Belt as it is now, therefore would not automatically be available for residential development"*. What has changed?
- Revised plans do not lessen the impact
- Houses taller than the barn
- Disruption to local residents
- Creates an unwelcome continuity of the adjacent development
- Does not preserve landscape character
- Encroachment into countryside
- Does not contribute to housing need for 2 and 3 bed dwellings

### KEY ISSUES

#### Trees

The Forestry Officer has now commented on the application and notes that none of the trees within or immediately adjacent to the site are protected by a Tree Preservation Order or lie within a designated Conservation Area. The submitted Arboricultural Assessment identifies that two early mature moderate (B) category Oak trees (T4 and T8) will require removal to accommodate the development and the Root Protection Area (RPA) of eight trees will be impacted by hard surfacing and the new buildings.

With regard to the loss of the two Oak, the Assessment states that whilst their removal is not essential, it is preferable due to the relationship to the proposed houses and that the loss of these trees will not have a significant impact on the amenity of the locality. In this context it is accepted that the trees are currently in close proximity to the existing building and that public views of the trees are mostly hidden by existing trees. It is agreed therefore that their loss will not impact on the wider amenity of the area.

It is also agreed that the majority of the new buildings are within the existing footprint of the existing building and therefore Root Protection Areas (RPAs) are already compacted to a certain extent. Given that the tree group as a whole cannot be widely viewed from any significant public vantage points the Forestry Officer is satisfied that these matters can be dealt with by conditioning the no-dig construction technique detailed in the Arboricultural Assessment.

There will be some shading of the plots given the proximity of retained trees to the south and west. However, the extent of this overshadowing is not considered to be sufficient to withhold planning permission.

Policy SE 5 of the CELPS requires that all developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience and support biodiversity. This planning application provides an opportunity to incorporate new planting in accordance with this policy. It is recommended that if planning permission is granted a condition should be attached which requires the submission of a landscape scheme to meet the requirements of this policy.

## **CONCLUSION**

The further comments received in representation relate to matters already addressed within the original committee report. The impact on the nearby trees is considered to be acceptable, and therefore, as in the original report, the application is recommended for approval subject to the following additional condition:

16. Development to be carried out in accordance with the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan

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**ORIGINAL REPORT PUBLISHED 29 OCTOBER 2019**

**SUMMARY**

The application site is a previously developed site in the Green Belt and the proposal is not considered to have a greater impact on openness of the Green Belt than the existing development. The proposal is therefore not an inappropriate form of development in the Green Belt. The design of the dwellings is considered to be acceptable, and suitably reflects the character of the neighbouring residential site that is currently under construction. No significant adverse impacts are raised in relation to highways, accessibility, ecology, residential amenity, air quality, flood risk or contaminated land, and appropriate conditions on these matters are recommended, where relevant. Comments from the Forestry Officer are awaited to confirm the specific impact of the proposal upon proximate trees. Accordingly, subject to the satisfactory receipt of comments from the Forestry officer, the proposal is considered to comply with the requirements of the CELPS, the WNP and the MBLP, and a recommendation of approval is made.

**SUMMARY RECOMMENDATION**

Approve subject to conditions

**REASON FOR REPORT**

The application has been called to Committee by the Local Ward Member, Cllr Mark Goldsmith for the following reasons:

*“a) It is an inappropriate development within the green belt closing down the openness of the Green Belt. (NPPF 145 - The proposed development will have a greater impact on the openness of the Green Belt than the existing development);*  
*b) There are no special circumstances;*  
*c) Given these houses are to replace an agricultural barn they should not exceed the height of the barn as it is today. (Drawing 1265 104 indicates an increase of height for both houses of some 28%);*  
*d) To be acceptable both need to be single storey with a design not dissimilar to the barns as they appear today;*  
*e) The precedence referred to further up Moor Lane, 18/4712m, replaces a stable block with a bungalow (4.2.11 Design Access Statement),*  
*f) The application requires parking for 5 vehicles per house. Drawing number 1265 100 shows only 2 parking spaces for House 1. As the access to the field is retained from the courtyard then parking to House 1 is restricted;*  
*g) The proposal radically changes the visual amenity for neighbours of the barn living on Arlington Crescent. Whilst the distance element of retained Macclesfield Local Plan, 2007 is satisfied there is significant injury to the amenity of nearby residential properties.”*

## **PROPOSAL**

This application seeks full planning permission for the demolition of existing building and construction of 2no. new dwellings.

## **SITE DESCRIPTION**

The application site comprises a single building which is currently vacant, but has an established lawful use as part of the abattoir that existed on the application site as well as the adjacent site until it was redeveloped for housing in the past 12 months. There is other paraphernalia within the site relating to the previous use. The site is located within the Green Belt as identified in the Macclesfield Borough Local Plan.

## **RELEVANT HISTORY**

17/6269M – Erection of 14 No. dwellings with associated access and infrastructure – Approved 17.10.2018

17/5697M - COU of agricultural land and building associated with existing abattoir to equestrian use and associated works - Approved 3.4.2018

16/2344M - Certificate of Lawful existing use for abattoir and residential use - Positive certificate 21.6.2017

## **POLICIES**

### **Development Plan**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG3 Green Belt

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

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

Macclesfield Borough Local Plan saved policies (MBLP)

GC1 Green Belt  
NE11 Nature conservation  
DC3 Residential Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC38 Space, light and privacy  
DC63 Contaminated land

Wilmslow Neighbourhood Plan (WNP)

LSP1 Sustainable Construction  
LSP2 Sustainable Spaces  
LSP3 Sustainable Transport  
NE1 Countryside around the Town  
NE5 Biodiversity Conservation  
TA1 Residential Parking Standards  
TA5 Cycling in Wilmslow  
H2 Residential Design

**Other Material Considerations**

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

**CONSULTATIONS**

**Head of Strategic Infrastructure** – Clarification on how refuse will be collected is requested.

**Environmental Health** - No objections subject to conditions relating to electric vehicle charging, ultra low emission boilers and contaminated land.

**Flood Risk Manager** – No objections subject to condition relating to drainage.

**United Utilities** - No objections

**Wilmslow Town Council** – Recommend refusal on the grounds of inappropriate development in the Greenbelt without special circumstances, impacting the openness and vista of the Greenbelt and being detrimental to nearby properties, contrary to Policy DC3.

**REPRESENTATIONS**

There have been 2 rounds of public consultation on the application; on in May for the original plans and another in October for the revised plans.

May (original plans)

10 letters of representation have been received from local residents and the Residents of Wilmslow group objecting to the proposal on the following grounds:

- Not in keeping with surrounding area
- Adds to the 14 dwellings previously approved
- What has changed to allow residential development on Green Belt land?
- Compares height to Franklin Farm, and not the barn they are replacing
- Inappropriate development in the Green Belt
- Impact upon visual amenity of neighbours on Arlington crescent
- No very special circumstances
- Wilmslow does not need any more larger houses
- 77% of new houses approved in the Moor Lane area since 2015 have been 4 & 5 bed
- Bungalows provided on other sites to minimise impact on Green Belt
- Land is not brownfield
- Concern raised by Flood Risk about use of soakaway system
- No management and maintenance plan for disposal of surface water submitted
- Properties are close to water courses
- Overbearing
- Need for open space in south west Wilmslow
- Gradual Green Belt erosion
- 2017 Local Plan identifies area as making a significant contribution to the Green Belt
- Frequent flooding of fields
- Dangerous exit onto a busy road
- Impact on doctors, schools, etc
- No measurements provided
- Reduces openness of Green Belt
- Who will tend and upkeep remaining Green Belt
- Should be in keeping with existing barn
- Too close to Arlington Crescent
- Loss of privacy

### October (revised plans)

At the time of writing 3 further letters have been received objecting to the proposal on the following grounds:

- Erosion of Green Belt
- Loss of openness
- Extends beyond abattoir site
- Size out of proportion
- Increased flood risk
- Additional traffic
- House 2 has increased from original
- Roof line too high
- More parking is needed
- Impact on doctors, dentists, schools

## APPRAISAL

### Green Belt

CELPS policy PG3 and paragraph 145 of the Framework state that the construction of new buildings within the Green Belt is inappropriate unless it is for one of the listed exceptions. The most relevant exception to the current proposal listed in paragraph 145 of the Framework is:

“g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development;...”

Policy PG3 of the CELPS differs from (g) of paragraph 145 as it requires the redevelopment to also not have a greater impact on the purposes of including land in the Green Belt than the existing development. PG3 is therefore not entirely consistent with the Framework, which is the more recent document, and therefore this reduces slightly the weight that can be afforded to policy PG3.

The Wilmslow Neighbourhood Plan does not add anything further to these policies, however at paragraph 12.4 it states *“The promotion of ‘Brownfield First’ in order to prevent unnecessary loss of Green Belt is supported.”* This position reflects policy SE2 of the CELPS, which states that *“The council will encourage the redevelopment / re-use of previously developed land and buildings”*.

The application site has been amended during the course of the application to ensure that it only relates to the part of the site that has a lawful use as part of the former abattoir. This lawful use means that the application site falls within the definition of previously developed (brownfield) land as identified in the Framework and the CELPS. That being said, the site remains firmly in the Green Belt and therefore falls to be assessed against the relevant Green Belt policies (above).

As noted, the complete redevelopment of previously developed land is acceptable subject to it not having a greater impact on the openness of the Green Belt than the existing development.

In this case, the application site comprises the existing building formally used to house chickens, two feed towers and an area of hardstanding. The north and east elevations of the existing building form the north and east boundaries of the lawful abattoir site. The floorspace of the existing building amounts to 364sqm, and it has a volume of 1,205 cubic metres. The two feed towers are considerable structures that are a similar height to the building and also have an existing impact upon the openness of the Green Belt. Furthermore, as a lawful B2 (general industrial) use, the site has potential to create a significant level of activity, should the B2 use be resurrected, which would also affect openness.

The proposed dwellings have a combined footprint of approximately 228sqm, which is a reduction of 37% over the existing. In floorspace terms (measured externally) there is a 19% increase from the 364sqm of the existing building to 435sqm of the two dwellings combined. The height of the buildings also increases from 4.3m to 7.6m for house 1 and 7.4m for house

2. However, the volume (measured externally) of the two dwellings is only 6% greater than the existing building (1275sqm compared to 1205sqm).

These figures suggest that the reduction in footprint comes at the cost of an increase in height, and that, in volume terms, the new dwellings are a similar size to the existing building. The figures detailed above also exclude any acknowledgement of the existing feed towers that exist, and the levels of activity that could be associated with a commercial B2 (general industrial) use. The levels of activity associated with two dwellings, including car parking and domestic paraphernalia, are considered to be significantly less than that of a B2 use. Garden stores have been provided within the dwellings in an attempt to eliminate future pressures for additional domestic buildings in the future.

The application site is also not prominent when viewed from Moor Lane. The site will be visible from the properties on Arlington Crescent, but will be seen in the context of the adjoining housing development. The proposal also sites the buildings closer to this recent housing development, compared to the existing building, thereby increasing the openness to the North of the site, where it adjoins the open fields of the wider Green Belt.

Having regard to all of the information outlined above it is considered that the proposed development does not have a greater impact on the openness of the Green Belt than the existing development. The proposal is therefore not considered to be inappropriate development in the Green Belt, and it accords with policy PG 3 of the CELPS and paragraph 145 of the Framework.

In order to ensure openness is not adversely affected in the future, it is considered to be necessary to remove permitted development rights for extensions and outbuildings from these dwellings, as well as for walls and fences in the interests of the character of the area.

### **Design / character**

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;”

Similar requirements are also identified in policy SE1 of the CELPS and policy H2 of the WNP, which also seek to deliver high quality design.

In this case, whilst the proposed dwellings occupy a rural edge position, they will relate strongly to the ongoing residential development on the adjacent site. In this regard the general form (height, scale and external design features) of the dwellings is very similar to that approved on the adjacent site, and as such will tie in with the character and distinctiveness of this area. The comments regarding the number of 4 bedroom dwellings are noted, but these two detached dwellings are considered to be an appropriate density for this specific site. If smaller dwellings were proposed, it is likely that they would be presented in greater numbers, at a higher density which would not be appropriate for this rural edge

location. The proposal provides an acceptable balance between the efficient use of land and the open, rural character of the adjacent agricultural fields.

At present the existing building forms a hard boundary to the site of the lawful abattoir use. Due to its rural edge position, the buildings have been pulled slightly away from this boundary, and soft boundary treatments provided to help the development better integrate with its surroundings, which can be secured by condition, and will help to satisfy the requirements of policy LSP2 of the WNP, which encourages proposals to avoid hard features such as fences and walls in favour of natural planted features designed to improve the overall green infrastructure network within development sites.

Policy NE1 of the WNP requires applications which seek to introduce new built form within, or adjacent to, the open countryside will be required to demonstrate how they have identified and sensitively responded to the guidance for development as identified as part of the Wilmslow Landscape Character Assessment (WLCA). In this case, the site lies within the Mossland character area which has amongst other features a distinctive field pattern, typical of the enclosure of mosslands – long linear moss-rooms. The proposal retain the form of the existing development and does not significantly impinge upon the distinctive field pattern in this area. As far as it is can, the current proposal is considered to comply with the requirements of this policy.

Policy LSP1 of the WNP requires all new development to demonstrate how they have used internal water management systems to reduce the demand for water through either the use of grey water recycling, water butts or water saving fixtures and fittings. These details can be secured by condition.

Overall the proposal is not considered to have a significant impact upon the character of the area, and would accord with policies SE1 and SD2 of the CELPS and H2 and NE1 of the WNP.

### **Trees**

There are trees along the western boundary of the application site. They are not formally protected by TPO, but some works will take place within the root protection areas of these trees. Comments from the Council's Forestry Officer are awaited and will be provided as an update.

### **Ecology**

No significant ecological impacts are anticipated from the proposed development. The nature conservation officer has commented on the application and recommends conditions to safeguard nesting birds and for the incorporation of features into the scheme suitable for use by breeding birds, including house sparrows and roosting bats, in order to secure an enhancement to biodiversity in accordance with policy SE3 of the CELPS and policy NE5 of the WNP.

### **Residential Amenity**

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy,

overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

There is only one existing neighbour that shares a boundary with the application site. Franklyn Farm is located approximately 33m from the western site boundary of the application site. Such a distance accords with the separation distances outlined in policy DC38 of the MBLP, which require a maximum of 25m to be provided between habitable room windows. The nearest property on the new development currently being constructed has an angled relationship with House 2, and is located 25m away, again complying with policy DC38.

With regard to the properties on Arlington Crescent, these are located over 50 metres away from the proposed dwellings, and as such there will not be any significant impact upon the living conditions of these neighbours.

Finally, in terms of the relationship between the two dwellings, the 15m distance between the front elevation of House 1 to the side elevation of House 2 (comprising no habitable room windows) exceeds the recommended distance of 14 metres outlined in DC38 for such a relationship.

No further amenity issues are raised, and the proposal is therefore considered to comply with policies H13, DC3 and DC38 of the local plan.

### **Air Quality**

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. Whilst this proposal is of a small scale, and as such would not require an air quality impact assessment, there is a need to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality. As such a condition requiring the provision of electric vehicle infrastructure is recommended in order to ensure that sustainable vehicle technology is a real option for future occupants at the site.

Environmental Health has also recommended a condition requiring ultra low emission boilers to be required. However, this condition is not considered to be necessary to make the development acceptable in planning terms, and is therefore not recommended.

### **Accessibility**

There are three primary schools within walking distance, and local shops are available at Lindow Parade on Chapel Lane, which is also within walking distance and would provide for most day to day needs. The nearest bus stop is just outside the site on Moor Lane between Winchester Close and New Street, with Wilmslow Town centre approximately 3kms from the site. The closest healthcare provision is close to Wilmslow Town Centre at the corner of Bedells Lane and Chapel Lane. Local facilities are therefore considered to be accessible by a range of transport options from the application site. Residents of the proposed development will have ready access to existing walking and cycling routes, and the two properties also include external storage provision for bicycles in accordance with policies LSP3 and TA5 of the WNP.

## **Highways**

The new dwellings will utilise the main access from Moor Lane being created by the development that is currently underway on the adjacent site. An access route through to the application site was provided as part of the permission on the neighbouring site. The access can accommodate the modest increase in traffic arising from the two dwellings. The Head of Strategic Infrastructure queried how refuse would be collected, and it has been confirmed that bins would be brought to the end of the track and collected from the public highway where a turning area has been provided for bin lorries.

In terms of car parking, both proposed dwellings are 4 bed properties, and the parking standards within the CELPS require two spaces per dwelling in key service centres such as Wilmslow. Two spaces are shown to be provided for each dwelling in accordance with these standards, and policy TA1 of the WNP.

## **Flood Risk**

Policy SE13 of the CELPS requires developments to integrate measures for sustainable water management to reduce flood risk.

The Lead Local Flood Authority (LLFA) has commented on the application and noted that the applicant proposed to discharge surface water associated with the new development via a soakaway system, however the Geo-Environmental Report (17097/GEIR) determines that the ground conditions at the site are likely to be unsuitable for infiltration. Other potential drainage methods include discharge to an ordinary watercourse on the eastern boundary of the site or connection to a public sewer system.

Accordingly, it is recommended that require the applicant submits a detailed strategy / design, and an associated management and maintenance plan for surface water drainage for the site, which can be dealt with by condition, in order to ensure compliance with policy SE13 of the CELPS and LSP2 of the WNP.

## **Contaminated Land**

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. The application area has a history of abattoir use and therefore the land may be contaminated. The site is also within 250m of a known landfill site or area of ground that has the potential to create gas. The report submitted in support of the application, was previously submitted for approved application 17/6269M and covers both areas. It is recommended that a site specific conceptual site model is developed to be followed by a post demolition site investigation.

As a result of these factors, the contaminated land officer recommends that a post demolition Phase II ground investigation is submitted, which can be secured by condition. This will ensure compliance with relevant contaminated land policies in the MBLP and CELPS (DC63 and SE12 respectively).

## **Other matters**

The majority of the comments received in representation have been addressed in the preceding text; however concerns were also raised regarding the impact of the development upon local doctors, dentists and schools. Due to the very limited scale of the development, being only two dwellings, it will not have a significant impact upon the local infrastructure and

facilities. Also, as a point of clarification, the applicants continue to own the adjacent field, and whilst no access is provided through the application site, access is provided through the housing site on the adjacent land.

## CONCLUSIONS

The application site is a previously developed site in the Green Belt and the proposal is not considered to have a greater impact on openness of the Green Belt than the existing development. The proposal is therefore not an inappropriate form of development in the Green Belt. The design of the dwellings is considered to be acceptable, and suitably reflects the character of the neighbouring residential site that is currently under construction. No significant adverse impacts are raised in relation to highways, accessibility, ecology, residential amenity, air quality, flood risk or contaminated land, and appropriate conditions on these matters are recommended, where relevant. Comments from the Forestry Officer are awaited to confirm the specific impact of the proposal upon proximate trees. Accordingly, subject to the satisfactory receipt of comments from the Forestry officer, the proposal is considered to comply with the requirements of the CELPS, the WNP and the MBLP, and a recommendation of approval is made.

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*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 Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

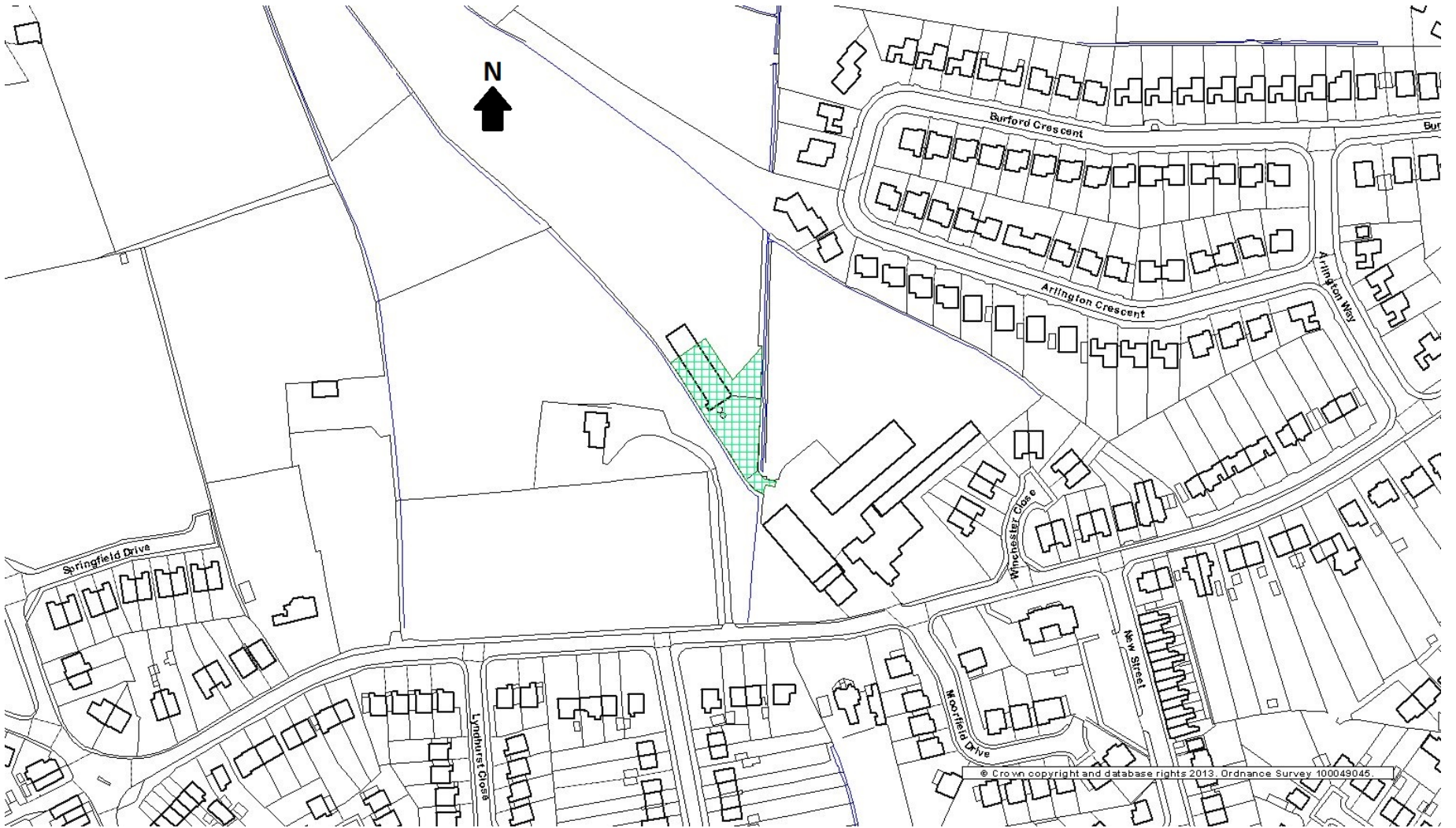
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Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Removal of permitted development rights
5. Landscaping - submission of details
6. Landscaping (implementation)
7. Nesting bird survey to be submitted
8. Proposals for the incorporation of features for use by breeding birds including house sparrows, and roosting bats to be submitted
9. Electric vehicle infrastructure to be provided
10. Phase II ground investigation to be submitted
11. Verification Report prepared in accordance with the approved Remediation Strategy to be submitted
12. Imported soil to be tested for contamination
13. Requirements in the event any unidentified contamination is found
14. Detailed strategy / design, and associated management and maintenance plan for surface water drainage to be submitted
15. Proposals to reduce the demand for water through either the use of grey water recycling, water butts or water saving fixtures and fittings to be submitted.



Application No: 19/3831M

Location: 51, HANDFORTH ROAD, WILMSLOW, CHESHIRE, SK9 2LX

Proposal: Demolition of existing 2 detached properties and erection of 60-bedroom care home with associated landscaping, car park and access (revised scheme).

Applicant: New Care Projects LLP

Expiry Date: 11-Nov-2019

### **SUMMARY**

Application number 18/4024M for a 65 bed care home was previously refused by members of Northern Area Planning Committee and there has been a subsequent appeal which was dismissed due to the visual harm to the street scene and harm to the character and appearance of the area.

This application has been amended in the light of the Inspectors comments and comprises a 60 bed care home with 25 car parking spaces.

As the proposal is not class C3 (dwellinghouses) there is no affordable housing requirement. However, the development would provide suitable accommodation for an ageing population within Cheshire East.

The impact on European Protected Species and other ecological interests has been assessed by the nature conservation officer and is acceptable. The proposal accords with the relevant ecology policies in the local plan and national guidance in the Framework. There is not considered to be any reason, having regard to the Conservation of Habitats and Species Regulations 2010, to withhold planning permission in this case.

Similarly, the proposal also raises no significant visual, amenity, design or flooding issues, and complies with relevant local and national planning policies. Comments from highways are outstanding.

A number of economic benefits would arise from the development including additional trade for local business and the creation of employment.

Bearing all the above points in mind, it is considered that the proposal accords with relevant Development Plan policies and subject to no objection from highways it is recommended the application be approved, subject to relevant conditions and a s106 contribution to healthcare.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions and completion of a s106 agreement

## **REASON FOR REPORT**

The application is to be presented at Northern Planning Committee due to the scale of development. A similar previous application was also considered by the Northern Planning Committee.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises 2no. detached residential dwellings situated in large plots which front onto Handforth Road. The land levels increase from the north-west of the site to the south-east..

The site frontage (north-east) is to Handforth road, with mature tree screening to the north and west, separating the site from the neighbouring residential properties and the sports field to the rear.

The site is located to the south-east of Handforth and north-east of Wilmslow, within a predominantly residential area, as defined in the Macclesfield Local Plan.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the demolition of the two existing detached dwellings and the erection of a 60 bed care home with associated landscaping, car park and access.

The application has been amended following the receipt of a recent Inspectors appeal decision on the previous refusal of 18/4024M for a 65 bed care home. Therefore the application has been the subject of two rounds of consultation.

The Inspector dismissed the appeal as they considered that the principal visual effect of the development would arise from the elements that face, and are visible from, Handforth Road and that it would cause harm to the character and appearance of the area.

They also concluded that other aspects of the appeal scheme were satisfactory, including the effect of the proposed development on highway safety in the area and the effect of the proposed development on the living conditions of the occupiers of neighbouring residential properties.

This application has been amended to seek to address the Inspectors comments.

They include;

- Alterations to the car parking layout
- Elevational changes to the north eastern elevation facing Handforth Road to create the impression that the building has two separate facades with a glazed link;
- Lowering of ridge and eaves heights and reduction of the scale of the front elevation down to two-storeys;
- Use of different materials for the two buildings including a combination of contrasting brick/render and roofing tiles;

- Setting back of the central connecting single-storey entrance between the two buildings and the use of a set-back glazed first floor link to provide the appearance of a pair of detached houses;
- Staggering of the alignment of the facades of the buildings, again to present the appearance of two houses;
- Use of hipped roofs rather than gable ends;
- Removal of the end tower feature;
- Small-scale changes to the site frontage to include a pedestrian walkway to the entrance door, and the provision of 25 parking spaces
- Minor revision to the building footprint

## **RELEVANT HISTORY**

18/4024M Demolition of existing 2 detached properties and erection of 65no. bedrooms care home with associated landscaping, car park and access - Refused 3.5.2019 - Appeal Dismissed

18/1025M Demolition of existing 2 detached properties and erection of 83bedroom care home with associated landscaping, car parking and access – Not determined - Appeal withdrawn

## **POLICIES**

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

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Boundaries

PG7 Spatial distribution of development

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

IN1 Infrastructure

IN2 Developer Contributions

SE1 Design

SE2 Efficient Use of Land

SE3 Biodiversity and Geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE8 Renewable and Low Carbon Energy

SE9 Energy Efficient development

SE12 Pollution, Land Contamination and Land Instability

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and Well Being

SC4 Residential Mix

Appendix C – Parking Standards

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

### **Macclesfield Borough Local Plan (MBLP)**

DC3 (Protection of the amenities of nearby residential properties)  
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)  
DC8 (Landscaping)  
DC9 (Protected Trees)  
DC38 (Guidelines for space, light and privacy for housing development)  
NE11 (Nature conservation)  
DC57 (Community Uses - Residential Institutions)

### **Wilmslow Neighbourhood Plan**

SP1: Sustainable Construction  
SP3: Sustainable Transport  
NE5: Biodiversity Conservation  
NE6: Development in Gardens  
H2: Residential Design  
H3: Housing Mix  
CR3: Local Green Spaces  
CR4: Public Open Space  
CR5: Health Centres

### **Other Material Considerations**

National Planning Policy Framework (NPPF)  
National Planning Practice Framework (NPPG)  
Cheshire East Design Guide

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

**United Utilities** - No comments received

**Strategic Housing Manager** - This application is for a care home and C2 which means it is exempted from providing affordable housing.

**Manchester Airport** - No objection subject to conditions re cranes

**Head of Strategic Infrastructure** - Comments awaited

**Lead Local Flood Authority (LLFA)** - No objection

**Environmental Protection** - Objection - insufficient information

**NHS Eastern Cheshire Clinical Commissioning Group - Comments awaited**

**Wilmslow Town Council -**

First consultation

Wilmslow Town Council's Planning Committee recommend refusal of this application on the grounds that the proposal has not been substantially amended. The Town Council's Planning Committee remains of the view that this application is overdevelopment of the site out-of-keeping with the area. The proposed parking provision is still inadequate, and the proposed tandem parking arrangements will result of more traffic movements with vehicles needing to be moved to allow other vehicles to leave. The nearby bus route timetable is not convenient with regard to working hours and, as a result, staff are more likely to need to drive to the site. The proposed development remains overbearing on neighbouring properties resulting in loss of privacy. In addition, following the recent flooding in the area, the Town Council's Planning Committee raised concerns that the storm drains will be unable to accommodate increased surface water flow which will inevitably result from the much increased area of hard landscaping on the site.

**OTHER REPRESENTATIONS**

**First consultation**

Representations have been received from 39 properties, Handforth Health Centre, Esther McVey MP and Councillor Toni Fox as follows:

- The proposed parking layout would result in tandem car parking spaces, which would have an impact upon highway safety
- No swept path analysis has been submitted so large delivery vehicles/waste collection and ambulances may not be able to enter or and leave the site in forward gear.
- This is an overdevelopment of the site resulting in an overbearing impact in terms of height, bulk, mass and scale;
- Restricted on-site car parking
- Harmful Impact of day-to-day operation on adjacent dwellings
- Now features a prominent roof profile increasing visual intrusion
- The development would add to the risk of flooding
- The site is remote from any other service or activity.
- Would result in include additional cars on adjacent roads increasing the risk to children walking to school;
- New residents would further overstretch GP services,
- Would result in loss of trees
- There is no provision for deliveries to the proposed care home
- There are already a significant number of care homes within the area
- It would be out of keeping /character with the low density residential area surrounding
- Would result in congestion would be dangerous to road users and pedestrians
- This is the 3rd proposal in a relatively short period which has reduced the number of bedrooms but not addressed previous issues of concern
- Would cause harm to the amenity of neighbours due to 24hours use resulting in light and noise pollution

- The proximity of the recently built Welland Road roundabout would restrict access for larger vehicles
- There would be a loss of wildlife just in the building of this development.
- The design of the building is very poor and are more akin to an office development
- The parking area at the front of the development would give the appearance of a pay and display car park
- Reducing the number of established trees and increasing concrete will exacerbate run off issues
- A major passing bus route has been withdrawn.
- Would result in losing established houses whilst there is a housing shortage
- Some of the reports contain outdated information.
- Queries whether there is a need of such a care home as there are many in the area
- Would result in "*garden grabbing*" which discouraged in the NPPF.
- Development would result in a change of use from C3 to C2 which would set a damaging precedent on Handforth Road.
- Loss of outlook and privacy for neighbouring property
- Will attract very much unwanted criminal activity and antisocial behaviour to the area and family homes
- Loss of satellite signal due to height of building
- Neighbours have objection fatigue due to resubmissions of similar applications
- If approved it should be subject to S106 obligations for medical facilities
- The transport statement is out of date,
- Doctors and dentists in the area are already full
- There is no longer a bank in Handforth
- The site is not sustainable as it is 2 miles from the town centre
- Handforth Health Centre provides care to 100 residents in Eden Mansions nursing home, (complex dementia care) and currently visits the home for 3 GP sessions a week with up to 90 patient contacts a week. The provision of another large nursing home will place additional strain on GP appointments for the currently registered patient population as this would require a similar level of GP time commitment to another nursing home.
- Given the placement of the nursing home on the Manchester and Stockport borders it is likely that, as is the case for Eden Mansions, the majority of the residents will move into Eastern Cheshire from out of the area. It is notable that Eastern Cheshire already has one of the highest rates of nursing home beds per capita in the country.
- The care provider previously indicated that they needed 84 beds to make the home financially viable but now state a 60 bed home is feasible.
- The proposal still dominates the road frontage and is out of keeping with the street scene.
- The parking layout will result in by staff blocking each other in when they need to leave to carry out other tasks.
- The last bus serving the adjacent road is approximately 7.30pm and therefore buses do not provide a realistic means of transport.
- Poor location for a Care home of this size or scale.



## Second consultation

To date, representations have been received from 13 properties and Handforth Health Centre and comment as follows:

- The provision of another large nursing home in the HHC Catchment area will place additional strain on GP appointments for the currently registered patient population as this would require a similar level of GP time commitment to another nursing home
- 34 spaces have now been reduced to 25 spaces, 8 of which are still tandem. Within this reduction of spaces, the disabled spaces have been halved from 4 spaces to 2 spaces.
- Revised amendments make no difference to the overbearing bulk and mass of the plan and the proposal being out of character with the area
- Comments from agent re; Inspectors comments untrue in respect of parking numbers i.e. There is no mention of the inspector finding the number of parking spaces acceptable
- Commercial development is out of character to the area.
- Loss of privacy to rear garden of no 47 Handforth Road and light and noise pollution, cars and delivery vehicles at all hours and the size and scale of it (3 floors). It will be considerable taller than the existing properties.
- No need or demand for another care home
- Endorse the objection from our local health centre
- This continuous assault of plans, appeals, more plans and appeals from Newcare is damaging to our health and wellbeing.
- There are minor changes to the previous plan and multiple plans have been submitted
- There is now 12 less car parking places;
- These latest plans have obviously been presented because their appeal to the inspectorate was rejected
- This is a 3<sup>rd</sup> attempt in addition to 2 appeals submitted to the inspectorate.
- overdevelopment of the site that will be overbearing in height, bulk, mass and scale to local homes and detrimental to the street scene
- 3-storey building in a predominately 2 storey residential area
- Insufficient car parking, which will result in on street parking
- Document states this is not a flood risk area but River Dean flooded severely this summer
- Hazardous Substances would be used on site such as cleaning products, medicines, chemical waste etc

- the site is not convenient to Wilmslow, as it is 2 miles to Wilmslow Town Centre which does not facilitate access to local amenities and with a very limited bus service, a reduction in the use of private cars is absurd
- Full reiteration of previous comments in respect of detrimental Impact upon Residential Amenities, a Care Home is C2, thereby creating a precedence for other properties leading to a change of character for the area; Inadequate Parking and Access; need to Avoid Town Cramming; adverse Impact on Protecting Wildlife/Habitation
- Previous application was unanimously refused due to overdevelopment of the site, which would be overbearing in height, bulk, mass and scale to local homes and detrimental to the street scene with insufficient parking.
- The overall external has increased the overall external area to 3518 square metres from 3357 square metres.
- Public Transport is not a viable
- List of Key Changes Statement is misleading
- Should not demolish 2 good houses to erect a commercial business.
- Over development of the site that will be overbearing in height, bulk, mass and scale to local homes and detrimental to the street scene.
- This development is an anti social idea on long standing residents
- The assumption that
- A site visit is essential to witness the current amount and speed of traffic on this road

### **OFFICER APPRAISAL**

#### **Key Issues**

- Design and impact on the character and appearance of the area, including the street-scene.
- Impact on the amenity of neighbouring properties
- Highways safety
- Landscaping, trees & nature conservation

#### **Principle of Development**

The site lies within a Predominantly Residential Area of the adopted Macclesfield Borough Local Plan where residential uses are acceptable in principle.

The site is considered to be in a sustainable location. It is a previously developed site, within an area surrounded by housing, which is within walking distance of public transport links and to services. No in principle policy objections are raised to the proposal.

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

As per para 11 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable development (social, economic and environmental) and compliance with the Development Plan in accordance with Sec.38 (6). The 'presumption in favour of sustainable development' at paragraph 11 of the NPPF means: "approving development proposals that accord with an up to date development plan without delay"

The Council can now demonstrate a 5 year housing land supply but it is important to note that this site will deliver properties for older persons within a key service centre. Proposals like this that bring forward development of such sites make a valuable contribution to maintaining a 5 year housing land supply and preventing inappropriate development elsewhere.

Policy SC4 of the Cheshire East Local Plan states the following: *"Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space."*

The purposes are broadly repeated in the saved Macclesfield Borough Local Plan policy DC57, which lists a number of relevant criteria for assessing new residential institutions.

The site falls in a sustainable location, close to the town centre, shops and facilities. Bus routes run past the site.

Policy DC57 states that the development must comprise a reasonable sized private garden in the order of 10 sq metres per resident. Accommodation would be provided for up to 60no. residents. This would require a private garden in excess of 600 sq metres for the use of the residents. The garden area on the eastern side of the care home would be in excess of 1000 sq metres of useable garden area, which would have a pleasant aspect and due to the mature landscaping, it would not be overlooked, or overshadowed.

### **Need for the development**

An updated needs assessment has been submitted during the life of this application which confirms there remains a need as there is an unmet need of equivalent to 391 market standard bed spaces in the sensitivity catchment area. Should the 60 bed scheme be developed it would only fill 6.5% of the unmet need.

### **Healthcare**

Comments are awaited from the NHS Eastern Cheshire Clinical Commissioning Group (CCG)

They previously commented on the last application noting that there is a nearby GP practice within Handforth - Handforth Health Centre. The Handforth Health Centre GP practice is a 1970's single storey building in need of some improvements and a predicted patient growth rate of 32% over the next 10 years. Space utilisation analysis has demonstrated that the Handforth Health Centre currently has a 44% shortfall in required space in order to adequately provide primary care services to the existing patient population.

A figure for a financial contribution towards the health services is expected when comments are received.

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

Policies SE1 and SD2 seek to ensure that new development respects the character of the area and is of an appropriate design. This is consistent with the provisions of the NPPF and is supported through the Cheshire East Design Guide.

The application proposes the replacement of the existing two detached dwellings with a large care home. Amended plans were submitted following the receipt of the appeal decision.

The Inspector concluded that the previous scheme (18/4024M) *“would cause harm to the character and appearance of the area by virtue of The greater perceived height of the proposed building combined with its much wider frontage would be inconsistent with the prevailing built form of the neighbouring buildings.*

*The central part of the principal facade of the proposed building would be set back from the main building frontage but it would nevertheless still appear significantly wider than the other buildings in the street as the continuous front wall and roof would prevent the end bays of the new building from being read as two detached dwellings”*

The submitted amendments have reduced the height of the proposed building on the front elevation to two storeys and would appear as two detached dwelling connected by a light weight glazed link containing a lobby, hair salon and reception area.

The remainder of the building would comprise three storeys. The depth of the front southern wing adjacent to no 47 Handforth Road has been reduced to reduce any impact upon their amenity.

The corner tower detail has been removed which would reduce the bulk and mass of the front elevation and would be less prominent the street scene.

The Council's Design Officer has concluded that *“The revised design has taken into account comments of the inspector with regards to making the front elevations of the development sit better within the existing street scene. The glazed link between these two elements could be lighter to make it more successful and less visible. The overall size of the development has reduced and been repositioned on the site to respond to the issue of close proximity to adjacent properties. This refinement also provides a better designed parking solution. There may be areas on other elevations where the linking element may be able to be lighter to emphasize the use of domestic scale blocks to form the larger mass”*

Overall it is considered that the alterations have addressed the Inspector's concerns in respect of design and impact on the locality. Conditions regarding the specification of materials to the buildings and surface treatments would be attached to any approval. The impact of the proposal on the character of the area is, therefore considered to be acceptable in relation to the Planning Inspectors specific comments, and the development complies with policies SE1 and SD2 of the CELPS.

## Amenity

In respect of the living conditions of neighbouring properties the Inspector concluded that;

*“It is not argued that the proposed new building would affect the outlook from habitable rooms within number 49. Number 49 has a rear garden that is both long and wide. The gable end of the new building would inarguably be apparent as a large feature from within the rear garden of number 49. However, due to the size and extent of the garden, this would not appear unduly overbearing nor would it significantly increase the degree of enclosure of the neighbouring rear garden area. The appeal site is located to the north of number 49 and therefore the proposed new building would not cast a shadow across the garden of number 49.*

*The submitted drawings show several windows that would potentially overlook the garden area of number 49. However, those directly facing the neighbouring property would be approximately 22 metres from the common boundary and other windows would have only oblique views. Due to this distance and the configuration the proposed development, the proposed building would not result in a significant degree of overlooking of the neighbouring garden.”*

The gable end of the building has been reduced in width improving the relationship with the adjacent neighbour at no 49 and the building is no closer to the shared boundary.

In respect of other impact on other neighbouring properties the proposed building has not been significantly changed from the previous scheme and the Inspector clearly felt that there no significant impact upon the dwellings on Swale Close and Tarporley Walk.

The environmental protection team have submitted an objection in respect of insufficient information regrading odour control. The position of the proposed kitchen has not changed from the previous application and no objection was received to that scheme. The matter can be dealt with by an appropriately worded condition.

With the above in mind and in the light of the Inspectors comments it is considered that the impact of the proposal on the residential amenity of the neighbouring properties is within acceptable limits in line with saved policies DC3, DC41 and DC38 of the Macclesfield Local Plan.

## Highways and parking

The layout has reverted back to a layout similar to the scheme which was the subject of the appeal and in the light of the Inspectors comments as follows:

*The appeal site has a good pedestrian and public transport links. The proposed development would not cause harm to the highways safety in the area with particular regard to car parking.*

Highways comments are awaited and will be reported as an update.

## **Accessibility**

The site is a reasonably sustainable location, with public transport adjacent to the site, and also positioned approximately 0.6 mile from the local shopping complex at Summerfields Village Centre.

The topography of Handforth Road means that there is an incline when travelling north or south. No doubt this would dissuade some people from walking to the village centre depending on mobility. However, the path is used by local people including the elderly. As a consequence, it seems unlikely that the more mobile residents or those with mobility scooters would be deterred from walking/riding to the local facilities along Handforth Road. Walking to the nearest facilities is therefore an option for residents.

Accessibility is therefore considered to be in accordance with the objectives of policies DC6 and DC57 of the local plan.

## **Trees**

There are trees that could potentially be affected by the proposed development. An Arboricultural Impact Assessment has been submitted which suggests that where any tree removals are required, this will be mitigated by high quality landscaping. Comments are awaited from the tree officers and will be reported as an update.

## **Nature Conservation**

### Breeding Birds

Suitably worded conditions relating to breeding birds should be included in any approval.

### Great Crested Newts

Following surveys of the site, Great Crested Newts are not considered likely to be present on site. No further action is required.

### Bats

Evidence of bat activity in the form of minor roosts of a relatively common bat species has been recorded within number 53 and number 51. The usage of the buildings by bats is likely to be limited to small-medium numbers of animals using the building for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have a medium impact on bats at the local level and a low impact upon the conservation status of the species as a whole.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic

nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Saved Macclesfield Borough Local Plan Policy NE11 and policy SE3 of the Cheshire East Local Plan states that the Council will seek to conserve, enhance and interpret nature conservation interests. Development which would affect nature conservation interests will not normally be permitted.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case it is considered that the proposal will result in social and economic benefits, and any alternatives are likely to involve extensions to the existing building, which would have a comparable impact upon the species.

The submitted report recommends the installation of bat boxes on the replacement building as a means of compensating for the loss of the roosts and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

The nature conservation officer advises that if planning consent is granted the proposed mitigation/compensation is acceptable.

## CONCLUSIONS

While the objections are noted, the amended scheme is considered to be acceptable and has responded appropriately to the Inspectors comments on the previous refusal and appeal decision.

As the proposal is not classified as use class C3 (dwellinghouses) there is no affordable housing requirement. However, the development will provide suitable accommodation for an ageing population within Cheshire East.

The impact on European Protected Species and other ecological interests has been assessed by the nature conservation officer and is acceptable. The proposal accords with the relevant ecology policies in the local plan and national guidance in the Framework. There is not considered to be any reason, having regard to the Conservation of Habitats and Species Regulations 2010, to withhold planning permission in this case.

Similarly, the amended proposal also raises no significant visual, amenity, design or flooding issues, and complies with relevant local and national planning policies.

A number of economic benefits will also arise from the development including additional trade for local business and the creation of employment.

Bearing all the above points in mind and subject to the receipt of outstanding consultee comments, it is considered that the proposal accords with relevant Development Plan policies and as such it is recommended the application be approved, subject to relevant conditions and a s106 contribution to healthcare.

*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 Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

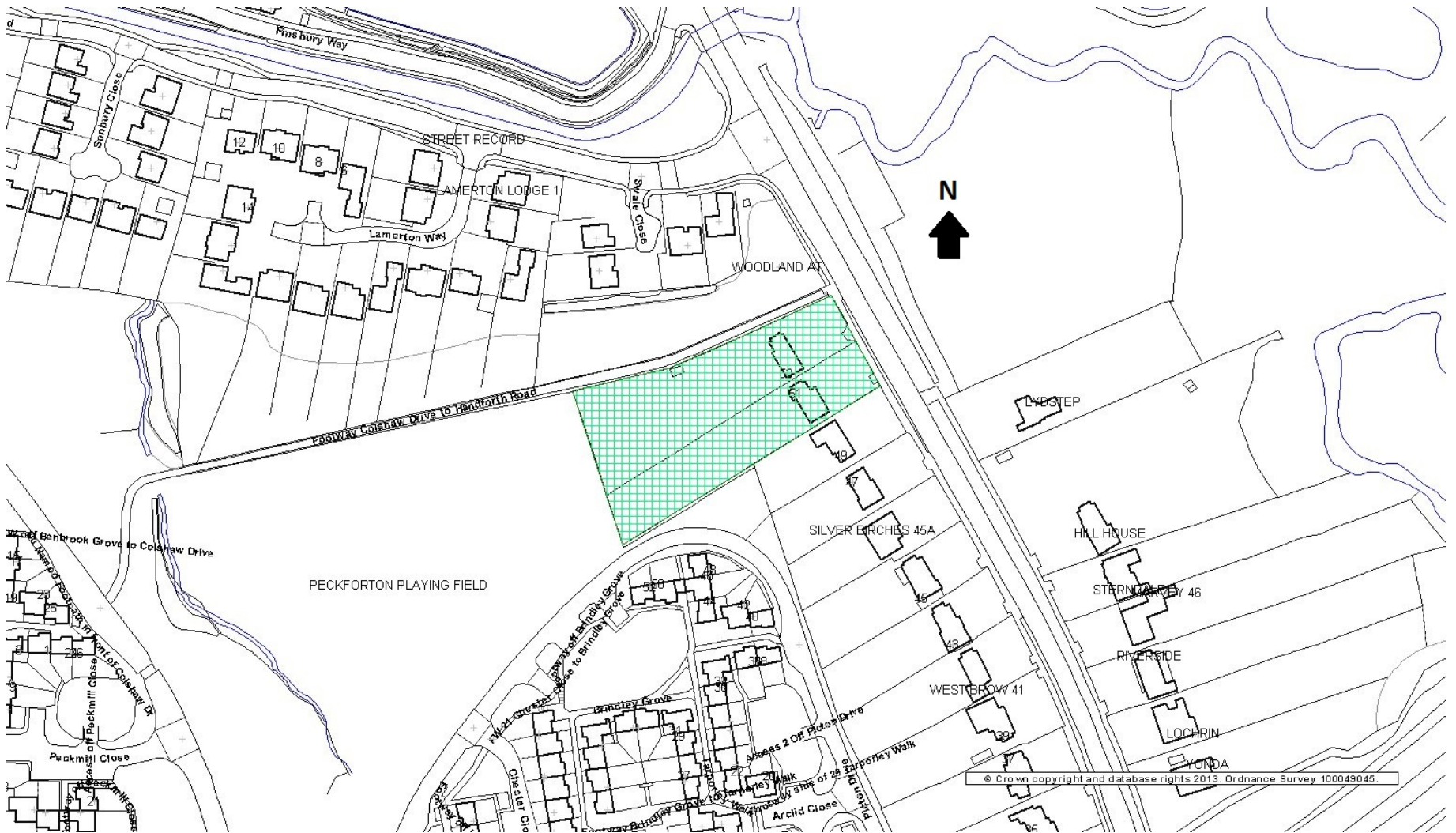
Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Landscaping - submission of details
5. Landscaping (implementation)



6. Landscaping to include details of boundary treatment
7. Service / drainage layout
8. Detailed drainage strategy /design to be submitted
9. Ecology Bats
10. Ecology Breeding birds
11. Ecology mitigation
12. Odour control
13. noise
14. lighting
15. Piling
16. Dust management
17. Floor floating
18. Travel plan
19. Electric vehicle points
20. Contaminated land
21. Verification report
22. Soils
23. Contam 2
24. Surface water run off
25. Hours of construction
26. Airport safety
27. CIL



Application No: 18/5544M

Location: Land off Dark Lane, Gawsworth, Land off Dark Lane, Gawsworth, Macclesfield

Proposal: Development of 10 dwellings and associated infrastructure.

Applicant: Mr M Thompson, Engine of the North

Expiry Date: 12-Feb-2019

## **SUMMARY**

The proposal, to develop the site for affordable housing can constitute appropriate development in the Green Belt, if it meets the criteria in the policy for Rural Exceptions Housing for local needs. It is considered the criteria are either met, or in the case of restrictions on tenure would be addressed as part of a legal agreement.

Whilst the site is on the edge of the village it is considered to be adjacent to it, and whilst Gawsworth has only a limited range of services and facilities, Macclesfield is only a short journey away.

The proposed layout, house design and associated infrastructure is to a very high standard and will complement this village location.

Whilst it is acknowledged that Dark Lane is a narrow road with no segregated pedestrian routes, and crossing Congleton Road into the village is currently far from ideal, the proposals are to introduce a series of measures to address these matters.

Whilst clearly building houses on a raised field will have a visual impact, the houses will be set back within the site, the higher site levels will be lowered and significant landscaping is proposed to minimise any impact.

Existing site trees are to be retained, and whilst some sections of hedgerow are proposed to be removed to create the site access, replacement planting is proposed in mitigation. Again mitigation can address any ecology matters.

Matters of drainage/overland flow, contaminated land, air quality and contaminated land can all be addressed by condition.

Accordingly the application is recommended for approval, subject to the signing of a Section 111 Agreement.

### **Summary Recommendation**

Approve subject to conditions and a Section 111 Agreement.

## **SITE DESCRIPTION**

This application relates to part of a field, to the south west of Dark Lane on the north western edge of Gawsworth village. The site slopes away from Dark Lane to a high point towards the rear of the site, approximately a 4m change in level. The site adjoins the access road leading to the rear of Gawsworth Methodist Church to the south, separated by a hedge. To the rear (west) of the site is a small area of woodland (containing ponds) with fields beyond. To the north is the remainder of the field leading up to a farm. Across the road from the site are a number of residential properties set back from the road. The site frontage consists of a hedge, with 3 mature trees. The site is close to the crossroads formed by Dark Lane, Congleton Road (A536 to Macclesfield) and Church Lane leading to the main part of Gawsworth village.

The whole site is within the North Cheshire Green Belt, is outside the Village Settlement boundary (which finishes at Congleton Road), and is on the eastern edge of the Jodrell Bank Radio Telescope Consultation Zone, in Zone 6 the outer zone.

## **PROPOSAL**

The application title reads: "Development of 10 dwellings and associated infrastructure." The proposal is to build the 10 properties (8 two storey and 2 single storey) as five pairs of semi detached houses accessed off Dark Lane at the extreme northern end of the site, approximately 120m from the Congleton Road junction. The site access leads to a "H" shaped layout, which links into the Methodist Church access (Chapel Lane), which would be closed at its junction with Dark Lane. In addition to the garden areas, an area of open space is proposed to the site frontage, and a landscape strip is proposed to the rear (western) and northern site boundaries. The majority of the boundary hedges (except where access points are made), and all the boundary trees are to be retained.

Of the 10 properties proposed, 7 would be affordable, and 3 would be market houses.

A cut and fill exercise is proposed to lower the higher, central part of the site to produce a better development platform, and in turn reduce the visual impact of the properties. The cut at its greatest is in the region of 1.6m, but is more generally around 800mm. Of the 3,410 sq m of soil proposed to be removed, 1,250 sq m would be re used within the landscaped areas of the site, the remaining soil would be taken off site.

In addition to the proposals on the site, improvements are proposed on Dark Lane, including a new pedestrian crossing and new footpath along the northern side of Dark Lane. In addition footpath improvements and a new puffin crossing are proposed on Congleton Road to improve access to Gawsworth village. The existing position of the bus stop and shelter would be changed to accommodate the crossing point.

The proposals have been amended during the lifetime of the application, with alterations made to the layout and house-types.

## **RELEVANT PLANNING HISTORY**

There is no planning history on the application site.

## **POLICIES**

### **Cheshire East Local Plan Strategy – 2010-2030**

PG 2	Settlement Hierarchy
PG 3	Green Belt
SC 5	Affordable Homes
SC6	Rural Exceptions Housing for local needs
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 5	Trees, Hedgerows and woodland
SE 9	Energy Efficient Development
SE13	Flood Risk and Water Management
CO 1	Sustainable Travel and Transport

### **Macclesfield Local Plan (Saved policies)**

NE1 Areas of Special County Value  
NE 3 Landscape Conservation  
NE11 Nature Conservation  
GC 1 Green Belt – New Buildings  
GC14 Jodrell Bank  
DC3 Design – Amenity  
DC8 Design – Landscaping  
DC9 Design – Tree protection  
DC10 Landscaping and Tree Protection  
DC13 Design – Noise

### **Gawsworth Neighbourhood Plan**

The plan is at Regulation 14 – Pre-submission Consultation: “Gawsworth are now consulting on the first draft of their neighbourhood plan. The consultation will accept representations until the 31 December 2019.

At this stage only limited weight can be afforded to the draft policies. The most directly relevant policies are:

G1 Development – Proposes limiting development to within the village infill boundary  
G2 Gawsworth Village Character Area Design Guidance – Proposed design criteria  
E1 Trees and hedgerows  
T1 Sustainable Transport

### **Other Material Considerations**

The National Planning Policy Framework

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System

National Planning Practice Guidance

CEC Design Guide

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

**United Utilities** – No objections are raised, but conditions are recommended.

**Cadent Gas** – Recommend informatives

**Head of Strategic Infrastructure** – No objections subject to conditions

**Environmental Protection** – No objections subject to conditions.

**Flood Risk** – No objections subject to conditions

**Housing** – The Applicant is providing much needed Affordable Housing for those First Time Buyers and also those who wish to move to a larger house but are priced out of the market. This development is meeting a need for Low Cost Home Ownership and also those in need of single storey accommodation. The application is fully supported.

**Jodrell Bank** – No comments received

### **VIEWS OF THE PARISH COUNCIL**

**Gawsworth Parish Council** – They object to the application, and extensive comments have been received. These are summarised below:

Rural Exception for housing for local need/Green Belt – They feel the criteria of Policy SC6 are not met.

- The site does not adjoin the settlement
- LPS15 is within Gawsworth and will provide affordable homes. Other properties suitable for the elderly/disabled are available in the village.
- The housing needs survey of 2015 is questioned and is not considered to provide reliable data.
- The viability assessment is questioned.

As it does not meet the criteria in SC6 it does not meet the Green Belt exceptions in PG3.

Impact on Jodrell Bank – Jodrell Bank have consistently maintained an objection to applications in the area and it should be no different here.

Local Landscape designation area – Developing this field in this locally designated landscape will have an adverse impact on the character and appearance of the site and area.

Highway safety – They are concerned about pedestrian safety on Dark Lane and dispute the width calculations which they feel will not allow for a footpath to be installed as shown without serious damage to the adjacent hedge, or a reduced road width.

Pedestrian crossing – they feel the route is circuitous and unlikely to be used. Signalisation of the crossing is a better solution.

Sustainable development, including agricultural land quality and non designated heritage assets – The development would lead to the loss of Grade SA agricultural land  
And have an adverse impact on the setting of two locally listed buildings, The Old Post Office and The Old Police House.

Trees and hedgerow – Concern is expressed about the loss of hedgerows, especially if it found to be “important”.

Design Standards – Commenting on the original scheme, there was a concern the new houses would not meet nation Described Space Standards.

Neighbourhood plan – They feel this development is not of a scale/location supported by the emerging Neighbourhood Plan.

Affordability – The proposed properties, with the discounts given will not be affordable to local eligible people.

Their full comments are available on the website

### **OTHER REPRESENTATIONS**

Numerous comments have been received from local residents. They can be summarised as follows:

- Unacceptable development in the Green Belt
- Inaccuracies in the supporting statement
- Loss of farmland
- Brownfield sites should be used first
- Highway safety concerns on both Dark Lane and it's junction with Congleton Road
- The village has few facilities and limited infrastructure
- Gawsworth's housing need should be met in the allocated site in south Macclesfield
- Dark Lane is too narrow for two way traffic and a footpath
- The viability assessment is questionable and inaccurate
- Concerns the soil movements proposed will lead to flooding issues
- The housing needs survey is questioned in terms of it's outcomes
- Visual impact of the houses in this prominent location
- Loss of hedgerows
- Will not meet local housing need and is not affordable
- Impact on Jodrell Bank

David Rutley MP has written in support of local residents concerns regarding loss of the Green Belt and Highway Safety. In particular he raises concerns regarding lack of access to local services/public transport and lack of speed enforcement on the A536.

Full comments are available on the Council's website at <http://planning.cheshireeast.gov.uk/applicationdetails.aspx?pr=18/5544M>

## **OFFICER APPRAISAL**

### **Principle of Development/Green Belt**

Policy PG3 Green Belt sets out the 5 purposes of Green Belt under criteria 1, and under criteria 2 states that:

“Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.”

Criteria 3 states that “The construction of new buildings is inappropriate in Green Belt. Exceptions to this are:” which includes;

“v. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan;”

In short the principle of building rural exceptions housing for local needs can be considered appropriate development in the Green Belt if it meets the requirements of policy SC6. As this is a significant determining factor with this application the policy is set out in full below:

### **Policy SC 6**

#### **Rural Exceptions Housing for Local Needs**

Rural Exceptions affordable housing will be permitted as an exception to other policies concerning the countryside, to meet locally identified affordable housing need, subject to all of the following criteria being met:

1. Sites should adjoin Local Service Centres and Other Settlements and be close to existing employment and existing or proposed services and facilities, including public transport, educational and health facilities and retail services;
2. Proposals must be for small schemes; small schemes are considered to be those of 10 dwellings or fewer. Any such developments must be appropriate in scale, design and character to the locality;
3. A thorough site options appraisal must be submitted to demonstrate why the site is the most suitable one. Such an appraisal must demonstrate why the need cannot be met within the settlement;
4. In all cases, proposals for rural exceptions housing schemes must be supported by an up-to-date Housing Needs Survey that identifies the need for such provision within the parish;
5. Occupancy will, in perpetuity, be restricted to a person in housing need and resident or working in the relevant parish, or who has other strong links with the relevant locality in line with the community connection criteria as set out by Cheshire Homechoice, both initially and on subsequent change of occupancy. This could include Key Workers and Self Build;
6. The locality to which the occupancy criteria are to be applied is taken as the parish, unless otherwise agreed with Cheshire East Council;



7. To ensure that a property is let or sold to a person who either lives locally or has strong local connections in the future, the council will expect there to be a 'cascade' approach to the locality issue appropriate to the type of tenure. Thus, first priority is to be given to those satisfying the occupancy criteria in relation to the parish, widening agreed geographical stages.

#### Cross Subsidy

8. Proposals must consist in their entirety of affordable housing that will be retained in perpetuity. In exceptional circumstances, proposals that intend to include an element of market housing, or plots for open market sale, may be acceptable, if they meet all of the above criteria, along with the criteria below:

- i. Such proposals will only be permitted where it can be demonstrated that the site would not be viable, as a rural exception site, without cross subsidy. The developer will be required to submit an open book viability assessment. In such cases, the Council will commission an independent review of the viability study, for which the developer will bear the cost;
- ii. The Council will not accept aspirational land value as justification for allowing a higher proportion of market value units;
- iii. The assessment must show that the scale of the market housing component is essential for the successful delivery of the rural exception affordable housing scheme and that it is based on reasonable land values as a rural exception site and must not include an element of profit;
- iv. The majority of the development must be for rural exception affordable housing; and
- v. No additional subsidy is required for the scheme.

Looking at each criteria of this policy:

1. Location – Whilst the site is outside the defined village boundary for Gawsworth in the Macclesfield Local Plan, the policy requires the site to adjoin the settlement which may not be the same as the defined village boundary. Planning case law for example on infill development makes it clear that the boundary of a village defined in a local plan may not be determinative. In this case the defined village boundary stops at Congleton Road, but there are numerous properties on the northern side, including Gawsworth Methodist Church (which forms a boundary with the application site) and the Old Post Office, both of which can reasonably be defined as being part of Gawsworth. In this respect then the site is considered to adjoin the settlement.

The policy then requires the site to have good access to a range of services, employment etc. Whilst Gawsworth itself has only a limited range of services – a primary school, village hall and park/play area, the site is only approximately 5km south of Macclesfield Town Centre with a bus stop on Congleton Road at the junction with Dark Lane adjacent to the site. The term close is not defined in the policy, but for example according the Arriva bus timetable it is a 13 minute journey from Gawsworth to Macclesfield bus station. This is considered to be close. If a full range of services, facilities, employment etc. had to be provided within a village location then no affordable housing would be provided in any rural settlement.

2. The site proposes 10 dwellings, and is considered to be appropriate in scale, design and character to the locality. This is discussed further below.

3. The applicant has submitted a site option appraisal as part of the supporting planning statement. This looks at sites in the SHLAA (Strategic Housing Land Availability Assessment) and whilst there are sites identified in and near to Gawsworth none have been put forward for affordable housing and there are site specific reasons these have been discounted. The SHLAA is considered a reasonable way to assess sites as they show the willingness of site owners to put them forward for development. In the

absence of other options that meet the tests of suitable, available and developable it is considered this policy is met.

The Parish and residents have raised the issue of the allocated site LPS 15 which is within the Parish. The site however is in south Macclesfield to which it is physically attached, and as such contributes to Macclesfield's need. It also needs to be pointed out that to-date no planning application's have been approved on this site, and it is unclear when any housing will be built there.

4. The Housing Needs survey for Gawsworth Parish was carried out in 2015 and showed a need for 14 new affordable homes. Housing have confirmed this is a robust assessment and is up to date.

5. Occupancy can be controlled by legal agreement, in this case by a Section 111 Agreement under the Local Government Act.

6. The locality can again be controlled by a legal agreement.

7. The cascade again be controlled by a legal agreement.

8. Market housing units (3) are proposed so these criteria also need to be met:

i. A viability assessment has been submitted, and independently assessed, which demonstrates that the site would not be viable, as a rural exception site, without cross subsidy.

ii. Agricultural land values have been used – these are not aspirational, and if anything on the low side.

iii. The appraisal demonstrates there will be no profit, in fact there will be a slight loss. A review mechanism can be built into any legal agreement to ensure that if a profit was made it is re-invested to increase the discounted market sales.

iv. Seven out of the 10 properties will be affordable.

v. There is no other cross subsidy, other than a funding element from the Council as outlined in the report. This funding is to ensure the affordability of the scheme is maximised and not to create a profit. Without this funding the scheme would not be deliverable without the need for either more private sale homes or a lower discount making the properties less affordable.

It is considered all criteria of this policy are met. Viability is examined further below.

The Parish Council feel that the proposals are contrary to the emerging Neighbourhood planning policy G1 which limits new housing developments to infill sites. At this stage however the Neighbourhood Plan is only at an early stage and can as such only carry limited weight. In addition a Neighbourhood Plan has to be in conformity with the Development Plan, and in this case housing policies in the CELPS which includes SC6.

There is no policy on affordable housing.

## Highways

All dwellings will be served from an internal access road which will form a new simple priority junction with Dark Lane. The Head of Strategic Infrastructure (HIS) has reviewed the highways report submitted by the applicant in support of the development proposals and finds the following:

Dark Lane is a lightly trafficked semi-rural road; in the vicinity of the site it has a carriageway width of around 5.5m with no footway provision or street lighting and has a speed limit of 30mph.

Access from the site to the wider highway network would generally be expected to be taken via the Dark Lane/A536 Congleton Road/Church Lane priority crossroad junction, which is located to the south-east of the site. The A536 connects Macclesfield to the north-east of the site with Congleton to the south-west.

Vehicular access to the site is proposed from a new priority controlled junction with Dark Lane. The layout comprises:

- A site access carriageway width of 5.5m;
- Corner radii of 6.0m; and
- Visibility splays of 2.4m x 43m.

The proposal also involves the closure of the Methodist Chapel access from Dark Lane, located immediately to the south of the site. Access to the Chapel would be re-provided via the new site access described above.

The access proposals are considered to be acceptable to serve a development of 10 dwellings in this location. A development of 10 dwellings would not be expected to have a material impact on the operation of the adjacent or wider highway network.

Pedestrian access to the site is taken via a dedicated footpath link to Dark Lane located around 60m from its junction with the A536; an uncontrolled pedestrian crossing is proposed across Dark Lane to link with a new footway that runs south-east to A536 where a new signalised PUFFIN crossing is proposed across A536.

It is therefore considered that the development proposals can be safely accommodated on the adjacent highway network; accordingly, no highways objections are raised subject to conditions requiring the site access and pedestrian access visibility splays to be secured.

The Parish council has raised the issue of the road width, and questioned whether a two way road to meet standards, together with a footpath, can actually be accommodated with the space available, whilst still retaining the adjoining hedge. The applicant believes that it is achievable, but Highways have agreed to look at this matter in more detail and comments will be reported in an update to Members.

### **Landscape and visual Impact**

This application site is within the Local Landscape Designation: 'Bollin Valley and Parklands Area of Special County Value' (ASCV). The Landscape Character Area is 'Higher Farms and Woods 1: Gawsforth'

The site abuts the south-east boundary of the ASCV, adjoining village-edge roads and low-density development.

#### Landscape Effects

The applicant has submitted a revised Landscape General Arrangement drawing, existing and proposed site levels and an indicative topsoil redistribution drawing.

The proposed site levels and the principles of the applicant's outline plans for reservation and re-use of site soils are acceptable subject to a detailed Soils Plan being conditioned.

The General Arrangement drawing shows changes to the alignment of the footpath, changes to the locations for new trees and the addition of some ornamental shrub-planting in the northern parkland-style area of the site. This revised layout of this parkland-style area is considered acceptable but a detailed cross-site planting scheme with species and quantities, a 5-year establishment programme and details of on-going maintenance arrangements should be conditioned.

### Visual Effects

The Planning Statement and Community Consultation documents submitted show the applicant has considered alternatives and has tried to incorporate amendments in response to local residents.

The dwellings would be set back from Dark Lane, but would therefore be on higher ground so the proposed trees in the parkland-style planting area are particularly important in retaining a well-wooded landscape character. It is recommended that long-lived species should be specified here.

Views from Congleton Road would be largely obscured by the existing large detached dwelling, outbuildings, Methodist Church and existing trees. The proposed woodland belt would be crucial to the successful integration of this development into this Higher Farms and Woods landscape.

In short, whilst there were initial concerns about visual impact of the scheme it is now considered that with a reduction in site levels, with properties set well within the site, and with the proposed extensive boundary landscaping any impact can be mitigated.

### **Trees**

Three mature field boundary trees; (T2 and T3) 2 x Category B Sycamore and 1 Category A Oak are located along the north eastern boundary of the site adjacent to Dark Lane. The proposed site plan shows all trees on the site to be retained with root protection areas indicated, the layout demonstrates that the three mature trees on the site will be retained within an area of public open space with only minor incursion within the root protection area of tree T3 which can be resolved through the use of no dig construction methods. T2 Sycamore is a prominent tree located in the corner of the field boundary and adjacent to the access to the chapel. The tree has high amenity value and is visible from the junction of Dark Lane with Congleton Road and Church Lane although is not deemed worthy of formal protection by virtue of the presence of utilities cables running through the east side of the canopy. T4 is a mature Oak, heavily ivy clad and in declining condition. The A1,3 category afforded the tree is debateable, and while opportunities to commence a programme of retrenchment pruning exist, the tree will require monitoring in this road side location.

The updated AIA has clarified that T2 will be retained, the submitted levels plans demonstrate no impacts on tree T2 and the tree protection plan is acceptable in terms of the trees on the site.

The revised AIA has indicated that trial excavations have been carried out within the RPA of tree T3 in the area where the footpath link is proposed but that no roots were identified. The report has expressed the view that no special mitigation will subsequently be required, but acknowledges that the construction of the footpath in this area should be carried out under arboricultural supervision.

Replacement planting is offered as mitigation for the proposed removal of a total of 70 metres of hedgerow. While the submitted Ecological Assessment states that the hedgerow is species poor, the hedgerow to be removed comprises of a linear stretch of mixed species mature hedgerow bordering

agricultural land which appears to follow the line of the 1840 tithe map. A hedgerow assessment was requested with earlier comments, but has yet to be received.

It is considered that for completeness in the assessment and determination of this planning application, as hedge loss is involved the hedge should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if it qualifies as 'Important'. The Regulations require assessment on various criteria including ecological and historic value. Should the hedgerow be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

The applicant writes "The hedgerows are not considered to be 'important' in terms of the Hedgerow Regulations 1997 and this is covered in the submitted Ecology Assessment (para 4.3)". The Tree officer has looked at the assessment and has requested more information on the historical significance of the hedge. Members will be updated on this matter in an Update Report.

Conditions are recommended relating to tree protection measures and submission of a detailed service and drainage plan.

### **Building design/layout**

The layout has been carefully considered and the proposals do result in a very green layout with ample space for gardens and landscaping in character with this rural area. The building design is also of a high quality, with significant variation in house types which will compliment the location, and as such there are no objections on these grounds.

The house types are very much 'non standard' and untypical for modern new build dwellings. As can be seen from the elevations the 4 pairs of two storey semi detached houses, and pair of semi detached bungalows have a variety of designs and finishes which will give interest to the street scene.. Whilst the centre of the scheme is inward looking, through the use of shared surfaces it is not dominated by hard surfaces, and the outer edge of the layout is softened by a boundary hedge and landscaped buffer beyond avoiding a hard edge to the open countryside. The scheme is therefore considered to comply with the objectives of policies SE1, SD2 of the CELPS and the CEC Design Guide.

### **Amenity**

The proposed layout more than meets the required separation distances from adjoining properties, and whilst there is a shortfall in the required front to front separation distance between plots 3/4 & 7/8 internally, the proposals are considered to be acceptable as it creates a better street scene and is over what is considered public space. No further amenity issues are raised, and the proposal is considered to comply with policies DC3 and DC38 of the MBLP.

### **Heritage Impact**

As the Parish Council highlight there are two Locally Listed buildings, The Old Post Office, and The Old Police House/Cottage immediately adjacent to the junction of Dark Lane and Congleton Road, close to the site. Whilst the Parish consider the development will have an adverse impact, they do not state why. Whilst both buildings are in relatively close proximity to the site, there is still a reasonable

separation from any proposed buildings, and it is not considered there will be any harm to the settings of either building.

## **Ecology**

### Hedgerows

Hedgerows are a priority habitat and hence a material consideration. Existing hedgerows occur on the application sites northern and eastern boundaries. Whilst much of the existing hedgerows would be retained as part of the proposed development, a number of sections of hedgerow would be removed to facilitate the site access points. It is advised that in the event planning permission is granted the proposed new hedgerow, as shown on the submitted landscape plan, would be sufficient to compensate for those lost.

A detailed specification for the new hedgerow planting will be required. Detailed planting specifications have been submitted, but the species mix has yet to be received. It is however considered this can be conditioned.

### Brown Hare and Polecat

These two priority species have been recorded in the broad locality of the application site. It is advised that whilst these species may utilise the application site to some extent the site is unlikely to be of critical importance.

### Birds

A full breeding bird survey has not been undertaken as part of the ecological assessment. A number of records of notable bird species were however identified within the vicinity of the application site during the ecological desk study. These species may potentially occur on the application site.

The retention of the existing hedgerow and the provision of compensatory planting would partly reduce the impacts of the proposed development upon nesting birds, but there is likely to be an overall reduction in the level of breeding activity on site as a result of the proposed development. The severity of this impact cannot fully be assessed in the absence of a full breeding bird survey. The provision of features for priority bird species could however be incorporated into the development and secured by condition.

### Lighting

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 it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

### Ecological enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with his policy.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

## **Flood Risk/Drainage**

The flood risk team have stated that based on the Flood Risk Assessment and Surface Water rates provided have no objection in principle to the proposed development. However, as previously mentioned the Local Highways Officer is aware of previous flooding history down stream along the ordinary watercourse running adjacent to woodhouse lane. If infiltration isn't feasible, the developer will need to demonstrate proposed discharge point currently has connectivity with proposed development outfall location prior to approval. This matter can be conditioned.

## **Air Quality**

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

This proposal is for the residential development of ten new dwellings. Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

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

It is therefore recommend conditions relating to provision of a travel information pack and electric vehicle infrastructure are attached to any approval.

## **Contaminated Land**

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

- Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.
- A Phase I Preliminary Risk Assessment was submitted for review. Comment on this report at the pre-app stage was made, that it was nearly 2 years old, and as such the site walkover section in particular may benefit from some updating. This does not appear to have been done, however the report has been recently updated to include updated site plans.
  - The report has been updated on the basis of the new site plans. The previous version of the report noted that there was a former gravel pit and pond close to the site, however in this revision of the report it appears they are now included within the site boundary.
  - The report identified some potential sources of localised contamination on or very close to the site. As such, a ground investigation and ground gas risk assessment has been recommended.

As such, and in accordance with the NPPF, a number of conditions are recommended.

## **Affordable Housing**

The Cheshire East Local Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) states In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sq.m) in Local Service Centres and all other locations at least 30% of all units are to be affordable. 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 10 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is no requirement to be providing affordable dwellings. However the Applicant has advised that this development will be providing 7 Affordable Dwellings and 3 Market Housing Dwellings.

The CELP states in Policy SC5 justification paragraph 12.44, 'The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year.' This is for the whole borough of Cheshire East.

The current number of those on the Cheshire Homechoice waiting list with Gawsworth as their first choice is 32. This can be broken down to 13x 1 bedroom, 6x 2, 5x 3 bedroom and 4 x 4 bedroom dwellings.

The SHMA 2013 showed the majority of the house type demand annually in the Sub Area of Macclesfield Rural was for 9x 1 bedroom, 6x 2 bedroom, 23x 3 bedroom and 11x 4 bedroom dwellings for General Needs. The SHMA also showed an annual requirement for 2x 1 bedroom and 8x 2 bedroom Older Person's dwellings. These can be via Flats, Cottage Style Flats, Bungalows and Lifetime Standard Homes.

A Rural Housing Need Study was completed for Gawsworth dated 23rd September 2015. This study advised a minimum figure of around 24 new households were required within Gawsworth parish.

This figure of 24 should be treated as a minimum affordable housing requirement, rather than a maximum requirement, due to the following reasons:

Figures for new household income and savings were not given for between 5 and 8 of the new households, indicating further affordable housing requirements that might not have been captured. The new households would typically be required as houses, for adult couples or single adults, and for residents aged less than 45. Two of the new households had special requirements – Care in the home and mobility/disability.

Policy SC5 of the CELP would expect a ratio of 65/35 between social rented and intermediate housing, which equates to 5 units provided as Affordable/Social rent and 3 units as Intermediate tenure.

In the Planning Statement, the applicants, who are a Wholly Owned Company of Cheshire East Council, correctly advises that 'The Council does not have a Housing Revenue Account and therefore is not able to manage rented accommodation.' As such the Affordable dwellings are to be provided as Discount for Sale with a 55% discount off the Open Market Value, and a legal security to retain the dwellings as Affordable.



The Applicant is providing much needed Affordable Housing for those First Time Buyers and also those who wish to move to a larger house but are priced out of the market. This development is meeting a need for Low Cost Home Ownership and also those in need of single storey accommodation.

The revised plans increase the size of the properties so they meet the National Design standards.

As the Strategic Housing Manager comments were received early in the life of the application, they have been invited to update their comments in the light of amendments to the scheme, and comments received from the Parish Council and local residents. Any comments received will be reported in any update report.

### **Viability**

In line with the requirements of policy SC6 an open book viability appraisal was submitted with the application, and updated when revisions were made to the application over the summer. This report has been independently assessed and the consultant concludes:

“It is the conclusion of this financial viability report analysis that the Applicant has adopted both reasonable sales rates and reasonable costs, both being reasonably consistent with market rates.

The consultant “appraisal returns a total Profit on Value of -0.56% or -£10,804”. (i.e. a loss). This return is not enough to allow for more affordable homes to be provided on the basis of 70% affordable housing set at a discounted rate of 55%.”

In brief a benchmark land value of £16,700 (£10,000 an acre) is given which reflects agricultural values in the area, build costs are put at £712,000. The total development costs come to some £1.935M, and development values come to some £1.924M.

The consultant’s findings indicate that the Applicant’s Viability Appraisal is reasonably accurate and is reflective of what the scheme is capable of providing while remaining financially viable and deliverable.

Whilst elements of the viability report analysis are questioned by local residents, it has been carried out by a professional body under guidelines set out by the RICS. The consultant’s however have been concerned by some comments received, with a mis-understanding of their role in the process. As such they will be re-issuing their report as:

“I am concerned that the Report Format and our wording and titling, is misleading in what it has done and intends to do. “

This will not change their findings and conclusions, but will hopefully address some of the questions raised. Any substantive matters reported will be reported to Members in an Update Report.

### **Jodrell Bank**

As noted above the site is in the Jodrell Bank consultation zone, but in Zone 6 on the eastern edge of this outer zone. Jodrell Bank have been consulted on the application and have chosen not to comment. They do not comment on all planning applications, and it has to be assumed in this case they have no objections to the application.

## **CONCLUSIONS**

The proposal, to develop the site for affordable housing can constitute appropriate development in the Green Belt, if it meets the criteria in the policy for Rural Exceptions Housing for local needs. It is considered the criteria are either met, or in the case of restrictions on tenure would be addressed as part of a legal agreement.

Whilst the site is on the edge of the village it is considered to be adjacent to it, and whilst Gawsworth has only a limited range of services and facilities, Macclesfield is only a short journey away.

The proposed layout, house design and associated infrastructure is to a very high standard and will complement this village location.

Whilst it is acknowledged that Dark Lane is a narrow road with no segregated pedestrian routes, and crossing Congleton Road into the village is currently far from ideal, the proposals are to introduce a series of measures to address these matters.

Whilst clearly building houses on a raised field will have a visual impact, the houses will be set back within the site, the higher site levels will be lowered and significant landscaping is proposed to minimise any impact.

Existing site trees are to be retained, and whilst some sections of hedgerow are proposed to be removed to create the site access, replacement planting is proposed in mitigation. Again mitigation can address any ecology matters.

Matters of drainage/overland flow, contaminated land, air quality and contaminated land can all be addressed by condition.

Accordingly the application is recommended for approval, subject to the signing of a Section 111 Agreement.

## **SECTION 111**

In accordance with the policy requirements the affordable housing needs to be secured by legal agreement, and in this case as Cheshire East are the application this is under Section 111 of the Local Government Act 1972.

## **CIL REGULATIONS**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following: a) Necessary to make the development acceptable in planning terms; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S111 the scheme is compliant with the CIL Regulations 2010.

## **RECOMMENDATION**

**Approve subject to a Section 111 Agreement and subject to the following conditions;**

- 1. Three Year Start**
- 2. Approved plans**
- 3. Materials**
- 4. Landscape details**
- 5. Implementation of landscaping**
- 6. Tree protection in accordance with the AIA and be in place before development commences**
- 7. Bird nesting season**
- 8. Submission of measures to provide features for priority bird species**
- 9. Lighting**
- 10. Ecological enhancement measures**
- 11. Site access and pedestrian crossing visibility splays on Dark Lane should be provided in accordance with the submitted details.**
- 12. The approved access that is required for the development must be constructed prior to the commencement of development.**
- 13. Separate systems for drainage**
- 14. Surface water drainage scheme to be approved**
- 15. Submission of a sustainable drainage management and maintenance plan.**
- 16. Submission of a Travel Information Pack**
- 17. Required installation of Electric Vehicle Infrastructure**
- 18. Phase II ground investigation and risk assessment**
- 19. Verification report**
- 20. Soils testing**
- 21. Measures to deal with unexpected contamination**
- 22. Development to be in accordance with the FRA**
- 23. Submission of a detailed drainage strategy**
- 24. Submission of a detailed soils plan**

*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 Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*



Application No: 19/3748M

Location: Land & Building, SNAPE ROAD, MACCLESFIELD, CHESHIRE, SK10 2NZ

Proposal: Change of use of building from the manufacture of PVC windows and doors (B2 use class) to motorbike storage and sales with associated offices, workshop and MOT bay (B1/B2/B8/Sui Generis use classes)

Applicant: Mr Behrens, Superbike Factory Limited

Expiry Date: 24-Dec-2019

**SUMMARY**

The application site is allocated within the Cheshire East Local Plan Strategy and Macclesfield Borough Local Plan as an existing employment area, the Hurdsfield Industrial Estate, Macclesfield. The site was last used for B2 (General Industrial) purposes.

The application seeks Full Planning Permission for the change of use of the building for a mixed B1/B2/B8/Sui generis use for the Superbike Factory Ltd, who formerly operated out of Cottage Street.

The principle of the development is acceptable and appropriate for the existing employment area, the Hurdsfield Industrial Estate in which it is sited.

Subject to conditions, the development is also in compliance with design, residential amenity, trees, landscaping, pollution, highways, nature conservation and water management policies at both a local and national level.

The NPPF places a presumption in favour of sustainable development. The proposed development will provide environmental, economic and social benefits and is therefore considered to comply with the three dimensions of sustainable development.

**RECOMMENDATION:**

**Approve subject to conditions**

**REASON FOR REFERRAL**

The application site covers an area of 2.85ha and the floor area covers 8600sqm. The scale of the proposal therefore triggers an automatic referral to Northern Planning Committee.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is an existing industrial unit within the Hurdsfield Industrial area of Macclesfield.

The building was previously used for general industrial purposes (use class B2). There are existing parking areas on the site. Access to the site is from the North, with the Industrial Estate.

The Silk Road lies to the east of the site. The area surrounding the application site is dominated by industrial and commercial uses.

## **DETAILS OF PROPOSAL**

The proposal seeks to convert the existing building to a mixed B1/B2/B8/sui generis use. The supporting statement advises that the predominant use would be for the storage and distribution of motorbikes (B8). It would also include a B2 use (general industrial) in the form of a workshop and MOT garage for the bikes on the site and an office (B1 use) for staff working for the business.

The applicant has confirmed that sales are predominately online (around 82%). Sales are therefore ancillary to the main industrial uses.

The change of use has taken place during the lifetime of the application.

## **RELEVANT PLANNING HISTORY**

02/0791P – approved – 28 June 2002  
Single storey side extension to house blower room

00/2095P – approved – 10 October 2000  
Dormer roof extension to existing extrusion building

00/0319P – approved – 21 December 2000  
Extension to existing extrusion building

80020P – approved – 9 January 1995  
Production and warehouse buildings for light industrial use; new access road and ancillary work

78350P - approved – 5 September 1994  
Development for office light industrial and warehousing (Classes B1, B2 and B8); realignment of Snape Road and new estate road

43394P – approved – 3 February 1986  
Extension of factory +4 units and parking

26428P – approved – 3 September 1981

Industrial building with ancillary offices storage and car park

23637P – approved – 28 January 1981

Industrial purposes erection of industrial buildings into 9 units

9949P – approved – 29 September 1977

9 Industrial sites (class 4) (general)

9897P – approved – 1 September 1977

Extension to factory

9890P – approved 29 September 1977

9 industrial sites class 4 (outline)

## **POLICIES**

### Cheshire East Local Plan Strategy (CELPS)

MP 1 – Presumption in Favour of Sustainable Development

PG 2 – Settlement Hierarchy

SD 1 – Sustainable Development in Cheshire East

SD 2 – Sustainable Development Principles

EG 1 – Economic Prosperity

EG 3 – Existing and Allocated Employment Sites

SE 1 – Design

SE 3 – Biodiversity and Geodiversity

SE 9 – Energy Efficient Development

SE 12 – Pollution, Land Contamination and Land Instability

SE 13 – Flood Risk and Water Management

CO 1 – Sustainable Travel and Transport

CO 2 – Enabling Business Growth through Transport Infrastructure

CO 4 – Travel Plans and Transport Assessments

Appendix C – Adopted Parking Standards

### Macclesfield Borough Local Plan (MBLP)

E2 – Retail development on employment land

E3 – B1 (business) Uses

E4 – General Industrial Development

DC3 – Amenity

DC6 – Circulation and Access

## **OTHER MATERIAL POLICY CONSIDERATIONS**

National Planning Policy Framework (NPPF 2019)

National Planning Policy Guidance (NPPG)

## **CONSULTATIONS EXTERNAL TO PLANNING**

Macclesfield Town Council – no reply

Macclesfield Civic Society – support proposal. Potential for expansion of an existing activity. Site is an established industrial estate with a mix of uses. No amenity issues predicted. Access and parking provision appears adequate.

Environmental Protection – no objections, subject to conditions relating to electric vehicle charging points, staff travel packs and conditions relating to contamination.

Head of Strategic Infrastructure (Highways) – no objections, sufficient parking would be provided and the proposed use would be similar in terms of traffic generation to the existing B2 use.

Lead Local Flood Risk Authority (LLFA) – no objections in principle to the proposed development. The applicant must be able to support their chosen method of surface water management. The applicant must ensure that the proposals do not increase flood risk elsewhere and where necessary install appropriate boundary treatment (informative)

United Utilities – no reply

National Grid – no objections

Cadent Gas - major accident hazard pipelines and intermediate pressure apparatus in the vicinity of the site; the applicant should contact Cadent Gas prior to works commencing on site (informative)

Health and Safety Executive (HSE) – do not advise against

## **REPRESENTATIONS**

None received

## **OFFICER APPRAISAL**

### **Principle of development – employment area**

CELPS policy EG 1 deals with economic prosperity. It states that proposals for employment development (Use Classes B1, B2 or B8) will be supported in principle within Principal towns. Macclesfield is a Principal town as defined by Policy PG 2 of the CELPS.

CELPS policy EG 3 deals with existing and allocated Employment Sites. It states that existing employment sites will be protected for employment use, unless:

*“i. Premises are causing significant nuisance or environmental problems that could not be mitigated; or*

*ii. The site is no longer suitable or viable for employment use; and*

*a. There is no potential for modernisation or alternate employment uses; and*

*b. No other occupiers can be found.”*



The accompanying text states that employment uses comprise of classes: B1, B2 and B8.

Saved MBLP Policy E2 confirms that retail development on employment land will not be permitted. However, developments which incorporate an ancillary retail element maybe permitted, depending on the suitability of sites and premises available elsewhere and the quantitative and qualitative supply of employment land in the area.

Saved MBLP policies E3 and E4 respectively confirm the acceptability of light and general industrial uses on the Hurdsfield Industrial Estate.

The existing site was last used a PVC window manufacturing centre, a general industrial (B2) use. It is within the Hurdsfield Industrial Estate, which is a designated employment area.

During the lifetime of this application, The Superbike Factory Ltd moved onto the site. At the time of the site visit in October, some of the bikes had been moved to the premises but the use was not fully operational. The Superbike Factory Ltd is a predominately online motorbike sales business that employs 148 people.

They were last based within a former mill on Cottage Street, Macclesfield, with other sites for storage. Before moving to the application site, they reviewed other sites within the locality, including a site on Hulley Road, also within the Hurdsfield Industrial Area.

Planning permission was granted for the change of use and extension of the Hulley Road site in January 2019 (18/5301M refers). However, the relocation to this site did not take place due to business reasons. As part of this previous application, it was accepted that the uses proposed by the applicant would comply with the requirements of CELPS policy EG 3.

The supporting statement advises that the majority of motorbike sales take place on line (around 82%), although acknowledges that members of the public can come to the site to view the bikes for sale. The business is split into three main elements:

1. The storage and distribution of motorbikes when they are sold
2. The servicing, repair and MOT of bikes that are brought to the site for onwards sale
3. Ancillary offices for staff

The floor areas given over to each use are as follows:

- Bike storage/show room = 3600sqm (B8/sui generis)
- Customer handover area = 500sqm (B8/sui generis)
- Bike storage = 1600sqm (B8)
- Workshop and MOT Bays = 1600sqm (B2)
- Offices = 1300sqm

The majority of sales take place online, functioning similarly to a typical storage and distribution use, with customers able to collect from the handover area. However, customers would also be able to visit the site to view the bikes. This is acknowledged within the supporting information, which describes 3600sqm of the site as a bike storage area/showroom, with a further 500sqm of customer handover area. The customer facing areas would therefore total 4100sqm. That being said, the applicant has confirmed that 82%

of sales take place on line, with the remaining 18% being at the site itself. It is evident from this that the main use of the showroom/bike storage would be for storage. The remaining 4500sqm would compromise a mixture of B1a, B2 and B8 uses with some circulation areas.

The proposed development would still result in a majority B1a/B2/B8 use of the site and as such would be an appropriate use within this existing Employment Area. It would comply with the requirements of CELPS policy EG 3 and MBLP policy E14.

Saved MBLP policy E14 also applies. This relates to the relocation of existing Macclesfield based businesses. It supports the relocation of businesses, which create an unacceptable level of nuisance to neighbouring dwellings, arising from noise, smell, safety or traffic generation. The former site on Cottage Street was surrounded by predominantly residential areas. There was little scope to extend to accommodate a growing business without adversely impacting parking levels or residential amenity as a result. The applicant has also confirmed that they had outgrown their previous site. The relocation of the business to the application site would be more appropriate and allow employment generation within an area designated for it.

The principal of development would therefore be acceptable.

## **Highways**

### Highways safety and sustainability

CELPS Policy CO 1 relates to Sustainable Travel and Transport. It sets out the ways in which development will be expected to deliver the Council's objectives of delivering a sustainable transport system. Amongst other matters, it states that development should be guided to sustainable and accessible locations.

CELPS policy CO 4 requires the submission of a Transport Assessment for applications likely to generate significant additional journeys.

The application site lies within the Hurdsfield Employment Area, which has good road, pedestrian and public transport links to Macclesfield Town Centre and the bus and rail stations. It is considered that the development would comply with the requirements of CELPS policy CO 1.

Additionally saved MBLP policy DC6 requires all new development to provide safe access onto the highway, protect pedestrian, safety, and provide parking for vehicles and cycles in line with adopted standards with sufficient manoeuvring space.

The proposal does not include any changes to the two access points onto the site, both taken from Snape Road. Some minor changes are proposed to the internal car parks.

The Highways Officer has considered the impact of the development on the highway network. They have advised that the levels of traffic generation between a B2 use (the existing use class) and the Superbike Factory are very similar.

There are no objections to the proposal on highway safety grounds. The proposal is therefore deemed to comply with MBLP policy DC6.

### Parking

CELPS Appendix C seeks the following car parking provisions for B1, B2, B8 and sui generis floor space. In line with the requirements set out, the following number of spaces would need to be provided:

- 1300sqm B1 Office space (1 per 30sqm) = 44 spaces
- 1600sqm B2 Workshop & MOT bays (first 235sqm 1 per 30sqm then 1 per 50sqm) = 36 spaces
- 1600sqm B8 Bike Storage (1 per 60sqm and 1 lorry per 200sqm) = 27 + 8 lorry spaces
- 4100sqm – bike storage/showroom and handover area B8/Sui generis (1 per 60sqm and 1 lorry space per 200sqm) = 69 space + 21 lorry spaces

Overall, a total of 176 parking spaces are required, of which 2% should be for disabled users (a total of 4 spaces). The proposed plans show 198 parking spaces to be provided, along with 18 motorbike spaces. This would be in excess of the Council's minimum requirements for car parking.

To meet the parking standards, a storage and distribution use of the size proposed would normally require 29 lorry spaces. However, the applicant has confirmed that the business does not use HGVs, with all deliveries taking place by vans, as per their previous operation at Cottage Street. Parking for vans is shown to be accommodated on the site. With this in mind, the lack of proposed HGV parking is considered to be acceptable in this instance.

The following cycle parking provision would need to be provided in accordance with Appendix C of CELPS:

- 1300sqm B1 Office space (1 per 250sqm up to 1000sqm, then 1 per 400sqm) = 5 spaces
- 7300sqm B2/B8/sui generis (1 per 500sqm up to 1000sqm, 1 space per 400sqm for floorspace above 1000sqm) = 18 spaces

A total of 23 cycle spaces are required. A condition is recommended requiring the provision of these spaces in the event of approval.

### **Ecology**

CELPS Policy SE 3 deals with biodiversity and geodiversity. The planning application has been reviewed against this policy by the Council's Nature Conservation Officers who have advised that there would be any significant ecological issues associated with the proposal. Given this, the proposal would comply with CELPS Policy SE 3.

### **Surface water drainage**

CELPS Policy SE 13 deals with flood risk and water management.

The application site lies within flood zone 1, where there is the lowest risk of flooding. However, in line with Policy SE 13, the impact on surface water drainage also needs to be considered. The proposal seeks to re-use the existing buildings and areas of hardstanding.

The Council's Flood Risk officers have been consulted regarding surface water flooding and drainage. They have raised no objections in principle to the development.

Given that no significant changes are proposed to the areas of hardstanding or built form, the proposal would satisfactorily comply with CELPS policy SE 13.

### **Amenity**

The Council seek that all development is located and designed so as not to result in harmful or cumulative impacts on residential/ amenity of neighbouring form or on the surrounding environment regarding air quality, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptable affect the natural and built environment or detrimentally affect amenity or cause harm. The relevant policies are CELPS policies SE 1, SE8, SE9 and SE12 and saved MBLP policies DC3, DC13 and DC14.

The scheme does not propose any extensions to the existing building. The closest residential properties are along Badger Road, over 80m from the site and separated by the Silk Road. On the same side of as the application site, the houses along Queens Avenue are over 90m from the site boundary and separated by other employment uses.

It is considered that the proposed use would not be materially different than the existing B2 uses on the site. Furthermore, given the distance and the other uses/main roads separating the site from residential properties, it is considered that the proposed development would not result in any material harm to the amenities of neighbouring properties. The Council's Environmental Health Officers have been consulted. They have not raised any objections to the proposal in terms of its impact on neighbour amenity. Conditions restricting the hours of use are not considered necessary. However, noisy works carried out outside the building envelope could result in disturbance to residents. With this in mind, a condition preventing external works is proposed.

Whilst the scale of this development would not require an Air Quality Impact Assessment, there is a requirement to look at the cumulative impact of developments. The proposal seeks to increase the amount of parking provided to accommodate the use.

The Council's Environmental Health team have advised that conditions should be imposed requiring the provision of two electric vehicle charging points and the provision of a staff travel information pack. They have advised that these conditions should be imposed prior to occupation. However, as the use has commenced, they will need to be varied so that they are provided within 3 months of the date of decision.

No information relating to land contamination has been submitted as part of the application.

The Council's Contaminated Land team has advised that the application area has a history of uses which could have resulted in contamination. The site is also on a known landfill site or area of ground that has the potential to create gas.

As the proposal includes for internal reconfiguration, including the creation of smaller rooms within the building, they have advised that an assessment for the risks posed by possible land contamination/ground gas needs to be carried out to demonstrate that the development is or could be made suitable for its proposed use.

They have advised that conditions should be imposed requiring a risk assessment to be carried out, followed by a remediation strategy and verification report if necessary. As the change of use has already occurred, a condition will be imposed requiring this assessment to be carried out within 6 months of the decision notice.

Conditions will also be imposed relating to materials brought to the site and what to do if contamination is found during works.

### **Renewable Energy**

Policy SE9 of the CELPS expects non-residential development over 1,000 square metres to secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable.

As the proposal is for the change of use of an existing building and does not propose any additional floor space, this condition is not considered reasonable.

### **Other matters**

Cadent gas has advised that there are high and intermediate pressure pipelines within the vicinity of the site. The Health and Safety Executive have been consulted and have not advised against the development. An informative will be included in the event of approval, advising the applicant to contact Cadent Gas regarding the development.

### **CONCLUSIONS**

The principle of the development to change the use of the existing B2 industrial unit to a combined B8/ Sui-generis, B1a and B2 use by the Superbike Factory for storage, repairs, cleaning and office space is considered to be acceptable and appropriate for the existing employment area, Hurdsfield Industrial Estate in which it is sited.

Subject to conditions it is considered that the development is also in compliance with design, residential amenity, trees, landscaping, pollution, highways, nature conservation and water management policies at both a local and national level. Therefore, it is recommended that the development is approved subject to the following conditions.

## **RECOMMENDATION**

### **APPROVE subject to the following conditions;**

1. Development in accordance with the approved plans and details
2. Risk Assessment if ground works are proposed (followed by remediation strategy and verification report if required)
3. Soil testing
4. Procedure for contamination discovered during works
5. Electric vehicle provision
6. Staff travel pack
7. No external storage/works
8. Provision of parking spaces
9. Provision of cycle parking
10. Development shall not be used as a showroom

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



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Application No: 19/4503M

Location: ASTRAZENECA, CHARTER WAY, MACCLESFIELD, SK10 2NA

Proposal: Redevelopment for a new pharmaceutical manufacturing facility (Building 52)

Applicant: Mr N Bennion, AstraZeneca

Expiry Date: 31-Dec-2019

**SUMMARY**

The proposal is for the construction of a new three storey manufacturing plant within the existing AstraZeneca campus on the Hurdsfield Industrial Estate.

The proposed development would support the functioning of the existing Employment Area. It would not result in any harm to the setting of the Conservation Area, highway safety or wider landscape views. Issues relating to the integrity of the canal and surface water drainage can be adequately addressed by way of appropriately worded conditions. However, matters in relation to contaminated land remain outstanding, as do comments from certain consultees, as such, it is recommended that the application be delegated back to officers to APPROVE, subject to the satisfaction of these matters.

**RECOMMENDATION:**

**That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Northern Planning Committee, to APPROVE the application, subject to the recommended conditions, for the reasons set out in the report to the Committee subject to;**

- **The resolution of contaminated land matters in relation to planning application 19/2943M**
- **The positive outcome of outstanding consultee comments**

## **REASON FOR REFERRAL**

The development would create a floor area of 8890sqm. The scale of the proposal therefore triggers an automatic referral call-in to Northern Planning Committee.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is within the AstraZeneca Macclesfield Campus, which is in the Hurdsfield Industrial Area. This is a designated Employment Area. On the wider AstraZeneca site, there are other manufacturing buildings of a similar height and scale to the application proposal.

The site lies to the west of the Macclesfield Canal Conservation Area. It is separated from the Canal by a mature evergreen hedgerow. The AstraZeneca site is also at a lower level than the Canal tow path.

Within the wider site, there are eight surface car parks and one multi-storey car park. There are also 30 bays with electric vehicle infrastructure.

## **DETAILS OF PROPOSAL**

Full planning permission is sought for the construction of a new three storey pharmaceutical manufacturing building. The proposed building would sit adjacent to a similar building approved in 2014.

No parking is proposed as part of the scheme, apart from a single disabled bay. The occupiers of the building would have access to the parking and facilities on the wider site.

## **RELEVANT PLANNING HISTORY**

18/5573M – approval not required – 30 January 2019  
Determination for proposed demolition of a building

19/3241S – EIA not required – July 2019  
EIA screening option for remediation works

19/2943M – pending consideration  
Land remediation works

19/4518S – pending consideration  
EIA screening opinion for a new pharmaceutical manufacturing facility, building 52

### Building 51

13/2384M – approved – September 2013  
New facility for the manufacture of pharmaceuticals, totalling 6668 sq. m gross internal floor area

## **POLICIES**

### Cheshire East Local Plan Strategy

MP 1 – Presumption in Favour of Sustainable Development  
PG 2 – Settlement Hierarchy  
SD 1 – Sustainable Development in Cheshire East  
SD 2 – Sustainable Development Principles  
EG 1 – Economic Prosperity  
EG 3 – Existing and Allocated Employment Sites  
SE 1 – Design  
SE 3 – Biodiversity and Geodiversity  
SE 4 – The Landscape  
SE 5 – Trees, Hedgerows and Woodland  
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  
CO 1 – Sustainable Travel and Transport  
CO 2 – Enabling Business Growth through Transport Infrastructure  
CO 4 – Travel Plans and Transport Assessments  
Appendix C – Adopted Parking Standards

### Macclesfield Borough Local Plan

DC3 – Amenity  
DC6 – Circulation and Access  
BE6 – Macclesfield Canal Conservation Area

## **OTHER MATERIAL POLICY CONSIDERATIONS**

National Planning Policy Framework (NPPF 2019)  
National Planning Policy Guidance (NPPG)

## **CONSULTATIONS EXTERNAL TO PLANNING**

Canal and River Trust – No objections, subject to conditions requiring details of the final retaining wall design to and details of the means of construction of the roadway and retaining wall. Any approved construction management plan should include measures to protect the canal and its users from contamination.

An informative is also recommended advising the applicant of the need to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust'.

Environment Agency - No comments received at time of report

Environmental Protection - No objections, subject to conditions relating to contaminated land. The applicant should also be informed of appropriate hours for construction and pilling works.

Lead Local Flood Risk Authority – No objections, subject to a condition should be imposed requiring a detailed strategy/design to limit surface water run off.

Health and Safety Executive (HSE) - Do not advise against

Head of Strategic Infrastructure (Highways) - No objections

Macclesfield Civic Society - Support the proposal. Advise positive economic and employment benefits for the town. Whilst visible in long distance views from elevated ground, it would not be out of scale. Any permission should be subject to the usual conditions to safeguard amenity and the local environment.

Manchester Airport Safeguarding – No comments received at time of report

United Utilities – No objections, subject to a condition requiring the prior submission/approval of a surface water drainage scheme and a condition that surface and foul water be drained on separate systems

Macclesfield Town Council - No objections but support comments raised by the Canal and River Trust. The committee sought measures to strengthen the canal bank as per the Canal and River Trust recommendation and the planting of trees to reduce the impact of the development on users of the canal

## **OTHER REPRESENTATIONS**

None received

## **OFFICER APPRAISAL**

### **Principle of development**

CELPS policy EG 3 relates to existing Employment Areas. It seeks to protect Employment Areas to ensure sufficient employment land is available to attract both new businesses and allow existing businesses to grow.

AstraZeneca is an established and major employer within Macclesfield. The proposal would provide new facilities to enable the growth of their facilities within the town. A pharmaceutical building would fall within use class B2, which is considered to be an employment use. The proposal would fully comply with the aims of CELPS policy EG 3. The principle of development is therefore deemed to be acceptable.

### **Conservation Area, impact upon Canal and wider landscape impacts**

#### Conservation Area and Landscape

The application site lies adjacent to the Macclesfield Canal Conservation Area. The application site sits at a lower level to the Canal and is screened by existing vegetation.

CELPs policy SE 7 relates to the Historic Environment. It states that the Council will support development proposals that do not cause harm to the significance of heritage assets. Saved MBLP policy BE6 relates to development within the built up stretch of the Macclesfield Canal Corridor. It confirms that development may be permitted, where it preserves or enhances the historic environment.

The proposal has been reviewed by the Council's Built Conservation Officer. They have raised no objection to the proposal, subject to confirmation that the works would not have any detrimental effect on the embankment of the canal. They have advised that the building would not be visible from the canal.

The proposed building would be of a functional appearance, reflecting its use as a manufacturing facility. However, it would include some detailing and would reflect the appearance of the adjacent buildings. Whilst it would be visible in longer range views from the hills, it would be seen in the context of the surrounding manufacturing buildings, which are of similar heights.

The Council's Landscaping Officer has advised that the proposed development would not result in any significant landscape or visual impacts.

It is considered that the proposal would not adversely affect the setting of the Macclesfield Canal Conservation Area. It would comply with CELPS policy SE 7 and saved MBLP Policy BE6.

### Impact on Canal

CELPs Policy SE 12 relates to land instability amongst other matters. It states that development will only be deemed acceptable where it can be demonstrated that any land instability issues can be appropriately mitigated against and remediated if necessary.

The proposed development would require works to excavate into the embankment and the construction of a new retaining wall structure. The Canal and River Trust have advised that these works have the potential to threaten the stability of the embankment and increase the risk of a canal breach into the site, unless adequate precautions are undertaken.

To prevent this, the Trust recommend that prior to commencement of development, details of the final retaining wall design and the means of construction will need to be submitted for approval by the local planning authority. The Town Council support the Trust's comments.

Subject to these conditions, it is deemed that the proposal would adequately comply with the requirements of CELPS Policy SE 12 in relation to land instability.

The Trust have also requested that the submitted management plan should be expanded upon to include details of dust protection measures, to prevent the canal corridor and users from contamination during works. A condition will be included to this effect in the event of approval to recommend the submission of a Construction Environmental Management Plan.

## Highways

CELPs Policy CO 1 relates to Sustainable Travel and Transport. It sets out the ways in which development will be expected to deliver the Council's objectives of delivering a sustainable transport system. Amongst other matters, it states that development should be guided to sustainable and accessible locations.

CELPs policy CO 4 requires the submission of a Transport Assessment for applications likely to generate significant additional journeys.

The application site lies within the Hurdsfield Employment Area, which has good road, pedestrian and public transport links to Macclesfield Town Centre and the bus and rail stations. It is considered that the development would comply with the requirements of Policy CO 1.

No changes are proposed to the existing site access or parking arrangements for the wider site. No parking is proposed as part of the development, except for a single disabled space outside the buildings. However, there are nine car parks around the campus. The Council's Highway's Officer has advised that the existing parking facilities would be sufficient to accommodate any additional parking resulting from the proposed development.

The transport statement confirms that cycle storage and shower facilities are available around the campus. With this in mind, a condition requiring additional cycle storage is not deemed necessary.

The Highways Officer has considered the impact of the development on the highway network. They have advised that any impact is likely to be small and have not raised any objections.

The proposal would be acceptable in terms of its impact on highways safety.

## Amenity

### Privacy, light and overbearing impact considerations

Saved MBLP policy DC3 seeks to protect the amenities of residential properties and other sensitive uses. The proposed building would be located within the existing employment site amongst other similar buildings. Given this location and the distance from residential dwellings, it would not compromise the amenities of nearby properties.

### Contamination and air quality considerations

In relation to contamination, CELPS policy SE 12 advises that where a proposal may be affected by contamination or land instability, an investigation report will be required at planning stage. Development will only be deemed acceptable where it can be demonstrated that any contamination can be appropriately mitigated against and remediated, if necessary.

The Planning Practice Guidance advises that *'Applicants should provide proportionate but sufficient site investigation information (a risk assessment) to determine the existence or otherwise of contamination, its nature and extent, the risks it may pose and to whom/what (the 'receptors') so that these risks can be assessed and satisfactorily reduced to an*

*acceptable level. The risk assessment should also identify the potential sources, pathways and receptors ('pollutant/ contaminant linkages') and evaluate the risks. This information will enable the local planning authority to determine whether more detailed investigation is required, or whether any proposed remediation is satisfactory. At this stage, an applicant may be required to provide at least the report of a desk study and site walk-over. This may be sufficient to develop a conceptual model of the source of contamination, the pathways by which it might reach vulnerable receptors and options to show how the identified pollutant/ contaminant linkages can be broken.*

*Unless this initial assessment clearly demonstrates that the risk from contamination can be satisfactorily reduced to an acceptable level, further site investigations and risk assessment will be needed before the application can be determined'*

The application site was previously used for waste disposal and presents a high risk of contamination that could be mobilised during construction. The application site is subject to a related application for remediation works (19/2943M refers). This application has not yet been determined, pending revisions to the proposed remediation strategy.

Given the above risks, the local planning authority is not able to grant planning permission for this application until the extent of contamination is known and the remediation strategy agreed. It is recommended that the application be delegated back to officers to be approved in the event that planning permission for the remediation works is granted.

Policy SE 12 of the CELPS also states that developments should not result in a harmful or cumulative impact upon air quality. The application includes an Air Quality Impact Assessment. This concludes that the development will not have a significant impact on local air quality and that the potential dust impacts during construction will also not be significant, subject to appropriate dust mitigation measures.

The Council's Environmental Health officers have reviewed the proposal. They have not raised any concerns regarding the report and have confirmed that no air quality conditions are required.

## **Renewable Energy**

CELPS policy SE 9 relates to energy efficient development. It states that non-residential development over 1000sqm will be expected to secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable.

To ensure compliance with the requirements of this policy, a condition will be imposed requiring the submission and implementation of a low carbon/renewable energy scheme.

## **Ecology**

CELPS Policy SE 3 relates to biodiversity and geodiversity. Amongst other matters, it requires all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity.

A Phase 1 Ecology Report has been submitted as part of the application. This found the area to be of negligible importance from a nature conservation perspective.

This report has been reviewed by the Council's Nature Conservation Officer. The Officer has not raised any concerns regarding the impact of the proposal subject to a condition relating to nesting birds and a condition requiring the inclusion of ecological enhancements.

### **Forestry**

CELPS Policy SE 5 deals with trees, hedgerows and woodland. Proposals likely to result in the loss of or threat to trees, hedgerows or woodlands, which make a significant contribution to the amenity, biodiversity of the surrounding area will not normally be permitted.

There are 17 trees and 1 group of trees within the application site. All of these are categorised as low value 'C' class trees. They are not protected and do not lie within a conservation Area.

The proposal has been discussed with the Council's Forestry officer. The Officer has advised that the trees are of low significance. There is no objection in principle to their removal. However, as they do make some modest contribution to the green character of the surrounding area, a landscaping condition is recommended in the event of approval, which will also include details of replacement planting.

### **Drainage and Flood Risk**

Policy SE 13 deals with Flood Risk and Water Management. It states that all developments should include appropriate sustainable drainage systems. It confirms that it is not sustainable to dispose of surface water via the public sewer systems and applicants wishing to do so must demonstrate that there are no other more sustainable viable options.

A drainage strategy has been provided as part of the application. This states that surface water would be drained into the public sewers. United Utilities have raised an objection in principle the proposed drainage strategy, due to concerns regarding the impact on the sewer network. However, they have also suggested a condition relating to the submission of a surface water drainage plan. This has also been requested by the Council's Flood Risk Team. Subject to this condition, the proposal is deemed to adhere with CELPS Policy SE 13.

### **Manchester Airport**

Manchester Airport Safeguarding team has been consulted on the proposal. Their response has not yet been received but will be reported to the Planning Committee in the form of a written or verbal update.

### **Other matters**

Under Section 91 of the Town and Country Planning Act 1990, if the local planning authority grants planning permission, it is subject to a condition that sets the time limit within which the development must begin. While a three year time frame for implementation is standard, this is at the discretion of the local planning authority. The Planning Practice Guidance advises



that *“the local planning authority may wish to consider whether a variation in the time period could assist in the delivery of development.”*

It continues by stating that *“a longer time period may be justified for very complex projects where there is evidence that 3 years is not long enough to allow all the necessary preparations to be completed before development can start.”*

In this case, the applicant has requested that any planning permission is subject to a five year implementation period. In support of this, they have advised that this extended period is requested to remove any potential barriers, making the Campus, the number one option for AstraZeneca’s investment.

AstraZeneca are a major employer within the town and the proposed development would make a significant positive contribution to the local economy. In light of the above and the requirement for remedial works to be carried, it is considered that the five year implementation period would be acceptable in the event of approval.

## **CONCLUSIONS**

The proposal is for the construction of a new three storey manufacturing plant within the existing AstraZeneca campus on the Hurdsfield Industrial Estate.

The proposed development would support the functioning of the existing Employment Area. It would not result in any harm to the setting of the Conservation Area, highway safety or wider landscape views. Issues relating to the integrity of the canal and surface water drainage can be adequately addressed by way of appropriately worded conditions.

However, matters in relation to contaminated land remain outstanding, as do comments from certain consultees as such, it is recommended that the application be delegated back to officers to APPROVE, subject to the satisfaction of these matters.

## **RECOMMENDATIONS**

**That authority be DELEGATED to the Head of Planning (Regulation), in consultation with the Chairman of Northern Planning Committee, to APPROVE the application, subject to the recommended conditions, for the reasons set out in the report to the Committee subject to;**

- **The approval of 19/2943M**
- **The positive outcome of outstanding consultee comments**

**And the following conditions;**

- 1. Five year time limit**
- 2. Works to be carried out in accordance with the approved plans and documents**
- 3. Materials as per application**
- 4. Detailed surface water drainage strategy/scheme (prior to commencement)**
- 5. Details of the proposed retaining wall (prior to commencement)**
- 6. Details of means of construction of retaining wall and roadway (prior to commencement)**
- 7. Contamination – Remediation Strategy (prior to commencement)**
- 8. Contamination – Verification Report (prior to commencement)**
- 9. Nesting Birds**

**10. Ecological enhancements**

**11. Renewables 10%**

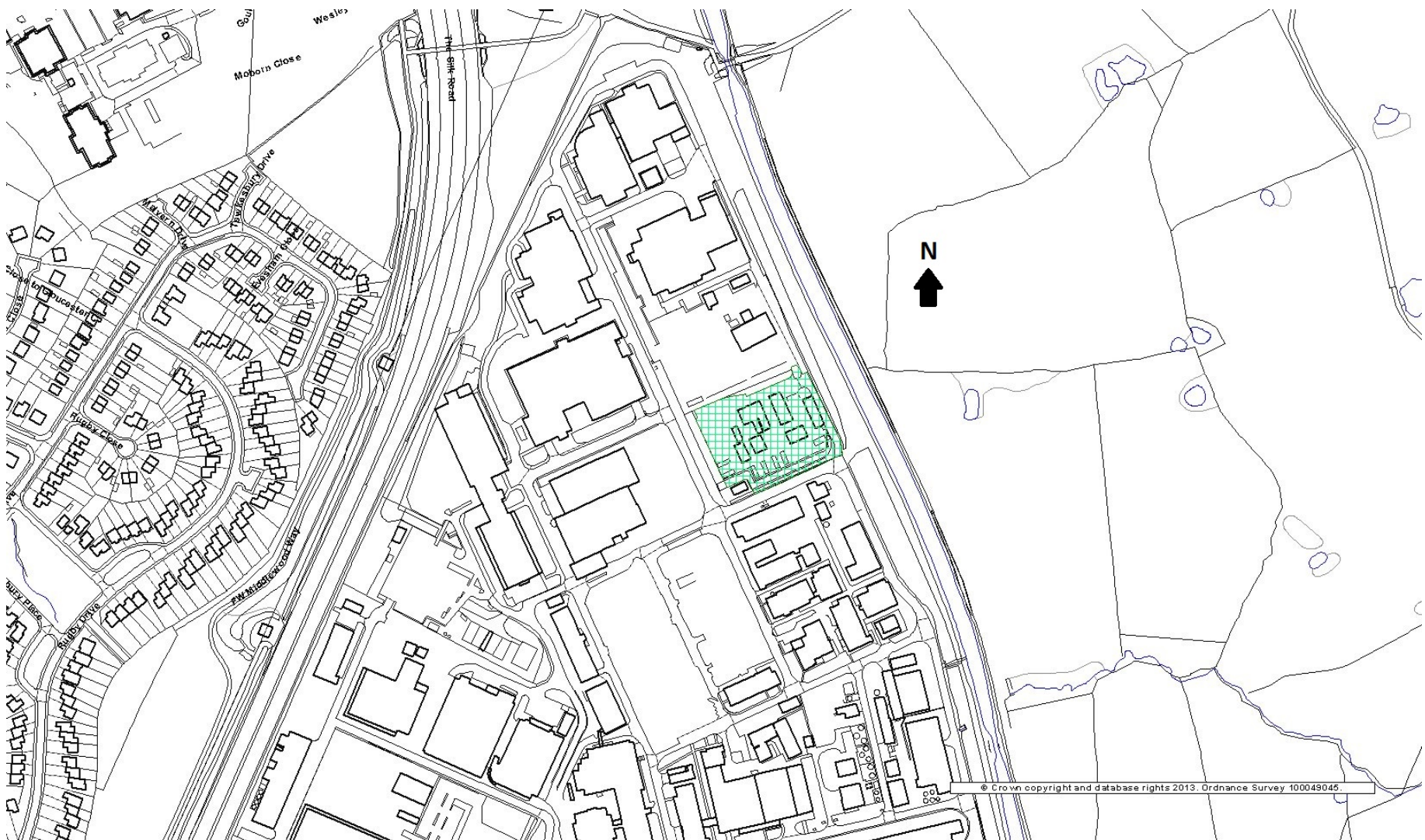
**12. Updated levels (prior to commencement)**

**13. Landscaping/replacement planting – Details**

**14. Landscape – Implementation**

**15. Construction Environmental Management Plan (prior to commencement)**

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



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Application No: 19/1708M

Location: 90, TYTHERINGTON DRIVE, MACCLESFIELD, SK10 2HN

Proposal: Demolition of existing garage and out buildings and erection of two number 3 bedroom semi-detached houses with associated driveways and gardens.

Applicant: Mr Tim Holland

Expiry Date: 30-May-2019

### **SUMMARY**

It is considered that the proposal is environmentally, socially and economically sustainable and would accord with the Cheshire East Borough Design Guide, development plans and the Framework. The site is located in a sustainable location within the settlement of Macclesfield and the proposal is considered to represent an efficient use of land.

The principle of the proposed development is acceptable subject to there being no significant adverse impacts arising from the proposal.

It is considered that the impact on street scene would be acceptable and has been assessed by the design officer. The proposal is considered to accord with The Cheshire East Borough Design Guide, relevant policies in the local plan and national guidance in the Framework. The revised proposals are considered to be acceptable in design and layout, visual, highway safety, and amenity terms.

**SUMMARY RECOMMENDATION: Approve subject to conditions**

### **REASON FOR REPORT**

The application has been called in by Councillor Lloyd Roberts for the following reasons:

*“Over development of the site; Scale of development will adversely affect amenities of surrounding properties: design is not in keeping with current street scene and surrounding development”*

## **DESCRIPTION OF SITE AND CONTEXT**

The site is that of a rear garden of a semi-detached house on a corner plot in on a 1970's style estate in Tytherington, Macclesfield.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission to erect 2 semi-detached houses with car parking.

### **Relevant Planning History**

16/1958M - Proposed construction of a pair of semi-detached houses and a detached single garage – Refused 13/06/16

## **POLICIES**

### **National Policy**

National Planning Policy Framework

### **Local Plan Policy**

MP1 Presumption - Sustainable Development  
PG2 Settlement Hierarchy  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development  
SE1 Design  
SE2 Efficient use of land  
SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, hedges and woodlands  
SE12 Pollution, land contamination and land instability  
IN 2 – Developer Contributions  
CO 1 – Sustainable Travel and Transport  
Appendix C – Adopted Parking Standards

### **MBLP Saved**

DC3 Amenity  
DC6 Circulation and Access  
DC9 Trees of amenity value  
DC35 Materials and Finishes  
DC38 Spacing standards  
DC41 Infill housing development

### **Other SPD and Material Considerations**

Cheshire East Borough Design Guide 2017

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

**Head of Strategic Infrastructure** – No objections

**Environmental Protection** – No objections subject to conditions and informatives relating to amenity, air quality and contaminated land.

**United Utilities** – No objections

**Macclesfield Town Council** - Object for the following reasons:

- i. That the proposal is over development of the site
- ii. That the scale of the development will adversely affect the amenity of in terms of loss of light and privacy.
- iii. That the design is not in keeping with the surrounding development

## **OTHER REPRESENTATIONS**

Two rounds of consultation have taken place. **7** objections were received to the original proposals and **5** to the revised proposals. The grounds are as follows:-

- Town Houses not in keeping
- 3 storey in 2 storey area
- Design too modernist, too high and an eyesore.
- Even less in keeping than 2016 refusal
- Loss of privacy and overlooking of private gardens
- Loss of spacious garden
- Parking and traffic issues on corner of two roads
- Too many houses approved in area and no more needed.

*This is a summary and the full contents are available to view on the CEC website.*

## **OFFICER APPRAISAL**

### **Principle of Development**

The site is within a settlement and therefore the overall principle of redevelopment of the site is acceptable. However, any redevelopment must conform to extant and relevant National and Local Planning Policy. The main policy tests in this case would be compliance with SD2, SE1, and SE2 of the Cheshire East Local Plan Strategy; saved policies DC3, DC6, DC38 and DC41 of the Macclesfield Local Plan and the Cheshire East Borough Design Guide.

## Design

It is considered that a proportionate redevelopment is proposed and it considered the design solution, although different and modernist, is acceptable in the context of the overall character of area which is an orthodox housing estate style. The style of the development is contemporary but it is considered that it would not be detrimental to the street scene as it would be of similar scale and takes cues from the local area. The NPPF advises that:-

*“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”*

It also advises:-

*“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”*

The Cheshire East Borough Design Guide states:

*“House Types - Making them Unique*

*ii|98 Bespoke housing designs, developed specifically for a site are welcomed for any proposed schemes across the borough, as long as they take cognisance of their context and the constraints of the site on which they are proposed.*

*ii|99 Such an approach, whether it draws on the local vernacular for inspiration or takes a more modernist approach, as long as it is justified, of a human scale, works with the grain of the place and is well detailed will address the quality design agenda promoted by Cheshire East Council.”*

The Design Officer commented on the original scheme that it would sit well within the immediate surrounding context in terms of scale and massing; as the basis of the design references and develops the existing form of the adjacent houses and would not be an overdevelopment of the site as it would be in context in plan form. The set back compliments the building line that is characteristic of the road and was the main issue for the previously refused scheme. As a contemporary design, the proposal takes cues from the local vernacular in detail and proportion of openings and materials. However, originally, this level of detail was not extended to the rear elevation. The rear of the proposal needed refining to incorporate the same design quality as the front and also to reduce the possibility of overlooking amenity space and properties to Tytherington Drive (the third floor floor to ceiling windows were amended to above eye level style windows). The Design Officer is satisfied these issues have now been addressed by the amendments which incorporate innovative solutions to overcome these issues but states that the materials palette should be conditioned to ensure a suitable match to the surrounding context with samples submitted prior to commencement of the works. Subject to this condition, the proposal is considered to comply with policies SE1 and SD2 of the CELPS, and the CEC Design Guide.

## Amenity



It is considered that the proposals would not overly injure privacy and amenity and would therefore comply with policies DC3, DC38 and DC41. Distances to any of the adjoining dwelling observe the guidelines set out in policy DC38 of the MBLP. Throughout the currency of the application officers requested that changes be made to mitigate the possibility of overlooking amenity space of neighbouring houses and thus above eye level fenestration has been proposed in the third level and this is considered to negate the overlooking issue. Whilst some overlooking will occur from the proposed first floor windows of the rear gardens of the houses along Tytherington Drive, this is not considered to be so significant to justify a refusal of planning permission, and is a relatively typical relationship within a housing estate.

### **Highways**

There are no significant material highway implications associated with the above proposal as:

- The proposal for access to each dwelling raises no highway safety concern and is acceptable; and there is sufficient space within each plot for off-street parking provision to be in accordance with CEC parking standards. Three spaces are provided for each of the new dwellings.

The Strategic Infrastructure Manager has no objection to the planning application, accordingly there are no other material highway considerations associated with this proposal.

### **Trees**

There are no direct or indirect implications for any trees of significance arising from the propose development. The existing boundary hedge associated with Rugby Drive will be partially removed as part of the proposal but cannot be considered under the 1997 hedgerow regulations as it forms part of a domestic garden boundary. The proposal is therefore considered to comply with policy SE5 of the CELPS.

### **Landscape**

Policy SE 4 of the CELPS expects development to incorporate landscaping to respect the character of the area and preserve local distinctiveness of urban landscapes and this is the case with the proposed infill site. The policy does not prescribe on the built form but landscape both rural and urban.

The Landscape Officer has commented on the built form that the proposal is overdevelopment of this site and would be out-of-keeping with the character of this generous-gardened suburban area. These are not landscape related issues and thus the overarching issues of design and layout are addressed in the report together with comments from the most directly relevant consultee, in this case the Design Officer.

### **Air Quality**

Policy SE12 of the CELPS 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, amongst other things, air quality. Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Macclesfield also has Air Quality Management Areas and, as such, the

cumulative impact of developments in the town is likely to make the situation worse, unless managed. Accordingly, a condition is recommended requiring the provision of electric vehicle charging points in order to contribute to improvements in air quality and sustainability within the area and comply with policy SE12.

### **Contamination**

Policy SE12 also relates to contamination issues, and in this regard, the Environmental Protection Officer has noted that the application is for a proposed use that would be particularly vulnerable to the presence of contamination.

No information relating to land contamination was submitted in support of the planning application. A garage is proposed to be demolished to allow for the residential development. Should any areas of current hardstanding be proposed for soft landscaping/garden, a watching brief should be carried out during removal for made ground which may be contaminated and/or not suitable for garden use. Accordingly, a condition for testing for contamination is recommended to ensure compliance with policy SE12 of the CELPS and DC63 of the MBLP.

### **COMMENTS ON REPRESENTATIONS**

The key points of objection that have been received on planning grounds have been noted, understood and addressed by the main body of the report. It is considered that the revised scheme overcomes overlooking issues and represents acceptable development; it is a windfall site judged on merit and does not set any future precedent.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The previous application was refused *the “proposed development by virtue of its scale, nature and design represents an overly prominent feature in the streetscene that would be out of character with the area in which the sites have considerable spaces at the front and rear of the properties. The proposals are therefore contrary to Policies BE1, DC1 and DC41 of the Macclesfield Borough Local Plan 2004.”*

This issue was addressed by the setting back of the proposed houses. The issues raised in representation have also been duly considered however the proposals are considered to comply with National and Local Policy. It is considered to comply with policies SD2, SE1, SE2, SE3 SE4 and SE5 of the Cheshire East Local Plan Strategy; saved policies NE11, DC3, DC6, DC9, and DC41, of the Macclesfield Local Plan and the overarching umbrella of the Cheshire East Borough Design Guide

Policy MP1 of the CELPS states that *“Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.”*

Accordingly the application is recommended for approval subject to conditions.

*In the event of any changes being needed to the wording of the Committee's decision (such as to debate, 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 Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*

#### Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Submission of samples of building materials
4. Removal of permitted development rights
5. Electric vehicle charging points to be provided
6. Contamination risk assessment to be submitted



Application No: 19/4475M

Location: 20, EATON DRIVE, ALDERLEY EDGE, CHESHIRE, SK9 7RA

Proposal: New Dwelling in the curtilage of 20 Eaton Drive

Applicant: Mr Craig Jones, the-cave.co.uk

Expiry Date: 28-Nov-2019

**SUMMARY:**

The application lies within Alderley Edge, which is identified as a Local Service Centre. While there are no other examples of semi-detached properties within the surrounding area, it would be of a similar scale and form to other properties. The proposal has been reviewed by the Highways Officer, who has confirmed that there are no issues in terms of highways safety. The application is recommended for approval, subject to conditions.

**RECOMMENDATION:**

**Approve, subject to conditions**

**REASON FOR REFERRAL**

The application has been called to Committee by the local Ward Member, Cllr Browne for the following reasons:

- “- the proposed development is out of character with the surrounding area;*
- over-development of the site;*
- over-intensification of use;*
- concerns with respect to vehicle parking and egress onto a blind bend;*
- objections from the Parish Council and local residents.”*

**DESCRIPTION OF SITE AND CONTEXT**

The application site forms the garden of 20 Eaton Drive. 20 Eaton Drive is a detached two storey house on a corner plot. It lies within a predominately residential area, within the Local Service Centre of Alderley Edge.

The area surrounding the site is dominated by detached properties. There is a range of architectural designs. Many of the houses within the vicinity of the site have been extended previously.

There are trees along the boundary of the site. None of these are formally protected.

The site lies within the Manchester Airport Safeguarding buffer.

## **DETAILS OF PROPOSAL**

The proposal is for the extension and subdivision of 20 Eaton Drive and its garden to form a pair of semi-detached houses. The existing driveway to 20 Eaton Drive would be retained with a new driveway created to serve the proposed dwelling.

## **RELEVANT PLANNING HISTORY**

None relevant

## **POLICIES**

### Cheshire East Local Plan Strategy (CELPS)

MP 1 – Presumption in Favour of Sustainable Development  
PG 2 – Settlement Hierarchy  
SD 1 – Sustainable Development in Cheshire East  
SD 2 – Sustainable Development Principles  
IN 2 – Developer Contributions  
SE 1 – Design  
CO 1 – Sustainable Travel and Transport  
Appendix C – Adopted Parking Standards

### Macclesfield Borough Local Plan (MBLP)

DC3 – Amenity  
DC6 – Circulation and Access  
DC38 – Residential – Space, Light and Privacy

## **OTHER MATERIAL POLICY CONSIDERATIONS**

National Planning Policy Framework (NPPF 2019)  
National Planning Policy Guidance (NPPG)

## **CONSULTATIONS EXTERNAL TO PLANNING**

Alderley Edge Parish Council - Object to the proposal because of; overdevelopment. Also advise that there appears to be inadequate parking provision and safety issues surrounding the access/egress of vehicles from the site

Environmental Protection - No objections, subject to conditions requiring the provision of electric vehicle infrastructure and an ultra-low emission boilers. The applicant should also be advised of their duties under other legislation and of appropriate construction hours

Head of Strategic Infrastructure (Highways) – no material highway implications – the site access is acceptable and there is sufficient space for off-street parking provision. Conditions should be imposed relating to the access and visibility splays. The applicant should also be advised of the need to enter into a Section 184 agreement for the new vehicle crossings.

Manchester Airport Safeguarding - No objections

United Utilities – No objections, subject to informatives

## **REPRESENTATIONS**

Four representations received objecting to the proposal. The main concerns are summarised as follows:

- Proposed development would be out of keeping as there are no other semi-detached houses on the whole estate
- Example of no. 11 with two doors is misleading as they are in the process of reverting to a single door
- Concerns regarding highway safety due to the location of the drive on a blind corner and increase in on road parking
- No objection in principle to semi-detached approach

## **OFFICER APPRAISAL**

### **Principle of development**

The application site lies within a predominately residential area in Alderley Edge. Alderley Edge is identified as being a Local Service Centre in CELPS Policy PG 2. This policy confirms that within Alderley Edge, small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.

In accordance with this policy, there is no objection in principle to new dwellings in this location, subject to compliance with the relevant local plan policies.

### **Design**

CELPS Policy SE 1 states that development proposals should make a positive contribution to their surroundings. It seeks to ensure design solutions achieve a sense of place by protecting and enhance the quality, distinctiveness and character of settlements.

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

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;

- e. Green infrastructure; and
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood

The area surrounding the application site is dominated by detached properties, although there is some variety in terms of scale, form and architectural appearance. Many of the properties have been extended, resulting in particularly wide frontages.

The existing house is a two-storey detached house, which sits on the corner of Eaton Drive and Wilton Crescent. It has previously been extended by way of a single-storey garage. This is proposed to be removed as part of the works. The proposed plans show a two storey side extension to the existing house. The plot would then be subdivided into a pair of semi-detached dwellings.

It is acknowledged that there are no other semi-detached dwellings within the surrounding area. However, this in itself is not a reason for refusing planning permission. Instead, it needs to be considered what the visual impact of the scheme would be on the surrounding area and its character.

The proposed extension would be part seamless and part set back from the frontage. As a result the pair of semi-detached properties would not be identical. However this approach, as well as the windows along the flank wall would create some visual interest on the Wilton Crescent elevation.

The proposed development would have a frontage of around 16.7m. This is not dissimilar to other detached houses which have frontages measuring around 17m, as a result of extensions. Not all of these extensions have resulted in uniform frontages. Consequently, in terms of the built form, the proposed development would not appear at odds with the surrounding character of the area.

The proposal would require the spread of hardstanding across the frontage. However, these works could be done without planning permission. This is not considered to be a reason to withhold planning permission.

The resultant garden areas associated with the dwellings would not be unacceptably disproportionate to others within the streetscene.

It is considered that the proposed development would adequately reflect the scale and form of other buildings within the area. Subject to conditions relating to landscaping, boundary treatments and materials, it would not adversely affect the character and appearance of the surrounding area.

## **Amenity**

Paragraph 127 (f) of the NPPF 2019 states that developments should create a good standard of amenity for existing and future occupiers.

Saved MBLP policy DC3 states that development should not significantly injure the amenities of nearby residential properties. This includes as a result of privacy; overbearing effect and



loss of sunlight and daylight. Saved MBLP policy DC38 provides guidelines for space, light and privacy standards. The impact upon the closest neighbours is considered below;

### 2 Wilton Crescent

The proposed dwelling would extend towards the flank wall of this neighbour. At the closest point, there would be around 12m between the proposed dwelling and the side boundary of this neighbour. There is an existing single storey substation building separating the two properties. Given the presence of this substation and the distance to the flank wall, the proposed development would not harm the amenities of this neighbour in relation to the above considerations.

### 20 Eaton Drive

The proposed dwelling would extend beyond the existing rear wall of the host property. The plans show that the extension would not breach the 45 degree line in plan view and as such the light and privacy enjoyed by the residents of the host property would not be harmed.

Sufficient outdoor amenity space would remain to this existing house.

## **Highways**

CELPs Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations.

As a local service centre, it is accepted that Alderley Edge is a suitably accessible and sustainable location for an additional dwelling.

MBLP policy DC6 requires new developments to provide safe and convenient access for vehicles and pedestrians, as well as providing adequate parking and turning for vehicles.

Concerns have been raised regarding the safety of the access by both the Parish Council and neighbours.

The applicant has submitted a highway report, which has been reviewed by the Council's Highways Officer. In response, they have raised no objections to the proposal on highways safety grounds, subject to conditions relating to the provision of the access and visibility splays.

CELPs Appendix C sets out the Council's adopted Parking Standards. Two/three bedroom houses should have two off-street parking spaces. Houses with four or more bedrooms should have three off-street parking spaces.

The applicant has confirmed that the existing house has three bedrooms. The proposed dwelling would also have three bedrooms. As such a total of four off-street parking spaces are required. The proposed block plan shows that four spaces would be provided in line with the adopted parking standards.

The proposal would comply with saved MBLP policy DC6 and the adopted parking standards.

### **Forestry**

CELPs Policy SE 5 deals with trees, hedgerows and woodland. It states that the local planning authority will not normally permit development which result in the loss of or threat to trees which make a significant contribution to amenity, biodiversity and landscape character.

Saved MBLP Policy DC9 relates to tree protection. It advises that developments which would result in the loss of or threat to protected trees will not be allowed, except in certain circumstances.

There are existing trees along the site boundaries; none of these are formally protected. Some of these require removal as part of the development. An arboricultural implications assessment has been submitted as part of the application.

The proposal and the submitted assessment have been reviewed by the Council's Forestry Officer. They have advised that all of the trees to be removed are categorised as low value category C trees. They have no objections to their removal. The trees to be retained are inconsequential specimens which contribute little to the amenity of the immediate area or the wider landscape. They have advised that arboricultural conditions are not required. The proposed development would not conflict with either CELPS Policy SE 5 or MBLP Policy DC9.

### **Drainage**

The proposal raises no drainage or flood risk concerns and United Utilities have raised no objections.

As an informative in the event of approval, the applicant will be advised that they should implement a sustainable drainage scheme, which follows the drainage hierarchy within the Planning Practice Guidance.

### **Airport Safeguarding**

Manchester Airport Safeguarding has been consulted on the application. They have raised no objections to the proposal. The applicant will be advised of the Airport guidance on cranes and tall equipment and to contact the Airport at least 21 days before using a crane or tall equipment on site by way of an informative in the event of approval.

### **CONCLUSIONS**

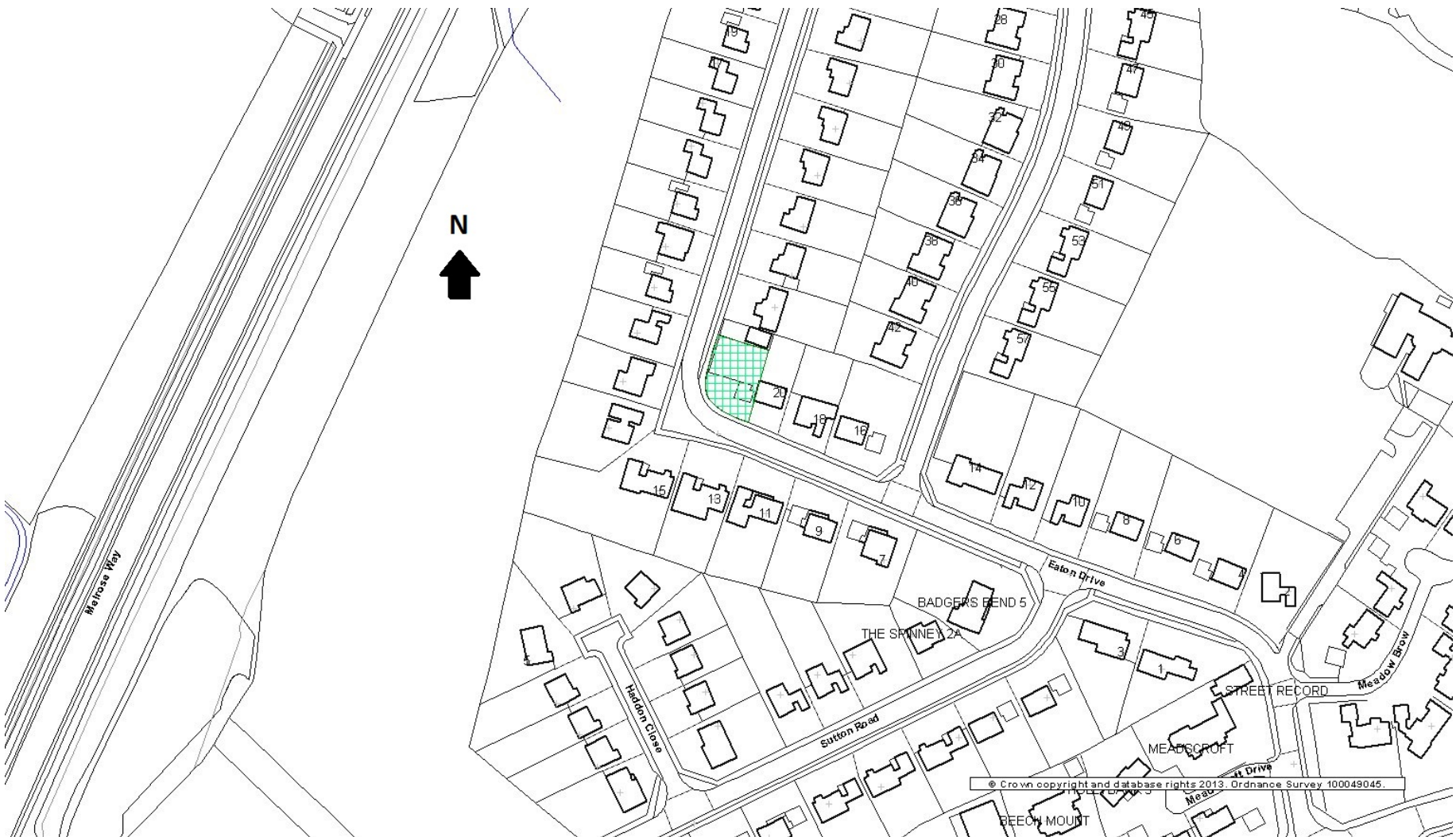
The application lies within Alderley Edge, which is identified as a Local Service Centre. While there are no other examples of semi-detached properties within the surrounding area, it would be of a similar scale and form to other properties. The proposal has been reviewed by the Highways Officer, who has confirmed that there are no issues in terms of highways safety. The application is recommended for approval, subject to conditions.

**RECOMMENDATION**

**APPROVE** subject to the following conditions;

- 1. Three year time limit**
- 2. Development in accordance with the approved plans**
- 3. Finished levels**
- 4. Details of materials**
- 5. Boundary treatments**
- 6. Landscaping plan**
- 7. Landscaping implementation**
- 8. Visibility splays**
- 9. Provision of access**
- 10. Provision of parking**
- 11. Removal of permitted development rights**

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



Application No: 19/4290C

Location: Land to the west of PEXALL ROAD, BRAMHALL HILL, CONGLETON

Proposal: Reserved matters for access, appearance, landscaping, layout, scale relating to planning application 19/0739C - Outline application for an agricultural workers dwelling (permanent)

Applicant: Mr & Mrs David and Julie Platt

Expiry Date: 06-Dec-2019

**SUMMARY:**

Outline planning permission was granted for the construction of an agricultural worker's dwelling. This application was approved with all matters reserved. This current application seeks approval for the reserved matters: access, scale, appearance layout and landscaping.

The proposed details for the layout, landscaping and access are acceptable. However the proposed dwelling, as a result of its scale and appearance would appear at odds within its countryside setting and the character of the surrounding built form, and as such, is recommended for refusal.

**RECOMMENDATION:****REFUSE****REASON FOR REFERRAL**

The application for outline planning permission was considered at the Northern Planning Committee in June 2019. At that time, members requested any subsequent reserved matters application also be considered by the Northern Planning Committee.

**DESCRIPTION OF SITE AND CONTEXT**

The site lies within the open countryside as identified in the Macclesfield Borough Local Plan. The site currently comprises an open field used for grazing and a dirt access track. Planning permission and prior approval have been granted for agricultural buildings on the site.

There are hedgerows along the road boundaries.

There is an existing field access onto Pexall Road.

## **DETAILS OF PROPOSAL**

This application seeks reserved matters permission in relation to; access, appearance, landscaping, layout and scale for an agricultural workers dwelling, granted outline permission under 19/07290C.

## **RELEVANT PLANNING HISTORY**

19/0739C – approved subject to conditions - 6 August 2019  
Outline application for an agricultural workers dwelling (permanent)

19/0706M – prior approval not required – 5 March 2019  
Access track

18/3787C – approved – 26 September 2018  
Erection of an agricultural building

18/3072C – prior approval not required – 28 June 2018  
Prior notification of agricultural storage building

15/4315M – refused – 18 November 2015  
Outline application for the erection of an agricultural worker's dwelling

## **POLICIES**

### Cheshire East Local Plan Strategy (CELPS)

PG 2 – Settlement Hierarchy  
PG 6 – Open Countryside  
SD 1 – Sustainable Development in Cheshire East  
SD 2 – Sustainable Development Principles  
EG 2 – Rural Economy  
SE 1 – Design  
SE 3 – Biodiversity and Geodiversity  
SE 4 – The Landscape  
SE 5 – Trees, Hedgerows and Woodland  
CO 1 – Sustainable Travel and Transport

### Macclesfield Borough Local Plan (MBLP)

DC6 – Circulation and Access (new development)  
DC8 – Landscaping for new developments  
DC9 – Tree Protection  
DC23 – Green Belt and countryside – permanent agricultural dwellings  
NE11 – Habitats

## **OTHER MATERIAL POLICY CONSIDERATIONS**

National Planning Policy Framework (NPPF 2019)

National Planning Practice Guidance

**CONSULTATIONS EXTERNAL TO PLANNING**

Highways - No objections

North Rode Parish Council – Advise that they are pleased to see proposed dwelling would be constructed from Cheshire brick with a slate roof. However, they have concerns regarding the general design and appearance of the dwelling, which is not in keeping with the other simpler traditional farmhouse designs.

Advise a traditional and simpler duo-pitch roof design would be more in keeping with the locality. The significant areas of glazing are also not considered to be in keeping with a traditional farmhouse design/agricultural workers dwelling.

If approved, they recommend permitted development rights should be removed and the dwelling should be subject to the occupancy condition imposed by 19/0739C.

**REPRESENTATIONS**

None Received

**OFFICER APPRAISAL**

**Principle of development**

Outline planning permission 19/0790C established the principle of an agricultural worker's dwelling on the site.

**Reserved Matters**

Access

MBLP Policy DC6 requires new developments to provide safe and convenient access for vehicles and pedestrians, as well as providing adequate parking and turning for vehicles.

The proposed plans show the new dwelling to use the proposed farm access, approved under prior approval 19/0706M.

Highways have been consulted on the application. They have raised no objection to the proposed access arrangements, confirming that there would be sufficient space on the site to accommodate parking and turning areas.

The provision of the access, parking and turning areas could be controlled by a condition, requiring their provision before occupation.

Scale

CELPs Policy PG 6 deals with the Open Countryside. The key objective of this policy is the preservation of the countryside.

It sets out the types of development, which may be carried out in the open countryside and includes development that is essential for the purposes of agriculture. MBLP policy DC23 sets out the criteria which must be met for permission to be granted for a new dwelling within the countryside.

Planning permission 19/0790C established the principle of a dwelling on the site. However, the impact of the development on the wider countryside needs to be considered and balanced against the needs of the farm, and whether a dwelling of the size proposed is essential to the working of the farm.

The ground floor of the dwelling would provide the following accommodation: kitchen/living room, dining room, lounge, WC, farm office, boot room, pump and downstairs shower room. At first floor there would be four bedrooms, an ensuite and a bathroom. The proposed dwelling would have a floor area of around 180sqm. A detached double garage is also proposed.

The applicant has advised that the proposed dwelling is required to meet the essential need of the established farming enterprise that is being relocated from New Pastures Farm. They advise that the proposed dwelling would provide accommodation commensurate with the role of the farm manager with a young family. However, no evidence has been provided to demonstrate that this is the level of accommodation required to attract a suitably skilled agricultural worker or farm manager.

While MBLP policy DC23 does not specifically refer for a need for the dwelling to be commensurate to the holding, CELPS policy PG 6 does require the development to be essential.

Emerging planning policy RUR 3 from the Site Allocations Development Plan Document (SADPD) relates to agricultural worker's dwellings. This requires the size and siting of the dwelling to be strictly commensurate with the existing functional need and states that new dwellings should not significantly exceed the gross internal floor space for the intended number of bedrooms. For a four bedroom property, the guideline figure is between 90 and 130sqm.

The supporting information to this draft policy advises that larger dwellings will be more expensive from the outset. If the dwelling is outside of the range affordable by the local workforce, this could undermine the purpose of the restrictive occupancy condition.

As an emerging policy, which has not yet passed examination, it can only be attributed limited weight. It does however give an indication of the direction of travel and set out the reasons why dwellings approved for agricultural workers should be commensurate to the needs of the holding.

The proposed dwelling has a combined internal floor space of around 175sqm, significantly exceeding the figures quoted in the emerging SADPD.



It is not disputed that a family sized dwelling would be needed to attract a skilled worker. However, the proposed dwelling would be sizeable and with its three reception rooms and an ensuite would appear to go beyond what could reasonably be considered as necessary to meet the needs of the holding.

In support of their case, the applicant has put forward a number of appeals, where Inspectors have allowed dwellings of a comparable or larger size than the dwelling currently proposed. Full details of these cases have not been provided. It is not known whether the needs of the applicant's farm are comparable to the cases put forward. In any case, all applications have to be judged on their own merit.

The proposed dwelling would be a sizeable structure, which would be highly visible in its open countryside location. Its scale and height would undermine the open character of the countryside and it would fail to preserve the openness of the countryside. It has not been satisfactorily demonstrated that the proposed dwelling needs to be of the scale proposed to meet the essential needs of the holding.

As a result of its scale and height, the proposal would fail to comply with the requirements of CELPS policy PG 6.

#### Appearance

CELPS Policy SE 1 states that development proposals should make a positive contribution to their surroundings. It seeks to ensure design solutions achieve a sense of place by protecting and enhance the quality, distinctiveness and character of settlements.

Amongst other criteria, Policy SD2 of the CELPS also 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

This is also reiterated within NPPF paragraph 127, which requires developments to be sympathetic to local character, including the surrounding built environment and landscape setting.

The application site is surrounded by open fields. Dwellings within the surrounding area appear as incidental features, often surrounded by agricultural buildings as a result of their origins as farmhouses.

These properties have a simple and uncomplicated plan form, predominately rectangular or T' shaped. Materials within the surrounding area are generally Cheshire brick and slate.

The proposed dwelling would take its cues from a more complex, 'H' shaped plan, with asymmetric gables to the front and rear. These gables along with the gable to the single storey wing would give the proposed dwelling a much more prominent and dominating appearance within the surrounding area.

While the design in itself would be unobjectionable in an urban setting, it does not reflect the simpler form of the traditional buildings within the surroundings.

As a result of its appearance, the proposed dwelling would appear as a prominent and alien feature within its open countryside setting. It would fail to reflect the massing and external design features of development within the surrounding area. It would fail to contribute positively to the character and identity of the area and would not be sympathetic to local character or the surrounding built environment. It would fail to comply with CELPS policies SD 2 and SE 1 and NPPF paragraph 127.

### Layout

The proposed plans show the proposed dwelling to be located within the northernmost part of the plot, with the detached garage in the southern corner. The proposed layout is considered to be acceptable.

### Landscaping (incl trees)

CELPS policy SE 3 relates to biodiversity and geodiversity. It requires all developments to positively contribute to the conservation and enhancement of biodiversity and geodiversity. Subject to condition requiring ecological enhancements, the proposal would comply with Policy SE 3.

The applicant has confirmed that none of the existing hedgerows around the site would be removed as part of the proposal. There are no trees either within or adjacent to the site.

The proposal includes a landscape plan, which shows a native hedge. Details have been provided of the species. However, no details have been included regarding maintenance or any planting within the site. In the event of any approval, full details of landscaping could be required by condition.

### **Other matters**

The Council's Nature Conservation Officer was consulted in relation to ecology and advised that provided that no existing hedgerows shall be removed. This will be conditioned in the event of approval.

The site falls within a Flood Zone 1, the lowest category. In the event of approval, a surface water drainage scheme is recommended.

In relation to residential amenity, the site is not close to any existing neighbouring dwellings and as such, would not result in any amenity concerns. Sufficient private amenity space is provided for the future occupiers.

## CONCLUSIONS

Outline planning permission was granted for the construction of an agricultural worker's dwelling. This application was approved with all matters reserved. This current application seeks approval for the reserved matters: access, scale, appearance layout and landscaping.

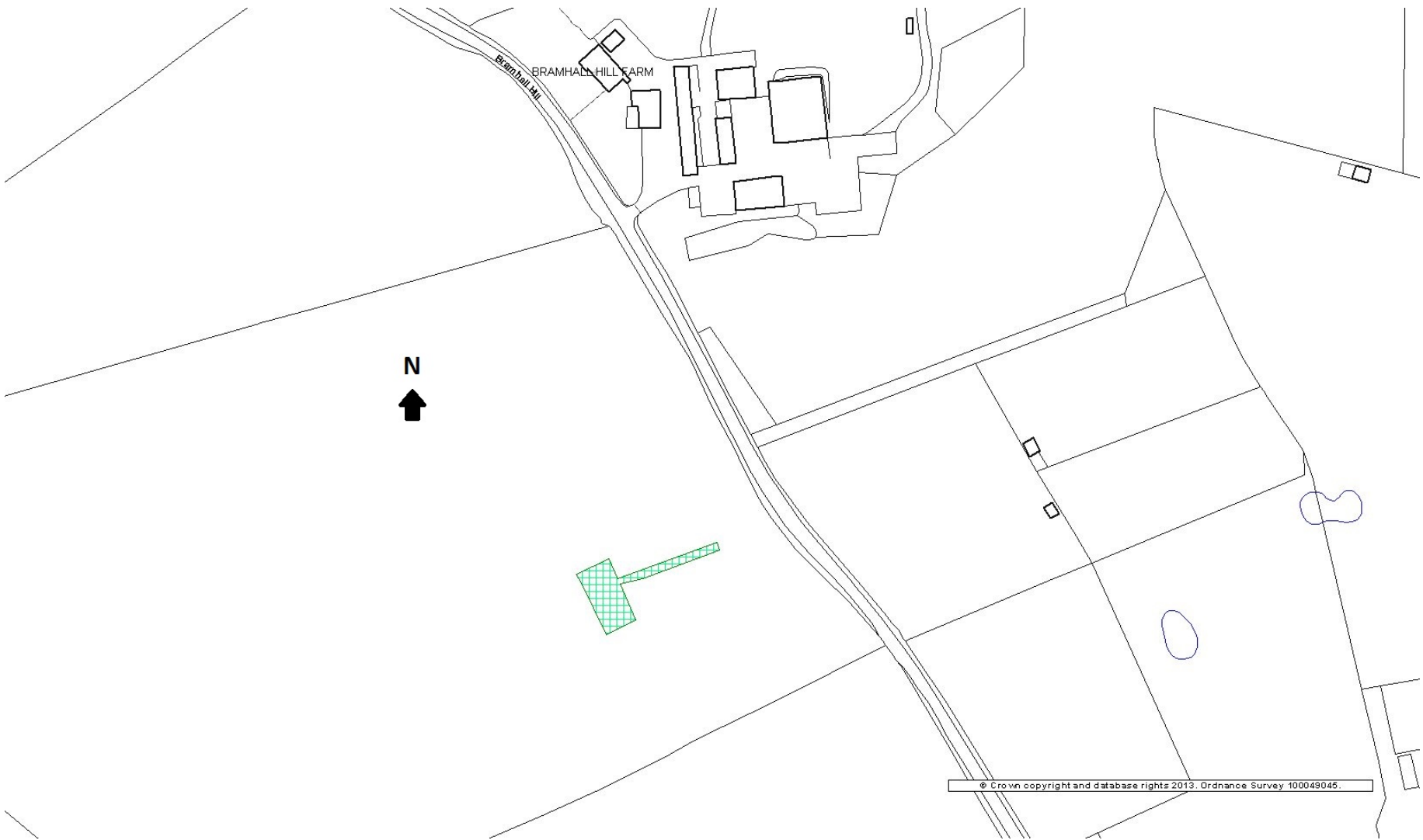
The proposed details for the layout, landscaping and access are acceptable. However the proposed dwelling, as a result of its scale and appearance would appear at odds within its countryside setting. For these reasons, the application is recommended for refusal.

## RECOMMENDATION

**REFUSE** for the following reasons;

- 1. The proposed dwelling would be a sizeable structure, which would be highly visible in its open countryside location. Its scale and height would undermine the open character of the countryside and it would fail to preserve the openness of the countryside. It has not been satisfactorily demonstrated that the proposed dwelling needs to be of the scale proposed to meet the essential needs of the holding. As a result of its scale and height, the proposal would fail to comply with the requirements of Policy PG 6 of the Cheshire East Local Plan Strategy.**
- 2. The appearance of the proposed dwelling would result in a prominent and alien feature within its open countryside setting. It would fail to reflect the massing and external design features of development within the surrounding area. It would fail to contribute positively to the character and identity of the area and would not be sympathetic to local character or the surrounding built environment. It would fail to comply with policies SD 2 and SE 1 of the Cheshire East Local Plan Strategy and NPPF paragraph 127.**

*In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Acting Head of Planning 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.*



Application No: 19/3201M  
Location: 79, SHRIGLEY ROAD SOUTH, POYNTON, SK12 1TF  
Proposal: Construction of a detached bungalow.  
Applicant: John Parrott  
Expiry Date: 30-Aug-2019

**SUMMARY**

It is considered that the proposal is environmentally, socially and economically sustainable and would accord with the Poynton Neighbourhood Plan, the development plan and the Framework. The site is located in a relatively sustainable location within the ribbon development of Poynton and the proposal is considered to represent an efficient use of land.

The principle of the proposed development is acceptable subject to there being no significant adverse impacts arising from the proposal at reserved matters stage.

This outline proposal clearly accords with recently adopted relevant policy in the neighbourhood plan and national guidance in the Framework.

**SUMMARY RECOMMENDATION: Approve subject to conditions**

**REASON FOR REPORT**

The application has been called in by Councillor Saunders for the following reasons:

*“The development is in the green belt and contrary to the policy set out in the CEC Local Plan and the planning framework, in relation to the green belt, especially in regard to its openness. R03HW additional turning movements, this road is narrow and would present difficulties with addition traffic.*

*There do not appear to be any details in respect of its elevations shown in the plans. The concern is that there could be potentially unneighbourly building, but there is no opportunity to comment”.*

## **DESCRIPTION OF SITE AND CONTEXT**

The application site covers an area of 0.07 ha and is situated on the east side of Shrigley Road South, Poynton. The site currently forms part of the side garden of No.79 Shrigley Road South and is adjoined to the north by the recently constructed replacement bungalow at No.77. The garden and driveway of No.81 Shrigley Road South lies to the south of the existing dwelling. The site forms part of the ribbon of residential development which runs along the east side of Shrigley Road South.

## **DETAILS OF PROPOSAL**

This outline application proposes the construction of a detached bungalow and seeks permission for sole access and layout. Scale, appearance and landscaping are reserved for subsequent approval.

## **PLANNING HISTORY**

None relevant

## **POLICIES**

### **Local Plan Policy**

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

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG3 Green Belt

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

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

#### Macclesfield Borough Local Plan saved policies (MBLP)

GC1 Green Belt

NE11 Nature conservation

DC3 Residential Amenity

DC6 Circulation and Access

DC8 Landscaping

DC9 Tree Protection

DC38 Space, light and privacy  
DC63 Contaminated land

Poynton Neighbourhood Plan (PNP)

HOU 1 Higher Poynton (Infill Boundary)  
HOU 6 Housing Mix  
HOU 8 Density and Site Coverage  
HOU11 Design

**Other Material Considerations**

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

**CONSULTATIONS (External to Planning)**

**Head of Strategic Infrastructure** – No objections subject to conditions relating to the provision of the access and visibility splays.

**Environmental Protection** – No objection subject to conditions relating to hours of construction, dust management, piled foundations, electric vehicle infrastructure and contaminated land.

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

**Poynton Town Council** – Object on the grounds of the development is in the Green Belt and is contrary to the policy set out in the Cheshire East Council Local Plan and planning framework related to the Green Belt, in particular, the principle of openness in the Green Belt. Additional turning movements due to Shrigley Road South being a narrow road and would be contrary to highway safety. - Shrigley Road South is heavily used by people visiting the Middlewood Way and other leisure facilities in the area including pedestrians and people on horseback. - There do not appear to be any elevations on the site so cannot comment as to whether the proposed building is out of character.

**REPRESENTATIONS**

One letter of representation has been received from a neighbouring property objecting on the basis of the proposed development is within the green belt therefore it is contrary to the National and local planning policy. It would affect the overall openness of the area, increasing the density of buildings. Along the road, at present, the garden provides an open vista to the trees at the back. There is also concern for the new development overshadowing no.77 and the proposed extra car access. The agreed frontage for 77 is a beech hedge not a low wall.

**OFFICER APPRAISAL**

**Principle of Development**

The site is located within the Green Belt where there is a presumption against inappropriate

development. Paragraph 145 of the National Planning Policy Framework and policy PG3 of the Cheshire East Local Plan set out the exceptions where certain types of development are described as not inappropriate. This includes 'limited infilling in villages'.

Infilling is defined within the glossary of the newly adopted Cheshire East Local Plan as 'The development of a relatively small gap between existing buildings' and this current proposal is a traditional infill between two buildings on the road frontage.

Saved policy GC1 of the Macclesfield Borough Local Plan does allow for infilling in a village; however this specifically refers to certain villages which are listed. This part of the policy has been disregarded in recent times by Inspectors at appeal. However nonetheless, the principle of infilling is acceptable within the Green Belt.

Policy HOU1 of the Poynton Neighbourhood Plan (PNP) states that:-

*"Development within the village boundary is limited to small scale infilling which should satisfy all the following criteria for any exception to allow development to be permitted:*

- 1. Any proposed development should preserve the openness of the Green Belt as one of the essential characteristics of the Green Belt including open views of the countryside.*
- 2. Any proposed development should not compromise the purposes of national Green Belt policy.*
- 3. Small-scale infilling only will be permitted as part of an otherwise substantially built-up frontage.*
- 4. Small-scale infilling would only provide for the filling of a narrow gap normally capable of taking one or two dwellings only.*
- 5. Substantially built-up frontage is defined as an otherwise continuous and largely uninterrupted built frontage of several dwellings visible within the street scene.*
- 6. The scale of any development should be compatible in character with the adjoining properties in terms of height, scale and massing. Any development should be built along the same front line as other adjoining properties and not forward of any adjoining property".*

The boundary of the Higher Poynton is defined by Appendix B Map 8. This site is within the infill boundary. It is considered that the proposed development is limited, in that it proposes one single-storey dwelling on a limited footprint as shown on the proposed layout plan, which is compatible in character with adjoining properties.

Thus the proposal would accord with criteria 2 to 6 of PNP Policy HOU 1 by definition. The slight variance from National Policy to PNP Policy is criterion 1 that states any development should preserve openness. This gap is so modest and the built form of any house would also be required to be modest within this built up frontage along Shrigley Road South. As such it is considered that the impact on openness is considered to be so negligible to be preserved.

It is considered that in light of the most current policy situation with a newly adopted neighbourhood plan and the NPPF that the proposal constitutes limited infilling within a village within the Green Belt and is therefore not inappropriate development. Therefore accords with policy PG3 of the CELPS and HOU 1 of the PNP.

## **Design and Amenity**



Design and Neighbour amenity would be carefully considered in this case at reserved matters application stage but it is not considered that an appropriately designed development would have a detrimental impact on the impact upon the living conditions of neighbouring residents given that it would be a bungalow in a row of bungalows. Therefore it is anticipated that the reserved matters proposals would be capable of according with policies SD2 of the CELPS and DC3, DC38 and DC41 of the MBLP. As a result of the modest nature of the site permitted development rights are removed to maintain control over amenity, and to protect the openness of the Green Belt.

### **Highways**

There are no material highway implications associated with the above proposal as:

- The proposal for site access is acceptable;
- There is sufficient space within the site for off-street parking provision to be in accordance with CEC parking standards;

There are no other material highway considerations associated with this proposal; accordingly, the Strategic Infrastructure Manager has no objection to the planning application subject to a condition regarding construction of the access and visibility splays.

### **Trees**

The Forestry Officer has commented that the outline application is supported by an Arboricultural Statement by Cheshire Woodlands (Ref CW/9263-AS) dated 20th May 2019.

The outline proposals as presented identify the removal of three early mature trees from the front of the site identified as T2 – T4 these are all low value Category C trees their loss is not contested.

The group of Silver Birch identified as G1 are protected as part of the Macclesfield Borough Council (Poynton – 79 Shrigley Road) Tree Preservation Order 2003; a single moribund tree within the group has been identified for removal for safety reasons, again its loss is not contested.

The indicative build footprint establishes two minor incursions within the Root Protection Area (RPA) of the northern most trees associated with G1; it is accepted that providing a suitable tree protection scheme is provided and implemented construction implementation will not establish any long term impact on the group.

The proposed dwelling stands to the west of the protected group (G1); any issues of shading will be confined to the early morning period and can be improved with a limited amount of judicious pruning. In terms of social and spatial proximity the trees present to the proposed dwelling in its indicative form, this is reflective of the existing dwelling located off site to the north.

Providing any subsequent reserved matters application does not encroach beyond what is being proposed at present in terms of the RPAs of the retained protected trees, it is considered that the outline proposal is acceptable as presented. Should the application proceed to reserved matters consideration should be given to the location of the main habitable rooms and maximising the rear elevation glazed units.

### **Air Quality**

Policy SE12 of the CELPS 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, amongst other things, air quality. Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Accordingly, a condition is recommended requiring the provision of electric vehicle charging points in order to contribute to improvements in air quality and sustainability within the area and comply with policy SE12.

### **COMMENTS ON REPRESENTATIONS**

The key points of objection that have been received on planning grounds have been noted and addressed by the main body of the report. It is considered that the application clearly represents acceptable proposed development enshrined by policy HOU 1 contained in the newly adopted Poynton Neighbourhood Plan.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The issues raised in representation have been duly considered however the proposals are considered to very clearly comply with National and Local Policy. It is considered to comply in particular with policy HOU 1 of the adopted Poynton Neighbourhood Plan, PG3 of the Cheshire East Local Plan Strategy, saved policy GC1 of the Macclesfield Local Plan and the NPPF. There are no elevations submitted as the application is in outline seeking permission for access and layout.

Policy MP1 of the CELPS states that *“Planning applications that accord with the policies in the Development Plan (and, where relevant, with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.”*

Accordingly the application is recommended for approval subject to conditions.

*In the event of any changes being needed to the wording of the Committee’s decision (such as to debate, 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 Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee’s decision.*

Application for Outline Planning

RECOMMENDATION: Approve subject to following conditions

1. A03OP - Time limit for submission of reserved matters
2. A01OP - Submission of reserved matters- appearance, landscaping, layout,  
scale
3. A01AP - Development in accord with approved plans
4. A03EX - Materials to match existing
5. A01GR - Removal of permitted development rights
6. Electric Vehicle Charging Point to be provided
7. Arboricultural Impact Assessment to accompany reserved matters
8. Surface Water drainage details to be submitted
9. Foul and surface water shall be drained on separate systems.
10. Visibility splays to be provided
11. Access to be provided
12. Contamination risk assessment to be submitted

