

Strategic Planning Board

Agenda

Date: Wednesday, 21st April, 2021

Time: 10.00 am

Venue: Virtual

How to Watch the Meeting

For anybody wishing to watch the meeting live please click in the link below:

[Click here to watch the meeting](#)

or dial in via telephone on 141 020 33215200 and enter Conference ID: 224 136 814# when prompted.

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

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

It should be noted that Part 1 items of Cheshire East Council decision meetings are live 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

Please Contact: Sarah Baxter on 01270 686462

E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies or request for further information Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

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 Virtual Meeting** (Pages 5 - 10)

To approve the minutes of the previous virtual meeting held on 24 March 2021 as a correct record.

4. **Public Speaking-Virtual Meetings**

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

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

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

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

5. **19/1068M -The demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure, Kings School, Cumberland Street, Macclesfield for Mr James Payne, Hillcrest Homes (est 1985) ltd and the Foundation of Sir John Percyvale** (Pages 11 - 56)

To consider the above application.

6. **19/1069M-Listed building consent for the demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure, Kings School, Cumberland Street, Macclesfield for Mr James Payne, Hillcrest Homes (est 1985) ltd and the Foundation of Sir John Percyvale** (Pages 57 - 70)

To consider the above application.

7. **20/5699C-Variation of condition 21 on 13/3449C - Outline application for residential development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure, Glebe Farm, Booth Lane, Middlewich for G Bancroft, Taylor Wimpey UK Ltd** (Pages 71 - 82)

To consider the above application.

8. **Draft Biodiversity Net Gain Supplementary Planning Document** (Pages 83 - 144)

To consider the above report.

9. **Planning Appeals** (Pages 145 - 164)

To consider the above report.

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

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CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **Strategic Planning Board**
held on Wednesday, 24th March, 2021

PRESENT

Councillor S Gardiner (Chairman)

Councillors A Critchley, S Edgar, A Farrall, P Groves, S Hogben, D Jefferay, R Moreton, B Puddicombe, P Redstone, J Weatherill and P Williams

OFFICERS IN ATTENDANCE

Mrs C Coombs (Principal Planning Officer), Mr T Evans (Neighbourhood Planning Manager), Mrs N Folan (Planning Solicitor) Mr P Hurdus (Highways Development Manager), Mr R Law (Planning Team Leader) and Mr D Malcolm (Head of Planning)

93 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor M Hunter.

94 DECLARATIONS OF INTEREST/PRE DETERMINATION

In the interest of openness in respect of applications 19/3097M and 19/3098M, Councillor S Edgar declared that he was the Chairman of the Public Rights of Way Committee who had been consulted on the applications, however he had not discussed the application or made any comments on them.

In the interest of openness in respect of applications 19/3097M and 19/3098M, Councillor S Hogben declared that he was a non-Executive Director of ANSA who had been consulted on the applications, however he had not discussed the applications or made any comments on them.

In the interest of openness in respect of applications 19/3097M and 19/3098M, Councillor B Puddicombe declared that was married to Town Councillor Fiona Wilson who was speaking on the applications, however he had not discussed the applications with her.

In the interest of openness in respect of applications 19/3097M and 19/3098M, Councillor S Gardiner declared that he knew Jon Suckley who was speaking on the applications in a professional capacity, however he had not discussed the applications with him.

It was noted that all Members had received email correspondence in respect of applications 19/3097M and 19/3098M.

95 MINUTES OF THE PREVIOUS VIRTUAL MEETING

RESOLVED

That the minutes of the virtual meeting held on 12 March 2021 be approved as a correct record and signed by the Chairman.

96 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

97 19/3097M-RESERVED MATTERS APPLICATION FOR THE ERECTION OF 134NO. DWELLINGS, VEHICULAR ACCESS, ROADS AND FOOTWAYS, HARD AND SOFT LANDSCAPING, DRAINAGE AND OTHER ASSOCIATED WORKS FOLLOWING OUTLINE APPROVAL 17/4277M, LAND BETWEEN CHELFORD ROAD AND WHIRLEY ROAD, HENBURY FOR MR MATTHEW SHIPMAN, BELLWAY HOMES LIMITED (MANCHESTER DIVISION)

Consideration was given to the above application.

Councillor L Smetham, the Ward Councillor, Councillor J Barber, the Ward Councillor, Councillor Nick Mannion, the neighbouring Ward Councillor, Parish Councillor Simon Browne, representing Henbury Parish Council, Town Councillor Fiona Wilson, representing Macclesfield Town Council, Richard Slater, an objector and Jon Suckley, the agent for the applicant attended the virtual meeting and spoke in respect of the application).

RESOLVED

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

1. Accordance with Amended / Approved Plans
2. Accordance with submitted Affordable Housing Scheme
3. Facing materials to be submitted and approved
4. Updated Public Open Space Management Plan to be submitted
5. Detailed specification of LEAP to be submitted
6. Accordance with submitted details of levels
7. Landscaping scheme to be submitted including details of hard surfacing materials and details of mitigation planting for community woodland
8. Implementation of landscaping scheme

9. Further details of boundary treatments to be submitted and shall include measures for brash/wood piles and the incorporation of gaps for hedgehogs
10. Drainage Management and Maintenance Plan to be submitted
11. Updated details of external lighting to be submitted
12. Updated Great crested Newt Strategy to be submitted or entry onto into Natural England's District level licencing scheme including biodiversity net gain
13. 25 year habitat management plan to be submitted, approved and implemented
14. Removal of permitted development rights classes A-E
15. Obscured glazed on selected plots with no further openings to be created
16. Adherence to the submitted Arboricultural Impact Assessment / Method Statement and Tree Protection Plan
17. Submission, approval and implementation of a Materials Management Plan for the extraction and relocation of peat deposits within CE and to include
 - quantities and types of material to be excavated
 - depths of excavation
 - locations of storage for the different materials (and timescales for material to be stored)
 - locations for re-use and quantities/nature of material proposed to be re-used
 - quantities of material to be imported in total, type of material to be imported, source
 - details of peat reinstatement on site
 - Details of vehicle movements
18. Scheme of ground water monitoring to take place with measures to control flows to be submitted and approved
19. Implementation of a programme of archaeological work in accordance with a written scheme of investigation to be submitted and approved

In addition it was requested that an informative be included which stated that the peat should remain on site and if it did have to be removed it should be of minimal amounts).

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

(During consideration of the application, Councillors A Critchley, R Moreton and J Weatherill lost connection and therefore did not take part in the rest of the debate or vote on the application. Also prior to the start of questions to the officer the virtual meeting was adjourned for a short

break. Prior to consideration of the following application, the virtual meeting was adjourned for lunch from 1.50pm until 2.20pm).

98 19/3098M-ERECTION OF 23NO. DWELLINGS, VEHICULAR ACCESS, ROADS AND FOOTWAYS, HARD AND SOFT LANDSCAPING, DRAINAGE AND OTHER ASSOCIATED WORKS, LAND BETWEEN CHELFORD ROAD HENBURY AND WHIRLEY ROAD MACCLESFIELD FOR MR MATTHEW SHIPMAN, BELLWAY HOMES LIMITED (MANCHESTER DIVISION)

Consideration was given to the above application.

Councillor L Smetham, the Ward Councillor, Parish Councillor Simon Browne, representing Henbury Parish Council, Town Councillor Fiona Wilson, representing Macclesfield Town Council, Richard Slater, an objector and Jon Suckley, the agent for the applicant attended the virtual meeting and spoke in respect of the application. In addition a statement was read out on behalf of Councillor J Barber, the Ward Councillor).

RESOLVED

That the application be refused for the following reasons:-

1. Overdevelopment of the site as in cumulatively excess of the requirement for number of dwellings within LPS 18.
2. Contrary to SE10 due to loss of Peat.
3. Contrary to SE12 increased pollution impact on air quality.
4. Contrary to SE3 due to biodiversity net loss.

(This decision was contrary to the officers recommendation of approval. Councillors S Edgar, S Gardiner and P Groves requested that the minutes record the fact they voted against the recommendation of refusal Prior to consideration of the application, Councillor D Jefferay lost connection and therefore did not take part in the date or vote on the application.

Prior to consideration of the following item, Councillor P Redstone left the virtual meeting and did not return).

99 DRAFT HOUSING SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to the above report.

RESOLVED

Questions were asked in respect of viability assessments and whether or not they could be strengthened, affordable housing targets and whether or not these could be increased, numbers of affordable homes a year being built and whether there could be a focus on bedrooms delivered rather than units and whether the rural exception policy could be strengthened.

RESOLVED

- (1) That the Portfolio Holder for Planning be recommended to approve and publish the draft Housing Supplementary Planning Document and associated Strategic Environmental Assessment / Habitats Regulations Screening Report (Appendix B) and the Equalities Impact Assessment Screening Report (Appendix C) for four weeks public consultation.
- (2) That the comments raised by Members of the Strategic Planning Board be taken into consideration by the Portfolio Holder for Planning.

(During consideration of the item, Councillor R Moreton left the virtual meeting and did not return).

100 CONFIRMATION OF THREE NON-IMMEDIATE ARTICLE 4 DIRECTIONS IN AREAS OF CREWE

Consideration was given to the above report.

Members welcomed the recommendation outlined in the report and felt it was not only long overdue and would assist in providing better living conditions for the residents of Crewe.

RESOLVED

That the Portfolio Holder for Planning be recommended to confirm the three non-immediate Article 4 Directions, to come into effect on the 1 November 2021, covering the Nantwich Road, Hungerford Road and West Street areas of Crewe.

101 HOUSES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING DOCUMENT

Consideration was given to the above report.

Members made comments in respect of the following:-

- The evidence base for the 10% threshold;
- Whether or not the document should contain information on room sizes as Government guidance could change resulting in the danger of conflicting information.

Members requested that further consideration be given to the following:

- Room sizes information at paragraphs 5.15 -5.16 reviewed to provide clarity and a link to current guidance;
- Paragraph 5.21 - internal waste storage areas should not be located in a bedroom;

- Paragraph 5.30 amended to refer to useable amenity space;
- Section 6 - further information to be provided about the sanctions available if HMO licenses were in breach.

RESOLVED

That the Portfolio Holder for Planning be recommended to approve and publish the Final Draft HMO SPD (Appendix 2) and Report of Consultation (Appendix 1) for public representations for a period of six weeks.

(During consideration of the item Councillor A Farrall left the virtual meeting and did not return).

102 **CHESHIRE EAST LOCAL PLAN: AUTHORITY MONITORING
REPORT 2019/20**

Consideration was given to the above report.

RESOLVED

That the content and conclusions of the 2019/20 AMR be noted.

The meeting commenced at 10.00 am and concluded at 5.28 pm

Councillor S Gardiner (Chairman)

Application No: 19/1068M

Location: KINGS SCHOOL, CUMBERLAND STREET, MACCLESFIELD,
CHESHIRE, SK10 1DA

Proposal: The demolition of existing buildings and the residential redevelopment of
The King's School Cumberland Street site to provide a mixture of
conversion and new build dwellings and 'Later Living' apartments, with
associated access, car parking, open space, landscaping and
infrastructure

Applicant: Mr James Payne, Hillcrest Homes (est 1985) Ltd and the Foundation of Sir
John Percyvale

Expiry Date: 14-Jun-2019

Macclesfield is one of the principal towns and growth areas of the Borough where national and local plan policies support sustainable development. The proposal provides 121 dwellings of an acceptable scale relative to the principal town of Macclesfield and would deliver housing within a highly sustainable location adjoining the Town Centre Boundary. The site is largely brownfield in nature and therefore its redevelopment to provide homes in such a highly sustainable location aligns with the general principles of national and local policy. Whilst there would be a partial loss of open space comprising of the cricket pitch, this would be replaced with an equivalent or better provision at the new school site. The proposals would provide for a diverse range and mix of housing, and correspondingly, a diverse community.

In design terms, the proposal would provide a high quality innovative scheme with a contemporary approach whilst protecting listed buildings. Whilst it is acknowledged that there would be an intrusion of the later living block, it is considered that this is balanced against the improvements that would be seen from the Sainsbury's roundabout and the overall design credentials of the scheme. There are also benefits derived from ensuring a sustainable future use is secured for such an important and prominent site within Macclesfield from a heritage perspective. Thus, the proposals represent a high quality scheme, with many positive attributes. Following deferral, the scheme has been amended to secure the retention of the cricket pavilion by relocating it and repurposing it into 2 affordable residential units, a key benefit of the revised scheme.

In highways terms, the impact from a residential scheme would be no greater than that of the school use and therefore the local highway network would be able to accommodate the likely traffic movements generated by the proposal. Adequate parking would be provided having regard to the size, type and scale of units and the sites' highly sustainable location adjoining the town centre boundary.

The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for the new occupants having regard to the character of the area and the design credentials of the scheme. The application would offset the impact on healthcare and education through the provision of financial contributions and would partially offset the impact on children's play provision at West Park, which would be redirected from an indoor sport contribution following a review at member's request. The development can only bear the cost of providing 12 affordable units by accepting a reduced return of 13.38% GDV, which is below the accepted industry standard. The applicants have demonstrated general compliance with national and local guidance in a range of areas including ecology, flood risk, noise and air quality.

The proposal is for sustainable development which would bring environmental, economic and social benefits and is therefore considered to be acceptable in the context of the relevant Development Plan Policies and advice contained within the NPPF. The application is therefore recommended for approval subject to conditions and the necessary Section 106 obligation.

SUMMARY RECOMMENDATION

Approve subject to conditions and S106 Agreement

REASON FOR DEFERAL

At the meeting of 9th December 2020, Members resolved to defer this application for the following reasons:

- (1) Review of house types D and E;
- (2) Review the possibility of retaining the war memorial building in consultation with the War Memorial Trust

The scheme has been amended and supplementary information has been submitted including clarification on issues that were raised at the meeting. The amendments and supplementary information have been assessed in the report that follows and have been subject to further consultation.

The response to the reasons for deferral are summarised as follows:

1. Review of House-types D and E

Since the last deferral, the applicant has made a number of changes to the scheme, which has resulted in an increase in the total number of units from 115 to 121. The changes to the scheme can be summarised as follows:

The Type D properties have been repositioned to allow a better separation with the existing properties to the east. One Type D unit has been omitted so that the cricket pavilion can be relocated to a different position and subdivided into two residential units.

The Type E properties, which are similarly located along the eastern edge of the site have been reconfigured so that they comprise of six semi-detached properties and a row of four terraced properties which would be smaller than previously proposed with a lower ridge height. This is in response to Members request to provide a higher density of development along this edge of the site whilst maintaining appropriate gaps for views out of the site to the east.

The changes to the scheme have enabled the applicant to increase the affordable housing offer on the site from 5 to 12. However, this has also been facilitated by the applicant's decision to accept a lower return on the site in the form a reduced gross development value of 13.38% profit. This is less than the industry accepted standard of between 15-20% and as previously advised, given the heritage value of the site and the increased investment that heritage assets attract, a figure towards the upper end of this standard could be justifiably accepted.

The amendments to the scheme have also resulted in an increase in the total number of parking spaces from 147 to 166. This has been achieved by the use of some smaller units. For example, the row of three terraced properties (Type P) proposed along Coare Street would now comprise of 6 no. one bedroom apartments.

2. Retention of Cricket Pavilion

In reviewing house-types D and E, the applicant has also taken on board previous concerns regarding the loss of the cricket pavilion and the war memorial associated with it by proposing its relocation and incorporation into the scheme proposals. Whilst this would involve its demolition, it would be rebuilt so that it could align with the properties proposed along the eastern edge of the development. It would be re-purposed by subdividing it into 2 no. two bedroom units.

The applicant has sought the input of the 'War Memorials Trust' who have written a letter to confirm that they do not object to the proposal providing that the execution is undertaken with care.

It is important to note that in addition to the matters summarised above, this item was previously deferred from the meeting of 29th January 2020 for the following reasons:

- Publication of viability appraisals;
- Consideration given to cost of providing internal footpath / cycleway balanced against affordable housing;
- Submission of an affordable housing scheme;
- Clarification on air quality;
- Consideration given to using the commuted sums towards indoor sport and recreation on upgrading the children's play equipment at West Park;
- Review and redesign of the scheme with particular reference to Type P, F, E and D house-types and the Later Living Block;
- Further review on impact of proposal on setting of designated heritage assets.

These matters were addressed previously and are covered in the report that follows.

DESCRIPTION OF SITE AND CONTEXT

This application relates to part of the King's School campus off Cumberland Street, Macclesfield, which has now been vacated following completion of the new school at Prestbury.

The site occupies a prominent position on the north side of Cumberland Street, one of the main arterial routes through the town. It is positioned in between the two roundabouts that juncture with Westminster Road, Churchill Way and Hibel Road (A537) with some listed Alms houses located on the opposite side of the road to the south. Westminster Road runs along the western boundary to the site with Sainsbury's supermarket located on the opposite side.

Coare Street, which is formed predominantly by terraced residential properties, is located to the north of the site and dissects the school campus. The northern side is not part of this application but there are proposals for the erection of retirement living housing and extra care retirement accommodation for older people, which the Council has approved under planning ref; 18/4540M. Further to the north, the rest of the Westminster Road campus is being developed for housing.

To the east of the site, Pownall Street and Tunnicliffe Street bound the site and accommodate further residential properties. The site benefits from vehicular and pedestrian accesses from Cumberland Street, Westminster Road, Coare Street and Pownall Street.

Within the site itself, there are 2 principal listed buildings comprising of the original school (now library) and Headmasters House and lodge. There are also a number of pre-1948 curtilage listed elements: the extensive stone walls around the perimeter of the site, the main school building circa 1911, the Science block and the cricket pavilion (both 1930s). At the centre of the site, enclosed by buildings to the north, the vehicular driveway, mature attractive trees and stone walls, is the cricket pitch.

Buildings on the site are predominantly 2 storeys, however, the arts block is 3 storeys on the Westminster Road side. The former library and the original school building are characterised by steeply pitched roofs, whilst the main school building is laid out in a 'U' plan with shallower, hipped roofs.

To the south of the main school buildings the site is relatively flat, but there is a change of level north of the buildings on Coare Street and to a lesser degree on Westminster Road, with the stone boundary wall retaining the site. The change in level on Coare Street is circa 5 metres, with the school building perched above and more modern additions on the rear of the main building and immediately behind the library constructed into the slope.

Save for the cricket pitch, the site is designated as being within the predominantly residential area of Macclesfield according to the Macclesfield Borough Local Plan (MBLP) 2004. The area that the cricket pitch occupies is allocated as 'existing open space' in the MBLP. The Town Centre Boundary bounds Cumberland Street to the south.

DETAILS OF PROPOSAL

This application seeks full planning permission for the demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure. Following the last deferral of the application, revised plans have resulted in more residential units. As such the proposal would provide 121 residential units on the site comprising of:

- Houses - 33 units made up 8 x 2 beds, 10 x 3 beds, 15 x 4 beds
- Main School Building - 29 units made up of 23 x 2 beds and 6 x 1 beds
- Library 7 x 2 beds units
- Later Living building - 45 units made up of 22 x 1 beds, 22 x 2 beds and 1 x 3 beds
- Gate House - 1 x 3 bed
- Duplex Apartments – 6 x 1 bed

RELEVANT HISTORY

001192P - GLASS CANOPY TO MAIN ENTRANCE – Approved 12-Jul-2000

42635P & 42547P - EXTENSION TO LIBRARY & CLASSROOM ACCOMMODATION – Approved 03-Oct-1985

75449P - ROOF EXTENSION AND EXTERNAL ALTERATIONS TO CRICKET PAVILLION (FORMER LIBRARY) – Approved 27-Oct-1993

19/1068M - Listed building consent for the demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure – Currently under consideration

In addition to the above, there are other applications which are of relevance as they relate to additional sites associated with Kings School. These applications are relevant because they are part of the schools overall plan to move from this site to their new purpose built school at Alderley Road in Prestbury. These are:

Alderley Road, Prestbury:

15/4286M – Construction of a new school comprising classrooms, libraries and supporting facilities together with additional playing fields and various associated outbuildings, infrastructure, car parking and access – Approved 23-Jan-2017

18/6002M - Change of use of land from agricultural use to education and sports and retained as open land for use by the school – Approved 28-Feb-2019

19/1270M - Full planning application for engineering works for outdoor sports facilities to provide a replacement cricket pitch for the King's School site at Cumberland Street- Approved 10-Dec-2019

Fence Avenue, Macclesfield:

15/4287M – Outline application for partial change of use and partial demolition of existing buildings and structures, residential development for up to 300 units, landscaping, supporting infrastructure and means of access – Approved 23-Jan-2017

20/0246M - Approval of reserved matters, Appearance, Landscaping, Layout & Scale on outline planning app 15/4287M, for partial change of use and partial demolition of existing buildings and structures, including the change of use of Fence House into 27 apartments, and erection of 273 dwellings, landscaping, supporting infrastructure and means of access – Approved 16-Oct-2020

Westminster Road, Macclesfield:

15/4285M – Demolition of existing buildings and structures, residential development up to 150 units, landscaping, supporting infrastructure and access – Approved 23-Jan-2017

18/3545M - Reserved matters approval (appearance, landscaping, layout and scale) on Outline application 15/4285M for the erection of 132 dwellings, landscaping and associated infrastructure – Approved 13-Dec-2018

18/4540M - Erection of Retirement Living Housing (Category II type accommodation) and erection of Extra Care Retirement Accommodation for Older People (Use Class C2), with associated communal facilities, landscaping and car parking – Approved 12-Feb-2021

POLICIES

Development Plan

Cheshire East Local Plan Strategy

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

CO3 Digital connections

CO4 Travel plans and transport assessments

Macclesfield Borough Local Plan (saved policies)

RT1 (Protection of Open Spaces)

RT5 (Open Space Standards)

RT6 (Recreation/Open Space Provision)

H9 (Occupation of Affordable Housing)

DC3 (Amenity)

DC6 (Circulation and Access)

DC8 (Landscape)

DC9 (Tree Protection)

DC17 (Water Resources)

DC20 (Contamination of Watercourses)

DC35 (Materials)

DC36 (Road Layouts and Circulation)

DC37 (Landscaping)

DC38 (Space, Light and Privacy),
DC40 (Children's Play Provision and Amenity Space)
DC63 (Contaminated Land)
BE17 (Preservation of Listed Buildings)
BE18 (Design Criteria for Listed Buildings)
BE19 (Changes of Use of Listed Buildings)
NE17 (Nature Conservation in Major Developments)
T13 (Existing Public Car Parks)

Other Material Considerations

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

CONSULTATIONS (External to Planning)

ANSA and CEC Leisure – No objection subject to financial contributions of:

- £19,500 towards indoor sport and recreation to provide 3 additional pieces of equipment at Macclesfield Leisure Centre
- £1,500 per family dwelling and £750 per 2 bed space in apartments to make additions, enhancements and improvements at West Park Play facilities

Cadent Gas / National Grid – No objection but comment that there is an intermediate pressure gas pipeline in the vicinity of the site (running along Coare Street and Westminster Road). It does not appear the proposed works will directly affect the pipeline but request information is attached advising the developer of their obligations.

Education – No objection subject to a financial contribution of £274,298 towards secondary and SEN (Special Educational Needs) school places. No primary provision is required.

Environmental Protection – No objection subject to conditions and informatives relating to electric vehicle infrastructure, noise mitigation, mechanical ventilation, use of low emission boilers, dust control and contaminated land.

Flood Risk Manager – Request further clarification on drainage details.

Historic England - No comment to make but advise that advice should be sought from the Council's own archaeologist and conservation services.

Housing Strategy & Needs Manager – Awaiting comment but objected originally on the basis of reduced affordable housing provision without justification.

Head of Strategic Infrastructure (Highways) – No objection subject to conditions and also the dedication of the pedestrian/cycleway to public highway.

Natural England - No comment to make but advise that advice should be sought from the Council's own ecologist and standing advice.

NHS Eastern Cheshire Clinical Commissioning Group – Request a financial contribution of £84,024 to support premises development of the Waters Green Medical Centre and development of additional primary care premises within Macclesfield.

Sport England – Have not commented on the revised proposals but previously offered no objection subject to the approval of application 19/1270M (replacement cricket pitch at Derby Fields) and a condition that development is not to commence until the replacement cricket pitch is implemented and brought into use.

United Utilities – No objection subject to foul and surface water drainage being connected on separate systems, the submission of a surface water drainage scheme, sustainable drainage management plan and an informative advising that there are two water mains located in the vicinity of the site (outside the site boundary on Cumberland Street).

VIEWS OF THE MACCLESFIELD TOWN COUNCIL

Object to the development on the following grounds:

1. The Viability Assessment dated October 2020 is out of date. Whilst a Viability Note dated February 2021 has been issued, the committee sought a new Viability Assessment is requested from the developer,
2. Loss of natural light to existing properties,
3. Direct overlooking from habitable rooms,
4. Loss of privacy to existing properties in direct conflict with Local Plan Policy SE1 4 i - Ensuring appropriate level of privacy for new and existing residential properties,
5. Not meeting distance standards between habitable rooms as per supporting information under SADPD Policy HOU 11,
6. Insufficient quantity of affordable housing, set at less than 5% for the site against the Local Planning Authority target of 30%,
7. Insufficient onsite parking provision,
8. Lack of contingency plan for the protection of the war memorial pavilion.

It was noted that although the parking spaces have been increased, there are still fifty fewer than the recommended guidelines in the Local Plan Strategy and that the National Planning Policy Framework emphasises the consideration of parking in developments.

OTHER REPRESENTATIONS

Representations were received from over 125 addresses during consultation on the original scheme including a petition, submissions made by Macclesfield Civic Society, Guild and Chamber of Trade, the Kings School, Stanley and Brocklehurst Almshouses Trust, Cllr Roberts in his capacity as Local Ward Councillor, MP David Rutley and residents and community groups, expressing the following views:

- All of the Kings school sites should have been considered collectively – separation of planning applications
- When considering previous proposals at the other Kings Schools sites, the case was made that this site was of little commercial value and used to justify a lack of affordable housing on these sites

- Proposal are contrary to policy and guidance
- Support the residential use of the site
- Development is not needed for the Council's housing land supply – no strategic need
- Brownfield development is already running ahead of expectations
- Proposal represents an overdevelopment of the site with high density
- Design, layout, scale, height and density of the proposed buildings are not sympathetic to the site and surroundings and will appear prominent
- Use of flats roofs not appropriate
- Lack of affordable housing
- Loss of green open space and playing field
- Demolition of the War Memorial Cricket Pavilion does not respect the memory of those who arranged its construction and those it commemorates
- Cricket pavilion should be repurposed
- War memorial garden will not compensate loss of the cricket pavilion
- Increase in traffic on local highway network
- Lack of parking provision
- Development too close to neighbouring properties resulting in overshadowing and loss of light
- Series of balconies overlooking neighbouring properties would result in overlooking
- Increase in air pollution and impact on air quality and health of residents
- Impact on residential amenity from construction works
- Materials not in keeping (grey brick)
- Coare Street should be closed at its mid point as was planned a few years ago
- The access only onto Coare Street / Pownall Street is continually ignored and this would be made worse
- Impact on trees including those subject of Tree preservation Orders
- The visibility splays required for the access off Coare Street would reduce on street parking for existing residents
- Proposals not sympathetic to the heritage of the site
- Heritage assessments flawed
- Noise nuisance from Coare Street will be made worse with more traffic
- Development will not stand the test of time
- Town has declared a climate change emergency yet the carbon footprint does is a big concern
- Increased risk to safety of children travelling to school
- Use of Pownall Street entrance could impact on amenity
- Loss of iconic views
- Access proposals could create a rat rut
- Impact on drainage and flooding
- Impact on protected species including bats and owls
- Lack of explanation as to planning process
- Lack of information available to assess proposals and uploaded after consultation notification letters sent
- Retention of existing stone boundary walls and potential damage
- Lack of proposals for new trees
- Encroachment into tree root protection areas

- Size and bulk of school extension in relation to the existing school block in excessive and change in roofline will detract from its appearance
- Loss of existing chimneys
- Large expanse of brick work on side elevation of Coare Street block
- Non listed buildings should be treated with similar value to the listed building owing to their group value
- Materials from demolition should be reused within the site
- Unsustainable incursion into minimum root protection area of established trees
- Small gardens
- Unsustainable restrictive covenants
- Inaccuracies in plans
- Subsidence risk
- Vibration to neighbouring properties from construction
- Cycle and walking opportunities very limited and wider connections should be made with Beech Road and Manchester Road
- Scheme should be reviewed by an expert for disabled access
- Electric charging points, charging storage for mobility scooters and adequate bin storage should be included
- Proposal will add much needed vitality to the town centre
- Impact on townscape underestimated
- Pre-consultation process has been flawed
- Lack of co-ordination with other strategic development in the area e.g. Local Development Orders at Whalley Hayes car park and Strategic Regeneration Framework
- Statements made by the applicant are misleading
- CEC found to have previously falsified air quality data
- Retention of boundary walls
- Welcome the replacement Percy Vale building
- Emergency vehicle access will be difficult and illegal parking will continue to be a problem
- Construction hours should be limited
- Loss and impact on wildlife
- Existing drainage infrastructure insufficient to support development
- Remembrance gates not wide enough for access
- Other brownfield sites should be utilised
- Housing density
- Parking
- Traffic flow – what plans are in place for a by pass for the traffic
- Privacy and overlooking
- Design and style
- Environment, including air quality, wildlife, trees
- Affordable housing
- Ownership and maintenance responsibility
- for gates, boundary walls, trees
- Loss of protected green open space in centre of Macclesfield
- Loss of memorial cricket pavilion

Following the first deferral and re-consultation on the amended proposals, a further 16 representations were received objecting to the application on the following grounds:

- Lack of parking including a loss of existing on street parking on Coare Street
- Lack of affordable housing
- Overdevelopment of the site and density too high
- Nothing has changed regards poor access to and from the site and increased traffic and parking problems in an already densely built up area
- Some key documents not uploaded (Zones 1, 2, 3 and 4)
- Loss of the cricket pavilion war memorial
- Loss of view of the school through the main gates on Cumberland St
- Design of the proposed dwellings is not sensitive enough to the site
- Impact on privacy of neighbouring properties
- Impact on air quality

Following the second deferral and re-consultation on the amended proposals, a further 46 representations have been received objecting to the application on the following grounds:

- Insufficient social / affordable housing
- Loss of trees
- Lack of parking and overspill on to neighbouring streets – unrealistic to expect some residents to not have cars
- Proposals will destroy the beautiful aspect of the open space from the Memorial Gates
- Loss of privacy and in contravention of CEC separation distances including emerging policy
- Optimum viable use for heritage assets should be secured without harm
- The balance of harm versus benefit has not been adequately explored
- The public benefit of “bringing forward housing” on the cricket pitch has not been demonstrated to outweigh the public disbenefits of (i) diminishing the setting of the heritage assets, and (ii) contravening local plan policies, including those on separation distances, parking, and affordable housing
- The plans are not to a standard that the Council should accept
- Site will be fragmented with parcels sold on to other developers
- The viability appraisal needs to be redone as it is out of date and unsound and does not follow RICS guidelines
- There will be harm to the heritage assets
- The developer’s ongoing failure to recognise the cricket pavilion’s memorial status puts the integrity of its conversion in jeopardy
- Concern that the memorial lintel will be lost
- It was originally stated that this development will not involve building on the cricket pitch and would be low density
- Not later living is a C3 use not C2
- CGIs are misleading
- Design and house-types are poor, too tall and will not stand the test of time
- Proposed accesses will reduce on street parking and conflict with visibility
- Coare street is used as a cut through which will increase
- Refuse and emergency vehicle access will be hindered

- Increase in Traffic - Highways should be discussing 15/4285M, 15/4540M and 19/1068M together
- 70% loss of cricket pitch / open space
- Density of housing proposed is too high for a small site
- More vehicles will further reduce air quality
- The science block should be retained
- The second row of houses on the cricket should be removed
- Potential structural impact on neighbouring properties
- More detail on noise attenuation required
- Affordable housing location should be reviewed

NB: Matters relating to ownership and maintenance of the boundary walls are not a material planning consideration. Maintenance responsibly will fall to the respective landowner/s including the Highway Authority where the new pedestrian/cycleway is adopted.

OFFICER APPRAISAL

Background

The application is a full application for the redevelopment of the existing King's School site at Cumberland Street in Macclesfield for residential purposes. This follows the relocation of Kings School from its current two separate girls and boys' campuses in Macclesfield town to a newly constructed girls and boys' school at the site adjacent to the existing Derby Fields off Alderley Road in Prestbury. The other King's School sites at Fence Avenue and Westminster Road will be redeveloped for housing. Work to construct the residential development of part of the Westminster Road site is well underway.

Principle of Development

Macclesfield is identified as one of the 'principal' towns in Cheshire East where CELPS Policy PG 2 seeks to direct 'significant development' to the towns in order to 'support their revitalisation', recognising their roles as the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes, and other facilities to be located close to each other and accessible by public transport.

In this case, the provision of 121 no. units would be of an acceptable scale relative to the principal town of Macclesfield and would deliver housing within a highly sustainable location adjoining the Town Centre Boundary which bounds Cumberland Street to the south. The site is largely brownfield in nature, is recently vacant and therefore its redevelopment to provide homes in such a highly sustainable location aligns with the general principles of national and local policy.

In terms of other designations, the central part of the site is designated as open space with the remainder of the site designated as a predominantly residential area, which the proposed residential use would conform to. CELPS Policy SC 2 advises that existing outdoor sports facilities should be protected unless they are shown to be surplus to requirements or improved alternative provision is provided. A large extent of the open space is to be retained

as amenity space and in any event, the losses incurred would be replaced in terms of quantum at the school's new site and are subject of approval under planning ref; 19/1270M.

Having regard to the above, the general principle of the development is found to be acceptable. 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 (economic, social and environmental) and compliance with the Development Plan.

SOCIAL SUSTAINABILITY

Affordable Housing

The Cheshire East Local Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) states in settlements with a population of 3,000 or more, the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all such sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

Although this application has been amended following deferral by the Strategic Planning Board, this remains a proposed development of 121 dwellings. In order to meet the Council's Policy on Affordable Housing there is a requirement for 36 dwellings to be provided as affordable dwellings.

The CELP states in Policy SC 5 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 Macclesfield as their first choice is 1488. This can be broken down to 827 x 1 bedroom, 413 x 2 bedroom, 173 x 3 bedroom, 45 x 4 bedroom and 30 x 5 bedroom dwellings.

The waiting list also shows a requirement for 142 x 1 bedroom, 9 x 2 bedroom and 2x 3 bedroom Older Person dwellings. These dwellings can be via flats, cottage style flats, bungalows and lifetime adaptable homes. 24 units should be provided as Affordable rent and 12 units as Intermediate tenure.

If there is an agreed onsite provision that is below 30% or a commuted sum is agreed, Housing will require an Overage/Claw back clause to be agreed. This is to cover any uplift in value on the development during its completion and any connected raise in commuted sum amounts or increased on site provision for Affordable Housing.

The revised proposals have been supported by an updated Affordable Housing Scheme. This details the provision of 12 affordable units of intermediate tenure and their location. 6 x one

bedroom duplex apartments would be located within the Type P properties and 4 x two bedroom apartments would be apportioned within the apartment block (main school block) fronting Coare Street. A further 2 x two-bedroom semi-detached units would be located within the newly proposed cricket pavilion which is to be repurposed / relocated. The applicant on both the original and amended documentation/plans shows a shortfall. This is 24 dwellings under the 30% requirement (36). However, this shortfall has been more than doubled since the last deferral from 5 by reducing the developer's expected return.

The Council's Strategic Housing Section originally objected to the application based on the shortfall of affordable units. However, this application is the subject of a viability appraisal which states that the proposed development cannot bear the full quantum of affordable housing as it would make the development unviable insofar as it would not yield a sufficient gross development value (GDV) which would be attractive enough for a developer to bring the site forward. The applicant has submitted a full viability appraisal, supported by addendums following the reiteration of the scheme, which if accepted, will determine the quantum of affordable housing that the site can bear.

Viability

The applicants state that the site is subject to abnormal costs and is therefore supported by a financial viability appraisal and addendums following the various amendments to the scheme. The Viability Appraisal, the Council's independent review and the applicant's Supplemental Viability Letters are publicly available to view (reason for first deferral). The Council had the main Viability Appraisal independently appraised. Whilst objectors have stated that the previous viability assessments undertaken in 2019 are now out of date and need to be redone, the applicants have updated the viability position.

The Council's independent advisor conducted their full review of the financial viability assessment submitted by the Applicant. This review concluded that whilst there is some disagreement with the benchmark land value (BLV) of £2.3 million for the site, this does not result in a material change in the financials and consequently, it is confirmed that the development cannot bear the cost associated within providing a fully policy compliant level of affordable housing provision nor can it pay all of the commuted sums required to mitigate some of the impacts, for example on children's play provision and recreation and outdoor sport. This is because the overall viability hinges on construction costs, which owing to the heritage sensitivities of the scheme including costs of converting some buildings, are higher than would otherwise be expected.

On this basis, it was confirmed that the proposal could only bear the cost of:

- 5 affordable units with an intermediate tenure
- Total financial contributions of £377,822

This was on the basis that the developer would achieve a gross development value (GDV) of 15.74%. Although the scheme has since been amended, the updated viability note shows that there would still be a viability deficit. The GDV has reduced by £995,661 primarily as a result of the reduction in floor space through the provision of smaller units and owing to the increased costs associated with retaining and relocating the cricket pavilion (£323,000) and changing the Type P units into 6 duplex apartments. There has also been an increase in

costs associated with the increased provision of affordable homes from 5 to 12. Consequently, the changes to the scheme in viability terms are minor and do not materially affect the conclusions that were drawn when the original viability appraisal that was independently assessed. As revised, the developer would be accepting a further reduced GDV of 13.38% (originally 16%) in order to help deliver the scheme.

National Planning Practice Guidance advises that a minimum GDV of between 15-20% is the industry accepted standard which reflects the minimum enhancement a developer would reasonably expect to achieve in order to bring a site forward for housing development. Thus, the 13.38% which would be achieved by the developer is less than national guidance and is therefore accepted in this case.

Housing Mix

Local Plan Policy SC 4 identifies the need for housing developments to offer a mix of housing types, size, and tenures to accommodate the specific requirements of the demographic. Reference is made to the need for development proposals to accommodate units specifically designed for the elderly and people who require specialist accommodation. A range of housing types are being proposed from modestly sized apartments to later living accommodation. A number of family houses are also proposed as well as accommodation specifically aimed at over 55's, so the proposals would provide for a diverse range of housing, and correspondingly, a diverse community. As such, the scheme is found to comply with Local Plan Policy SC 4.

Education

In the case of the current proposal for 87 dwellings (2 bed+), a development of this size this would generate:

- 17 primary children (87 x 0.19)
- 13 secondary children (87 x 0.15)
- 1 SEN children (87 x 0.51 x 0.023%)

The development is expected to impact on both primary school and secondary places in the immediate locality. Any contributions which have been negotiated on other developments are factored into the forecasts undertaken by the Council's Children's Services both in terms of the increased pupil numbers and the increased capacity at schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that there remains a shortfall in school places at secondary level.

Children's Service's has confirmed that the proposal is not expected to impact primary education provision as there is sufficient capacity in the catchment area to absorb the primary school pupils likely to be generated by the proposed development.

Special education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. Whilst it is acknowledged that this is an existing issue, the 1 child with special educational needs (SEN) expected from this development will exacerbate the shortfall.

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

- $13 \times £17,959 \times 0.91 = £212,455$ (secondary)
- $1 \times £50,000 \times 0.91 = £45,500$ (SEN)
- Total education contribution: £257,955

Without a secured contribution of £257,955, Children's Services would raise an objection to this application. This position is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 14 secondary children and 1 SEN child would not have a school place. The applicant has confirmed acceptance of the secondary and SEN requirement. This will be secured by way of a s106 legal agreement.

Healthcare

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented that *"there are six NHS GP practices within Macclesfield, all located within one building at the Waters Green Medical Centre. Based on the current local population, the Waters Green Medical Centre has sufficient capacity to manage currently registered patients. However, with the known planned housing developments, the local population is predicted to increase by approximately 17% over the next 10 years. In order to be able to continue to provide the current high level of primary care services to the local population the six GP practices will be required to review their current model of working. A model of 'working at scale' will be required, in which the six GP practices work much more closely together to remove duplication and inefficiencies from the primary care system. Even with modifications to the existing Waters Green Medical Centre, it is anticipated that the GP practices and NHS Community Services will need to expand out into an additional building within the next 10 years"*.

It is therefore necessary to mitigate the impacts of the proposed development through funding the local healthcare economy to support premises development of the Waters Green Medical Centre and development of additional primary care premises within Macclesfield in order to allow for the continued provision of the current level of primary care services to the local population of the Macclesfield area. Accordingly, the CCG has requested a financial contribution towards health infrastructure of £84,024. However, in light of the amendments to the scheme, this has increased to £91,332. Subject to this, the scheme is found to be acceptable in terms of its impact on health infrastructure.

Public Open Space and Sports and Recreation

Policies RT5 and DC40 of the MBLP set out the amenity open space requirements for housing development (per dwelling). The proposals would place a greater burden on open space and recreational facilities in the area and accordingly, the applicants would be expected to make a financial contribution towards the Borough Council's sports, recreational and open space facilities in lieu of on-site provision. The Macclesfield S106 Supplementary Planning Guidance on S106 Agreements provides the formulae for calculating off site financial contributions.

Saved MBLP Policy RT1, this deals with areas of recreational land and open space and says that such areas will be protected from development. However, Policy SC 1 of the CELPS is more up to date and states that such areas will be protected 'unless alternative provision, of equivalent or better quality, is to be made'. The loss of the existing cricket pitch as a sports facility would be replaced at the new school in Prestbury, permission for which has been approved under planning ref; 19/1270M and works have commenced to implement it. Sport England and ANSA do not object to the loss of the cricket pitch on this basis subject to a condition that the replacement facility is to be provided and made available for use prior to its loss at this site. This could be appended as a condition of approval. As such, a refusal on the basis of non-compliance with policy RT1 would not be sustainable.

There is a requirement for the provision of amenity greenspace at a rate of 20sqm per dwelling and this is being achieved through the retention and enhancement of the existing cricket pitch as open amenity space. There is also a requirement for 20sqm of children's play per dwelling and this is not being provided on site. Therefore, a commuted sum for offsite provision of children's play is required at a rate of £1,500 per family dwelling and £750 per bed space in apartments. The commuted sum is required upon commencement of development and will be used to make additions, enhancements, and improvements at West Park Play facilities within a period of 15 years from receipt.

There is a requirement to provide Recreation and Outdoor Sport (ROS) in line with Policy SC2 of the Local Plan and the playing Pitch Strategy. In this instance the developer has opted to make a contribution rather than on-site provision. This contribution will equate to £1,000 per family dwelling or £500 per 2+ bed apartment (excluding the affordable properties). This commuted sum would be used to make additions, enhancements and improvements at the pitches, courts and greens within the three town centre parks in Macclesfield; West, South and Victoria, within a period of 15 years from receipt.

With respect to indoor sports provision, CEC Leisure has confirmed that based on a development of 115 dwellings, this could equate to a population increase of 195 and 83 additional 'active' population. Based on an industry average of 25 users per piece of health and fitness equipment this equates to 3 stations (£6,500 per fitness station) which would require a financial contribution of £19,500.

However, when Members first deferred this application in 2020, it was requested that consideration be given to diverting the indoor sport and recreation commuted sum of £19,500 towards the children's play equipment at West Park instead. The sum of £19,500 would not cover the full amount that would be required to upgrade and enhance the facilities at West Park, but it would go towards making some valuable improvements. This would be at the sacrifice of the provision of the commuted sum to provide 3 pieces of exercise equipment at Macclesfield Leisure Centre. However, given that the proposal includes the provision of family accommodation and will be occupied by children, it is feasible and recommended that the commuted sum could be re-directed towards additions, enhancements and improvements at West Park Play facilities.

Subject to the above being secured by way of a legal agreement, the scheme is found to accord with MBLP Policies RT1, RT5 and DC40 and CELPS Policies SC 1 and SC2.

ENVIRONMENTAL SUSTAINABILITY

Design, Character and Appearance

Between them, the NPPF and Local Plan Policies SD1, SD2, SC4, SC5, SE1, SE4 and C01 from the CELPS and DC8, DC35, DC36 and DC37 of the MBLP seek that all development should be: locally distinctive; high quality; sustainable; well-designed and durable responding to the heights, scale, form and grouping, materials, massing, green infrastructure and relationship to existing built form in the immediate as well as wider areas. Good connections through infrastructure and access from the site into the wider area and landscaping/topographical themes through street hierarchy and landscaping is also expected from new development.

The proposals seek to retain and convert the headmaster's house and library, removing unsympathetic extensions and detracting buildings within its vicinity. They also seek to convert the lodge as a single dwelling whilst also retaining most of the existing boundary wall around the perimeter of the site.

In regard to the main school building, the façade of the front elevation is proposed to be retained with a new block of development to the rear also replacing the sports hall attached to the northern elevation of the building. The remaining curtilage building comprising of the science block is to be demolished. Since the last deferral, the scheme has been amended to enable the cricket pavilion to be retained by relocating it within the site and re-purposing it into two semi-detached two-bedroom dwellings.

In terms of new development, a number of building groupings are proposed of different character reflecting their location and relationships comprising archetypes ranging from 1.5 to 3.5 storey arising from conversions and new build, with a variety of on plot and communal parking solutions.

The proposed new build is expressed by a contemporary character but with echoes of traditional vernacular drawn from the site, local surroundings and precedents much further afield. The Type P properties, which would be situated on the frontage to Coare Street and the Type F units, which would be located in the position of the Science Block have been amended with the provision of a pitched roof with parapet detail to give the units a more traditional grounding in line with one of the reasons for deferring the application the first time. They have also been realigned on their axis slightly to provide an increase in separation with properties to the rear. The Type F units also had their rear balconies removed in response to comments and the overall floorspace has therefore been reduced.

A large proportion of the cricket pitch is to be retained as an informally laid out central green, incorporating a stone lined ha-ha and swale on its eastern edge, further reinforced by hedging forming the rear boundary of the adjacent housing. In addition, designed courtyard/garden spaces are proposed north of the headmaster's house/original school and between the new block and retained elements of the main school building. The headmaster's garden would also be retained. Further public gardens/space would be created in the form of parterres to the front of the retained main school building and as a home zone street running through the centre of the new housing on the eastern portion of the site. All mature significant trees are to be retained but it is proposed to remove and replace the flowering Cherry trees to the front of the main school building.

There would be one main vehicular access point off Cumberland Street, retaining the memorial gates, with a second emergency access off Pownall Street. The basement car park serving what would be the block to the rear of the main school building would be served via an upgraded access off Coare Street. Pedestrian access would be via the main site entrance but also with an east west axis between Westminster Road and Pownall Street.

Longer views of the site are largely restricted by topography, street alignment and intervening townscape. However, the sylvan character of the site does terminate longer, northward views along Churchill Way and Westminster Road. Closer to the site views for those on foot are largely restricted by the substantial stone walls and adjacent buildings. However, the view does open significantly on Cumberland Street on approach from the west and also standing at the main site entrance. The headmaster's house and gardens are attractive and sylvan on the corner of Westminster Road and Coare Street.

Area 1 - to the north of the old school and main school buildings - The present buildings detract from the heritage assets and the general quality of the townscape of Coare Street. It is considered that the new development will enhance this frontage of the site. In regard to the materiality of the 6 duplex apartments to the north of the original school building, grey brick was referenced as was stone. The new build to the north of the main school building would be largely hidden by the roof of the retained building. However, at either end, the upper storey would extend above the roofline of the existing, affecting its hipped roof silhouette. This would undermine the view of the main school building from the main entrance and the open space but not significantly.

Area 2 - site entrance and Percy Vale building, Pownall Street - The new houses would replace the Percy Vale building, which is a relatively unattractive building with inactive frontage onto the street, as are the temporary buildings at the site entrance. The key issues in this area relate to scale and appropriateness of proposals in the townscape, and linked to that, relationship to adjacent residential properties. The proposals have been amended in response to concerns about this relationship and have led to a better townscape approach to the Pownall Street entrance.

The street sections produced as part of the application illustrate that the new buildings would sit comfortably in the street, repair the townscape and create more active frontages onto Pownall Street but for the main block the gardens/yards would be modest (but not uncharacteristic in an urban context such as this).

Area 3 site of Science block - This part of the scheme will replace a curtilage listed building proposed to be demolished, albeit of a lesser quality than the adjacent main school building. The science block building reads as a respectful member of the group. It is important that any replacement building is of equal architectural merit. The design of these units is more akin to the design of the dwellings on Pownall Street, which have a modest, domestic character. Although it would be more hidden from the principal view than the Science block is now.

Area 4 – proposed later living block (western edge of site) - The footprint of the proposed new building, whilst being set slightly further away, will be larger than the size of the current arts block building it would replace, which occupies much of the western edge of the site. The size of this building has been reduced in size following concerns that its size and position

could harm a key view and setting of the listed building. It will also be set further forward than the original building, tying in with the western building line of the listed building.

The later living building has two different faces: The eastern elevation that would overlook the open space and relate more directly to the historic buildings, echoing the steep gables of the original school building, but set within a contemporary design. The building would be 3 full storeys plus a storey within a mansard type roof and the apexes of projecting gables. The western side the building is a more overtly contemporary flat roof design with a recessed upper storey (again accommodating 4 floors). The southern end of the building is proposed as a flat roof, 3 storey element, including entrance/lobby and communal facilities on the upper floors, including a roof terrace.

From outside the site, the proposed later living building will be highly visible in views from the corner of Westminster Road and Cumberland Street and would become a strident feature in the townscape, closing off the partially open view into the site. On this basis, the Council's Design Officer has previously expressed concern regarding the impact that the Later Living element would have on key viewpoints and the associated impact on the setting of the heritage assets.

The Design Officer notes that the building has been reduced in length and there has been some consequent improvement. However, there is still concern that it will compete with the listed school building within its setting resulting in harm to the asset. This would be less than substantial, but it would still be harm and there is not sufficient heritage public benefit alone to outweigh that. However, it must be borne in mind that the viewpoint from which this harm would be evident would be limited. The open aspect of the cricket pitch and its associated views of the listed building would still be mostly retained and it is only when viewing the site from the opposite side of Cumberland Street to the south on the Westminster Road access to Whalley Hayes Public Car Park where there would be an interruption of this view. It is not considered that this is a significant viewpoint and does not carry the main footfall past the site. The main footfall including vehicular traffic is that along Cumberland Street and to some extent, these views from a pedestrian point of view are already obscured in part by the existing boundary wall. Accordingly, whilst there would be harm it is considered that this would be balanced against the wider benefits of the scheme particularly the improvements that would be realised from the Sainsbury's roundabout.

There will be a degree of impact upon the setting of the Alms houses to the south, but this will be lessened by the mature trees along the southern boundary and by the height of the substantial stone wall to the school. Again, this will be more evident during the late autumn and winter. Communal surface car parking is proposed to the rear of the building, which benefits the views from the entrance and the central open space, but because of site levels, will be quite visible from outside the site for part of its length.

Area 5 eastern edge of the site - This is a highly innovative part of the development, but also one that requires a sensitive approach given that views across the cricket pitch will terminate on these units. The proposal is to create a mix of contemporary dwellings set either side of a home zone street, providing a gradation in scale to the site edge from the edge of the central open space, whilst enabling views from the open space outward between buildings to outlying landscape and enabling taller units on the periphery to have views back across

rooftops to the central space. This part of the scheme incorporates the site of the cricket pavilion.

The form of the dwellings is designed to echo the surrounding vernacular but in a contemporary manner, including steep roof pitches and active upper storeys reflective of Macclesfield's weaver's cottages. Smaller dwellings edging the open space seek to reflect the Alms houses to the south of the site.

To soften the impact and relationship the design has been refined to provide a more sinuous edge, defined by hedge and Ha-ha to soften the relationship to the open space, provide a distinct boundary between public and private and create a fragmented rather than regular built form. Whilst there will be a noticeable reduction in the extent of the open space on this side of the site, it is considered less sensitive in the context of the principal view from the memorial gates and the proposed layout maintains a visual link between the principal school buildings and the listed gatehouse. The cricket pavilion would now be retained but would be relocated so that it could sit alongside the dwellings framing the open space. This would allow the pavilion to continue to address what remains of the 'cricket pitch' to maintain both the visual and historic connection between both features.

There has always been some reservation about the housing on the immediate easterly edge of the former playing field and how those dwellings and their external spaces relate to the main space, their living environment and how the day to day needs of these occupants can be met without compromising the success of the main public space. This requires those needs to be thought through and creative design employed to successfully overcome those concerns: the need for 'designed in' storage, for creating privacy and to enable use of the outside space of the garden without it feeling like living under a microscope. Conditions relating to landscaping and boundary treatments could secure appropriate detail.

Scheme wide design considerations: It is proposed that the site be used solely for residential development, but a variety and mix of different housing typologies are proposed, suiting different age groups and family circumstances. This has the potential to create a diverse community within the development and is a key attribute of the scheme.

The site is highly accessible to the town centre with easy access to a wide range of amenities and employment opportunities and public transport.

Architectural approach - In concept terms, it is appropriate to employ a contemporary design approach as long as it is well informed and reflects local character and vernacular. Significant effort has gone into assessing the local context, and whilst specific localised design issues have already been highlighted, the general concept of a contemporary interpretation of vernacular is considered valid and an acceptable design response for this site. The comments of members have been taken into account by grounding some of the units with a more traditional form (i.e. pitched roofs rather than flat or mono pitch) and by providing smaller units (no five properties features as previously proposed) with a row of terraced properties along the eastern edge. The heights of these units have also been reduced thereby reducing their size and dominance.

Pedestrian/cycle movement – Although there are presently gated accesses into the school, the site is not accessible for the public. The scheme would enable pedestrians to move

though the site, better connecting it into the neighbourhood. It is important for the sustainability of the development that it does not become a gated community and that through access is encouraged and a key benefit of the scheme.

Access and parking – The concept relies on a specific, non-standard approach to streets with a one-way route around the site, to reduce the width of roads and ensure they retain a human scale. From an urban design perspective this is positive in terms of principle and will need to be secured by condition. In respect to parking provision, this is a town centre site and therefore less car usage and ownership should be encouraged.

Open space, landscape, and public realm – in concept terms there is a character driven, sympathetic approach to open space and landscape design seeking to reflect the spirit and historic significance of the site. The openness and informality of the main open space is a strong reflection of its former use as a cricket pitch and maintains open views of the key heritage assets. This will act as a significant community focus for the scheme. The eastern edge treatment using a swale and stone ha-ha is also a positive and innovative way to define the edge between public and private, whilst meeting certain practical requirements such as sustainable drainage.

The other localised spaces such as courtyards, the Headmasters garden and the home zone street should also provide opportunities to create distinct areas of space/public realm within the scheme.

Materiality - The scheme proposes a predominantly brick palette, which seems appropriate for the most part given the surrounding context and within the site itself. However, more stone could be used in selective locations/elements, without undermining the building hierarchy and heritage status of retained buildings and features. The materiality of the townhouse block to the north of the original school building and the later living block to the south indicate that grey brick is suggested. However, stone is referenced elsewhere.

The existing character along Coare Street, (save for the existing unsightly additions to the rear of the school block building), is characterised by traditional terraced brick properties. Having regard to this existing character and materiality, it is considered that an alternative material rather than the use of stone would be reasonable and acceptable in this part of the site. However, there are other key buildings, owing to their prominence (for example the Later Living Block) which must contain stone detailing in order to allow them to appear sympathetic to the site, key views and the designated heritage assets. Owing to the sensitivity of the site, prominence of the 'later living' block including the balance of the impact on views, this will need to be stone. Detailed materials can be agreed by way of condition.

On several of the building designs, soldier coursing and feature brick are proposed as detailing elements. Care is needed to prevent this becoming an inferior, generic detail and therefore further detail can be secured by condition.

Powder coated aluminium windows/fenestration are proposed on the new build, with timber on the conserved buildings. This would be appropriate to help reinforce the contrast between historic and new build. Detailing of the eaves and verges, parapets, rainwater goods, canopies and balconies needs to be executed well to emphasise design quality. Zinc cladding is proposed quite widely within the scheme but perhaps copper would be more appropriate

given the historical copper industry in the town. Slate is proposed as the principal roofing material and that should help the roofscape harmonise with retained buildings and the surrounding townscape.

It is positive that traditional floorscape will be employed alongside contemporary materials to help characterise the site. The stone sett footpaths, laid as a Macclesfield cobble pattern around the western edge of the open space and along the east west axis will help pedestrians navigate through the site and create a physical link from the stone concentrated entrance toward the historic buildings on the northern side of the open space.

Whilst it is acknowledged that there would be an intrusion of the 'later living' block, this has been reduced in size and it is considered that this is balanced against the improvements that would be seen from the Sainsbury's roundabout and the overall design credentials of the scheme. There are also benefits derived from ensuring a sustainable future use is secured for such an important and prominent site within Macclesfield from a heritage perspective. Thus, the proposals represent a high quality scheme, with many positive attributes. There would be harm derived from the later living block, by interrupting one of the viewpoints. However, it is considered that this harm would be outweighed by the wider benefits of the scheme and the fact that the magnitude (I.e. importance) of the said viewpoint is not considered significant.

In the round, it is considered that the proposed design changes are acceptable and have responded positively to Members request. Having regard to the above, the design is found to be acceptable and in accordance with Policies SE 1 and SD 2 of the CELPS and the CEC Design Guide.

Heritage Assets

The alterations proposed for the change of use of the principal listed building on this site, (formerly in use as a library and Headmasters house) are:

Internally: The closing up of many current door openings to allow separation (for apartments), there will also be the introduction of new studwork (timber and plasterboard stud portions) to form new bathrooms kitchens etc. Additionally, there will be new staircases to modify the current internal layout. The ventilation requirements do need further information but could be conditioned. Given the previous work undertaken within the building, these proposed alterations can be accommodated within the fabric of the existing building without detracting from its historic significance and will help with the general internal condition of the building.

Externally: The South, West and East elevations: The lengthening of the current Gothic windows (lowering of the existing sills) with a new transom detail to accommodate the interface with the new internal floor line and the redesign of these windows (alteration to transoms) to accommodate for new opening when viewed from a distance will not appear to alter the view of the current Library building, although there will be some change to the historic fabric. The Council's Design and Conservation Officer does not object to this.

North Elevation: The demolition of a non-original part of the building is proposed with the insertion of contemporary glazing into part of this elevation exposed by the demolition. This is acceptable to the listed building as it will reveal the original fabric of this elevation and therefore serves as benefit of the scheme. The proposed works while losing some of the

original fabric of the building will allow this building to be brought into a new use as apartments without losing its essential architectural appearance and thus save this building for future generations to enjoy.

In regard to boundary walls, the proposals generally seek retention and repair. Some localised modification will occur, but this will not lead to harm to the character of the walls in their entirety and planning conditions could be used to ensure this.

In addition to the conservation works to the principal buildings, the proposal also intends the demolition of the one pre-1948 building falling within the curtilage: the science block and the pavilion, which as the assessment identifies, are subject to the same protection and considerations as those for the principal listed buildings. However, following deferral, the cricket pavilion is now proposed to be retained and relocated a short distance from where it already sits.

Both have significance in their own right. However, they also have an enhanced collective value as part of the Kings ensemble, with the cricket pitch as their foreground. The relationship between the pitch and the cricket pavilion is especially strong. As it stands, demolition of the science block would result in total loss of one these two curtilage buildings and there would be harm as a consequence. The cricket pavilion would be relocated so as to front out over the cricket pitch whilst still accommodating the development along the eastern edge of the site and integrating it also.

The submitted heritage statement sets out the assessment of significance undertaken for the various assets. Both the science block and the pavilion are assessed as having low significance. This is a fair reflection of the significance of the Science Block. It was initially considered that it did not adequately reflect the communal significance of the cricket pavilion, thought to be built to commemorate the fallen of WWI. This historic connection is something very important to the school, reflected both in the pavilion but also the memorial within the Main School building and the memorial gates (WWII). Whilst the DMRB methodology rightly identifies greater significance attached to the principal listed buildings, the main school building, and the enclosing structures, it does not enable a more subtle distinction when assessing these lesser assets. The added communal value of the pavilion clearly sets it apart from the science block in terms of significance.

The present group of buildings forming the School as viewed from the south have a strong group value. However, from Coare Street and Pownall Street, the school has a lower group value arising from the modern elements that are of low architectural quality except the original school and headmaster's house at the corner of Coare Street and Westminster Road. The removal and replacement of more modern and unsympathetic extensions and buildings on the northern side of the main school buildings will enable betterment, whereas the proposed demolition of the science block will erode the present group value experienced from the main viewpoint. It is considered that, at best, the significance of heritage impact would result in slight/moderate harm based on the current proposals. This harm has been reduced following the decision to retain the cricket pavilion albeit in a different position.

Impact upon the setting of the assets: The setting of heritage assets is defined in policy as the surroundings within which assets are experienced and often this is expressed in terms of views. The setting of the assets at Kings are interrelated and contribute to one another,

including that of the Alms houses to the south of Cumberland Street. The principal view of the heritage assets is that from the site entrance toward the north. But the Kings setting is more than just this view; it is also about atmosphere within the site. The openness within the front part of the site contributes greatly to this, albeit it is not a formal or designed space. It epitomises King's. Views out from buildings across the space and from the cricket pitch toward the hills to the east of the town also contribute toward the setting of the assets, creating a visual connection to the wider landscape.

The area of concern in terms of setting is the proposed development in the western part of the site, forward of the headmaster's house and the original school building. As already discussed, the proposals for the later living block will be far more strident by virtue of the scale and mass of the building. Whilst it may not be any taller than the Art block that it would replace, or the ridge line of the old school building, its footprint is larger than that of the building to be demolished and it will enclose much of the western side of the site as seen in the view from the site entrance off Cumberland Street. This has been improved by widening the gap between the northern end of the Later Living block and the school building and this would allow greater views of the heritage asset from the Sainsbury's roundabout. It is considered that this aspect of openness will be restricted to a limited view and the benefits of the scheme as a whole are considered to outweigh this harm as discussed previously in this report.

The amended scheme does not have any greater impact on the designated heritage assets than the schemes that have been considered previously by Members save for the benefit of retaining the existing cricket pavilion. The conclusions drawn by officers remain the same. On this basis, officers conclude that the impact on the designated heritage assets would be acceptable in this case in accordance with Policy SE 7 of the CELPS and saved policies BE17, BE18 and BE19 of the Macclesfield Borough Local Plan.

Cricket Pavilion and Memorials

The cricket pavilion was originally constructed in 1934 as a library and pavilion partly using funds left over from donations following WW2. An alcove was left to indicate the source of part of the funds where an inscription was later placed reading 'In Memoriam, 1914-18'. Many representations expressed concern at the loss of the cricket pavilion and stated that it should either be retained, relocated on site or at the new school site. Member's expressed similar concerns and as a consequence, the amended scheme proposes to relocate the pavilion within the site and to re-purpose it as two affordable two-bedroom dwellings. This is considered to be a positive of the scheme as it will result in the retention of a curtilage listed structure, will maintain the memorial connection with the school and the fallen whilst also providing a reference to the former use of the site as a school cricket pitch.

With respect to the memorials specifically, the school previously submitted their own representation on this matter in the form of a Memorial Statement. The submission set out primarily how the school continues to honour those former staff and pupils that have lost their lives in conflict.

Firstly, the school's memorial plans take the form of:

- 900 seat assembly hall at the new school campus which will be the principal memorial facility
- Relocation of the physical memorials to new school site
- Replica of the war memorial gates to the Cumberland Street entrance to be erected at the new school site
- Lintel within the existing cricket pavilion reading 'In Memoriam, 1914-18' to be incorporated into a new cricket pavilion

The 900 seat assembly hall is now operational at the site of the new Kings School and the war memorial plaques listing the names of the fallen have already been relocated and displayed in the hall.

The remaining memorials take the form of:

- War memorial gates to the Cumberland Street entrance
- Memorial lintel in the cricket pavilion

Now that the scheme has been amended to retain the cricket pavilion on site, the memorial lintel would be retained. There is also an opportunity to maintain a continuity of connection with the site of the new school. This could take the form of an interpretation of the wider history of the school (e.g. history boards), of which part would be the remembrance of those ex pupils lost in conflict. This would add weight to the commemoration and help raise awareness within the community and future residents of this historic connection. Coupled with the applicant's proposal for the memorial garden within the site, retention of the cricket pavilion and memorial gates, the proposal is found to be acceptable in terms of its heritage impacts and memorial proposals.

Archaeology

Although some objectors have requested a response from the Archaeological Officer, the application site is not within an area of identified archaeological potential. Accordingly, the site is highly unlikely to contain archaeological deposits and therefore the proposal is found to be acceptable in this regard and compliant with Macclesfield Borough Local Plan Policies BE23, BE24 and SE 7 of the Cheshire East Local Plan.

Trees

Policy SE5 of the CELPS states *"Development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives"*.

The site contains a number of mature trees located adjacent to Westminster Road and its junction with Coare Street, Cumberland Street and the eastern boundary of the site. Many of the trees contribute significantly to the character and visual amenity of the area and provide important mature tree canopy cover. A row of mature Cherry trees located towards the

northern boundary section provide a decorative feature separating the cricket pitch and the main school building.

Some of the trees within the site have been afforded protection by a recent Tree Preservation Order. They were not formally protected when Members first considered this application in early 2020. However, a number of trees were identified as being worthy of protection owing to their high amenity value.

The application is supported by a detailed Arboricultural Impact Assessment (AIA) and assessment remains valid for the amended scheme. Notwithstanding this, the amended scheme has been supported by an Arboricultural Technical Note.

The Tree Survey that forms part of the assessment identified 18 individual trees, 8 groups of trees and 5 hedgerows associated with the site. Three trees have been categorised as (A) high category specimens, 9 trees and 5 groups or part of groups have been identified as moderate (B) Category.

One individual moderate (B) category Oak tree, T14, (a memorial planting) at the front of the main school building, the linear group of Cherry trees and a number of low (C) category Cypress trees within the proposed memorial planting bed and some low category ornamental trees will require removal to accommodate the internal access, car parking and new landscaping arrangements.

The Council's Principal Forestry and Arboricultural Officer originally advised that the loss of the Oak and a group of low category Cherry trees would have a 'slight adverse' impact within the immediate area, given the trees can be viewed from the current access. In terms of the wider amenity such losses are not considered significant. In terms of mitigation for losses, there is scope within the development site for replacement planting which should be considered on a 3:1 basis. The application is supported by a draft landscaping plan which proposes planting of pleached Pin Oak and semi mature Cherry within the area of proposed parking. Such planting within areas of hard standing will require substantial tree pits to ensure successful establishment requiring a detailed design proposal as part of any detailed landscaping scheme.

The layout indicates parts of the development infrastructure will encroach into Root Protection Areas (RPA) of retained trees although existing hard surfacing has been utilised where possible for access roads and car parking. Encroachment is predominantly restricted to the realignment and widening of the main access road to the south of the site and north of the group of trees along Cumberland Street Road, the proposed parking area and the access road west of the mature Lime adjacent to the gatehouse, a section of footpath to provide access to the Lodge House, rear garden terracing adjacent to a mature Lime and a small section of driveway adjacent to a mature Lime to the east of the site. A Cellular Confinement System (CCS) has been proposed for these areas of permanent hard standing to avoid excavation and compaction within the RPA and given the site characteristics is considered to be within the design parameters of the relevant British Standard (ref: BS5837:2012).

Design advice on social proximity and shading from trees is referred to in the accompanying AIA. Having regard to the western section of the site, the proposed housing is separated by car parking and is between 13-15 metres from retained trees (G2). Whilst some shading is

anticipated during the afternoon hours, the majority of the area affected will be within the area designated for car parking. The proposed end use of space within this area is therefore considered sustainable.

Shading from trees T15/T16 and Group G1 adjacent to the Gate House/Lodge and opposite the D Plots to the north and Group G6 to the east of the site are considered in the AIA. With regard to the existing Lodge, issues of shading from trees are long established and has not presented any issues. It is recognised that shading to the Plot to the north of the Lodge from trees may be an issue but is partly offset by the orientation of the building and provision of open space to the west which supplements the impact on private amenity space.

The Arboricultural Technical Note includes an updated Tree Constraints Plan which seeks to show that the revised proposals along the eastern boundary of the site do not encroach into root protection zones. The Council's Principal Forestry and Arboricultural Officer has previously expressed concern with regard to the relationship of the proposed units to the east of the site facing the mature group of trees (G6) to the rear of Pownall Street. Some plots could present unreasonable dominance and shading of gardens and rooms and could have an adverse effect on living conditions which will lead to future requests to carry out regular pruning/felling. Whilst it is noted that the trees have been placed outside private ownership, the presentation of these plots to the group of trees is considered unsustainable in the long term.

The proposed revisions have resulted in a realignment of the Type E properties found to the east of the site which achieve a better separation with the eastern boundary specimens when compared to the previous layout. It has been recognised that any further improvements to this relationship would likely impact upon other constraints including an encroachment onto the area of open space. Officers consider that scope for improving separation distances further conflicts with other constraints on the site, namely ensuring that the cricket pitch maintains an open aspect and therefore in this case, it is considered that this need and the general benefits of the scheme outweigh this conflict. An objector has previously stated that these benefits have not been made clear.

The benefits referred to are the general benefits of the scheme which include; ensuring a sustainable future use is secured for such an important and prominent site within Macclesfield; the provision of a pedestrian / cycle link increasing connectivity through the site; the high quality design credentials; and the general environmental, economic and social benefits attributed to bringing forward housing on this now vacant site within a highly sustainable location close to the town centre.

The proposed amendments present no significant implications for existing trees. Accordingly, there are no objections from an arboricultural perspective and the proposals have been confirmed to be acceptable in terms of impacts on trees subject to the imposition of conditions to ensure appropriate tree protection for the retained trees, Construction Specification/Method Statement and Arboricultural Method Statement. Subject to this, the scheme is found to accord with CELPS Policy SE 5 and would not harm trees that are subject to Trees Preservation Order.

Landscaping

The application is supported by a Townscape and Visual Impact Assessment (TVIA). The Council's Senior Landscape Architect agrees with the following statement regarding visual effects:

"Views of the site are predominantly localised to the immediate setting. Longer distance views are generally prevented by the intervening built form of the town and interspersed areas of vegetation which characterises the wider landscape setting."

A series of visualisations was requested to assess the impact of the development on close range views.

The proposed development would enhance the streetscene of Coare Street and Pownall Street. However, the height and mass of the proposed extra care block on land that's elevated above the surrounding public realm would have a substantial visual effect on receptors on Westminster Road and Cumberland Street, particularly in the roundabout junction area and especially during the winter months when the surrounding trees are without foliage. The TVIA assesses the visual effect from the roundabout area (viewpoint 15) as a medium magnitude of change and a moderate and minor adverse effect on receptors. The Council's Senior Landscape Architect considered that this is underestimated. However, whilst it may be underestimated, the key consideration is whether the magnitude of change is harmful from a landscape perspective. It must be noted that this impact has been reduced further following the first deferral of the application by a reduction in the scale of the Later Living Block.

The landscape chapter of the Design and Access Statement divides the site into character areas as follows:

Area 1: The northern area - The proposals around the school block, library and new buildings are mainly formal in character and include a courtyard, ornamental pool, box hedge parterres with replacement cherry trees on the school frontage, pleached trees etc. The headmaster's gardens at the north west corner would be retained and enhanced. The proposals are generally appropriate, but it is recommended that the visitor car park in front of the school block be amended to widen the plant bed at the front of the car park to screen the cars. This detail could be secured by conditioning a detailed landscaping scheme.

Area 2: New housing development and entrance off Pownall Street - The landscape proposals for the site entrance and frontage for the new dwellings (as amended) on the science block site are acceptable. The new houses backing onto the Pownall Street properties would have very small gardens shaded by the mature boundary trees. However, having regard to the character of the area, the town centre nature of the site and the access that residents would have to a large area of open space within the site itself, the lack of any prescribed garden size in the current Development Plan, the garden areas are considered to be of an acceptable size.

The new houses backing onto the public open space would also have very small gardens which would be open to public view if the currently proposed low hedge boundaries were implemented. The lack of privacy for residents and open views of garden paraphernalia from the public space is not appropriate owing to visual sensitivities of the site. Accordingly, some clever design solutions are required to maintain views whilst screening Gardens. It is

therefore recommended that 1.8m vertical bar railings plus 1.8m instant evergreen hedges on these boundaries to provide screening and security and prevent residents erecting non-matching fences in the long-term would be appropriate. This detail could be secured by way of a boundary treatment condition.

The Council's Senior Landscape Architect has confirmed that the central 'garden street' with rain gardens, box headed trees etc. could form an attractive communal area and this would be a key attribute.

Area 3: Later Living Area - Low hedges are proposed around the small ground floor patios facing the open space. A new hedgerow and 4 new trees are proposed to the rear of the building.

Area 4: Main Entrance and Central open space - The memorial gates and piers would be retained and a new stone wall built to partially enclose the gatehouse.

The ha-ha, swale and stone walls could be an attractive feature. This is subject to the walls being constructed using traditional stone with a substantial coping in keeping with the local historic walls rather than a gabion structure. This detail would be secured under the boundary treatment condition recommended above.

Hard landscape materials: The Council's Senior Landscape Architect recommends the use of Yorkstone paving for the footpaths in the prominent public areas with natural stone setts within the vehicular carriageway in front of the school block, at the entrances to the housing area etc. Again, this detail can be secured by condition.

Planting proposals: Lime trees rather than Sycamore and Pear should be planted around the site boundaries and Yew or Holly hedges should be specified rather than Privet and Osmanthus. This detail would be picked up by discharge of the landscaping condition which has been recommended by the Council's Senior Landscape Architect including further levels information and cross sections, roadway and paving materials, tree and hedgerow amendments and full planting details, new vehicular gates and piers on Pownall Street, any new pedestrian access gates, design and materials for the new stone walls within the open space and on the gate house boundary, full details for the ha-ha, swale and walls, and further SUDs details. A long-term landscape management plan is also recommended. Subject to this, the scheme is found to be acceptable in landscape terms.

Highways and Parking

Traffic Generation - Base traffic surveys were undertaken by the applicant in 2018 on the roads surrounding the site to form the basis of the capacity assessments that have been undertaken. In assessing the likely impact of this development, the applicant has considered the lawful use of the site as a school and the level of traffic generation that it produced. This has then been compared with the traffic generation arising from the new residential proposals to give the development impact arising from this application.

The results indicate that there are very similar levels of traffic associated with the school use and the new residential development. The applicant has also indicated that there were numerous other trips to the school that are not accounted for on the road network that are

dropping off on the surrounding roads to the school. The overall traffic impact of the new residential development would be lower than the school traffic on the local highway network.

Accessibility - The site is located close to the town centre and has good pedestrian connectivity to the footpath network. There are controlled pedestrian crossing facilities on Cumberland Street and Churchill Way that provide linkages to the town centre. There are numerous bus services available within easy walking distance of the site and also the bus and rail stations in Macclesfield are within a reasonable walking distance. The site is considered to have good accessibility given its proximity to the town centre and is therefore highly sustainable.

Internal Road layout - There are two main road access points to the site. These are the Cumberland Street access that will be a left in-left out access only and also an access onto Pownall Street that has been redesigned with parking to both sides of the road. The Pownall Street access will be used as the access for refuse vehicles and deliveries. Tracking plans have been provided for these vehicles to confirm that they can safely use the access. There will also be an access off Coare Street, which will provide access to an undercroft car park serving the 29 parking spaces for the School Block apartments. The site will be a private development internally with no adoption of the internal roads.

Parking - The original submitted scheme had 123 car parking spaces provided in total to serve 115 units proposed. Following the receipt of amended plans, this was increased to 147 car parking spaces and then since deferral has been increased again to 166. However, the number of units has increased from 115 to 121, albeit with a smaller size of units. Appendix C of the Cheshire East Local Plan Strategy advises on recommended parking standards. In principal towns such as Macclesfield, it recommends the provision of 1 car parking space per 1 bed dwelling, and for 2 car parking spaces for dwellings with 2 or more bedrooms. Having regard to the housing mix proposed, this development as amended would indicate a need for a total of 208 spaces. The proposed 166 spaces would present a shortfall of 42 spaces.

For each element of the scheme, the updated parking would be as detailed below:

School Block (29 units) -	29 spaces	(shortfall of 23 spaces)
Library (7 Units) -	14 spaces	(complies with Appendix C)
Gate House (1 unit) -	2 spaces	(complies with Appendix C)
Later Living (45 units) -	34 spaces	(shortfall of 34 spaces)
Dwellings (33 units) -	66 spaces	(complies with Appendix C)
Duplex Type P (6 units) -	6	(complies with Appendix C)
Visitors -	15 spaces	

The School Block has a reduced ratio of parking and one space is provided for each unit. A number of reasons to support this reduction have been submitted by the applicant as follows:

The School Block car parking provision will be managed, and prospective residents will be aware of the car parking provision prior to taking up occupancy. The reality is that those residents who require more parking than is available will simply choose to live elsewhere;

The development is in a highly sustainable location, with frequent local bus and rail services, good accessibility on foot and by bicycle, and a wide range of services and amenities within

convenient walking distance. All these factors reduce the need to travel by private car, and are identified by CEC policy;

This is supported by data from the 2011 Census, which indicated that for this area of Macclesfield the majority (62%) of households own one car or less, reflecting the excellent accessibility of the area;

A Travel Plan will be adopted to encourage residents to travel by sustainable forms of travel; and positive discussions have been held with a national car club operator (Enterprise) who have confirmed that they are happy to support the introduction of 2 car club spaces at King's School. Such a scheme would afford residents with easy access to a vehicle as and when required, reducing the need to own a private car. This scheme would also be open to existing residents surrounding the King' School site.

The parking provision for the Later Living apartments has increased to 34 spaces this has a bedroom/parking ratio of 76%. Supporting information submitted to support the acceptance of this ratio is as follows:

The later living units will offer a secure and supported living environment and will be restricted to the over 55's with features provided to suit residents who are less active. Such residents will be less reliant on travel by private car, and therefore car ownership is expected to be low.

A number of surveys at McCarthy and Stone sites have been submitted to demonstrate parking demand levels are below that being offered in this application which is 76% (*figure 1.*).

Figure 1.

Development	Apartments	Peak Parking Demand	Peak Demand Parking Ratio
Haven Court, Hythe	36	24	66%
Hanna Court, Handforth	40	14	35%
Eadhelm Court, Edenbridge	34	23	68%
Pagham Court, Bognor	36	20	55%
Lauder Court, Hamilton	64	21	33%
Middleton Court, Porthcawl	60	26	43%
Total	270	128	47%

The site is close to the town centre in a readily accessible location and therefore car parking demand is not as high as out of town locations. On this basis some relaxation on car parking provision can occur in line with the advice of the Council's Head of Strategic Infrastructure (Highways). This would also assist in promoting a modal shift away from car use to more sustainable modes of travel which would be complimentary to the site's town centre location. The number of parking spaces has been increased overall on the site and now has an improved parking ratio, which are deemed to be acceptable having regard to the above.

Local Highway Infrastructure - The Infrastructure Delivery Plan (IDP) has identified the Cumberland Street corridor in Macclesfield as a key route that requires improvement due the high levels of congestion that regularly occurs on this route. The Highway Authority has

prepared an indicative improvement scheme for this part of Cumberland Street and it is important that the development of the Kings School site does not prejudice the delivery of the future improvement scheme. Discussions with the applicant have taken place and as a result, the application site will provide a new 3 metre pedestrian/cycleway within their site on the boundary with Cumberland Street. This would allow the current footway to be removed from Cumberland Street in the future to allow the widening of Cumberland Street to provide additional road capacity. It is important that the new pedestrian/cycleway is adopted and under the control of the Highway Authority so as to not affect the delivery of the improvement scheme in the future. Subject to this, the proposal would not undermine the potential to deliver highway improvement works in the future. Furthermore, the provision of this pedestrian / cycle link would increase connectivity through the site and is a key benefit of the scheme.

When Members first deferred this application, it was asked that consideration be given to the cost of providing the internal footpath / cycleway be balanced against affordable housing. Having considered the merits of the proposed internal footpath / cycleway, it is considered that the benefits of maintaining this connectivity through the site are significant. The internal pathway will go some way to ensuring that the future delivery of any potential highway scheme on Cumberland Street is not prejudiced by providing an alternate pedestrian / cycle route through the site. The cost of providing the footpath / cycleway should not, in this case, be sacrificed to provide further affordable housing and vice versa nor should the already reduced quantum of affordable housing be re-directed to provide further pedestrian / cycleway enhancements. The cost of providing the footpath would be £37,000. Omitting this cost would not secure the provision of an additional affordable housing unit at the site and therefore the scheme has not been amended in this regard.

Conclusion - The lawful use of the site as a school, would have numerous trips to and from the site in the morning peak and evening peak due to after school activities taking place. The proposed residential development will produce the same or slightly less traffic compared with the school and therefore there is no net traffic impact arising from the development proposals.

There are two current access points to the site that are proposed to be retained from Pownall Street and Cumberland Street. However, given the high levels of flow on Cumberland Street this access will be restricted to left in, left out movements only. A new car park access is located on Coare Street, this is only to serve the apartment car park and does not provide access to the rest of the site.

Although, it is recognised that this is a sustainable location it is important that car parking levels are sufficient to avoid overspill and on-street parking. Parking provision has been increased on the site from those originally proposed and it is now considered that the parking levels can be supported based on the nature of the accommodation (i.e. later living units which will generate lower levels of car ownership and will be controlled by an age restriction).

It is important that the delivery of highway improvements on the Cumberland Street corridor can still be implemented should this development be approved. The provision of a new pedestrian/cycleway within the site is welcomed as it provides additional space for the highway improvements to be made to Cumberland Street and its omission would not enable the delivery of any additional affordable housing.

Therefore, the Head of Strategic Infrastructure (HSI - Highways) has confirmed that the application is acceptable subject to conditions and also the dedication of the pedestrian/cycleway to public highway. Accordingly, the application is found to be acceptable in this regard.

Residential Amenity

Saved Policy DC38 of the Macclesfield Borough Local Plan (MBLP) states that new residential developments should generally achieve a distance of between 21 metres front to front and 25 metres back to back between principal windows and 14 metres between a principal window and a blank / flank elevation for one or two storey properties. In the case of three storey properties, this is increased to 28 and 32 metres between principal windows and 16.5 metres between a principal window and a blank / flank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties unless the design and layout of the scheme and its relationship to the site and its characteristics provide a commensurate degree of light and privacy between buildings.

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

The nearest neighbouring properties to the site are those that bound it to the north and east, positioned on Coare Street, Pownall Street and Tunnicliffe Street. Coare Street is made up of a row of terraced properties (nos. 68-54 inclusive) which 'back-onto' part of the northern boundary and are separated by a large stone retaining wall owing to the difference in levels (the school side occupying higher ground). Many of these neighbouring dwellings benefit from rear outriggers the nearest of which would enjoy a separation of at least 16 metres with the proposed Type F units, which would be three storeys. The main rear wall of these neighbouring terraced dwellings where the principal windows reside would be between 22 and 27 metres. Given that the proposed Type F units would replace an existing school block and would achieve a greater separation than the existing built form, it is not considered that they would harm neighbouring amenity in terms of direct overlooking, loss of light or visual intrusion. Also, the rear balconies previously proposed have been removed following deferral by members and a slight realignment has increased separation and orientation.

Owing to its proximity, there is potential for the end of terrace unit at no. 68 Coare Street to be unduly affected by the development in lieu of the school block building both to its side and rear. The separation here between facing elevations would be c12 metres and from side to side between 3-5 metres. However, it is important to note that there is existing built form in the form of the existing main school block, and it is not considered that the proposals would exacerbate this / make it worse than it already is. Whilst a residential use may foster more overlooking, for example when outside of school times, the overall instances would be reduced and would also be replaced with a more complimentary use. Initially, the bin store for the proposed apartment block was proposed to be sited along the boundary with no. 68. Following concerns expressed by officers and the occupier, amended plans were received relocating this facility further along Coare Street to the west. The amended scheme proposes

a better relationship and accordingly, it is found to be acceptable taking into account the current relationship between built form. Instances of direct overlooking, loss of light and visual intrusion would not be made significantly worse to justify a refusal of planning permission.

Moving to the east, the end side elevation of the Type F units would enjoy a distance of between 19 metres and 27 metres as measured between the end of the outrigger arrangements and the main rear wall of nos. 76-68 Pownall Street. This well exceeds the separation expected between a side elevation and a principal one. Further to the south along the eastern boundary, the scheme has been amended by omitting 2 units that were proposed to sit alongside no. 40 Pownall Street. This was owing to the presence of a principal bedroom window in this neighbouring side elevation. Instead, an opportunity has been made to strengthen the approach into the site taken from the vehicular access off Pownall Street as well as providing additional parking in place of these omitted units. The nearest proposed residential units (type E3) would be sited at least 29.5 metres away from the nearest principal window within the rear outrigger of this neighbouring property. Whilst this falls below the 32 metres suggested by Policy DC38, this is not a significant failure to meet the guideline and would not be sufficient to cause material harm in terms of direct overlooking, visual intrusion and loss of light. Further, the explanatory note to Policy DC38 is clear that the separation distances are for "guidance only and can be varied in accordance with Policy DC38".

The remainder of the Pownall Street units backing onto the eastern boundary would achieve a distance in excess of 31 metres and consequently would not materially harm neighbouring amenity.

Finally, in respect of the eastern boundary, the semi-detached dwellings at the end of Tunnicliffe Street side onto the site. No. 15 Tunnicliffe Street would be over 19 metres from the rear elevation of the nearest type E5 unit. This has been increased following the amendments to the scheme. Whilst no. 15 contains a number of side facing windows, these are secondary (i.e. not the only windows serving the rooms in which they serve) and the unit nearest unit would be offset slightly thus discouraging direct overlooking. The other nearest property on Tunnicliffe Street would be c22 metres. Taking this into account, the relationship with the properties on Tunnicliffe Street is considered to be acceptable.

Within the site itself, there would be a shortfall in some places, but there would not be a significant failure to comply with the advised standards and furthermore, any reductions would be the interests of preserving the heritage assets on the site and achieving a high quality innovative design (for example the homes zone units). The internal floor layouts have been designed to minimise conflicts.

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

Noise

The application is supported by acoustic report which details noise mitigation measures in order to ensure that occupants of the proposed dwellings are not adversely affected by current and future traffic noise on Cumberland Street / Hibel Road (A537) and the activities

associated with the nearby Sainsbury's food store. This would comprise of the incorporation of noise mitigation within the façade elements of some of the proposed dwellings to ensure that an acceptable internal noise environment is achieved. Provided that the noise mitigation measures as detailed in the acoustic report are implemented, it is considered that there should be no adverse impacts on health and quality of life of the future residents resulting from road traffic noise in the area or the adjoining food store. Subject to conditions, it is considered that the proposal complies with Policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing.

Air Quality

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

The proposed development is considered significant in that it has the potential to change traffic patterns and congestion in the area. The application is supported by an Air Quality Assessment which has been reviewed by the Council's Environmental Protection Unit (EPU). The EPU initially objected to the proposals as insufficient information had been submitted in the form of a complete air quality assessment. A detailed air quality assessment has since been submitted. The EPU initially raised concerns about the removal of monitoring tubes 'CE86' and 'CE266' from the verification process of the assessment. The applicant's consultant responded by stating that the traffic data for the stretch of road where these two tubes are located is incomplete and made the following statement:

"Including CE86 and CE266 in model verification with significant missing traffic data would influence the verification factor derived by illustrating an under-prediction of concentrations at the two diffusion tubes."

This EPU also queried the predicted result at receptor 'R13' given that it was roughly half the concentration of the diffusion tube located outside this property (CE266). It was decided that the queue length inputted into the model would be increased to account for the dynamics of the junction between Hibel Road and Jordangate, i.e. longer queues causing higher concentrations. These changes were all made to ensure the final results were as robust as possible with the data available to determine the potential impacts of the development on the local air quality and to ensure no new receptors would be introduced into an area of poor air quality.

The assessments use ADMS Roads to model NO₂, PM₁₀ and PM_{2.5} impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

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

- Scenario 1 – Base year (2017);

- Scenario 2 – 2021 opening year without development
- Scenario 3 – 2021 opening year with development

The assessment and the addendum conclude that the impact of the future development on the chosen receptors will be **negligible** with regards to all the modelled pollutants at existing receptors. However, one of the new dwellings (PR1) is predicted to see a concentration of 42.4 µg/m³ for NO₂ which is above the annual average objective. Therefore, the EPU has recommended a condition be placed on this dwelling to ensure the future residents are not exposed to excessive concentrations of NO₂. This would be achieved by installing mechanical ventilation for the dwellings adjacent to Cumberland Street to ensure that air is drawn from the 'clean façade' (i.e. the one facing away from Cumberland Street).

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

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. Further robust mitigation measures are required to reduce the impact on sensitive receptors in the area. Accordingly, it is considered appropriate that further mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. This can be achieved by conditions relating to dust control and the provision of electric vehicle infrastructure in addition to the use of mechanical ventilation on specific plots which are accordingly recommended.

To summarise, the air quality impact assessment and the addendum conclude that the impact of the future development will be **negligible** with regards to all the modelled pollutants at existing receptors. One of the new dwellings (PR1) is predicted to see a concentration of NO₂ which is above the annual average objective. However, the Council's Environmental Protection Unit (EPU) has recommended a condition requiring the installation of mechanical ventilation in this unit which would ensure that clean air is drawn from the 'clean façade' (i.e. the one facing away from Cumberland Street). Similar ventilation is recommended for other units facing Cumberland Street which would ensure that future residents are not exposed to excessive concentrations of NO₂. Further mitigation would be secured in the form of dust control measures and the provision of electric vehicle infrastructure in addition to the use of mechanical ventilation on specific plots. Based on this, it is confirmed that the scheme is acceptable in terms of air quality. Subject to conditions, the proposal will comply with policy SE 12 of the CELPS.

Ecology

Macclesfield Borough Local Plan Policy NE11 and CELPS Policy SE 3 seek to protect nature conservation interests and indicate that where development would adversely affect such interests, permission should be refused. The application has been supported by an ecological assessment dealing with the following species:

Designated sites - Two statutory designated sites are located within 10km of the proposed development. The application site does not fall within Natural England's SSSI impact risk

zones and Natural England have made no comments on this application. Considering the nature and location of the application site within a highly built up area and its distance from the designated sites, the proposed development is unlikely to have a significant effect on any statutory or non-statutory designated sites. Therefore no further action in respect of designated sites is required under the Habitat Regulations or the Wildlife and Countryside Act.

Bats - Building B10 on site, which is the footbridge over Coare Street, was initially identified as being of 'moderate' bat roost potential, this was revised to 'low' potential during the course of the bat activity surveys of the buildings on site. No bat specific activity surveys have been undertaken of this structure. However, based on the characteristics of this structure the Council's Nature Conservation Officer (NCO) has advised that it is not reasonable likely to support roosting bats. No further surveys of this structure are therefore required.

Evidence of bat activity in the form of a minor roost of a relatively common bat species has been recorded within one of the buildings. The usage of the building by bats is likely to be limited to single-small numbers of animals using the buildings 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 roosts associated with the buildings on this site, in the absence of mitigation, is likely to have a low impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report recommends the installation of bat boxes on the nearby trees as a means of compensating for the loss of the roost 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.

It should be noted that since a European Protected Species (bats) has been recorded on site and is likely to be adversely affected by the proposed development, the local planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

The school has now vacated the site. In the absence of a suitable alternative use being found, the redevelopment of the site for residential purposes appears to be the most sustainable alternative use and owing to the heritage sensitivities of the site hosting a number of designated heritage assets and the highly prominent position of the site within the town, it is considered that there is overriding public interest in this case to bring the site forward for residential purposes.

There are no suitable alternatives to providing the development on the site and the Council's NCO has confirmed that if planning consent were to be granted, the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of species. On this basis, it is considered that the proposal meets with the tests outlined in the Habitat Regulations.

Hedgerows - The submitted ecological assessment identifies two hedgerows on site that would qualify as a Priority habitat. Based upon the submitted layout plans one of these hedgerows would be lost as a result of the proposed development. The NCO advises that provided appropriate species are used, the proposed landscaping scheme has the potential to provide sufficient replacement planting to compensate the hedgerows lost. The detailed landscaping scheme can be secured by condition.

Subject to conditions to safeguard nesting birds, the incorporation of features into the scheme for use by breeding birds including house sparrow and swifts, the proposal is considered to comply with policy NE11 of the MBLP and SE3 of the CELPS.

Flood Risk and Drainage

The site is located within Flood Zone 1 where flooding from rivers and the sea is very unlikely with less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. Subject to conditions including a surface water drainage strategy, the proposal would not give rise to flooding or drainage issues. Therefore, the development is considered to comply with policy SE 12 of the CELPS.

Contaminated Land

The submitted Phase I contaminated land assessment has been assessed by the Council's Environmental Protection Unit (EPU), who have offered no objection. Any risk from further contamination not already identified can be picked up by further monitoring and secured by appropriate conditions. Consequently, the proposal complies with policy DC63 of the MBLP and CELPS Policy SE 12.

Other Matters

Objectors have referenced the threat of subsidence, damage caused by vibrations from demolition and construction and that the developer must pay for structural surveys to be undertaken at adjoining properties. Damage caused to neighbouring property would be a civil matter as would subsidence and therefore the Local planning authority could not require the developer to undertake structural surveys in this regard.

ECONOMIC SUSTAINABILITY

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

S106 HEADS OF TERMS

A s106 agreement is currently being negotiated to secure the Affordable Housing, Education contribution, Public Open Space and Indoor Sports provision in lieu of on-site provision and

an NHS contribution. The s106 agreement will also place an age restriction on the occupation of the later living flats (55 years plus or spouse thereof).

CIL Regulations

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

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

The provision of the affordable housing (albeit reduced in quantum because of viability) will be necessary, fair and reasonable to assist in providing affordable housing in the area and to comply with Local and National Planning Policies.

The commuted sum in lieu of public open space and on-site provision is necessary, fair and reasonable, as the proposed development will provide 121 dwellings, the occupiers of which will use local facilities, and there is a necessity to provide facilities. The contribution and on-site provision is in accordance with the Council's Supplementary Planning Guidance.

The development would result in increased demand for secondary school places including a place for special education needs in the locality, where there is limited spare capacity. In order to increase capacity of the school(s) which would support the proposed development, a contribution towards school education is required. This is considered to be necessary and fair and reasonable in relation to the development.

The NHS contribution would support improvement works to the local GP practices and would be sufficient to mitigate the impact of the proposals on healthcare provision.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

On this basis the S106 contributions associated with the scheme are compliant with the CIL Regulations 2010.

CONCLUSIONS

Macclesfield is one of the principal towns and growth areas of the Borough where national and local plan policies support sustainable development. The proposal provides 121 dwellings of an acceptable scale relative to the principal town of Macclesfield and would deliver housing within a highly sustainable location adjoining the Town Centre Boundary. The site is largely brownfield in nature and therefore its redevelopment to provide homes in such a highly sustainable location aligns with the general principles of national and local policy. Whilst there would be a partial loss of open space comprising of the cricket pitch, this would be replaced with an equivalent or better provision at the new school site. The proposals would provide for a diverse range and mix of housing, and correspondingly, a diverse community.

In design terms, the proposal would provide a high quality innovative scheme with a contemporary approach whilst protecting listed buildings. Whilst it is acknowledged that there would be an intrusion of the later living block, it is considered that this is balanced against the improvements that would be seen from the Sainsbury's roundabout and the overall design credentials of the scheme. There are also benefits derived from ensuring a sustainable future use is secured for such an important and prominent site within Macclesfield from a heritage perspective. Thus, the proposals represent a high quality scheme, with many positive attributes.

Following deferral of the item, the scheme has been amended to secure the retention of the cricket pavilion by relocating it and repurposing it into 2 affordable residential units. This carries weight in favour of the scheme. The applicant's proposal for the memorial garden within the site, and the school's memorial proposals at the site of the new school are acceptable.

In highways terms, the impact from a residential scheme would be no greater than that of the school use and therefore the local highway network would be able to accommodate the likely traffic movements generated by the proposal. Adequate parking would be provided having regard to the size, type and scale of units and the sites' highly sustainable location adjoining the town centre boundary.

The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for the new occupants having regard to the character of the area and the design credentials of the scheme. The application would offset the impact on healthcare and education through the provision of financial contributions and would partially offset the impact on children's play provision at West Park, which would be redirected from an indoor sport contribution following a review at member's request. The development can only bear the cost of providing 12 affordable units by accepting a reduced return of 13.38% GDV, which is below the accepted industry standard. The applicants have demonstrated general compliance with national and local guidance in a range of areas including ecology, flood risk, noise and air quality.

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

RECOMMENDATION

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

- 1. Affordable Housing comprising of 12 units with an intermediate tenure**
- 2. Public Open Space comprising of:**
 - Contribution of £19,500 towards additions, enhancements and improvements at West Park Play children's facilities
 - On site amenity space
 - Management of on site amenity space

3. **Education Contribution** of £257,955 towards secondary and SEN (Special Educational Needs) school places
4. **Healthcare contribution** of £91,332 to support premises development of the Waters Green Medical Centre and development of additional primary care premises within Macclesfield.
5. **Restriction of later living units to occupation by over 55s**

And the following conditions:

1. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. Construction of access prior to first occupation
4. No development involving the loss of the existing cricket pitch shall be carried out until a timetable has been agreed for its replacement.
5. Landscaping scheme to be submitted and approved to include replacement planting
6. Landscaping scheme to be implemented
7. Arboricultural Method Statement to be submitted and approved
8. Tree protection of retained trees to be submitted and approved
9. Arboricultural Method Statement/Construction Specification for hard landscaping within root protection areas to be submitted and approved
10. Details of ground levels to be submitted, approved and implemented
11. Details of external facing materials to be submitted, approved and implemented and notwithstanding the submitted detail, to include the use of stone.
12. Details of surfacing materials to be submitted and to be conservation style in accordance with design guide
13. Details of boundary treatments to be submitted, approved and implemented including retention of boundary walls
14. Development to be carried out in accordance with submitted noise survey with mitigation provided prior to first occupation
15. Phase II contaminated land investigation to be submitted and approved
16. Verification of remediated contaminated land to be submitted and approved
17. Bin storage to be provided prior to first occupation
18. Details of pile foundations to be submitted, approved and implemented
19. Electric Vehicle Infrastructure to be provided prior to first occupation
20. Scheme of dust control to be submitted, approved and implemented
21. Foul and surface water drainage to be connected on separate systems
22. Scheme of surface water drainage to be submitted, approved and implemented
23. Submission, approval and implementation of a Construction Environmental Management Plan
24. Removal of permitted development rights for Classes A-E (extensions and outbuildings etc)
25. Removal of permitted development rights for gates, walls and fences
26. Obscured glazing on specific plots and glazed screening to some balconies
27. Accordance with Ecological Assessments
28. Nesting bird mitigation measures to be submitted, approved and implemented
29. Details of external lighting to be submitted, approved and implemented
30. Scheme for ecological enhancement to be submitted, approved and implemented
31. Retention of war memorial gates

- 32. Scheme of memorial proposals to be submitted and approved including details of cricket pavilion war memorial lintel to be repurposed
- 33. Details of cycle storage to be submitted and approved
- 34. Scheme for car club to be submitted and approved
- 35. Submission of a scheme and method statement for the retention of the façade of the main school block to be submitted and approved
- 36. Submission of a scheme and method statement for relocation of cricket pavilion to be submitted and approved (including retention of memorial lintel)

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



- CROSS REFERENCE KEY**
- Building Block - for detail drawings refer to 484-MP-001-1000 drawing series
 - Landscape - for detail drawings refer to 484-MP-001-1000 drawing series
 - Site Access - for detail drawings refer to 484-MP-001-1000 drawing series
 - Air Block - for detail drawings refer to 484-MP-001-1000 drawing series
 - Storm Water - for detail drawings refer to 484-MP-001-1000 drawing series
 - Storage Block - for detail drawings refer to 484-MP-001-1000 drawing series
 - Pavilion - for detail drawings refer to 484-MP-001-1000 drawing series
 - Play Area - for detail drawings refer to 484-MP-001-1000 drawing series
 - Perimeter Building - for detail drawings refer to 484-MP-001-1000 drawing series

version: 001 | notes:
A 27/03/2019 issued for planning

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project:
Kings School Macleod
site:
Location plan
scale:
1:1250 @ A3
date:
21/03/2019
drawing number (project):
484-MP-001-0001-A
issued for:
planning document

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Application No: 19/1069M

Location: KINGS SCHOOL, CUMBERLAND STREET, MACCLESFIELD, CHESHIRE, SK10 1DA

Proposal: Listed building consent for the demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure

Applicant: Mr James Payne, Hillcrest Homes (est 1985) Ltd and the Foundation of Sir John Percyvale

Expiry Date: 07-Jun-2019

SUMMARY

The proposal would remove the existing unsightly 20th Century additions to the principal Grade II Listed buildings and would thereby enhance the heritage asset. The proposal would secure the retention of the heritage asset and provide it with a viable future use. Any harm would be less than substantial and, in any event, would be outweighed by the public benefits of the scheme. Such benefits include ensuring a sustainable future use is secured for such an important and prominent site within Macclesfield; the provision of a public pedestrian / cycle link increasing connectivity through the site; the high quality design credentials; the retention / relocation of the cricket pavilion and opening up views of the principal listed buildings from the Sainsburys roundabout. There are also the general environmental, economic and social benefits attributed to bringing forward housing on this now vacant site within a highly sustainable location close to the town centre. Accordingly, the application is recommended for approval subject to conditions.

SUMMARY RECOMMENDATION

Approve subject to conditions

DESCRIPTION OF SITE AND CONTEXT

This application relates to part of the King's School campus off Cumberland Street, Macclesfield, which has now been vacated following completion of the new school at Prestbury.

The site occupies a prominent position on the north side of Cumberland Street, one of the main arterial routes through the town. It is positioned in between the two roundabouts that juncture with Westminster Road, Churchill Way and Hibel Road (A537) with some listed Alms houses located on the opposite side of the road to the south. Westminster Road runs along the western boundary to the site with Sainsbury's supermarket located on the opposite side.

Coare Street, which is formed predominantly by terraced residential properties, is located to the north of the site and dissects the school campus. The northern side is not part of this application but there are proposals for the erection of retirement living housing and extra care retirement accommodation for older people, which the Council has approved under planning ref; 18/4540M. Further to the north, the rest of the Westminster Road campus is being developed for housing.

To the east of the site, Pownall Street and Tunnicliffe Street bound the site and accommodate further residential properties. The site benefits from vehicular and pedestrian accesses from Cumberland Street, Westminster Road, Coare Street and Pownall Street.

Within the site itself, there are 2 principal listed buildings comprising of the original school (now library) and Headmasters House and lodge. There are also a number of pre-1948 curtilage listed elements: the extensive stone walls around the perimeter of the site, the main school building circa 1911, the Science block and the cricket pavilion (both 1930s). At the centre of the site, enclosed by buildings to the north, mature attractive trees and stone walls, is the cricket pitch.

Buildings on the site are predominantly 2 storeys, however, the arts block is 3 storeys on the Westminster Road side. The former library and the original school building are characterised by steeply pitched roofs, whilst the main school building is laid out in a 'U' plan with shallower, hipped roofs.

To the south of the main school buildings the site is relatively flat, but there is a change of level north of the buildings on Coare Street and to a lesser degree on Westminster Road, with the stone boundary wall retaining the site. The change in level on Coare Street is circa 5 metres, with the school building perched above and more modern additions on the rear of the main building and immediately behind the library constructed into the slope.

Save for the cricket pitch, the site is designated as being within the predominantly residential area of Macclesfield according to the Macclesfield Borough Local Plan (MBLP) 2004. The area that the cricket pitch occupies is allocated as 'existing open space' in the MBLP. The Town Centre Boundary bounds Cumberland Street to the south.

DETAILS OF PROPOSAL

This application seeks Listed Building Consent for the demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure. The proposal would provide 121 residential units on the site comprising of:

- Houses - 33 units made up 8 x 2 beds, 10 x 3 beds, 15 x 4 beds
- Main School Building - 29 units made up of 23 x 2 beds and 6 x 1 beds
- Library 7 x 2 beds units
- Later Living building - 45 units made up of 22 x 1 beds, 22 x 2 beds and 1 x 3 beds
- Gate House - 1 x 3 bed
- Duplex Apartments – 6 x 1 bed

RELEVANT HISTORY

001192P - GLASS CANOPY TO MAIN ENTRANCE – Approved 12-Jul-2000

42635P & 42547P - EXTENSION TO LIBRARY & CLASSROOM ACCOMMODATION – Approved 03-Oct-1985

75449P - ROOF EXTENSION AND EXTERNAL ALTERATIONS TO CRICKET PAVILLION (FORMER LIBRARY) – Approved 27-Oct-1993

19/1069M – Planning application for demolition of existing buildings and the residential redevelopment of The King's School Cumberland Street site to provide a mixture of conversion and new build dwellings and 'Later Living' apartments, with associated access, car parking, open space, landscaping and infrastructure – Currently under consideration

In addition to the above, there are other applications which are of relevance as they relate to additional sites associated with Kings School. These applications are relevant because they are part of the schools overall plan to move from this site to their new purpose built school at Alderley Road in Prestbury. These are:

Alderley Road, Prestbury:

15/4286M – Construction of a new school comprising classrooms, libraries and supporting facilities together with additional playing fields and various associated outbuildings, infrastructure, car parking and access – Approved 23-Jan-2017

18/6002M - Change of use of land from agricultural use to education and sports and retained as open land for use by the school – Approved 28-Feb-2019

19/1270M - Full planning application for engineering works for outdoor sports facilities to provide a replacement cricket pitch for the King's School site at Cumberland Street- Approved 10-Dec-2019

Fence Avenue, Macclesfield:

15/4287M – Outline application for partial change of use and partial demolition of existing buildings and structures, residential development for up to 300 units, landscaping, supporting infrastructure and means of access – Approved 23-Jan-2017

20/0246M - Approval of reserved matters, Appearance, Landscaping, Layout & Scale on outline planning app 15/4287M, for partial change of use and partial demolition of existing buildings and structures, including the change of use of Fence House into 27 apartments, and erection of 273 dwellings, landscaping, supporting infrastructure and means of access – Approved 16-Oct-2020

Westminster Road, Macclesfield:

15/4285M – Demolition of existing buildings and structures, residential development up to 150 units, landscaping, supporting infrastructure and access – Approved 23-Jan-2017

18/3545M - Reserved matters approval (appearance, landscaping, layout and scale) on Outline application 15/4285M for the erection of 132 dwellings, landscaping and associated infrastructure – Approved 13-Dec-2018

18/4540M - Erection of Retirement Living Housing (Category II type accommodation) and erection of Extra Care Retirement Accommodation for Older People (Use Class C2), with associated communal facilities, landscaping and car parking – Approved 12-Feb-2021

POLICIES

Development Plan

Cheshire East Local Plan Strategy
SE7 The Historic Environment

Macclesfield Borough Local Plan (saved policies)

BE16 (Setting of Listed Buildings)
BE17 (Preservation of Listed Buildings)
BE18 (Design Criteria for Listed Buildings)
BE19 (Changes of Use of Listed Buildings)

Other Material Considerations

National Planning Policy Framework (The Framework)
National Planning Practice Guidance

CONSULTATIONS (External to Planning)

Historic England - No comment to make but advise that advice should be sought from the Council's own archaeologist and conservation services.

War Memorials Trust – Originally objected to the loss of the cricket pavilion

VIEWS OF THE MACCLESFIELD TOWN COUNCIL

Note that this application would be under the direction of the Conservation Officer but asked that any decisions are made with sensitivity.

OTHER REPRESENTATIONS

Representations were received from 12 addresses including a petition, submissions made by Macclesfield Civic Society, the Kings School, and residents and community groups, expressing the following views:

- All of the Kings school sites should have been considered collectively – separation of planning applications
- When considering previous proposals at the other Kings Schools sites, the case was made that this site was of little commercial value and used to justify a lack of affordable housing on these sites
- Proposal are contrary to policy and guidance
- Support the residential use of the site
- Development is not needed for the Council's housing land supply – no strategic need
- Brownfield development is already running ahead of expectations
- Proposal represents an overdevelopment of the site with high density
- Design, layout, scale, height and density of the proposed buildings are not sympathetic to the site and surroundings and will appear prominent
- Use of flats roofs not appropriate
- Lack of affordable housing
- Loss of green open space and playing field
- Demolition of the War Memorial Cricket Pavilion does not respect the memory of those who arranged its construction and those it commemorates
- Cricket pavilion should be repurposed
- War memorial garden will not compensate loss of the cricket pavilion
- Increase in traffic on local highway network
- Lack of parking provision
- Development too close to neighbouring properties resulting in overshadowing and loss of light
- Series of balconies overlooking neighbouring properties would result in overlooking
- Increase in air pollution and impact on air quality and health of residents
- Impact on residential amenity from construction works
- Materials not in keeping (grey brick)
- Coare Street should be closed at its mid point as was planned a few years ago
- The access only onto Coare Street / Pownall Street is continually ignored and this would be made worse
- Impact on trees including those subject of Tree preservation Orders
- The visibility splays required for the access off Coare Street would reduce on street parking for existing residents
- Proposals not sympathetic to the heritage of the site
- Heritage assessments flawed
- Noise nuisance from Coare Street will be made worse with more traffic
- Development will not stand the test of time

- Town has declared a climate change emergency yet the carbon footprint does is a big concern
- Increased risk to safety of children travelling to school
- Use of Pownall Street entrance could impact on amenity
- Loss of iconic views
- Access proposals could create a rat rut
- Impact on drainage and flooding
- Impact on protected species including bats and owls
- Lack of explanation as to planning process
- Lack of information available to assess proposals and uploaded after consultation notification letters sent
- Retention of existing stone boundary walls and potential damage
- Lack of proposals for new trees
- Encroachment into tree root protections areas
- Size and bulk of school extension in relation to the existing school block in excessive and change in roofline will detract from its appearance
- Loss of existing chimneys
- Large expanse of brick work on side elevation of Coare Street block
- Non listed buildings should be treated with similar value to the listed building owing to their group value
- Materials from demolition should be reused within the site
- Unsustainable incursion into minimum root protection area of established trees
- Small gardens
- Unsustainable restrictive covenants
- Inaccuracies in plans
- Subsidence risk
- Vibration to neighbouring properties from construction
- Cycle and walking opportunities very limited and wider connections should be made with Beech Road and Manchester Road
- Scheme should be reviewed by an expert for disabled access
- Electric charging points, charging storage for mobility scooters and adequate bin storage should be included
- Proposal will add much needed vitality to the town centre
- Impact on townscape underestimated
- Pre-consultation process has been flawed
- Lack of co-ordination with other strategic development in the area e.g. Local Development Orders at Whalley Hayes car park and Strategic Regeneration Framework
- Statements made by the applicant are misleading
- CEC found to have previously falsified air quality data
- Retention of boundary walls
- Welcome the replacement Percy Vale building
- Emergency vehicle access will be difficult and illegal parking will continue to be a problem
- Construction hours should be limited
- Loss and impact on wildlife
- Existing drainage infrastructure insufficient to support development
- Remembrance gates not wide enough for access

- Other brownfield sites should be utilised
- Housing density
- Parking
- Traffic flow – what plans are in place for a by pass for the traffic
- Privacy and overlooking
- Design and style
- Environment, including air quality, wildlife, trees
- Affordable housing
- Ownership and maintenance responsibility
- for gates, boundary walls, trees
- Loss of protected green open space in centre of Macclesfield
- Loss of memorial cricket pavilion
- Lack of parking including a loss of existing on street parking on Coare Street
- Lack of affordable housing
- Overdevelopment of the site and density too high
- Nothing has changed regards poor access to and from the site and increased traffic and parking problems in an already densely built up area
- Some key documents not uploaded (Zones 1, 2, 3 and 4)
- Loss of the cricket pavilion war memorial
- Loss of view of the school through the main gates on Cumberland St
- Design of the proposed dwellings is not sensitive enough to the site
- Impact on privacy of neighbouring properties
- Impact on air quality
- Proposals will destroy the beautiful aspect of the open space from the Memorial Gates
- Loss of privacy and in contravention of CEC separation distances including emerging policy
- Optimum viable use for heritage assets should be secured without harm
- The balance of harm versus benefit has not been adequately explored
- The public benefit of “bringing forward housing” on the cricket pitch has not been demonstrated to outweigh the public disbenefits of (i) diminishing the setting of the heritage assets, and (ii) contravening local plan policies, including those on separation distances, parking, and affordable housing
- The plans are not to a standard that the Council should accept
- Site will be fragmented with parcels sold on to other developers
- The viability appraisal needs to be redone as it is out of date and unsound and does not follows RICS guidelines
- There will be harm to the heritage assets
- The developer’s ongoing failure to recognise the cricket pavilion’s memorial status puts the integrity of its conversion in jeopardy
- Concern that the memorial lintel will be lost
- It was originally stated that this development will not involve building on the cricket pitch and would be low density
- Not later living is a C3 use not C2
- CGIs are misleading
- Design and house-types are poor, too tall and will not stand the test of time
- Proposed accesses will reduce on street parking and conflict with visibility
- Coare street is used as a cut through which will increase

- Refuse and emergency vehicle access will be hindered
- Increase in Traffic - Highways should be discussing 15/4285M, 15/4540M and 19/1068M together
- 70% loss of cricket pitch / open space
- Density of housing proposed is too high for a small site
- More vehicles will further reduce air quality
- The science block should be retained
- The second row of houses on the cricket should be removed
- Potential structural impact on neighbouring properties
- More detail on noise attenuation required
- Affordable housing location should be reviewed

OFFICER APPRAISAL

Background

The application seeks Listed Building Consent for the redevelopment of the existing King's School site at Cumberland Street in Macclesfield for residential purposes. This follows the relocation of Kings School from its current two separate girls and boys' campuses in Macclesfield town to a newly constructed girls and boys' school at the site adjacent to the existing Derby Fields off Alderley Road in Prestbury. The other King's School sites at Fence Avenue and Westminster Road will be redeveloped for housing. Work to construct the residential development of part of the Westminster Road site is well underway.

Heritage Considerations

Policy SE7 of the CELPS states that, the Council will support development proposals that do not cause harm to, or which better reveal the significance of heritage assets and will seek to avoid or minimise conflict between the conservation of a heritage asset and any aspect of a development proposal by:

- i. Requiring development proposals that cause harm to, or loss of, a designated heritage asset and its significance, including its setting, to provide a clear and convincing justification as to why that harm is considered acceptable. Where that case cannot be demonstrated, proposals will not be supported.
- ii. Considering the level of harm in relation to the public benefits that may be gained by the proposal.
- iii. The use of appropriate legal agreements or planning obligations to secure the benefits arising from a development proposal where the loss, in whole or in part of a heritage asset is accepted.

Paragraph 195 of the Framework states that, where a proposed development will lead to substantial harm to or total loss of a designated heritage asset, LPAs should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve public benefits that outweigh the harm or loss.

Paragraph 196 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed

against the public benefits of the proposal including, where appropriate, securing its optimum viable use'.

Each of these local plan policies sets out a clear presumption against substantial harm of loss of designated heritage assets except in exceptional circumstances or cases of clear public benefit.

Assessment of Impact

The alterations proposed for the change of use of the principal listed building on this site, (formerly in use as a library and Headmasters house) are:

Internally:

The closing up of many current door openings to allow separation (for apartments), there will also be the introduction of new studwork (timber and plasterboard stud portions) to form new bathrooms kitchens etc. Additionally, there will be new staircases to modify the current internal layout. The ventilation requirements do need further information but could be conditioned. Given the previous work undertaken within the building, these proposed alterations can be accommodated within the fabric of the existing building without detracting from its historic significance and will help with the general internal condition of the building.

Externally:

The South, West and East elevations: The lengthening of the current Gothic windows (lowering of the existing sills) with a new transom detail to accommodate the interface with the new internal floor line and the redesign of these windows (alteration to transoms) to accommodate for new opening when viewed from a distance will not appear to alter the view of the current Library building, although there will be some change to the historic fabric. The Council's Design and Conservation Officer does not object to this.

North Elevation:

The demolition of a non-original part of the building is proposed with the insertion of contemporary glazing into part of this elevation exposed by the demolition. This is acceptable to the listed building as it will reveal the original fabric of this elevation and therefore serves as benefit of the scheme. The proposed works while losing some of the original fabric of the building will allow this building to be brought into a new use as apartments without losing its essential architectural appearance and thus save this building for future generations to enjoy.

Boundary Walls:

In regard to boundary walls, the proposals generally seek retention and repair. Some localised modification will occur, but this will not lead to harm to the character of the walls in their entirety and planning conditions could be used to ensure this.

Demolition:

In addition to the conservation works to the principal buildings, the proposal also intends the demolition of the one pre-1948 building falling within the curtilage: the science block, which as the assessment identifies, are subject to the same protection and considerations as those for the principal listed buildings. The cricket pavilion is now proposed to be retained and relocated a short distance from where it already sits.

Both have significance in their own right. However, they also have an enhanced collective value as part of the Kings ensemble, with the cricket pitch as their foreground. The relationship between the pitch and the cricket pavilion is especially strong. As it stands, demolition of the science block would result in total loss of one these two curtilage buildings and there would be harm as a consequence. The cricket pavilion would be relocated so as to front out over the cricket pitch whilst still accommodating the development along the eastern edge of the site and integrating it also.

The submitted heritage statement sets out the assessment of significance undertaken for the various assets. Both the science block and the pavilion are assessed as having low significance. This is a fair reflection of the significance of the Science Block. It was initially considered that it did not adequately reflect the communal significance of the cricket pavilion, thought to be built to commemorate the fallen of WWI. This historic connection is something very important to the school, reflected both in the pavilion but also the memorial within the Main School building and the memorial gates (WWII).

The submitted Heritage Statement uses the assessment of heritage significance using Highways England's Design Manual for Roads and Bridges 2016 (DMRB). The DMRB recommends that heritage assets should be assessed into one of five categories, based upon specified criteria. Whilst the DMRB methodology rightly identifies greater significance attached to the principal listed buildings, the main school building, and the enclosing structures, it does not enable a more subtle distinction when assessing these lesser assets. The added communal value of the pavilion clearly sets it apart from the science block in terms of significance.

The present group of buildings forming the School as viewed from the south have a strong group value. However, from Coare Street and Pownall Street, the school has a lower group value arising from the modern elements that are of low architectural quality except the original school and headmaster's house at the corner of Coare Street and Westminster Road. The removal and replacement of more modern and unsympathetic extensions and buildings on the northern side of the main school buildings will enable betterment, whereas the proposed demolition of the science block will erode the present group value experienced from the main viewpoint. It is considered that, at best, the significance of heritage impact would result in slight/moderate harm based on the current proposals. This harm has been reduced following the decision to retain the cricket pavilion albeit in a different position.

Impact upon the setting of the assets:

The setting of heritage assets is defined in policy as the surroundings within which assets are experienced and often this is expressed in terms of views. The setting of the assets at Kings are interrelated and contribute to one another, including that of the Alms houses to the south of Cumberland Street. The principal view of the heritage assets is that from the site entrance toward the north. But the Kings setting is more than just this view; it is also about atmosphere within the site. The openness within the front part of the site contributes greatly to this, albeit it is not a formal or designed space. It epitomises King's. Views out from buildings across the space and from the cricket pitch toward the hills to the east of the town also contribute toward the setting of the assets, creating a visual connection to the wider landscape.

The area of concern in terms of setting is the proposed development in the western part of the site, forward of the headmaster's house and the original school building. As already discussed, the proposals for the later living block will be far more strident by virtue of the scale and mass

of the building. Whilst it may not be any taller than the Art block that it would replace, or the ridge line of the old school building, its footprint is larger than that of the building to be demolished and it will enclose much of the western side of the site as seen in the view from the site entrance off Cumberland Street. This has been improved by widening the gap between the northern end of the Later Living block and the school building and this would allow greater views of the heritage asset from the Sainsbury's roundabout. It is considered that this aspect of openness will be restricted to a limited view and the benefits of the scheme as a whole are considered to outweigh this harm as discussed previously in this report.

The amended scheme does not have any greater impact on the designated heritage assets than the schemes that have been considered previously by Members save for the benefit of retaining the existing cricket pavilion. The conclusions drawn by officers remain the same. On this basis, officers conclude that the impact on the designated heritage assets would be acceptable in this case in accordance with Policy SE 7 of the CELPS and saved policies BE16, BE17, BE18 and BE19 of the Macclesfield Borough Local Plan.

Cricket Pavilion and Memorials

The cricket pavilion was originally constructed in 1934 as a library and pavilion partly using funds left over from donations following WW2. An alcove was left to indicate the source of part of the funds where an inscription was later placed reading 'In Memoriam, 1914-18'. Many representations expressed concern at the loss of the cricket pavilion and stated that it should either be retained, relocated on site or at the new school site. Member's expressed similar concerns and as a consequence, the amended scheme proposes to relocate the pavilion within the site and to re-purpose it as two affordable two-bedroom dwellings. This is considered to be a positive of the scheme as it will result in the retention of a curtilage listed structure, will maintain the memorial connection with the school and the fallen whilst also providing a reference to the former use of the site as a school cricket pitch.

With respect to the memorials specifically, the school previously submitted their own representation on this matter in the form of a Memorial Statement. The submission set out primarily how the school continues to honour those former staff and pupils that have lost their lives in conflict.

Firstly, the school's memorial plans take the form of:

- 900 seat assembly hall at the new school campus which will be the principal memorial facility
- Relocation of the physical memorials to new school site
- Replica of the war memorial gates to the Cumberland Street entrance to be erected at the new school site
- Lintel within the existing cricket pavilion reading 'In Memoriam, 1914-18' to be incorporated into a new cricket pavilion

The 900 seat assembly hall is now operational at the site of the new Kings School and the war memorial plaques listing the names of the fallen have already been relocated and displayed in the hall.

The remaining memorials take the form of:

- War memorial gates to the Cumberland Street entrance
- Memorial lintel in the cricket pavilion

Now that the scheme has been amended to retain the cricket pavilion on site, the memorial lintel would be retained. There is also an opportunity to maintain a continuity of connection with the site of the new school. This could take the form of an interpretation of the wider history of the school (e.g. history boards), of which part would be the remembrance of those ex pupils lost in conflict. This would add weight to the commemoration and help raise awareness within the community and future residents of this historic connection. Coupled with the applicant's proposal for the memorial garden within the site, retention of the cricket pavilion and memorial gates, the proposal is found to be acceptable in terms of its heritage impacts and memorial proposals.

CONCLUSIONS

The proposal would remove the existing unsightly 20th Century additions to the principal Grade II Listed buildings and would thereby enhance the heritage asset. The proposal would secure the retention of the heritage asset and provide it with a viable future use. Any harm would be less than substantial and, in any event, would be outweighed by the public benefits of the scheme. Such benefits include ensuring a sustainable future use is secured for such an important and prominent site within Macclesfield; the provision of a public pedestrian / cycle link increasing connectivity through the site; the high quality design credentials; the retention / relocation of the cricket pavilion and opening up views of the principal listed buildings from the Sainsburys roundabout. There are also the general environmental, economic and social benefits attributed to bringing forward housing on this now vacant site within a highly sustainable location close to the town centre. Accordingly, the application is recommended for approval subject to conditions.

RECOMMENDATION

APPROVE subject to the following conditions:

1. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. No development involving the loss of the existing cricket pitch shall be carried out until a timetable has been agreed for its replacement.
4. Details of ground levels to be submitted, approved and implemented
5. Details of external facing materials to be submitted, approved and implemented and notwithstanding the submitted detail, to include the use of stone.
6. Details of surfacing materials to be submitted and to be conservation style in accordance with design guide
7. Details of boundary treatments to be submitted, approved and implemented including retention of boundary walls
8. Retention of war memorial gates
9. Scheme of memorial proposals to be submitted and approved
10. Submission of a scheme and method statement for the retention of the façade of the main school block to be submitted and approved

11. Submission of a scheme and method statement for relocation of cricket pavilion to be submitted and approved (including retention of memorial lintel)
12. The material and colour of any rainwater goods to be installed on the principal listed buildings shall be cast metal and painted black, unless otherwise agreed
13. Prior to the installation of any fenestration as part of the works to the principal listed buildings, drawings indicating details of all windows and external doors, including cross sections of glazing bars shall be submitted and approved
14. All windows and doors in the external elevations of principal listed buildings shall be fabricated in timber
15. Details of any repairs to the boundary walls shall be submitted to and approved
16. Details showing the location, size, design and materials of the proposed boundary treatments shall be submitted to and approved
17. No new plumbing, pipes, soil stacks, flues, vents, ductwork grilles, security alarms, lighting, satellite dishes, cameras or other fixtures shall be attached to the external faces of the principal listed buildings

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



- CROSS REFERENCE KEY**
- School Block - for detail drawings refer to 464-MP-001-1000 drawing series
 - Library - for detail drawings refer to 464-MP-001-1000 drawing series
 - Gate House - for detail drawings refer to 464-MP-001-1000 drawing series
 - Art Block - for detail drawings refer to 464-MP-001-1000 drawing series
 - Music Block - for detail drawings refer to 464-MP-001-1000 drawing series
 - Science Block - for detail drawings refer to 464-MP-001-1000 drawing series
 - Dining - for detail drawings refer to 464-MP-001-1000 drawing series
 - Main Hall - for detail drawings refer to 464-MP-001-1000 drawing series
 - Secondary Building - for detail drawings refer to 464-MP-001-1000 drawing series

version: 001 | title:
A 21/03/2019 | based for planning

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project:
Kings School Macleod
site:
Location plan
scale:
1:1250 @ A3
date:
21/03/2019
drawing number (revision):
464-MP-001-001-A
based for:
planning document

PROJECT3
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w: www.project3architects.com

Application No: 20/5699C

Location: GLEBE FARM, BOOTH LANE, MIDDLEWICH

Proposal: Variation of condition 21 on 13/3449C - Outline application for residential development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure.

Applicant: G Bancroft, Taylor Wimpey UK Ltd

Expiry Date: 23-Apr-2021

SUMMARY

The principle of the development has already been accepted. The wording of condition 21 to exclude construction vehicles accessing the site from Warmingham Lane is not considered to be reasonable or necessary. The variation to allow construction vehicles access via Warmingham Lane to construct up to 75 dwellings would not result in an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe. The application complies with the relevant policies of the Development Plan and the NPPF.

RECOMMENDATION

APPROVE subject to S106 Agreement and the imposition of planning conditions

REASON FOR REFERRAL

This application is referred to Strategic Planning Board as it seeks to vary a condition which was specifically added by the Strategic Planning Board at the meeting on 2nd April 2014.

DETAILS OF PROPOSAL

Outline application 13/3449C gave approval for up to 450 dwellings with an average density of 35 dwellings per hectare. Access was approved at this stage and there are two access points to serve the site; one via Warmingham Lane to the west and the second access via Booth Lane to the east.

This application seeks to vary condition 21 imposed as part of application 13/3449C which states that;

The access point to Booth Lane shall be provided in accordance with the approved details prior to the first occupation of the development. There shall be no access for construction traffic at any time from Warmingham Lane.

Reason: In the interests of highway safety.

The applicant proposes to amend this condition as follows;

The access point to Booth Lane shall be provided in accordance with the approved details prior to the first occupation of the development of the units on the eastern side of the site. Construction traffic will be permitted to access the site from Warmingham Lane to serve the construction of the western parcel of development only in accordance with plan reference DGL/2916/TWM-CAP-01. Construction traffic will not be permitted to access the site from Warmingham Lane at any time following completion of the final dwelling within the western parcel (as illustrated on plan reference DGL/2916/TWM-CAP-01).

The supporting Highways Technical Note refers to the an alteration to the design of the Booth Lane access point. The agent has since confirmed that this does not form part of the application and it seeks only to allow construction access via Warmingham Lane.

SITE DESCRIPTION

The site of the proposed development extends to 15.3 ha and is located to the south of Middlewich. The site forms part of LPS42. To the north is residential development fronting Kingswood Crescent, Shilton Close, Northwood Avenue and Inglewood Avenue. To the south is agricultural land. A former sports ground is included within the site. To the east of the site is Booth Lane with the Trent and Mersey Canal beyond, to the west of the site is Warmingham Lane.

The majority of the site is currently in agricultural use and there are a number of trees and hedgerow to the boundaries of the site. The site also includes a number of ponds.

RELEVANT HISTORY

21/0607C - Application for the approval of reserved matters for the appearance, landscaping, layout and scale following outline approval 13/3449C - Outline application for residential development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure - Application Undetermined

20/5702C - Non-material amendment to 13/3449C - Approved 17th February 2021

20/5700C - Reserved Matters application for appearance, landscaping, layout & scale following outline approval 13/3449C for 404 dwellings, retail unit, public open space, and associated works - Application Undetermined

13/3449C - Outline application for residential development (approximately 450 dwellings), retail unit (A1, A2, A3, A4 and/or A5) and supporting infrastructure - Approved 20th February 2018

PLANNING POLICY

Development Plan

Cheshire East Local Plan Strategy (CELPS)

LPS42 - Glebe Farm, Middlewich

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

CO1 - Sustainable Travel and Transport

CO2 - Enabling Business Growth through Transport Infrastructure

Congleton Borough Local Plan First Review 2005

PS8 – Open Countryside

GR6 - Amenity

GR9 - Accessibility, servicing and provision of parking

GR14 - Cycling Measures

GR15 - Pedestrian Measures

GR16 - Footpaths Bridleway and Cycleway Networks

GR17 - Car parking

GR18 - Traffic Generation

Moston Neighbourhood Plan

The Moston Neighbourhood Development Plan was made on 14th February 2019.

REC1 - Footpaths, bridleways, cycleways and the canal towpath

National Policy

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs 108 and 109.

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure (HSI): It is not considered that the proposed construction of 75 units from Warmingham Lane would have an undue highway impact as the majority of the units will be constructed from Booths Lane. The variation of Condition 21 is therefore acceptable subject to restrictive conditions.

Strategic Housing Manager: No further comments to make.

CEC Education: No comments received.

CEC POS: No comments received.

Environmental Health: General informatives suggested relating to construction hours and dust management.

Natural England: No comments to make.

Cheshire Brine Board: As the proposed variation of condition doesn't involve foundations the board would not normally make any comments.

Canal and River Trust: The C&RT offer the following general advice.

Construction traffic would be re-routed to use Warmingham Lane and Mill Lane. This would require construction traffic to use Bridge 161 Crows Nest over the Trent & Mersey Canal. No indication has been given as to the size/weight of the HGVs. C&RT records indicate the bridge has been strengthened to take 40T mgw. The C&RT is concerned that larger construction plant and machinery or vehicles which exceed this weight limit could damage the bridge. Detail of any proposed abnormal or indivisible load movements should be sent to C&RT for review in advance.

It would be useful if this could be appended to the CEMP so that any abnormal loads using this route would not cause damage to the canal infrastructure.

United Utilities: No comments received.

Sport England: The proposed development does not fall within Sport England's statutory remit or non-statutory remit.

Environment Agency: No comments received.

Archaeology: Unable to offer further comments on this application.

CEC PROW: No comments received.

PARISH/TOWN COUNCIL

Middlewich Town Council: Objection due to concerns over traffic and the traffic plan done in 2013 and improvement to infrastructure, doctors, and schools required.

Moston Parish Council: Moston Parish Council object to the application on the following grounds;

- Condition 21 was included in the outline planning decision in the interests of highways safety.
- To promote the extra use of HGV's on country lanes where traffic has already increased is completely contrary to the reason for the condition and a safety hazard to other road users.
- Warmingham Lane to the South, Forge Mill Lane, Dragons Lane and Mill Lane to the junction with Booth Lane the A533 have no footpaths or kerbs, already have damaged surface and verges, are a well-used rat run and part of National Cycle Route 5. The route includes a narrow canal bridge with a sharp bend where there have been over 20 accidents in the last 3 years
- There is no justification to change this important condition, be it on financial or any other reasons, highway safety is paramount on Warmingham Lane and associated rural lanes.

REPRESENTATIONS

Letters of objection have been received from 9 local households raising the following points;

- Loss of privacy
- Impact upon property value
- Problems with subsidence
- Noise and disturbance caused by the building works
- Proximity of the dwellings to the rear boundaries of Shilton Close and Woodstock Drive
- A buffer should be provided to Sycamore Close and Woodstock Drive
- No bungalows are being provided
- Drainage infrastructure is at capacity
- Traffic congestion issues at Cledford
- Highway safety at the roundabout at Sycamore Drive/Warmingham Lane
- Increased vehicular movements
- Lack of infrastructure in Middlewich to cope with a development of this size
- Vehicle speeds along Warmingham Lane
- The condition is in the interests of highway safety
- Profit before safety
- Height of the houses at the northern end of the site - cause a loss of light
- The brook which runs along the rear boundary of Shilton Close is a wildlife haven and the application includes the thinning of trees and bushes - this will impact upon wildlife
- Parts of the site are subject to flooding (including the rear of 19/21 Kindswood Crescent)
- What will happen with the stream on the site
- Concern over privacy from windows on plots 280 and 281
- Plots 280 and 279 are very close to the boundaries of the site
- Further tree planting should take place on the site
- Clarification over the proposed boundary treatment is required
- What traffic calming measures are proposed along Booth Lane and Warmingham Road
- Increased noise and air pollution
- Concern over the proximity of the development to an Oak tree on the boundary of the site
- Loss of habitat - what wildlife protections are in place
- What flood protection measures are in place
- Impact upon infrastructure - schools, leisure facilities, doctors and dentists
- Impact upon pedestrian, cyclist, horse rider and litter picker safety
- The roundabout on Warmingham Lane is off-set and vehicles do not slow down at the roundabout
- Proximity of the access to the Morris Homes Development
- Proximity of buildings to the salt pipeline crossing the site. Concern that the access will be built over the salt pipeline.
- No additional housing is required
- Litter and fly tipping in the area
- Rural lanes are not appropriate for large construction vehicles
- There are many near-misses on local roads
- The presence of large vehicles makes rural roads uninviting and intimidating

An objection has been received from British Salt Limited (BSL) which raises the following points;

- BSL own and operate several brine and associated pipes connected to the brinefield and salt factory. The pipework is located below ground and it is essential that access to the pipework is retained.

- A Deed of Grant of Easement was signed between BSL, the applicants, landowner and prospective developers. The Deed provides for the construction of roads and footpaths upon or over the pipework but only following written approval of BSL.
- The masterplan approved as part of the outline application left details for approval at Reserved Matters stage and BSL did not make representations.
- As part of the outline application access was illustrated as being from two potential points, one to the east from Warmingham Lane, and one to the west from Booth Lane. The access point from Warmingham Lane is of particular interest to BSL given that the site is restricted at this end of the site to a thin 20m strip meaning that development would consequently hinder access to the underground pipe network contrary to the existing easement.
- The reason for condition 21 is in the interest of highway safety and the condition was considered to be necessary to make the development acceptable.
- The justification for the application is to speed up delivery rates and avoid upfront costs associated with the construction of the spine road.
- The Technical Highways note is missing from the application.
- The condition was imposed as Warmingham Lane was judged to be at capacity and any increase in traffic is unacceptable. For that reason BSL objects to the variation of condition 21.
- The detailed design submitted as part of the RM application does not allow access for the pipeline easement.
- BSL specifically made representations about the Glebe Farm site as part of the CEC Local Plan
- BSL object to this application.

APPRAISAL

Principle of development

This principle of the development has been accepted and this application is to consider the variation of condition 21 only. Specifically, this is to allow construction traffic to enter the site via Warmingham Lane to construct the western portion of the site as identified on the plan extract below.



Two vehicular access points to serve the development were approved as part of outline application 13/3449C (one taken via Warmingham Lane and one via Booth Lane). This would effectively split the traffic generation from the housing development giving options for traffic distribution.

It is also worth noting that the decision notice also includes condition 5 which restricts the hours of construction to Monday-Friday 08:00 to 18:00 and Saturday 09:00 to 14:00. This condition would be retained as part of this application.

Paragraph 55 of the NPPF makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects

These are referred to as the 6 tests, and each of them need to be satisfied for each condition which an authority intends to apply. It is necessary to consider whether condition 21 meets these tests.

The approved access from the A533 Booth Lane is a signalised junction and the secondary access from Warmingham Lane is a priority junction.

The applicant states that the varying condition 21 will allow Taylor Wimpey to construct, complete and occupy the dwellings at a quicker rate and enable the S106 funds including the Middlewich Bypass contributions to be paid at a much quicker rate.

The applicant plans to develop the site from both Booth Lane and Warmingham Lane. It has been stated within the Transport Technical Note supporting the application that the Warmingham Lane access would be used for the construction of up to 75 units.

The principle of construction vehicles using Warmingham Lane has previously been accepted on a number of sites including the Bellway Development and the Morris Homes Development which are now largely complete.

The construction routing to and from the site has been described in the technical note and is to use the rural element of Warmingham Lane and not the urban residential part of Warmingham Lane. Whilst the routing of HGV's can be agreed in the Construction Management Plan this cannot be restricted by a planning condition as Warmingham Lane is a public highway open to all traffic.

It is estimated that construction traffic usage of Warmingham Lane will be low and that an average of 2 HGV's per hour would be generated during construction.

Highways Officers raise not objection to the removal of the condition. It is not considered that the proposed construction of 75 units from Warmingham Lane would have an undue highway impact as the majority of the 404 units will be constructed from Booth Lane. The predicted level of daily construction traffic is low and although construction routing cannot be enforced the HGV routing to the site can be set out in the Construction Management Plan. The variation of Condition 21 is considered acceptable as the condition as currently worded is not necessary or reasonable.

Canal Implications

The Canals and Rivers Trust (C&RT) have made comments about the potential impact of large construction vehicles using a bridge over the Trent & Mersey Canal. The bridge in question (No 161 - Crows Nest) is unlisted but within the Conservation Area and carries Mill Lane over the canal.

The C&RT have confirmed that vehicles up to 40T mgw (maximum gross weight) are permitted to cross the bridge without a requirement to notify the C&RT. Any vehicles between 40-80T mgw require advanced notification of the C&RT and are subject to a two clear working days minimum notice period.

Other Matters

The comments raised in the representations are noted. The majority of the points relate to the principle of the development or matters relating to the Reserved Matters applications. These issues cannot be considered as part of this application and the only issue to consider is the variation of condition 21 and whether it is acceptable to allow some construction traffic to enter the site via Warmingham Lane.

Conclusion

The principle of the development has already been accepted. The wording of condition 21 to exclude construction vehicles accessing the site from Warmingham Lane is not considered to be reasonable or necessary. The variation to allow construction vehicles access via Warmingham Lane to construct up to 75 dwellings would not result in an unacceptable impact on highway safety and the residual cumulative impacts on the road network would not be severe. The application complies with the relevant policies of the Development Plan and the NPPF.

RECOMMENDATION

APPROVE subject to the completion of a S106 Deed of Variation to ensure that the obligations contained within the original S106 apply to this decision.

And subject to the following conditions;

- 1. Standard Outline**
- 2. Submission of Reserved Matters**
- 3. Time limit for submission of reserved matters**
- 4. Approved Plans (as amended as part of application 20/5702C)**
- 5. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays and Bank Holidays**
- 6. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
- 7. Prior to the commencement of development a Phase I Contaminated Land Assessment shall be submitted to the LPA for approval in writing.**
- 8. Details of external lighting to be submitted and approved**
- 9. Dust control measures to be submitted and approved**
- 10. Prior to the development commencing, a Construction Environment Management Plan shall be submitted and agreed by the planning authority. This shall include reference to the C&RT comments in relation to the Canal Bridge**
- 11. A scheme for the acoustic enclosure of any fans, compressors or other equipment for the proposed retail store**
- 12. A detailed scheme of glazing, ventilation mitigation measures and acoustic screening fences, should therefore be prepared and submitted at the Reserved Matters application stage**
- 13. Travel Plan provision**
- 14. Electric vehicle Infrastructure**
- 15. The submission of a ground dissolution/brine extraction related risk assessment and proposals regarding suitable foundations designed to overcome the potential effects of brine pumping related subsidence.**
- 16. A scheme to limit the surface water run-off from the site**
- 17. A scheme to manage the risk of flooding from overland flow**
- 18. The provision of a buffer to the water course**
- 19. Provision of bird and bat boxes**
- 20. Works should commence outside the bird breeding season**
- 21. The access point to Booth Lane shall be provided in accordance with the approved details prior to the first occupation of the development of the units on the eastern side**

of the site. Construction traffic will be permitted to access the site from Warmingham Lane to serve the construction of the western parcel of development only in accordance with plan reference DGL/2916/TWM-CAP-01. Construction traffic will not be permitted to access the site from Warmingham Lane at any time following completion of the final dwelling within the western parcel (as illustrated on plan reference DGL/2916/TWM-CAP-01).

22. No development shall take place within the area until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The work shall be carried out strictly in accordance with the approved scheme.

23. Reserved matters application to include details of existing and proposed levels

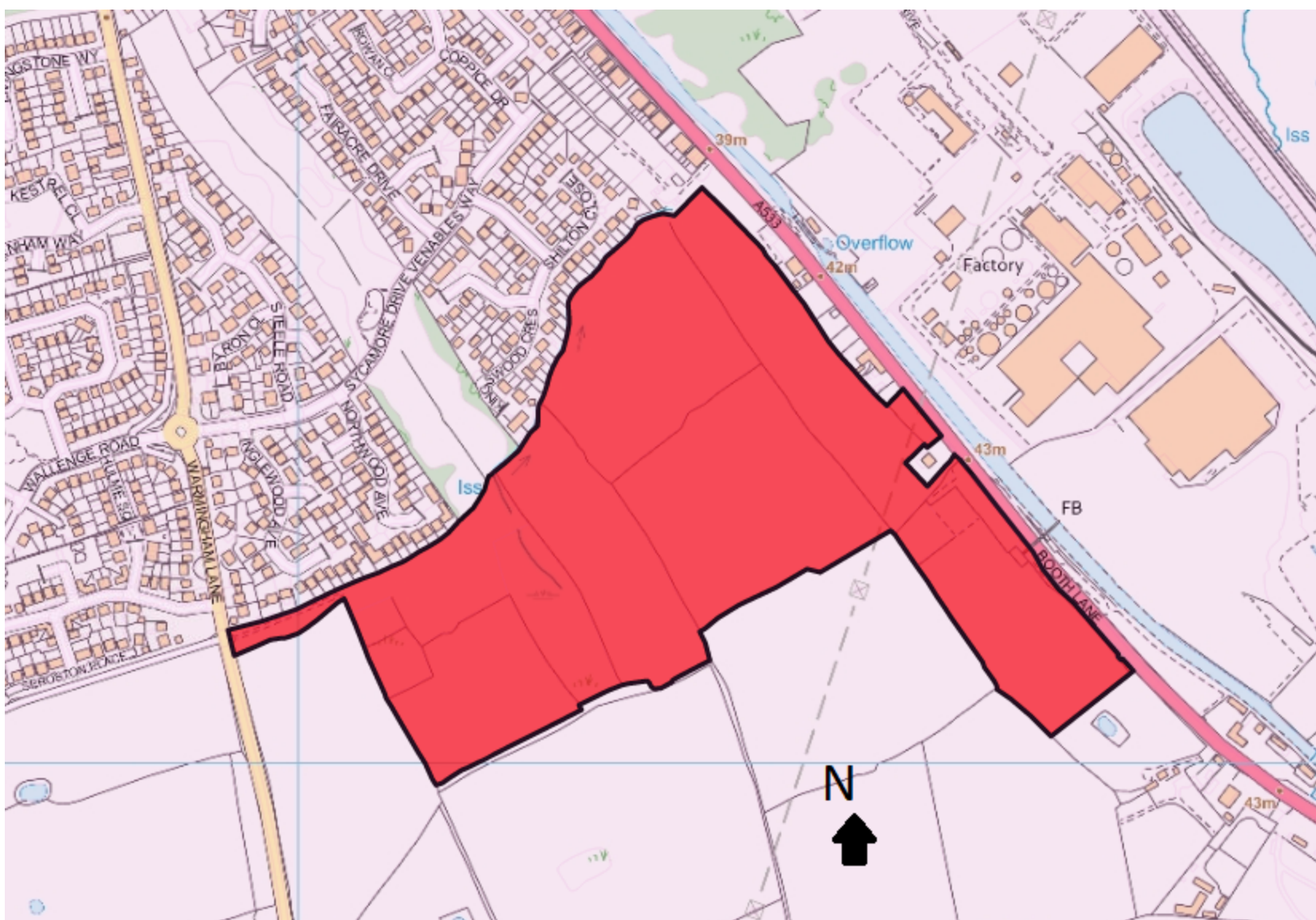
24. Tree protection

25. Tree retention

26. Arboricultural Method Statement to be submitted at the Reserved Matters stage

27. If the Reserved Matters application results in the loss of any ponds replacements should be provided.

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



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Working for a brighter future together

Strategic Planning Board

Date of Meeting: 21st April 2021

Report Title: Draft Biodiversity Net Gain Supplementary Planning Document

Portfolio Holder: Councillor Toni Fox, Portfolio Holder for Planning

Senior Officer: Frank Jordan, Executive Director of Place

1. Report Summary

- 1.1. This report seeks the Strategic Planning Board's views on the draft Biodiversity Net Gain Supplementary Planning Document ("SPD").
- 1.2. The preparation of an SPD involves two rounds of public consultation. This is the first consultation stage and will be followed by another opportunity to comment on a final draft version of the SPD, which is consulted upon alongside a consultation statement. Having also considered comments made at that stage, the SPD may then be considered for adoption by the council.
- 1.3. Once adopted, the SPD will provide additional planning policy guidance on the implementation of Local Plan Strategy policies SE3 'Biodiversity and Geodiversity', SE5 Trees Hedgerows and Woodland, SE6 'Green Infrastructure'. The SPD, once adopted, will be a material consideration in decision making and support the delivery of key policies in the Local Plan Strategy.

2. Recommendations

That the Strategic Planning Board: -

- 2.1 Considers the draft Draft Biodiversity Net Gain Supplementary Planning Document (Appendix 1).
- 2.2 Recommends that the Portfolio Holder for Planning approve and publish the draft Biodiversity Net Gain Supplementary Planning Document and associated Strategic Environmental Assessment / Habitats Regulations Screening Report

(Appendix B) and the Equalities Impact Assessment Screening Report (Appendix C) for a minimum of four weeks public consultation.

3. Reasons for Recommendations

- 3.1 Local Plan Strategy policy SE3 requires all development to positively contribute to the conservation and enhancement of biodiversity and establishes a requirement to support and improve ecological networks. This SPD provides guidance to applicants on how the Council expects these requirements to be achieved.
- 3.2 An SPD is not part of the statutory development plan. It is a recognised way of putting in place additional planning guidance and is capable of being a material consideration in determining applications involving relevant planning proposals.
- 3.3 Providing clear guidance up-front about policy expectations should enable applicants to better understand policy requirements. The SPD should assist applicants when making relevant planning applications, and the council in determining them.

4. Other Options Considered

- 4.1. The council could choose not to prepare an SPD on biodiversity. Any relevant planning application would continue to be assessed against existing planning policies. However, this would not allow the council to provide additional practical guidance to support the delivery and management of habitats in a consistent way that gives certainty to applicants and decision makers.

5. Background

- 5.1. Cheshire East Council's Corporate Plan sets out three aims. These are to be open, fair, and green. In striving to be a green Council, a key objective is to enhance and protect the environment in Cheshire East and support sustainable development whilst addressing the climate emergency. As such, this SPD sets out guidance on policies contained in the Local Plan Strategy that will support delivery of this ambition by providing guidance on how development is expected to make a positive benefit to habitats in the borough.
- 5.2. Biodiversity net gain is the securing of an increase in the extent and value of habitats, through the development process and this SPD provides guidance on the process that applicants should follow to achieve this.

- 5.3. One of the key objectives of the LPS is for the Plan to support the conservation and enhancement of biodiversity, ecological and geological assets in the borough. The LPS includes policy SE3 (Biodiversity and Geodiversity) which sets out how development should the type of sites that contribute are likely to have high biodiversity and geodiversity value and a requirement that all development must 'aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity'. The policy includes additional requirements for submission of construction management plans, landscaping, green infrastructure and open space proposals in certain circumstances.
- 5.4. This SPD aims to give greater clarity to developers, landowners, communities and decision makers on the issues of biodiversity and geodiversity in the development process. The draft Biodiversity Net Gain SPD provides additional guidance to applicants on how they should respond to the policy requirements in the LPS. It also 'signposts' sources of information, including relevant documentation and Council services.
- 5.5. The draft SPD has been jointly prepared by Strategic Planning and the Conservation and Heritage team. This has also been informed by input from the Development Management team.
- 5.6. The SPD contains several updates relating to how biodiversity should be addressed in a planning application. Specifically the SPD includes guidance on how applicants should assess habitats on their sites, the process through which the council expects design solutions to be assessed and how biodiversity metric calculations should be used to demonstrate that applicants preferred approach will deliver a net-gain in biodiversity.
- 5.7. Subject to the approval of the recommendations of this report, the SPD will be consulted on in accordance with the council's Statement of Community Involvement for a minimum period of four weeks.
- 5.8. The process for preparing an SPD is similar in many respects to that of a Local Plan document. However, they are not subject to independent examination by the Planning Inspectorate. There are a number of stages in their production:
- Publish the initial draft SPD for four weeks public consultation;
 - Consider feedback received and make any changes necessary;
 - Publish the final draft SPD, along with a consultation statement setting out who has been consulted in its preparation, the main

issues raised in feedback and how those issues been addressed in the final draft SPD;

- Having considered representations, the SPD may then be adopted,
- Following adoption, the SPD must be published and made available along with an adoption statement in line with the 2012 Regulations. The adoption of the SPD may be challenged in the High Court by way of judicial review within 3 months of its adoption.

- 5.9. Once adopted, the effectiveness of this SPD will be monitored as part of the Authority Monitoring Report, using information from planning applications and decisions. The outcome of this ongoing monitoring work will help inform future decisions about the SPD.

5 Implications of the Recommendations

6.1 Legal Implications

6.1.1 The Planning and Compulsory Purchase Act 2004 (as amended) and the Town and Country Planning (Local Development) (England) Regulations 2012 provide the statutory Framework governing the preparation and adoption of SPDs. These include the requirements in Section 19 of the 2004 Act and various requirements in the 2012 Regulations including in Regulations 11 to 16 that apply exclusively to producing SPDs.

6.1.2 Amongst other things, the 2012 regulations require that an SPD contain a reasoned justification of the policies within it and for it not to conflict with adopted development plan policies.

6.1.3 The National Planning Policy Framework and the associated Planning Practice Guidance also set out national policy about the circumstances in which SPDs should be prepared.

6.1.4 SPDs provide more detailed guidance on how adopted local plan policies should be applied. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan.

6.1.5 Strategic Environmental Assessment/ Habitats Regulations Assessment

6.1.6 Strategic Environmental Assessment involves evaluation of the environmental impacts of a plan or programme. The requirement for SEA is set out in the European Directive 2001/42/EC adopted into UK law as the “Environmental Assessment of Plans or Programmes Regulations 2004”.

6.1.7 The SEA Directive sets out a legal assessment process that must be followed. Often within the planning context, the SEA requirements are met by incorporating it within a Sustainability Appraisal (“SA”), which is a requirement for development plan documents.

6.1.8 There is no legal requirement for SPDs to be accompanied by SA, and this is reinforced in Planning Practice Guidance (PPG ref: 11-008-20140306). However, “in exceptional circumstances” there may be a requirement for SPDs to undertake Strategic Environmental Assessment where it is felt they may have a likely significant effect on the environment that has not been assessed within the SEA/SA of the Local Plan.

6.1.9 A screening assessment has been undertaken (in Appendix B) which has determined that a SEA (or an appropriate assessment under the Habitats Regulations) is not required for the SPD.

6.2 Finance Implications

6.2.1 There are no significant direct financial costs arising from consultation on the SPD. The costs of printing and the staff time in developing the SPD are covered from existing budgets of the planning service.

6.3 Policy Implications

6.3.1 The SPD will expand and amplify existing development plan policies related to ecology. An SPD will give additional advice to applicants on how they can demonstrate they have complied with relevant policies of the development plan.

6.4 Equality Implications

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

between persons who share a “relevant protected characteristic” and persons who do not share it.

- 6.4.2 The draft Biodiversity Net Gain SPD provides further guidance on the provision of new and managed habitats, and additional guidance on policy SE3 ‘Biodiversity and Geodiversity’. The SPD is consistent with the LPS which was itself the subject of an Equalities Impact Assessment (EqIA) as part of an integrated Sustainability Appraisal. A draft EQiA on the draft Biodiversity Net Gain SPD has been prepared (appendix C) and will be published alongside the draft SPD for comment.

6.5 Human Resources Implications

- 6.5.1 There are no direct implications for human resources.

6.6 Risk Management Implications

- 6.6.1 The subject matter of the report does not give rise for any particular risk management measures because the process for the preparation of an SPD is governed by legislative provisions (as set out in the legal section of the report).

6.7 Rural Communities Implications

- 6.7.1 The draft Biodiversity Net Gain SPD seeks to provide further guidance on the provision and management of habitats and ecologically valuable sites in the borough.

6.8 Implications for Children & Young People/Cared for Children

- 6.8.1 The draft SPD seeks to provide additional guidance on the provision of habitats in the borough. The appropriate provision of habitats can help support sustainable communities, especially where habitat delivery is carefully provided and integrated with recreation and green space.

6.9 Public Health Implications

- 6.9.1 The draft SPD will contribute to the delivery of habitats and provide guidance on how applicants can use recreational space to improve biodiversity whilst providing green and amenity space.

6.10 Climate Change Implications

- 6.10.1 The draft SPD highlights the importance of biodiversity, habitats and green space in addressing and mitigating the impact of climate change. Creating and restoring habitats that have been degraded can have an

important role to play in creating carbon sinks ensuring the survival of species.

7. Ward Members Affected

7.1 All wards are affected as the SPD will apply borough wide.

8. Consultation & Engagement

8.1 It is proposed that the draft SPD will be subject to four weeks consultation. Following this, all comments will be considered, and changes made to the SPD, as appropriate, before a final version of the SPD is prepared for approval and further consultation.

9. Access to Information

9.1 The following documents are appended to this report:

Appendix A: Draft Biodiversity Net Gain Supplementary Planning Document

Appendix B: SEA / HRA Screening Report

Appendix C: Draft Equalities Impact Assessment Screening Report

10. Contact Information

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

Name: Thomas Evans

Job Title: Neighbourhood Planning Manager

Email: Tom.evans@cheshireeast.gov.uk

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Cheshire East Local Plan

Biodiversity Net Gain Draft Supplementary Planning Document

April 2021



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1. Introduction

Purpose of the Supplementary Planning Document

- 1.1 Supplementary Planning Documents (“SPDs”) add further detail to policies contained within the development plan and are used to provide guidance on specific sites or particular issues. SPDs do not form part of the adopted development plan but they are a material planning consideration in decision taking.
- 1.2 This SPD provides guidance on achieving Biodiversity Net-Gain (BNG) from new development. BNG is achieved when a development site creates an increase biodiversity, compared to what was on the site before development took place. This Draft Biodiversity Net Gain SPD sets out how this can be achieved in Cheshire East and builds upon existing development plan policies found in the Cheshire East Local Plan Strategy (adopted July 2017) and ‘saved’ policies within previous Local Plans¹. The SPD also identifies additional plans and policies that are currently in preparation and this consultation is seeking views on how the content proposed here, and on how this content could be improved or expanded to ensure Biodiversity Net-Gain is efficiently secured through the planning system.
- 1.3 The purpose of this SPD is to provide information about the provision of and/or contributions towards the delivery of biodiversity net gain in new development and sets out the circumstances where such provision, including financial contributions, will be sought through planning obligations.
- 1.4 This SPD is designed to assist prospective developers and applicants by providing guidance on how proposals can demonstrate they have met the requirements of planning policy related to biodiversity net gain in Cheshire East. By providing this information upfront Cheshire East Council aims to minimise uncertainty in the development process and ensure negotiating obligations is based on a clear and consistent approach.
- 1.5 The Draft SPD:
 - Explains what biodiversity Net Gain is.
 - Identifies national and local planning policies relevant to the delivery of biodiversity net gain.
 - Sets out the process through which applicants can demonstrate they have met the requirements of the Local Plan.

Status of the SPD

- 1.6 The SPD has been prepared in accordance with the Planning Act 2004 and the associated Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 1.7 Once finalised and published, this document will replace requirements set out in the Macclesfield Borough Council Supplementary Planning Guidance on s106 (Planning) Agreements (2004); and Congleton Borough Local Development Framework Interim Policy Note - Public Open Space Provision for New Residential Development (2008).

¹ Including the Congleton Local Plan, Crewe & Nantwich Local Plan and the Macclesfield Local Plan.

1.8

2. Draft SPD Consultation

2.1 Consultation on the draft SPD will take place between 10th May 2021 and 7th June 2021. Comments must be received by the Council **no later than 5pm on 7th June 2021**.

2.2 The consultation documents can be viewed online at:

<https://cheshireeast-consult.objective.co.uk/portal/planning/spd/BNG>

and at:

public libraries in Cheshire East during opening hours (for information about opening hours see www.cheshireeast.gov.uk/libraries or telephone 0300 123 7739).

2.3 There is no legal requirement for Supplementary Planning Documents to be accompanied by Sustainability Appraisal, and this is reinforced in national planning guidance. However, “in exceptional circumstances” there may be a requirement for SPDs to be subject to Strategic Environmental Assessment (SEA) where it is considered likely that they may have a significant effect on the environment that has not already been assessed within the SEA of the Local Plan. A screening assessment has been undertaken and concludes that further such assessment is not necessary.

2.4 A screening exercise has been carried out to determine whether the document gives rise to the need for Appropriate Assessment (under the Habitats Regulations). This similarly concludes that further such assessment is not necessary. These screening assessments have been published (Appendix 1) and you can give your views on their findings too.

Submitting your views

2.5 The council's online consultation portal is our preferred method for submitted responses, but you can also respond by e-mail or in writing using a comment form available online and at the locations listed above. You can respond:

- **Online:** Via the consultation portal at: <https://cheshireeast-consult.objective.co.uk/portal/planning/spd/BNG>
- **By e-mail:** To planningpolicy@cheshireeast.gov.uk
- **By post:** Strategic Planning (Westfields), C/O Municipal Buildings, Earle Street, Crewe CW1 2BJ

2.6 Please make sure that your comments reach us by **5pm on the 7th June 2021**. We are not able to accept anonymous comments and you must provide us with your name and contact details. Your personal data will be processed in line with our Spatial Planning Privacy Notice, which is available on the council's website (www.cheshireeast.gov.uk). Your name and comments will be published and made available to view on the council's online consultation portal.

What happens after the consultation?

- 2.7 Following consultation, the council will carefully consider all representations received before deciding whether any amendments to the draft SPD are needed. The final version of the SPD alongside a Consultation Statement summarising the feedback and changes to the SPD will then be published for further comment before the SPD is proposed for adoption by the Council.
- 2.8 Once adopted the SPD will be formal planning guidance and will be considered as a material consideration when assessing planning applications in Cheshire East.

DRAFT

3. Planning Policy Framework

- 3.1 The Councils approach to securing Biodiversity Net Gain is based on existing planning policy set out in the National Planning Policy Framework and policies held in the Development Plan. The guidance in this SPD sets out how applicants can demonstrate compliance with existing policy requirements.

National Policy Context

- 3.2 The Government's National Planning Policy Framework (NPPF) February 2019 has at its heart the core principle of sustainable development and set out a number of requirements related to the securing of biodiversity net gain through the planning system. The key sections of the NPPF that are relevant to biodiversity are:

- a) Section 8: healthy and safe communities
- b) Section 15: conserving and enhancing the natural environment.

- 3.3 These sections contain important policy requirements; the following paragraphs are notable:

- a) **Paragraph 170** states that through planning policy and planning decisions, the natural environment should be enhanced by 'minimising impacts on and providing net gains for biodiversity' (criterion d)
- b) **Paragraph 171** advises that development plans should 'plan for the enhancement of natural capital'.
- c) **Paragraph 174** provides specific advice on habitats and biodiversity. In particular criterion b states that development plans should 'identify and pursue opportunities for securing measurable net gains for biodiversity'
- d) **Paragraph 175** establishes the principles that Local Authorities should use to determine planning applications where biodiversity and geodiversity are material considerations. This policy establishes the mitigation hierarchy and, at criterion d, encourages securing measurable net gains for biodiversity in development proposals.
- e) **I think NPPF paragraphs 8 c and 141 are also relevant.**

National Planning Practice Guidance

- 3.4 The Government's National Planning Policy Guidance also provides guidance on the natural environment. On Biodiversity, geodiversity and ecosystems the PPG provides advice on how development should not only protect but also enhance biodiversity (paragraph 017 Reference ID: 8-017-20140306) and how biodiversity and geodiversity should be considered. The guidance also sets out the mitigation hierarchy and provides advice on how to achieve biodiversity net-gain (paragraph: 023 Reference ID: 8-023-20190721)

Cheshire East Council Local Plan Strategy

- 3.5 Cheshire East Councils Local Plan is being prepared in two parts. The first part of the Local Plan, The Local Plan Strategy sets out a number of key policies that align to the NPPF and seek to ensure that impact of development on the natural environment is taken into account through the planning application process:

- a) **Policy SC3 Health and Well Being** seeks to promote safe, active and healthy lifestyles through delivery of several measures including open and recreational space, green infrastructure and local food growing space.
- b) **Policy SE3 Biodiversity and Geodiversity** requires all development to positively contribute to the conservation and enhancement of biodiversity and establishes a requirement to protect biodiversity and geodiversity assets and seeks their enhancement through supporting and improving ecological networks.
- c) **Policy SE4 The Landscape**, recognises the importance of habitats that may have a landscape importance and seeks to protect or conserve the ecological qualities of an area
- d) **SE5 Trees Hedgerows and Woodland** promotes the retention of valuable trees and hedgerows and the sustainable management of woodlands in the borough
- e) **SE6 Green Infrastructure** identifies strategic Green Infrastructure assets and seeks the protection and enhancement of these.

Saved Policies

3.6 Several policies from the legacy local plans for Crewe and Nantwich, Congleton and Macclesfield have been saved. Some of the most relevant to this SPD are listed here:

3.7 Crewe and Nantwich Borough Local Plan:

- i) NE5: Nature Conservation and Habitats
- ii) NE6 Sites of International Importance for Nature Conservation
- iii) NE7: Sites of National Importance for Nature Conservation
- iv) NE8: Sites of Local Importance for Nature Conservation
- v) NE9: Protected Species
- vi) NE10 New Woodland Planting and Landscaping
- vii) NE11: River and Canal Corridors

3.8 Macclesfield Borough Local Plan:

- i) NE9 Protection of River Corridors
- ii) NE10: Conservation of River Bollin
- iii) NE11: Nature Conservation
- iv) NE12 SSSIs, SBIs and Nature Reserves
- v) NE13 Sites of Biological Importance
- vi) NE14: Nature Conservation Sites
- vii) NE15 Habitat Enhancement
- viii) NE16 Nature Conservation Priority Areas
- ix) NE18 Accessibility to Nature Conservation

3.9 Congleton Borough Local Plan:

- i) NR2: Statutory Sites
- ii) NR3: Habitats
- iii) NR4: Non-Statutory Sites
- iv) NR5: Non-Statutory Sites
- v) NR6: Reclamation of Land

Cheshire East Council Site Allocations and Development Policies Document

3.10 Part two of the Local Plan, the Site Allocations and Development Policies Document (SADPD) sets out further detail on ecological issues, building on policy SE3 of the CELPS to set out the extent and value of ecological networks in the borough through

policy ENV1 and a requirement to deliver biodiversity net gain in policy ENV2. Policies ENV 6 Trees, Hedgerows and Woodland Implementation and policy REC 3 Green Space Implementation are also relevant considerations:

- a) **ENV 1: Ecological Network.** Identifies ecological networks within Cheshire East and requires that new development seek proportionate opportunities to protect, conserve, restore and enhance the network.
- b) **ENV 2: Ecological Implementation.** This policy states development proposals must deliver an overall net gain for biodiversity using the DEFRA biodiversity metric calculation.
- c) **ENV 6: Trees, Hedgerows and Woodland Implementation.** This policy states replacement trees, woodlands and/or hedgerows must be integrated in development schemes as part of a comprehensive landscape scheme.
- d) **Policy REC 3: Green Space Implementation.** This policy states that all areas of green space that are of strategic significance should be conveyed to the council along with a commuted sum for a minimum provision of 20 years maintenance.

Neighbourhood Plans

- 3.11 There 35 made neighbourhood plans in Cheshire East. Many plans include locally specific requirements in regard to the natural environment and Biodiversity, including detailed habitat map that identify biodiversity assets and wildlife corridors. These should be consulted and, where relevant, worked with in establishing an approach.
- 3.12 Relevant neighbourhood plan policies are mapped and available to view on the Councils GIS network.
- 3.13 All neighbourhood plans can be [accessed here](#).

Emerging plans

- 3.14 The council is currently preparing Local Plan documents which, once adopted, will form part of the adopted development plan. These include the Site Allocations and Development Policies ("SADPD"), the Minerals and Waste Development Plan Document and the Crewe Hub Area Action Plan.

Cheshire East Site Allocations and Development Policies Document

- 3.15 The SADPD will form the second part of the Local Plan. It will set non-strategic and detailed planning policies to guide planning decisions and allocate additional sites for development to assist in meeting the overall development requirements set out in the LPS.
- 3.16 A revised publication draft version of the SADPD was published for a period of public representations between the 26 October and the 23 December 2020.
- 3.17 Although the SADPD is in draft and has a few stages to go through before adoption, this draft Biodiversity SPD has been prepared to be consistent with emerging planning policies. Whilst this is not a legal or national planning policy requirement, this approach

provides opportunity for this SPD to complement and support the implementation of future development plan policies too.

Cheshire East Minerals and Waste Development Plan Document

- 3.18 The Minerals and Waste Development Plan Document is currently in preparation. It will set out the council's planning policies on minerals and waste.

Crewe Hub Area Action Plan

- 3.19 The Crewe Hub Area Action Plan (CHAAP) is currently in preparation and considers a planning framework to facilitate and manage development around Crewe Railway Station, in response to HS2 and other matters.

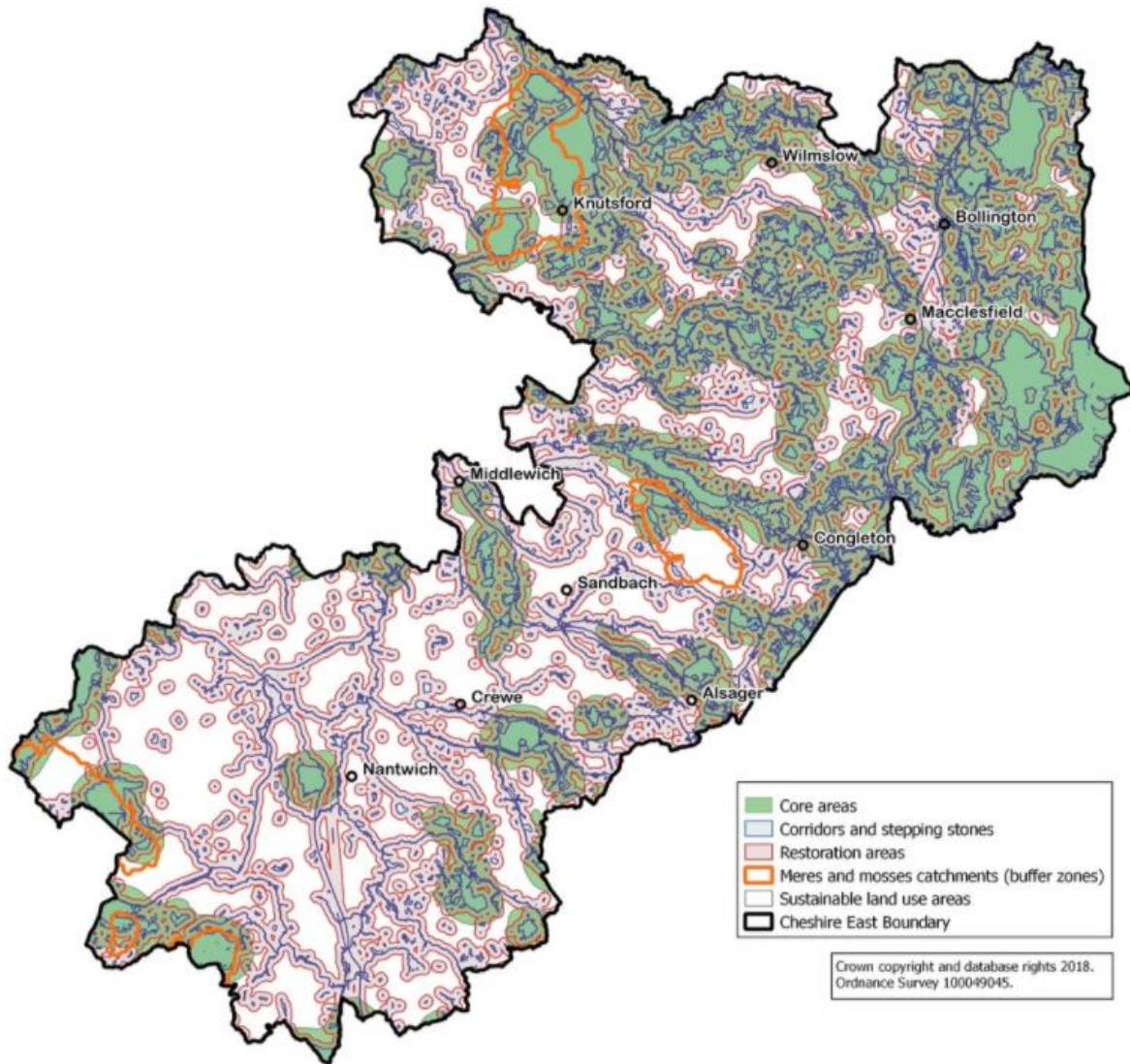
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4. General Principles

- 4.1 Whilst the guidance in this SPD focuses on how applicants can demonstrate they have achieved Biodiversity Net Gain on larger development sites, all development in Cheshire East should positively contribute to the conservation and enhancement of biodiversity and geodiversity. Accordingly, this SPD also provides guidance on how smaller scale developments can make a big difference to improving biodiversity in Cheshire East, and the measures that applicants should take to demonstrate compliance with the local plan in this regard. Guidance on these matters is set out at section 10.
- 4.2 The basic principle that underpins the delivery of biodiversity net gain is to ensure that development secures more and better-quality biodiversity than would exist without development taking place. To achieve this, applicants are expected to demonstrate how their proposals meet the policy requirements of the local plan, submitting information that sets out how biodiversity will be improved.
- 4.3 To achieve this, this is **what** applicants should do:
- a) Use the Defra Biodiversity Metric to:
 - b) Assess the biodiversity value of the site, then:
 - c) Determine the impact of development options on the biodiversity value of the site; and
 - d) Establish a design solution that delivers the greatest biodiversity net gain.
- 4.4 This is **how** applicants should do it:
- a) Identify relevant assets
 - b) Establish the value and extent of those asset using the Defra Biodiversity Metric
 - c) Apply the Mitigation Hierarchy to assess the impact of development on the asset
 - d) Identify design solutions that avoid, mitigate or compensate for the impact, and enhance the Ecological Network
 - e) Submit detailed solutions that deliver Biodiversity Net Gain
- 4.5 The guidance below provides advice on how applicants can follow the process outlined above and demonstrate compliance with policies in the Development Plan.

5. Identifying Relevant Assets

- 5.1 Policy SE3 of the LPS identifies areas of high biodiversity or geodiversity and emerging policy ENV1 of the SADPD sets out the extent of the Ecological Network in Cheshire East. The Ecological Network is the extent of known ecological assets which incorporates existing protected sites and priority habitats, and it identifies areas to restore and buffer the network. The ecological network will assist in the provision of nature conservation and ecosystem services that are essential for sustainable development, including water management, carbon capture and access to nature with associated recreational and health benefits.



- 5.2 When demonstrating compliance with the relevant policies of the development plan, applicants should consider the location of their site within the network and include measures that would best enhance biodiversity within and close to their site. The network identifies and categorises the location of ecological assets across the borough:

- a) Core Areas
- b) Corridors and Stepping Stones
- c) Restoration Areas
- d) Meres and Mosses Catchments (buffer Zones)

- e) Sustainable Land Use Areas
- f) Seeks ecological improvement

5.3 Applicants should submit an Ecological Assessment that identifies the relevant assets on site and includes a separate Biodiversity Net Gain Report which uses the Defra/Natural England Biodiversity Metric to demonstrate how they have increased the size of the core area, increased the quality and quantity of priority habitat and/or created new priority habitat that can act as stepping stones or corridors.

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6. Establishing the Value of Assets Using the Defra Biodiversity Metric

- 6.1 To determine whether a proposal is compliant with policy requirements applicants will be expected to submit detailed worked-up proposals that clearly set out how Biodiversity Net Gain will be achieved.
- 6.2 A net gain in biodiversity must be demonstrated using a Biodiversity net gain calculation undertaken using the Defra Biodiversity Metric for all major developments, as defined by the Town and Country Planning Act, transport schemes and all other developments effecting natural or semi-natural habitats.
- 6.3 Appointing an ecological consultant at an early stage of the project is advised to ensure the best possible outcomes for achieving Biodiversity Net Gain on site, using an iterative approach through the design process. If different layout options are considered each should have a corresponding biodiversity calculation completed.
- 6.4 All supporting evidence including calculations, justifications, distinctiveness and condition assessments must be submitted as part of a Biodiversity Net Gain report.

Biodiversity Calculations

- 6.5 Biodiversity Net Gain Calculations are to be undertaken in accordance with the Natural England Version 2 metric (December 2019) or subsequent revised Natural England/Defra metric.
- 6.6 The calculation must consider both the direct impacts of a proposed development, both permanent and temporary, also the indirect effects of development, such as lighting on a woodland edge, or pollution resulting from the operation of a scheme.
- 6.7 The net gain calculation and achieving biodiversity net gain must be undertaken in accordance with the following documents and any subsequent publications:
 - a) The Biodiversity Metric 2.0 auditing and accounting for biodiversity, User guide July 2019 (Natural England).
 - b) Biodiversity net gain, Good Practice Principles for development – A practical guide (2019) CIEEM, IEMA, CIRIA
- 6.8 Applicants are advised to seek assistance from Cheshire Wildlife Trust, the Environment Bank or an ecological consultant when completing the calculation.

Survey Work

- 6.9 To inform the net gain calculations vegetation surveys must be undertaken at the appropriate time of year. The following survey information and assessment is required to complete the calculation:
 - a) Area of each habitat and length of each linear feature present within the red line of the application.
 - b) Habitat type in UK Habs, or translated into UK Habs from another survey type, including indicator species (with reference to the guidance provided in Cheshire Region Local Wildlife Selection criteria);
 - c) Habitat condition

- d) Root Protection Areas of any trees on site that do not form part of another habitat on site.
 - e) Impact from development based upon current planning layout, both directly onsite, and indirectly offsite;
 - f) Onsite biodiversity mitigation and compensation measures.
- 6.10 The survey and calculation should include the whole of the development boundary (red line) and also adjacent land where direct or indirect impacts upon adjacent habitats are anticipated.
- 6.11 The evaluation of habitats recorded on site should be undertaken with reference to the Cheshire Region Local Wildlife Site selection criteria. Habitats that meet the selection criteria thresholds should normally be considered to be of 'County' value and of High or Very High distinctiveness'.
- 6.12 Habitat Condition should be assessed in accordance with the guidance provided with the Metric Version 2 beta or subsequent guidelines. When assessing any habitats not covered by this guidance, developers and their advisors will be expected to apply evidence based professional judgement.
- 6.13 Low distinctiveness habitats created as part of development proposals will only ever be expected to achieve Poor condition.
- 6.14 The survey and calculation should include the whole of the development boundary (red line) and also adjacent land where direct or indirect impacts upon adjacent habitats are anticipated.
- 6.15 If a development site has been cleared with the resulting loss of habitats in advance of a biodiversity metric calculation being undertaken the baseline for the metric is to be taken as the habitats present prior to site clearance. The biodiversity value of the habitats lost is to be estimated based upon a desk-based assessment and professional judgement. The precautionary principal is to be applied where the distinctiveness or condition of the habitats lost is uncertain.

7. Applying the Mitigation hierarchy

- 7.1 The approach to achieving net gain should start with assessing and understanding the type and value of biodiversity being affected by the development proposed. This is dependent on the location of the site within the ecological network; and the type, area and quality of ecological assets that are present, as determined by using the Defra Biodiversity Metric.
- 7.2 Once this is understood, it is essential that applicants apply the Mitigation Hierarchy to demonstrate how ecological issues have been considered and how an optimal Biodiversity Net Gain solution has been reached in the proposal.
- 7.3 In applying the mitigation hierarchy applicants should demonstrate how they have:
- a) Sought to **avoid** loss of existing biodiversity on-site (either through loss of scale or quality of habitat)
 - b) Where this is not possible, applicants should demonstrate how they have **mitigated** the impact of development on biodiversity on-site/nearby
 - c) Where mitigation on site or nearby is not possible applicants should set out the options they have considered, and the reasons why a) and b) above were not possible. Applicants should also set out how they will **compensate** for any loss or impact on biodiversity through on and offsite improvements or contributions.
- 7.4 Avoiding harm to biodiversity assets will always be the preferred approach, and it is expected that applicants demonstrate they have explored options to retain habitats on site before seeking to mitigate their loss or, where necessary, propose compensatory measures delivered off-site.
- 7.5 In providing information on how the mitigation hierarchy has been applied applicants are advised to address the following questions:
- a) What is the impact of the proposed design on identified assets?
 - b) If there is an impact can the scheme be redesigned to remove or reduce that impact?
 - c) If the impact cannot be avoided, can the impacted be mitigated for? If so, what are the measures are proposed and will they be sufficient to 1) mitigate the impact and 2) secured BNG?
 - d) If the impact cannot be avoided or mitigated, can it be compensated for?
 - e) If compensatory measures are proposed will they be on-site, offsite but nearby or offsite entirely?
 - f) What are the compensatory measures?
 - g) How will they be applied?
 - h) Does the Defra Biodiversity Metric demonstrate the measures will deliver a Biodiversity Net Gain?

8. Delivering Biodiversity Net Gain

- 8.1 The Council requires applicants to increase biodiversity through their developments, and, through their planning applications, to demonstrate that the measures being put forward will achieve this. If applicants satisfy this requirement, they will ensure their schemes are compliant with the relevant policies of the local plan.

General Principles of Biodiversity Net Gain

- 8.2 If an impact on an ecological asset is identified, applicants must propose how that impact will be avoided, mitigated or compensated for in accordance with the mitigation hierarchy.
- 8.3 Where mitigation or compensation is proposed, habitat creation proposals, both on and offsite, must avoid 'down trading' of habitat value by proposing to create habitats of lower distinctiveness than those lost.
- 8.4 Habitat creation proposals must be additional to any existing obligations and not deliver something that would occur anyway (for example through an existing planning permission, Forestry Commission grant or Environmental Stewardship scheme).
- 8.5 All proposals to deliver biodiversity Net gain through on-site and off-site habitat creation must be:
- a) In compliance with forthcoming British Standard BS 8683 (Process for designing and implementing Biodiversity Net Gain)
 - b) Agreed in advance with the LPA
 - c) Evaluated through the use of the Biodiversity Metric
 - d) Located in a strategically important area as identified by the LPA (unless agreed in advance)
 - e) Secured by an appropriate agreement to ensure long term management
 - f) Be supported by a monitoring and management plan (adaptive management plan)
 - g) Included on an offset register
 - h) Monitored and reviewed

Provision of BNG

- 8.6 Offsite schemes developed by an applicant or the Local Planning Authority may aim to (or enable partner organisations to):
- a) create new habitats
 - b) enhance existing habitats
 - c) purchase land for the purpose of habitat creation
 - d) manage land for nature conservation purposes
 - e) pay for infrastructure to enable management to take place
 - f) monitor the habitat creation; and
 - g) pay professional fees associated with the above.

- 8.7 In order to establish that it is feasible for on and/or off-site habitat creation/enhancement proposals to deliver a net gain for biodiversity developers will be expected to submit detailed worked up proposals.
- 8.8 Details of the design, location and extent of any habitat creation proposed will be required. Where offsite habitat creation is proposed it is particularly important that sufficient detail is submitted to reassure the Council that it is feasible that suitable provision can be delivered and maintained in the long term. Developers are encouraged to seek professional advice to ensure their proposals meet this requirement.
- 8.9 Where offsite habitat creation is proposed the Council expects that sufficient detail is submitted that demonstrates delivery is feasible and that suitable provision can be delivered and maintained in the long term. Developers are encouraged to seek professional advice to ensure their proposals meet this requirement.
- 8.10 Where compensation is targeted at a specific species, off site compensation must be delivered in an area where this species is known to occur. Desk and field-based assessments may be required to establish this
- 8.11 Where off-site habitat provision is necessary, this should be directed to the following areas:
- a) identified as Nature Improvement Areas,
 - b) areas identified by the Ecological Network Map as delivering the most benefit for biodiversity (Core Areas, Corridors and Stepping Stones, Restoration areas)
 - c) any designated Wildlife Corridors shown in neighbourhood plans
 - d) Priority areas identified in the CELPS or SADPD
 - e) areas identified in Local Nature Recovery Strategies.
- 8.12 Habitat creation in these strategically important sites will deliver a greater benefit for biodiversity and so potentially less habitat creation will be required in order to achieve the same biodiversity benefits.
- 8.13 Habitat creation and enhancement will only be possible where suitable opportunities arise. Consequently, offsite habitat creation and enhancement may be delivered at any suitable location within Cheshire East (with preference given to those locations listed at 8.11) where a suitable opportunity exists.
- 8.14 This may be some distance from the site of the related development proposals. There is no requirement for compensatory habitats to be subject to public access. However public access is encouraged where this can occur without being detrimental to the value of the habitats created.

Habitat Banks

- 8.15 If a developer wishes to rely on habitat created by a Habitat Bank, this habitat would usually be in place in advance of a planning application being submitted.

9. How to carry out Biodiversity Net Gain Calculations

- 9.1 A net gain in biodiversity must be demonstrated through the use of a Biodiversity net gain calculation for all major developments, as defined by the Town and Country Planning Act, transport schemes and all other developments effecting natural or semi-natural habitats.
- 9.2 Appointing an ecological consultant at an early stage of the project is advised to ensure the best possible outcomes for achieving Biodiversity Net Gain on site using an iterative approach. If different layout options are considered each should have a corresponding biodiversity calculation completed.
- 9.3 All supporting evidence including calculations, justifications, distinctiveness and condition assessments must be submitted as part of a separate Biodiversity Net Gain report, provided in addition to an Ecological Impact Assessment or any other specific Ecological reports required.
- 9.4 Biodiversity Net Gain Calculations are to be undertaken in accordance with the Natural England Version 2 metric (December 2019) or subsequent revised Natural England/Defra metric.
- 9.5 The calculation must consider both the direct impacts of a proposed development, both permanent and temporary, also the indirect effects of development, such as lighting on a woodland edge, or pollution resulting from the operation of a scheme.
- 9.6 The net gain calculation and achieving biodiversity net gain must be undertaken in accordance with the following documents and/or any subsequent publications:
 - a) The Biodiversity Metric 2.0 auditing and accounting for biodiversity, User guide July 2019 (Natural England).
 - b) Biodiversity net gain, Good Practice Principles for development – A practical guide (2019) CIEEM, IEMA, CIRIA

How complete the Metric Calculation

- 9.7 Applicants are advised to seek assistance from Cheshire Wildlife Trust, the Environment Bank or an ecological consultant when completing the calculation.
- 9.8 To inform the net gain calculations vegetation surveys must be undertaken at the appropriate time of year. The following survey information and assessment is required to complete the calculation:
 - a) Area of each habitat and length of each linear feature present within the red line of the application.
 - b) Habitat type in UK Habs, or translated into UK Habs from another survey type, including indicator species (with reference to the guidance provided in Cheshire Region Local Wildlife Selection criteria);

c) Habitat condition

- (1) Root Protection Areas of any trees on site that do not form part of another habitat on site.
- (2) Impact from development based upon current planning layout, both directly onsite, and indirectly offsite;

Implementation of Net Gain (Major Schemes and those affecting natural/semi natural habitats)

9.9 If the biodiversity metric calculation shows that a proposed development would result in a failure to deliver the required net gain for biodiversity the applicant should:

- a) Firstly review design solutions and re-apply the Mitigation Hierarchy, seeking to avoid any impacts
- b) Secondly, identify potential impacts from an alternative design solution, and set out how on-site mitigation will deliver greater benefits for biodiversity on site.
- c) Thirdly, where this is not possible the applicant should then look to offset these impacts through the delivery of benefits for biodiversity at an offsite location. The Council may, in some circumstances, consider a commuted sum for the delivery of habitat creation at an offsite location. Commuted sums will include the cost of land acquisition, purchase or rental, for the purposes of habitat creation by either the Council or partner organisations.

9.10 Where the above process is followed, demonstrated, and concludes that off-site provision is necessary, off-site habitat creation for the purposes of delivering Biodiversity net gain and will be secured by either:

- a) Option 1 Developers providing their own off-set
- b) Option 2 Purchase of off-sets from an independent provider
- c) Option 3 Commuted sum to the LPA
- d) Option 4 A mixture of the above

Option 1 Developers providing their own offset on land within their control

9.11 This option may be used if there is land suitable for habitat creation within Cheshire East which is owned or in the control of the applicant. Habitat creation measures, management and monitoring would be secured by a legal agreement or planning condition to ensure they are delivered in accordance with good practice principles.

Option 2 Purchase of offsets from an independent provider and delivery body/habitat bank

9.12 The provider/habitat bank must be agreed with the LPA and the principles set out below must be applied. Under this option a contribution from the developer will be paid directly into the independent provider/habitat bank. The provider/habitat bank would then be required to provide suitable assurances of habitat delivery to the LPA.

Option 3 Commuted sum payable to the LPA

9.13 In some circumstances, particularly lower impact schemes or where the Council is aware of suitable opportunities for compensatory habitat creation at an offsite location, the Council may consider a commuted sum secured through a legal agreement, that would be used to deliver suitable compensatory habitat.

- 9.14 The Council will charge a fee to cover its and partners costs of developing and implementing habitat creation and management measures using the commuted funds. The fee will cover: officer time to liaise with landowners and partners, undertake site visits to appraise the opportunities for habitat creation, draw up habitat creation measures and management plans, legal fees for land acquisition, associated administration, site visit to monitor delivery and to maintain a registry of offsets agreed.
- 9.15 At the time of writing fees are anticipated to be £1,200 per biodiversity unit required. CEC fees are likely to be reviewed every two years.
- 9.16 The Council will work with partner organisations to ensure that any commuted sum is used appropriately to ensure sufficient habitat creation is delivered in a quantifiable way to address the loss of biodiversity resulting from the consented development. The Council will utilise the funding to create habitat that delivers best value for biodiversity. In some circumstances this may involve the creation of smaller areas of habitat subject to more costly long-term management or alternatively funding may be utilised to deliver larger areas of habitat with relatively limited management input.
- 9.17 The figures in table 1 provide a guide to the likely levels of commuted sums per biodiversity unit required to address the deficit of biodiversity units required to deliver net gain. The costings include habitat creation, 30 years management, land costs and monitoring of the success of management.
- 9.18 An offset provider/habitat bank may ask for lower or higher prices than the figures provided in the table.
- 9.19 The proposed commuted sum figures in table 1 have been calculated to be compatible with the Metric Version 2 beta (December 2019). These costs may be subject to change as the metric is revised.
- 9.20 Very large-scale habitat creation schemes involving multiple habitat types on substantial areas of land may require substantial additional staff and infrastructure resources to deliver and maintain. A bespoke commuted sum calculation is likely to be required for these schemes.
- 9.21 Further information and guidance on the approach to commuted sums is set out at Appendix 1.

9.22 Table 1: A guide to developer contributions (offsetting)

Target Broad Habitat	Target Habitat type (according to Version 2.0 metric)	Management period	Expected condition (target condition)	Price per biodiversity unit (valid for version 2.0 metric only)	Category (from version 2.0 metric)	Set up fee (per agreement) includes legal fees, admin, management plan

Woodland	Lowland Mixed deciduous woodland	30yr+	Good	£15,434	Accelerated succession	£6,945
Grassland	Other neutral Grassland	30yr+	Good	£10,035	Creation/ Enhancement	£6,945
Wetland	Priority ponds/ditches/reed- bed	30yr+	Good	£9,361	Creation	£6,945

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10. Long Term Management of Compensatory Habitats

- 10.1 Securing the long-term future of newly created or enhanced habitats is vital to achieving a net gain for biodiversity. Therefore any on or off site measures contributing to Biodiversity Net Gain will be acceptable only if the developer has secured long-term management, for example through the transfer of funds to an LPA approved responsible body to manage, monitor and report back to the LPA..
- 10.2 Therefore developers will be expected to secure the long term monitoring and adaptive management of any on-site or off-site habitat creation or enhancement works to ensure created habitats are allowed sufficient time to both achieve their target value and to ensure they are maintained into the future. Therefore, development proposals must include a commitment to implement management for a period of 30 years with regular reporting to the LPA, which would be secured through a condition or planning obligation. A longer time period may be necessary if this is a requirement of the Environment Act once enacted or where the newly created/enhanced habitats are of a type with particularly long establishment periods or are of particularly high nature conservation significance. As habitats subject to longer management are likely to achieve higher target condition, the length of time proposed as part of a management plan will be considered in the net gain calculation.
- 10.3 Management plans must include proposals to control non-native invasive species when appropriate.
- 10.4 The Council encourages developers to engage a recognised conservation body in the delivery of long-term habitat creation proposals. If high or very high distinctiveness habitats are to be delivered a specialist contractor or nature conservation body must be appointed to assist with delivery.
- 10.5 The implementation of off-site habitat creation proposals will be secured by means of a section 106 agreement.

Incorporation of additional features for biodiversity enhancement

- 10.6 In addition to proposals for habitat creation and enhancement as assessed by the biodiversity metric calculation all development proposals must also include proposals for the incorporation of features to enhance the biodiversity of the resulting development. Such features can include:
 - a) Features for nesting birds associated with the built environment such as swifts and house sparrows
 - b) Green walls and green/brown roofs
 - c) Features for roosting bats
 - d) Creation of new wildlife ponds and the re-creation of historically lost ponds
 - e) Log piles and compost heaps
 - f) Provision of gaps in boundary fences to allow access by hedgehogs and provision of hedgehog domes. Hedgehog Highways should be marked out on site to ensure they are not blocked up by future landowners.

Implementation of Net Gain (Minor applications not affecting natural/semi natural habitat).

- 10.7 Developments which fall below the threshold which requires the submission of a full biodiversity metric calculation (minor application not affecting natural/semi natural habitats) must be supported by proposals for the incorporation of features for biodiversity enhancement, in addition to what may be required to address any adverse impacts resulting from the development.
- 10.8 Appropriate features include:
- a) Features for nesting birds associated with the built environment such as swifts and house sparrows
 - b) Features for roosting bats
 - c) Green walls and green/brown roofs
 - d) Mixed native species hedgerows
 - e) Creation of new wildlife ponds and the re-creation of historically lost ponds
 - f) Native scrub and tree planting
 - g) Orchard/fruit trees
 - h) Creation of species rich grassland
 - i) Creation of rough grassland suitable for foraging barn owls and provision of barn owl nest boxes
 - j) Log piles and compost heaps
 - k) Provision of gaps in boundary fences to allow access by hedgehogs and provision of hedgehog domes. Hedgehog Highways should be marked out on site to ensure they are not blocked up by future landowners.
- 10.9 The provision of these types of features is also required for those schemes subject to a metric calculation as detailed in section 10.6.
- 10.10 At the time of writing it is anticipated that a 'Small sites Biodiversity Metric' may be available in early 2021. Once this metric becomes available it, and subsequent revisions, should be used for all applicable planning applications.

11. The Ecological Network

- 11.1 SADPD Policy ENV 1 requires any development proposals in Core Areas or Corridors and steppingstone sites as identified by the Cheshire East Ecological Network map to:
 - a) Increase the size of core areas
 - b) Increase the quality and quantity of priority habitat
 - c) Create new priority habitat that can act as stepping stones or corridors.
- 11.2 ENV 1 also requires any development in restoration zones to also increase structural connectivity between steppingstones.
- 11.3 As described in the earlier sections of this SPD all development proposals are required to deliver a net gain for biodiversity in accordance with SE 3 (5) and ENV 2 of the SADPD. Compliance with Local Plan Core strategy policy SE 3 (5) and ENV 2 as specified in this SPD within Core Areas, Corridors, Steppingstone and Restoration sites would also make a significant contribution towards compliance with SADPD policy ENV 1 and vice versa.
- 11.4 The purpose of SADPD Policy ENV 1 is to ensure that where development occurs in any area that is strategically important for biodiversity then the habitat creation delivered by these developments is similarly delivered in a strategic manner to maximise the benefits to enhancing a resilient ecological network within the Borough.
- 11.5 The Ecological Network Map associated with ENV 1 should be used to inform the input in the 'strategic significance' entry on the Biodiversity Metric Calculation version 2 spreadsheet.
- 11.6 The Council will expect most developments to deliver the required net gain for biodiversity through habitat creation undertaken within the red line of a planning application. However, where this is not possible the Council will expect any development sites to identify appropriate offsite opportunities for habitat creation, working with partners as may be appropriate.
- 11.7 SADPD Policy NE 1 iv. Requires any developments within the catchment of the Cheshire Meres and Mosses to avoid any contamination and hydrological impacts on the catchment. The catchments for a number of meres and mosses are shown on the Council's ecological network map. Developers and applicants should however be aware that there are numerous meres and mosses in Cheshire the catchments for which have not been mapped. Identification of meres and mosses and their associated catchments should therefore be undertaken as part of ecological assessment undertaken in support of any future planning applications.
- 11.8 Developers must use the Council's ecological network map in accordance with the requirements of policy ENV1 when formulating their proposals for biodiversity net gain. An illustration of how this could be achieved is provided in Table 2 below.
- 11.9 **Table 2: Illustration of how developments within the zones identified in ENV 1 can meet the relevant policy obligations.**

Ecological Network Map Zone	Policy requirements under ENV1	Example of how the policy requirements of ENV 1 may be fulfilled.
Core areas, Corridors and Stepping Sites.	Increase the size of core areas, increase the quality and quantity of priority habitat' create new priority habitat that can act as steppingstones or corridors.	Habitat creation such as woodland planting or species rich grassland creation to extend the area of any existing priority habitat or designated site present.
		Habitat Management to increase the value of existing habitats, including measures such as removal of non-native species or the introduction of a suitable cutting regime.
		Creation of new habitats that complement existing habitats in the broader area to allow wildlife to use these as stepping stones to move between existing habitats in the vicinity.
Restoration Areas	Increase the size of core areas, increase the quality and quantity of priority habitat, create new priority habitat that can act as steppingstones or corridors. Increase structural connectivity between steppingstones.	Habitat creation such as woodland planting or species rich grassland creation to extend the area of any existing priority habitat or designated site present.
		Habitat Management to increase the value of existing habitats, including measures such as removal of non-native species or the introduction of a suitable cutting regime.
		Creation of new habitats that complement existing habitats in the broader area to allow wildlife to use these as steppingstones to move between existing habitats in the vicinity.
Sustainable Land Use Areas	Actively contribute to the integration and	Increase the biodiversity value of green infrastructure delivered as part of a development.

	creation of appropriate green infrastructure.	This can be done by incorporating native species planting in formal open spaces, designing SUDS schemes to maximise their biodiversity value and providing open space with a designing large open space areas with a more naturalistic Country Park type approach.
Mere and Mosses Catchments	Avoid any contamination and hydrological impacts on associated catchments.	Identify the extent of the catchments of any Meres and Mosses sites relevant to a development sites and avoiding any direct impacts on the catchments and ensuring development proposals avoid any discharge of surface or water into the relevant catchment.

12. Buffering of Important Nature Conservation Sites including Ancient Woodlands

- 12.1 Ancient woodlands receive protection through Local Plan policy SE3 and paragraph 175c of the NPPF.
- 12.2 Ancient woodlands, including plantations on ancient woodland sites, are highly valuable and sensitive to several indirect impacts associated with development. To minimise these effects development proposals located adjacent to all ancient woodland must provide undeveloped buffers in accordance with current best practice and Natural England's Standing Advice. The location and size of the buffer required must be informed by an assessment of the potential direct/indirect impacts of the proposed development that includes consideration of the proposed layout, the hydrology and topography of the proposed development site and woodland and any other relevant factors.
- 12.3 Priority Habitats and Species and Local Wildlife Sites also receive protection through Local Plan Policy SE 3. Where development is proposed adjacent to these the provision of undeveloped buffer zones is a suitable means of limiting indirect impacts upon them. Development proposals must therefore include suitable buffers as a means of avoiding these indirect impacts and must be supported by evidence to justify the extent of the undeveloped buffer proposed as part of the scheme.
- 12.4 Proposals for the provision of buffers must take account of any policy requirements for the extent and location of buffers detailed in the relevant Neighbourhood Plan.

13. Appendix 1: Guidance on Commuted Sums

- 13.1 Ours is an approach that meets all the good practice principles set out in *Biodiversity Net Gain: Good practice principles for development CIEEM, CIRIA, IEMA 2016*. It involves a 30year management period towards set targets according to a bespoke, adaptive management plan. The habitat creation options currently available are woodland, grassland, wetland and hedgerows.

Table 1 CWT BNG	
Meets Biodiversity Net Gain good practice principles	✓
Habitat creation/restoration using professional experts	✓
Adaptive management plan	✓
30+ years management	✓
Regular management reviews	✓
Monitoring and reporting against set targets	✓
Remedial measures taken if targets not met	✓
All habitat will achieve good condition within management period	✓
Land costs included	✓
Set up fee per agreement which includes legal fees	✓
A list of all sites relevant to the agreement provided to the LA	✓
Included on a GIS based register of sites. All sites will initially be assigned pLWS status and flagged in data searches. If monitoring shows LWS criteria are met then site will be put forward to LWS Partnership for selection.	✓
A not-for-profit organisation	✓
All habitats contribute to the recovery or expansion of	✓

Habitat creation options

Hedgerow creation

- 13.2 This option will be aimed at creating hedgerows with a mix of approximately 5 native species adapted to the local area. Hedgerows will be double fenced unless this is not appropriate for the location.

Woodland creation

- 13.3 In order to achieve the predicted uplift in biodiversity value at the offset site all woodland planting schemes will be created using the 'accelerated succession' option in Defra 2.0. Accelerated succession (rather than planting into bare earth or newly created landscapes) retains the value of the existing baseline habitats, meaning an uplift in biodiversity can be achieved more readily. It encourages natural successional processes by allowing a woodland to slowly develop from other habitats such as grassland/scrub. This results in a higher value, more biodiverse woodland habitat compared to tree planting alone. Planting mix will comprise of native, deciduous species chosen to replicate the natural woodland communities in the locality and will vary according to geographic location and soil type

Grassland creation

- 13.4 Grassland creation is targeted at achieving species-rich neutral grassland using locally sourced seed to preserve local distinctiveness and genetic diversity. All

sites will be assessed for their suitability to become a receptor site. This will be done by soil testing and assessing the existing plant communities on the offset site. For some sites it may not be possible to source seeds locally, in which case an appropriate seed mix will be used, taking into consideration local soils, geography and plant communities.

- 13.5 If Lowland Meadow Priority Habitat creation is required a bespoke approach will be needed as the soil nutrient status is critically important for the establishment of this habitat. This is likely to be more costly than the creation of neutral grassland partly because we would need to create this habitat on sites that already support neutral grassland, so less units per hectare can be created.

Wetland creation

- 13.6 This involves creating a mosaic of ponds and scrapes with interconnecting habitat. It is targeted at creating priority habitats which (if the site is suitable) will also include reedbeds, ditches and marginal wetland vegetation

Biodiversity unit

- 13.7 Using the Defra Biodiversity offsetting metric 2.0 we have calculated the cost per biodiversity unit when the correct risk multipliers are applied (supporting calculations in appendix 1). In all cases (apart from woodland) we have assumed that the offset site is improved grassland (NVC MG7) or other low distinctiveness/poor condition habitat. For woodland creation we have assumed the offset site is poor semi-improved grassland (NVC MG6); this is a medium distinctiveness habitat of poor condition. It is a pasture habitat of medium to low fertility which has potential to undergo succession to broadleaved woodland.

Monitoring/reporting

- 13.8 All habitat creation will be managed according to an adaptive management plan with regular reporting on progress towards target condition. Management will be altered accordingly if the monitoring shows progress is not on track to achieve condition.
- 13.9 All offset sites will be GIS mapped and registered as potential Local Wildlife Sites (LWS) meaning they will be flagged as potential constraints in spatial planning. Should the sites eventually meet the criteria for LWS selection they will be designated as such (non-statutory).

Details and costing

- 13.10 The following tables (2 and 3) set out the costs per biodiversity unit for the different approaches. Further technical details are set out in the appendices
- 13.11 The figures below are intended as a guide only. All individual schemes would require a bespoke approach which may result in higher or lower costs than those given below.

Approach 1	CWT Offsetting - 30 year+ management, land costs included					
Target Broad habitat	Target Habitat type (according to Defra 2.0)	Management period	Expected condition (target condition)	Price per biodiversity unit (valid for Defra 2.0 only)	Category (from Defra 2.0)	² Set up fee (per agreement) includes legal fees, admin, management plan
Woodland	Lowland mixed deciduous woodland	30yr+	Good	£15,434	Accelerated succession	£6945
Grassland	Neutral	30yr+	Good	£10,035	Creation	£6945
Wetland	Priority ponds/ditches/reed-beds ³	30yr+	Good	£9,361	Creation	£6945

Approach 1

Target Broad habitat	Target Habitat type according to Defra 2.0	Baseline ⁴		Target ⁵		Time risk factor ⁶	Difficulty risk factor ⁷	Ecological connectivity multiplier ⁸	Uplift/ha for enhancement	Uplift/ha for accelerated succession	Uplift/ha for creation	Category	Uplift bu/ha	Creation, long term management and land costs per ha ⁹	Cost per unit (cost per ha / unit uplift per ha)
		Distinctive ness A	Condition B	Distinctive ness C	Condition D										
Woodland	Lowland mixed deciduous woodland	4	1	6	3	0.32	0.33	1.1	-	3.39	-	Accelerated succession	3.39	£52,321	£15,434
Grassland	Neutral grassland	2	1	4	3	0.586	1	1			5.03	Creation	5.03	£50,475	£10,035
Wetland	Priority ponds	2	1	6	3	0.7	0.67	1.1	-	-	7.29	Creation	6.49 ¹¹	£60,751	£9,461
	Reedbeds	2	1	6	3	0.586	0.67	1.1	-	-	5.77	Creation			
	Ditches	2	1	4	3	0.7	1	1	-	-	6.40	Creation			

⁴ Values according to Defra 2.0. Distinctiveness: very high 8, high 6, medium 4, low 2; Condition: good 3, moderate 2, poor 1

⁵ Values according to Defra 2.0. Distinctiveness: very high 8, high 6, medium 4, low 2; Condition: good 3, moderate 2, poor 1

⁶ Time risk factor for target habitat according to Defra 2.0

⁷ Difficulty risk factor for target habitat according to Defra 2.0

⁸ High distinctiveness habitats have a 1.1 ecological connectivity risk multiplier under Defra 2.0

⁹ Details set out in table 2. RPI2.5%

¹⁰ Figure taken from Defra 2.0 excel calculator

¹¹ Mean value assuming mosaic of 3 habitats.

Hedgerow creation

Broad habitat	Habitat type	Target (per km)		Time risk factor	Difficulty risk factor	Uplift/km for creation	Category	Creation costs/ km (including double fencing/gate)	Costs per unit (cost per km/unit uplift per km)
		Distinctive-ness C	Condition D	E	F	(CxD)x(ExF)-(AxB)			
Hedgerow	Native hedgerow	2	1	0.965	1	1.93	Creation	£23,600	£12,228

14. Glossary

Authority Monitoring Report	An annual report prepared by Cheshire East Council to assess progress and effectiveness of a Local Plan.
Community Infrastructure Levy	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area.
Development	Defined by the Town and Country Planning Act 1990 as “the carrying out of building, engineering, mining or other operation in, on, over or under land, or the making of any material change of use of any building or other land.” Most forms of development require planning permission, unless expressly granted planning permission via a development order.
Development Plan	This includes adopted Local Plans and Neighbourhood Plans and is defined in Section 38 of the Planning and Compulsory Planning Act 2004
Green Infrastructure	A network of multi-functional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits for local communities.
Habitats Regulations Assessment	The process that competent authorities must undertake to consider whether a proposed development plan or programme is likely to have significant effects on a European site designated for its nature conservation interest.
Local Plan	<p>The plan for the development of the local area, drawn up by the local planning authority in consultation with the community.</p> <p>In law this is described as the Development Plan Documents adopted under the Planning and Compulsory Purchase Act 2004.</p> <p>Current core strategies or other planning policies, which under the regulations would be considered to be Development Plan Documents, form part of the Local Plan. This term includes old policies which have been saved under the 2004 Act.</p>
Local Plan Strategy	Development Plan Document setting out the spatial vision and strategic objectives of the planning framework for an area, having regard to the Community Strategy.

Local Planning Authority	The local authority or council that is empowered by law to exercise planning functions. In the case of this SPD, the Local Planning Authority is Cheshire East Council.
Neighbourhood Plan	A plan prepared by a parish council or neighbourhood forum for a particular neighbourhood area (made under the Planning & Compulsory Purchase Act 2004).
Site Allocations and Development Policies Document	Part of the Local Plan which will contain land allocations and detailed policies and proposals to deliver and guide the future use of that land.
Supplementary Planning Document	A Local Development Document that may cover a range of issues, thematic or site specific, and provides further detail of policies and proposals in a 'parent' Development Plan Documents.
Sustainability Appraisal	An appraisal of the economic, environmental and social effects of a plan from the outset of the preparation process to allow decisions to be made that accord with sustainable development.
Strategic Environmental Appraisal	SEA is a process and a tool for evaluating the effects of proposed policies, plans and programmes on natural resources, social, cultural and economic conditions and the institutional environment in which decisions are made.
Viability Study	A report, including a financial appraisal, to establish the profit or loss arising from a proposed development. It will usually provide an analysis of both the figures inputted and output results together with other matters of relevance. An assessment will normally provide a judgement as to the profitability, or loss, of a development.



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Draft Biodiversity Net Gain Supplementary Planning Document

Strategic Environmental Assessment and Habitats Regulations Assessment Screening Report

Introduction and Purpose

1. Cheshire East Council has produced a draft Biodiversity Net Gain Supplementary Planning Document ("SPD"). The purpose of the SPD is to provide guidance on the provision of affordable Biodiversity Net Gain and achieving an appropriate Biodiversity Net Gain mix on development sites proposed in the borough, adding further detail to policies contained within the Development Plan.
2. The Development Plan for Cheshire East consists of the Local Plan Strategy ("LPS") and 'saved' policies in the Crewe and Nantwich, Congleton and Macclesfield Local Plans. In addition, made Neighbourhood Plans also form part of the Development Plan.
3. The policy framework for the SPD is contained mostly in the LPS, with a particular focus on Policy SE 3 ("Biodiversity and Geodiversity"), SE 5 ("Trees, Hedgerows and Woodland") and Policy SE 6 ("Green Infrastructure").
4. The Council is also in the process of preparing the second part of its Local Plan, called the Site Allocations and Development Policies Document ("SADPD"). The Revised Publication Draft SADPD (consulted on between 26 October and 23 December 2020) contains a number of emerging policies on matters such as Ecological Network and Ecological Implementation. The draft Biodiversity Net Gain SPD is being prepared in conformity with the LPS and the emerging SADPD.
5. This screening report is designed to determine whether or not the contents of the draft Biodiversity Net Gain SPD require a Strategic Environmental Assessment ("SEA") in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004. The report also addresses whether the draft Biodiversity Net Gain SPD has a significant adverse effect upon any internationally designated site(s) of nature conservation importance and thereby subject to the requirements of the Habitats Regulations. The report contains separate sections that set out the findings of the screening assessment for these two issues.
6. This statement, alongside the draft Biodiversity Net Gain SPD, will be the subject of consultation in accordance with the relevant regulations and the Council's Statement of Community Involvement from the xx xxxx 2021 until the xxxx 2021. This will include consultation with the relevant statutory bodies (Natural England, Environment Agency and Historic England). Comments received during the consultation on the draft Biodiversity Net Gain SPD and this statement will be reflected in future updates to this document.

Strategic Environmental Assessment Screening

Legislative Background

7. The objective of SEA is to provide for a high level of protection of the environment with a view to promoting the achievement of sustainable development. It is a requirement of European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment (also known as the SEA Directive). The Directive was transposed in UK law by the Environmental Assessment of Plans and Programmes Regulations 2004, often known as the SEA Regulations.
8. Article 3(3) and 3(4) of the regulations make clear that SEA is only required for plans and programmes when they have significant environmental effects. The 2008 Planning Act removed the requirement to undertake a full Sustainability Appraisal for a SPD although consideration remains as to whether the SPD requires SEA, in exceptional circumstances, when likely to have a significant environmental effect(s) that has not already been assessed during the preparation of a Local Plan. In addition, planning practice guidance (PPG – ref Paragraph: 008 Reference ID: 11-008-20140306) states that a SEA is unlikely to be required where an SPD deals only with a small area at local level, unless it is considered that there are likely to be significant environmental effects.

Overview of draft Biodiversity Net Gain SPD

9. The purpose of the draft Biodiversity Net Gain SPD is to provide further guidance on the implementation of the SE 3 (“Biodiversity and Geodiversity”), SE 5 (“Trees, Hedgerows and Woodland”) and Policy SE 6 (“Green Infrastructure”) LPS policies.
10. It is important to note that policies in the LPS were the subject of Sustainability Appraisal, which incorporated the requirements of the SEA regulations (as part of an Integrated Sustainability Appraisal). The likely significant environmental effects have already been identified and addressed – the SPD merely provides guidance on existing policies. The LPS Integrated Sustainability Appraisal has informed this SPD screening assessment.
11. SEA has been undertaken for policies SE 3 (“Biodiversity and Geodiversity”), SE 5 (“Trees, Hedgerows and Woodland”) and Policy SE 6 (“Green Infrastructure”), as part of the Integrated Sustainability Appraisal that supported the LPS. For the purposes of compliance with the UK SEA Regulations and the EU SEA directive, the following reports comprised the SA “Environmental Report”:
 - SD 003 – LPS Submission Sustainability (Integrated) Appraisal (May 2014);
 - PS E042 – LPS Sustainability (Integrated) Appraisal of Planning for Growth Suggested Revisions (August 2015);
 - RE B006 – LPS Sustainability (Integrated) Appraisal Suggested Revisions to LPS Chapters 9-14 (September 2015);
 - RE F004 – Sustainability (Integrated) Appraisal – Proposed Changes (March 2016);

- PC B029 – Sustainability (Integrated) Appraisal - Proposed Changes to Strategic and Development Management Policies (July 2016);
- PC B030 – Sustainability (Integrated) Appraisal - Proposed Changes to Sites and Strategic Locations (July 2016);
- MM 002 - Sustainability (Integrated) Appraisal - Main Modifications Further Addendum Report.

12. In addition, an SA adoption statement was prepared in July 2017 to support the adoption of the LPS. It should also be noted that the emerging SADPD and the policies contained in it have also been supported by a Sustainability Appraisal (incorporating the requirements for the SEA directive).

SEA Screening Process

13. The council is required to undertake a SEA screening to assess whether the draft Biodiversity Net Gain SPD is likely to have significant environmental effects. If the draft Biodiversity Net Gain SPD is considered unlikely to have significant environmental effects through the screening process, then the conclusion will be that SEA is not necessary. This is considered in Table 1 below:-

Table 1: Establishing the need for a SEA

Stage		Decision	Rationale
1.	Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared through a legislative procedure by Parliament or Government? (Art. 2 (a)).	Yes	The SPD will be prepared and adopted by Cheshire East Borough Council.
2.	Is the SPD required by legislation, regulatory or administrative provisions? (Article. 2 (a)).	No	The Council's Local Development Scheme (2020 – 2022) does not specifically identify the need to produce a draft Biodiversity Net Gain SPD.
3.	Is the SPD prepared for agricultural, forestry, fisheries, energy, industry, transport, waste management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Article 3.2 (a)).	No	The SPD is being prepared for town and country planning use. It does not set a framework for future development consent of projects in Annexes I and II to the EIA Directive (Article 3.2 (a)). Whilst some developments to which the guidance in the SPD applies would fall within Annex II of the EIA Directive at a local level, the SPD does not specifically plan for or allow it.
4.	Will the SPD, in view of its likely effect on sites, require an assessment under Article 6 or 7 of the Habitats Directive? Art 3.2 (b)).	No	A Habitats Regulations Assessment has been undertaken for the LPS and emerging SADPD. The SPD does not introduce new policy or allocate sites for development. Therefore, it is not considered necessary to undertake a HRA assessment for the SPD. This conclusion has been supported by an HRA screening assessment as documented through this report.
5	Does the SPD determine the use of small areas at local level, OR is it a minor modification of a PP subject to Art. 3.2? (Art 3.3)	No	The SPD will not determine the use of small areas at a local level. The SPD provides guidance on the how applicants should demonstrate the delivery of biodiversity net gain, but it does not specifically

			determine the use of small areas at a local level. The SPD will be a material consideration in decision taking.
6.	Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	No	The LPS and emerging SADPD provide the framework for the future consent of projects. The SPD elaborates upon approved and emerging policies and does not introduce new policy or allocate sites for development.

14. The SPD is considered to not have a significant effect on the environment and therefore SEA is not required. However, for completeness, Table 2 assesses whether the draft SPD will have any significant environmental effects using the criteria set out in Annex II of SEA Directive 2001/42/EC¹ and Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004².

Table 2: assessment of likely significance of effects on the environment

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects, scope and influence of the document	Is the Plan likely to have a significant environmental effect (Yes / No)
1.Characteristics of the SPD having particular regard to:		
(a) The degree to which the SPD sets out a framework for projects and other activities, either with regard to the location, nature, size or operating conditions or by allocating resources.	<p>Guidance is supplementary to policies contained in the LPS and emerging SADPD, both of which have been the subject of SA / SEA. The policies provide an overarching framework for development in Cheshire East.</p> <p>The draft Biodiversity Net Gain SPD provides further clarity and certainty to form the basis for the submission and determination of planning applications, consistent with policies in the LPS.</p> <p>Final decisions will be determined through the development management process.</p> <p>No resources are allocated.</p>	No
(b) The degree to which the SPD influences other plans and programmes including those in a hierarchy.	The draft SPD is in general conformity with the LPS, which has been subject to a full Sustainability Appraisal (incorporating SEA). It is adding more detail to the adopted LPS and other policies in the Development Plan including the emerging SADPD, which has itself been the subject of Sustainability Appraisal. Therefore, it is not considered to have an influence on any other plans and programmes.	No

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32001L0042&from=EN>

² http://www.legislation.gov.uk/ukxi/2004/1633/pdfs/ukxi_20041633_en.pdf

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects, scope and influence of the document	Is the Plan likely to have a significant environmental effect (Yes / No)
(c)The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development.	The draft SPD promotes sustainable development, in accordance with the NPPF (2019) and LPS policies. The LPS has been the subject of a full Sustainability Appraisal (incorporating SEA). The draft SPD has relevance for the integration of environmental considerations and promotes sustainable development by providing guidance on the delivery of Biodiversity Net Gain in the borough.	No
(d)Environmental problems relevant to the SPD.	There are no significant environmental problems relevant to the SPD.	No
(e)The relevance of the SPD for the implementation of Community legislation on the environment (for example plans and programmes related to waste management or water protection).	The draft SPD will not impact on the implementation of community legislation on the environment.	No
2.Characteristics of the effects and area likely to be affected having particular regard to:		
(a)The probability, duration, frequency and reversibility of the effects.	The draft SPD adds detail to adopted LPS policy; itself the subject of SA.	No
(b)The cumulative nature of the effects of the SPD.	The draft SPD adds detail to adopted LPS policy, itself the subject of SA. The SA associated with the LPS and emerging SADPD have considered relevant plans and programmes. No other plans or programmes have emerged that alter this position.	No
(c)The trans-boundary nature of the effects of the SPD.	Trans-boundary effects will not be significant. The draft SPD will not lead to any transboundary effects as it just providing additional detail regarding the implementation of policies SE 3, SE 5 & SE 6 in the LPS and does not, in itself, influence the location of development.	No
(d)The risks to human health or the environment (e.g. due to accident).	The draft SPD will not cause risks to human health or the environment as it is adding detail to environmental policies in the Local Plan.	No
(e)The magnitude and spatial extent of the effects (geographic area and size of the population likely to be affected) by the SPD.	The draft SPD covers the Cheshire East administrative area. The draft SPD will assist those making planning applications in the borough.	No

SEA Directive Criteria Schedule 1 of Environmental Assessment of Plans and Programmes Regulations 2004	Summary of significant effects, scope and influence of the document	Is the Plan likely to have a significant environmental effect (Yes / No)
(f)The value and vulnerability of the area likely to be affected by the SPD due to: <ul style="list-style-type: none"> • Special natural characteristics of cultural heritage • Exceeded environmental quality standards or limit values • Intensive land use. 	The draft SPD will not lead to significant effects on the value or vulnerability of the area. It is adding detail regarding the implementation of environmental policies SE 3, SE 5 and SE 6 in the LPS, and does not, in itself, influence the location of development.	No
(g)The effects of the SPD on areas or landscapes which have recognised national Community or international protected status.	The SPD does not influence the location of development, so will not cause effects on protected landscape sites.	No

Conclusion and SEA screening outcome

15. The SPD is not setting new policy; it is supplementing and providing further guidance on an existing LPS policy. Therefore, it is considered that an SEA is not required on the draft Biodiversity Net Gain SPD. This conclusion will be revisited following consideration of the views of the three statutory consultees (the Environment Agency, Historic England and Natural England) and if there are significant changes to the SPD following public consultation.

Habitats Regulations Assessment Statement

16. The Council has considered whether its planning documents would have a significant adverse effect upon the integrity of internationally designated sites of nature conservation importance. European Directive 92/43/EEC on the Conservation of Natural Habitats and Wild Flora and Fauna (Habitats Directive) provides legal protection to habitats and species of European importance. The principal aim of this directive is to maintain at, and where necessary restore to, favourable conservation status of flora, fauna and habitats found at these designated sites.
17. The Directive is transposed into English legislation through the Conservation of Habitats and Species Regulations 2017 (a consolidation of the amended Conservation of Habitats and Species Regulations, 2010) published in November 2017.
18. European sites provide important habitats for rare, endangered or vulnerable natural habitats and species of exceptional importance in the European Union. These sites consist of Special Areas of Conservation (SACs, designated under the EU Directive 92/43/EEC on the conservation of natural habitats and of fauna and flora (Habitats Directive)), and Special Protection Areas (SPAs, designated under EU Directive 2009/147/EC on the conservation of wild birds (the Birds Directive)). Government policy requires that Ramsar sites (designated under the International Wetlands Convention, UNESCO, 1971) are treated as if they are fully designated European sites for the purposes of considering development proposals that may affect them.
19. Spatial planning documents may be required to undergo Habitats Regulations Screening if they are not directly connected with or necessary to the management of a European site. As the draft Biodiversity Net Gain SPD is not connected with, or necessary to, the management of European sites, the HRA implications of the SPD have been considered.
20. A judgement, published on the 13 April 2018 (People Over Wind and Sweetman v Coillte Teoranta (C-323/17) clarified that measures intended to avoid or reduce the harmful effects of a proposed project on a European site may no longer be taken into account by competent authorities at the Habitat Regulations Assessment “screening stage” when judging whether a proposed plan or project is likely to have a significant effect on the integrity of a European designated site.
21. Both the LPS and emerging SADPD have been subject to HRA.
22. The draft Biodiversity Net Gain SPD does not introduce new policy; it provides further detail to those policies contained within the LPS. The HRA concluded that policies SC 4 (“Residential mix”), SC 5 (“Affordable homes”) and SC 6 (“Rural exceptions Biodiversity Net Gain for local needs”) could not have a likely significant effect on a European Site. The same applies to the draft Biodiversity Net Gain SPD. The draft Biodiversity Net Gain SPD in itself, does not allocate sites and is a material consideration in decision taking, once adopted.

23. The draft Biodiversity Net Gain SPD either alone or in combination with other plans and programmes, is not likely to have a significant effect on any European site. Therefore, a full Appropriate Assessment under the requirements of the Habitats Regulations is not required.

Conclusion and HRA screening outcome

24. Subject to views of the three statutory consultees (the Environment Agency, Historic England and Natural England), this screening report indicates that an Appropriate Assessment under the Habitats Regulations is not required.

EQUALITY IMPACT ASSESSMENT

TITLE: Draft Biodiversity Net Gain Supplementary Planning Document (“SPD”)

VERSION CONTROL

Date	Version	Author	Description of Changes
03.03.2021	1	Allan Clarke / Tom Evans	Initial Draft
-	-	Sarah Walker	EDI sign off

EQUALITY IMPACT ASSESSMENT

CHESHIRE EAST COUNCIL - EQUALITY IMPACT ASSESSMENT

Stage 1 Description: Fact finding (about your policy / service /

Department	Strategic Planning		Lead officer responsible for assessment		Tom Evans, Neighbourhood Plan Manager	
Service	Environmental and Neighbourhood Services		Other members of team undertaking assessment		Tom Evans, Neighbourhood Plan Manager	
Date	23/03/2021		Version 1			
Type of document (mark as appropriate)	Strategy YES	Plan	Function	Policy	Procedure	Service
Is this a new/ existing/ revision of an existing document (please mark as appropriate)	New YES		Existing		Revision	
Title and subject of the impact assessment (include a brief description of the aims, outcomes , operational issues as appropriate and how it fits in with the wider aims of the organisation) Please attach a copy of the strategy/ plan/ function/ policy/ procedure/ service	Draft Biodiversity Net Gain Supplementary Planning Document (“SPD”) <u>Background</u> Supplementary Planning Documents (“SPDs”) provide further detail to the policies contained in the development plan. They can be used to provide guidance for development on specific sites, or on particular issues, such as design. SPDs are capable of being a material consideration in planning decisions but are not part of the development plan. They must be consistent with national planning policy, must undergo consultation and must be in conformity with policies contained within the Local Plan. The council has prepared a draft Biodiversity Net Gain SPD for consultation. The draft SPD provides additional guidance on the implementation of policies SE3 (“biodiversity and geodiversity”), SE5 (“Trees, Hedgerows and Woodland”) and SE6 (“Green Infrastructure”) in the council’s Local Plan Strategy, adopted in July 2017. The SPD, once adopted, should assist applicants when making planning applications, and the council in determining them. The SPD provides further guidance on existing policies, rather than setting a new policy approach in relation to biodiversity and habitats.					

EQUALITY IMPACT ASSESSMENT

	<p>The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, the National Planning Policy Framework and National Planning Practice Guidance.</p> <p>The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended by the Local Planning, Development Management Procedure, Listed Buildings etc (England) (Coronavirus) (Amendment) Regulations 2020), the National Planning Policy Framework and National Planning Practice Guidance.</p> <p>An Equalities Impact Assessment was prepared alongside the integrated Sustainability Appraisal work which supported the Local Plan Strategy. An Equalities Impact Assessment has also been prepared to support the emerging Site Allocations and Development Policies Document. The assessment found that the LPS policies (including policies particularly relevant to the SPD) and emerging SADPD are unlikely to have negative effects on protected characteristics or persons identified under the Equality Act 2010.</p>
Who are the main stakeholders and have they been engaged with? (e.g. general public, employees, Councillors, partners, specific audiences, residents)	Public consultation will take place on the draft SPD for four weeks in accordance with the Town and Country Planning ((Local Planning) (England) Regulations 2012) and the council's adopted Statement of Community Involvement. This will include the general public, town and parish councils, statutory consultees, elected members, consultees who have registered on the strategic planning database.
What consultation method(s) did you use?	<p>The council prepares a Statement of Community Involvement which provides detail on how it will consult on Local Plan documents and SPDs. This includes the availability of documents, how residents and stakeholders will be notified etc. The council's Local Plan consultation database, which will be notified of the consultation, also includes a number of organisations who work alongside groups with protected characteristics in the borough.</p> <p>Once consultation has taken place on the draft SPD, all comments received will be reviewed before consideration is given to any amendments required. A report of consultation will be prepared alongside the final version of the SPD and this will also be subject to further consultation. This EIA will be kept updated as the draft SPD progresses.</p>

Stage 2 Initial Screening

Who is affected and what evidence have you considered to arrive at this analysis?	Ward councillors. Those living and working in the borough, property owners, landowners and developers, clinical commissioning group, special interest groups.
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EQUALITY IMPACT ASSESSMENT

(This may or may not include the stakeholders listed above)								
Who is intended to benefit and how?		Local communities including landowners and developers. The SPD will provide additional guidance on the implementation of existing planning policies related to the assessment of planning applications on matters relating to ecology and biodiversity providing guidance on how a gain in volume and quality of such assets should be achieved. Achieving biodiversity net gain is beneficial to all communities through natural environmental services our ecosystem relies on. The means through which a net gain is achieved may improve access to green space and recreation opportunities in new and existing development.						
Could there be a different impact or outcome for some groups?		No, the SPD builds upon existing planning policy guidance and provides further information about how the council will consider planning applications. The provision of biodiversity net gain will assist in supporting communities to access green space for recreation, improve local amenity, and mitigate some impacts of climate change, such as flooding. Further guidance on factors that inform an appropriate approach to delivering more habitats and improve ecology will support ecosystems across Cheshire East. The SPD, in applying additional guidance to assist in the interpretation of planning policies should be beneficial to groups.						
Does it include making decisions based on individual characteristics, needs or circumstances?		No, the introduction of the SPD is not based on individual characteristics, needs or circumstances. The SPD includes information on the natural environment and characteristics of land and habitats in Cheshire East. The content of the SPD does not relate directly to the characteristics of human populations.						
Are relations between different groups or communities likely to be affected? (eg will it favour one particular group or deny opportunities for others?)		No, the SPD is not intended to affect different groups or communities in this way.						
Is there any specific targeted action to promote equality? Is there a history of unequal outcomes (do you have enough evidence to prove otherwise)?		No, the SPD is not intended to target any group and will be consulted upon in line with the council's Statement of Community Involvement.						
Is there an actual or potential negative impact on these specific characteristics? (Please tick)								
Age	Y	N	Marriage & civil partnership	Y	N	Religion & belief	Y	N
Disability	Y	N	Pregnancy & maternity	Y	N	Sex	Y	N
Gender reassignment	Y	N	Race	Y	N	Sexual orientation	Y	N

EQUALITY IMPACT ASSESSMENT

What evidence do you have to support your findings? (quantitative and qualitative) Please provide additional information that you wish to include as appendices to this document, i.e., graphs, tables, charts			Consultation/ involvement carried out	
			Yes	No
Age	The SPD may have an impact those living and working in the borough.			X (to be carried out)
Disability	The draft Biodiversity Net Gain SPD provides further guidance on the implementation of LPS policy SE3 'Biodiversity and Geodiversity' to support the preservation and enhancement of ecological assets. The SPD also provides guidance on policy requirements and methods that applicants can use to retain and enhance environmental assets on and related to their sites.			
Gender reassignment				
Marriage & civil partnership				
Pregnancy & maternity	In some instances enhancing biodiversity may involve improvements to land that is accessible to the public, either within a development site itself or at another location (accessible via a public right of way for example).			
Race	The guidance in the SPD may be beneficial as it will assist in supporting the provision of natural habitats and green space that support the ecosystems of the borough and can support recreation and leisure opportunities for human populations.			
Religion & belief	The SPD provides further guidance on the policy approach set out in the Local Plan Strategy.			
Sex	No negative impacts are identified at this stage in relation to any of the specific characteristics however public consultation will be undertaken and this may raise issues officers are not currently aware of.			
Sexual orientation	The EIA will be reviewed (and updated) once the initial consultation has taken place.			
Proceed to full impact assessment? (Please tick)	Yes	No	Date: 03/03/2021	

EQUALITY IMPACT ASSESSMENT

Lead officer sign off		Date	
Head of service sign off		Date	

If yes, please proceed to Stage 3. If no, please publish the initial screening as part of the suite of documents relating to this issue

DRAFT

EQUALITY IMPACT ASSESSMENT

Stage 3 Identifying impacts and evidence


This section identifies if there are impacts on equality, diversity and cohesion, what evidence there is to support the conclusion and what further action is needed

Protected characteristics	Is the policy (function etc....) likely to have an adverse impact on any of the groups? Please include evidence (qualitative & quantitative) and consultations <i>List what negative impacts were recorded in Stage 1 (Initial Assessment).</i>	Are there any positive impacts of the policy (function etc....) on any of the groups? Please include evidence (qualitative & quantitative) and consultations <i>List what positive impacts were recorded in Stage 1 (Initial Assessment).</i>	Please rate the impact taking into account any measures already in place to reduce the impacts identified <i>High:</i> Significant potential impact; history of complaints; no mitigating measures in place; need for consultation <i>Medium:</i> Some potential impact; some mitigating measures in place, lack of evidence to show effectiveness of measures <i>Low:</i> Little/no identified impacts; heavily legislation-led; limited public facing aspect	Further action (only an outline needs to be included here. A full action plan can be included at Section 4) <i>Once you have assessed the impact of a policy/service, it is important to identify options and alternatives to reduce or eliminate any negative impact. Options considered could be adapting the policy or service, changing the way in which it is implemented or introducing balancing measures to reduce any negative impact. When considering each option you should think about how it will reduce any negative impact, how it might impact on other groups and how it might impact on relationships between groups and overall issues around community cohesion. You should clearly demonstrate how you have considered various options and the impact of these. You must have a detailed rationale behind decisions and a justification for those alternatives that have not been accepted.</i>
Age				
Disability				
Gender reassignment				
Marriage & civil partnership				

EQUALITY IMPACT ASSESSMENT

Pregnancy and maternity				
Race				
Religion & belief				
Sex				
Sexual orientation				
Is this change due to be carried out wholly or partly by other providers? If yes, please indicate how you have ensured that the partner organisation complies with equality legislation (e.g. tendering, awards process, contract, monitoring and performance measures)				

Stage 4 Review and Conclusion
ASSESSMENT

Summary: provide a brief overview including impact, changes, improvement, any gaps in evidence and additional data that is needed			
Specific actions to be taken to reduce, justify or remove any adverse impacts	How will this be monitored?	Officer responsible	Target date
Please provide details and link to full action plan for actions			
When will this assessment be reviewed?			
Are there any additional assessments that need to be undertaken in relation to this assessment?			
Lead officer sign off	 Tom Evans	Date: 23/03/21	
Head of service sign off		Date:	

Please publish this completed EIA form on the relevant section of the Cheshire East website

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Working for a brighter future together

Strategic Planning Board

Date of Meeting: 21 April 2021

Report Title: Planning Appeals Report

Portfolio Holder: Councillor Toni Fox

Senior Officer: David Malcolm: Head of Planning

1. Report Summary

- 1.1. A statistical overview of the outcome of Planning Appeals that have been decided between 1st January 2020 and 31st March 2021. The report provides information that should help monitor the Council's quality of decision making in respect of planning applications.

2. Recommendations

- 2.1. That the Report be noted.

3. Reasons for Recommendations

- 3.1. To acknowledge the appeal outcomes from the Council's decision making on planning applications.

4. Other Options Considered

- 4.1. The report is for information only and no other options are applicable

5. Background

- 5.1. All of the Council's decisions made on planning applications are subject to the right of appeal under section 78 of the Town and Country Planning Act 1990. Most appeals are determined by Planning Inspectors on behalf of the Secretary of State. However, the Secretary of State also has the power to make the decision on an appeal rather than it being made by a Planning Inspector - this is referred to as a 'recovered appeal'.

- 5.2. Appeals can be dealt with through several different procedures: written representations; informal hearing; or public inquiry. There is also a fast-track procedure for householder and small scale commercial developments.
- 5.3. All of the Appeal Decisions referred to in this report can be viewed in full online on the planning application file using the relevant planning reference number.
- 5.4. This report relates to planning appeals and does not include appeals against Enforcement Notices or Listed Building Notices.

6. Commentary on appeal statistics

- 6.1. The statistics on planning appeals for the reporting period are set out in Appendix 1 and 2.
- 6.2. The statistics are set into different components to enable key trends to be identified:
 - Overall performance;
 - Outcomes by type of appeal procedure;
 - Outcomes of delegated decisions;
 - Outcomes of committee decisions;
 - Overall numbers of appeals lodged;
 - Benchmarking nationally.
- 6.3. The overall number of appeals lodged has remained consistent and averages out at approximately 120 planning appeals annually. At present, approximately 25% of decisions to refuse planning permission will result in a planning appeal.
- 6.4. In terms of the outcomes of the appeals decided, the performance is close to but slightly below the national average.
 - 29% of all section 78 appeals were allowed in the reporting period, compared to a national average of 24%.
 - 38% of all householder appeals were allowed compared to a national average of 35%.

7. Implications of the Recommendations

7.1. Legal Implications

7.1.1. As no decision is required there are no legal implications.

7.2. Finance Implications

7.2.1. There are no financial implications.

7.3. Policy Implications

7.3.1. There are no policy implications.

7.4. Equality Implications

7.4.1. There are no Equality implications

7.5. Human Resources Implications

7.5.1. There are no HR implications

7.6. Risk Management Implications

7.6.1. There are no risk management implications

7.7. Rural Communities Implications

7.7.1. There are no direct implications for rural communities.

7.8. Implications for Children & Young People/Cared for Children

7.8.1. There are no direct implications for children and young people.

7.9. Public Health Implications

7.9.1. There are no direct implications for public health.

7.10. Climate Change Implications

7.10.1. There are no climate change implications

8. Ward Members Affected

8.1. The Report relates to all Wards. The report is for noting only.

9. Consultation & Engagement

9.1. Not applicable.

10. Access to Information

- 10.1. Planning Appeal statistics for 01-Jan-2020 to 31-Mar-2021 (Appendix 1 and 2)

11. Contact Information

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

Name: Peter Hooley

Job Title: Planning and Enforcement Manager

Email: peter.hooley@cheshireeast.gov.uk

Planning Appeals Report

Appendix 1. Planning Appeal Statistics 1 Jan 2020 – 31 March 2021

	All Planning Appeals decided in the specified period					
	Public Inquiry	Hearing	Written Representation	S.78 Appeals Total	Householder Appeals	OVERALL TOTAL
Number of Appeals determined	7	8	82	97	47	144
Allowed	6	4	18	28	18	46
Dismissed	1	4	64	69	29	98
Percentage allowed	86%	50%	22%	29%	38%	32%
	<p><i>Note: appeals that were withdrawn, deemed invalid or part allowed/part dismissed are excluded from the figures provided.</i></p> <p><i>S.78 Appeals are all planning application appeals excluding the Householder Appeals process.</i></p>					

Appeals arising from Planning Committee and Delegated Decisions

	Committee Decisions	Delegated Decisions	Total
Number of appeals determined	21	123	144
Allowed	16	30	46
Dismissed	5	93	98
Percentage allowed	76%*	24%	32%

**Of the appeals against committee decisions, 11 followed decisions made contrary to officer recommendation of which 8 were allowed (73%)*

Appeals Lodged

	Public Inquiries	Hearing	Written Rep	Household fast-track	Total
1 Jan 2020 – 31 March 2021	3	7	92	41	143

**Figures are subject to future revision due to delay between date appeals lodged and start date confirmed by PINS.*

Planning Appeals Report

Benchmarking**Latest national figures for s78 Planning Appeals**

1 Jan – 31 Dec 2020				
	Public Inquiry	Hearings	Written Representations	All
Number of appeals determined	122	385	8886	9393
Percentage allowed	52%	42%	23%	24%

Latest National figures for Householder Appeal Service

1 Jan - 31 Dec 2020	
	Householder
Number of appeals determined	4012
Percentage allowed	35%

Source: Planning Inspectorate Statistics 12.04.2021.

Appendix 2. Appeals determined 1st Jan 2020 – 31st March 2021

LPA ref.	Site Address	Development Description (short description only)	Decision Level	Procedure	Appeal Outcome	Committee Overturn Y/N
12/3747N	LAND BETWEEN AUDLEM ROAD/ BROAD LANE & PETER DESTAPLEIGH WAY, STAPELEY	Residential development up to a maximum of 189 dwellings - Local centre (Class	Strategic Planning	Public Inquiry	Allowed	No
12/3746N	Land off Peter Destapeleigh Way, Nantwich	New highway access road, including footways and cycleway and associated works.	Strategic Planning	Public Inquiry	Allowed	No
18/2153N	DODDINGTON ESTATE, BRIDGEMERE, NANTWICH, CHESHIRE CW5 7PU	Outline application for development of 12 sites for residential development	Strategic Planning	Public Inquiry	Allowed	Yes
19/3784C	Land South Of, OLD MILL ROAD, SANDBACH	Full planning application for erection of a care home (class C2), 85 new dwellings	Strategic Planning	Public Inquiry	Allowed	No
16/5678M	Land at junction of Earl Road and Epsom Avenue, Handforth	Demolition of existing buildings and erection of five units to be used for Class	Strategic Planning	Written Representations	Allowed	No
19/0529C	Land To The South Of, CREWE ROAD, ALSAGER	Application seeking outline planning permission	Strategic Planning	Informal Hearing	Allowed	Yes
19/2539C	Land South Of, OLD MILL ROAD, SANDBACH	Hybrid Planning Application for development	Strategic Planning	Public Inquiry	Dismissed	No
19/3889N	LAND OFF CREWE ROAD, WINTERLEY	Outline application for the erection of up to 55 dwellings with associated works	Southern Planning	Public Inquiry	Allowed	No
18/2925N	New Start Park, WETTENHALL ROAD, REASEHEATH, CW5 6EL	Removal of planning condition 1 (3 years)	Southern Planning	Informal Hearing	Allowed	No
18/2413C	Land Adjoining Meadowview Park, DRAGONS LANE, MOSTON	Change of use of land from agricultural land for stationing of caravans	Southern Planning	Informal Hearing	Allowed	No
19/1653C	Land Adjacent To Swanwick Hall Drive, Off BOOTH BED LANE, GOOSTREY	Proposed new stable block, menage, access track and change of land use	Southern Planning	Written Representations	Allowed	No

Planning Appeals Report

19/1360N	Former greenkeeper's shed and surrounding service area, Former Gorstyhill Golf Club, Abbey Park Way, Crewe, Weston	Change of use of greenkeeper's shed to B8 (storage and distribution) with	Southern Planning	Written Representations	Dismissed	Yes
18/6202M	BLACKFORD, WILMSLOW PARK NORTH, WILMSLOW, SK9 2BA	Residential Development comprising 4, 2-storey dwellings with accommodation in r	Northern Planning	Written Representations	Allowed	Yes
19/1708M	90, TYTHERINGTON DRIVE, MACCLESFIELD, SK10 2HN	Demolition of existing garage and out buildings and erection of two number 3 bed	Northern Planning	Written Representations	Allowed	Yes
19/3831M	51, HANDFORTH ROAD, WILMSLOW, CHESHIRE, SK9 2LX	Demolition of existing 2 detached properties and erection of 60-bedroom care hom	Northern Planning	Written Representations	Allowed	Yes
19/4862M	HILLSIDE, 21, ADLINGTON ROAD, WILMSLOW, CHESHIRE, SK9 2BJ	Demolition of the existing nursing home and the construction of a new building p	Northern Planning	Written Representations	Allowed	Yes
19/1395M	OAKHURST, TOFT ROAD, KNUTSFORD, WA16 9ED	Construction of new detached dwelling	Northern Planning	Written Representations	Allowed	Yes
19/2254M	FERNLEA, STANLEY ROAD, KNUTSFORD, WA16 0DJ	Construction of 3 dwellings following demolition	Northern Planning	Written Representations	Allowed	Yes
19/4167M	STONE COTTAGE, 14, SUMMERHILL ROAD, PRESTBURY, SK10 4AH	Outline application with some matters reserved for construction of three infill	Northern Planning	Informal Hearing	Dismissed	No
19/2035M	Land adj Yew Tree Farm, MOOR LANE, WILMSLOW, CHESHIRE, SK9 6BX	Demolition of existing building and construction of 2no. new dwellings	Northern Planning	Written Representations	Dismissed	Yes
19/1955M	LAND ADJACENT TO WITHINLEE HOLLOW, WITHINLEE ROAD, PRESTBURY, SK10 4AT	Erection of a dwelling house with associated works including landscaping	Northern Planning	Written Representations	Dismissed	Yes
19/5659N	LAND AT THE COTTAGE, PECKFORTON HALL LANE, PECKFORTON, CW6 9TG	Outline Planning Permission for the erection of 1 No. detached dwelling,	Delegation	Written Representations	Allowed	
19/5660M	STONE COTTAGE, 14,	Outline application with Some Matters	Delegation	Informal	Allowed	

Planning Appeals Report

	SUMMERHILL ROAD, PRESTBURY, SK10 4AH	Reserved for construction of two infill dw		Hearing		
19/3328M	Wood Cottage, Leach Lane, Lower Withington, SK11 9DY	Full permission for a replacement dwelling, detached garage and associated lands	Delegation	Written Representations	Allowed	
19/3531C	LAND ADJACENT TO PUDDLE BANK LANE, APPROXIMATELY 225M NORTH-EAST OF BROOK HOUSE FARM HOUSE, ASTBURY, CW12 3NW	Retrospective planning application for fencing at field entrance	Delegation	Written Representations	Allowed	
19/4940M	KINGS ARMS SERVICE STATION, ALDERLEY ROAD, WILMSLOW, CHESHIRE, SK9 1PZ	Variation of condition 8 (Opening Hours) on application 18/5937M to read as foll	Delegation	Written Representations	Allowed	
19/4860M	Wayside, HOUGH LANE, ALDERLEY EDGE, SK9 7JE	Proposed two storey side extension to existing residential property	Delegation	Householder Appeal Service	Allowed	
19/2423N	PUMP COTTAGE, KINGS LANE, CRANAGE, CW10 9LX	Retrospective application for Change of Use of land to garden	Delegation	Written Representations	Allowed	
19/3400M	LINDEN, TABLEY ROAD, KNUTSFORD, WA16 0NE	Proposed two storey front & side extension, single storey rear extension and gen	Delegation	Householder Appeal Service	Allowed	
20/1657C	Roddymoor Mill House, ROUGHWOOD LANE, HASSALL, CW11 4XX	Erection of a recreational children's tree house within the curtilage of Roddymo	Delegation	Written Representations	Allowed	
20/0794M	26, FALLIBROOME ROAD, MACCLESFIELD, SK10 3LD	Dormer window on front roof	Delegation	Householder Appeal Service	Allowed	
20/0796M	66, BLACKHILL LANE, KNUTSFORD, WA16 0EQ	Proposed single storey / two storey front and rear extensions	Delegation	Householder Appeal Service	Allowed	
20/0849M	TREE TOPS, STATION ROAD, WILMSLOW, CHESHIRE, SK9 4JP	Rear single and two storey extension with front porch and internal alterations.	Delegation	Householder Appeal Service	Allowed	
20/1015M	26, COCKSHEADHEY ROAD, BOLLINGTON, SK10 5QZ	Rear two storey extension.	Delegation	Written Representations	Allowed	
20/1816N	110 , Samuel Armstrong Way,	Move garden fence to boundary.	Delegation	Householder	Allowed	

Planning Appeals Report

	Crewe, CW1 4SH			Appeal Service		
19/5277N	82, COPPICE ROAD, WILLASTON, CW5 6QD	Two storey side extension, a single story side extension and a single storey rea	Delegation	Householder Appeal Service	Allowed	
19/0962C	Field View, 9, CONGLETON ROAD, SMALLWOOD, CW11 2YH	Construction of a new single vehicular drop kerb in front of property	Delegation	Householder Appeal Service	Allowed	
19/5194M	11, OVERDALE ROAD, DISLEY, SK12 2RJ	Single storey rear extension, two storey side extension	Delegation	Householder Appeal Service	Allowed	
19/5747M	1, Oak Brow Cottages, ALTRINCHAM ROAD, STYAL, SK9 4JE	Retention of Building to Provide Ancillary Residential Accommodation	Delegation	Householder Appeal Service	Allowed	
20/0015M	24, HIGHFIELD ROAD, BOLLINGTON, CHESHIRE, SK10 5LR	Construction of a detached garage, parking area and widening of the existing	Delegation	Householder Appeal Service	Allowed	
19/2912M	Green Lane Farm, GREEN LANE, BOLLINGTON, SK10 5LG	Alterations and extensions to an existing dwelling - re-submission	Delegation	Householder Appeal Service	Allowed	
19/3042M	RED GABLES, MERESIDE ROAD, MERE, WA16 6QR	Remodelling and extension including two storey rear extension, conversion	Delegation	Householder Appeal Service	Allowed	
19/2400M	Knowles House Farm, HOLLIN LANE, SUTTON, SK11 0HR	Conversion of existing attached single- storey outbuilding to ancillary domestic	Delegation	Householder Appeal Service	Allowed	
19/3836C	Holly Bank Farm, HOLMES CHAPEL ROAD, DAVENPORT, CW12 4SS	Proposed extension to existing outbuilding to form double garage and implement	Delegation	Written Representations	Allowed	
19/5028M	THE COTTAGE, ASHLEY ROAD, ASHLEY, CHESHIRE, WA15 0QP	New garage with gym & facilities in roof space	Delegation	Householder Appeal Service	Allowed	
19/5090M	Chorlton House, FULSHAW PARK, WILMSLOW, SK9 1QH	Erection of a two-storey side extension	Delegation	Householder Appeal Service	Allowed	
19/4895M	4, OAKWOOD COURT, BEECHFIELD ROAD, ALDERLEY EDGE, CHESHIRE, SK9 7AT	Two storey extension to side and excavation of garden to form patio	Delegation	Householder Appeal Service	Allowed	
19/3283N	AGRICULTURAL BUILDING, HAWKSBILL HALL,	Prior approval for a proposed change of use of an agricultural building	Delegation	Written Representations	Allowed	

Planning Appeals Report

	HOLLYHURST ROAD, WRENBURY, CW5 8HT					
18/5952N	BADDILEY LANE FARM, BADDILEY LANE, BADDILEY, CW5 8BP	Certificate of Lawful Existing Use	Delegation	Public Inquiry	Allowed	
20/0136C	21, REES CRESCENT, HOLMES CHAPEL, CHESHIRE, CW4 7NL	Certificate of lawful proposed use for conversion of loft space to accommodation	Delegation	Written Representations	Allowed	
19/0217N	OLD HOUSE BARNS, BADDILEY LANE, BADDILEY, CW5 8BP	First floor extension over existing single storey section of barn including	Delegation	Householder Appeal Service	Allowed	
19/2147C	Heathfields, NEW ROAD, MORETON, CW12 4RX	Certificate of lawful proposed development of incidental outbuilding	Delegation	Written Representations	Dismissed	
20/2627C	17, GLASTONBURY DRIVE, MIDDLEWICH, CW10 9HR	Construction of a detached brick and tile garage at the front of my home 5m wide	Delegation	Householder Appeal Service	Dismissed	
20/2672M	1 WATERLOO BARN, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY, SK10 4JW	Proposed single storey rear extension to existing residential property	Delegation	Written Representations	Dismissed	
19/5887M	Orchard Cottage, BACK LANE, PLUMLEY, WA16 9SF	Two storey rear extension extending 3m from the rear wall	Delegation	Written Representations	Dismissed	
19/2309M	Grove End Farm, Blossoms Lane, WOODFORD, WOODFORD, SK7 1RF	Prior change of use of the conversion of an agricultural building to a single dwelling	Delegation	Written Representations	Dismissed	
20/1775M	35, APPLETON WALK, WILMSLOW, SK9 2HN	Prior Approval for conversion of a former Estate Management Office B1 to Two FI	Delegation	Written Representations	Dismissed	
20/1659N	HAYCROFT FARM, PECKFORTON HALL LANE, PECKFORTON, TARPORLEY, CHESHIRE, CW6 9TF	Application to determine if prior approval is required for a proposed agricultural	Delegation	Written Representations	Dismissed	
20/1383N	Radley Wood Farm, WHITCHURCH ROAD, SPURSTOW, CW6 9TD	Prior approval for change of use from agricultural building to a single dwelling	Delegation	Written Representations	Dismissed	
19/5158M	Ollerton Hall & Ollerton End, POTTS LANE, OLLERTON,	Listed building consent for reconfiguration of two dwellings to create a single	Delegation	Written Representations	Dismissed	

Planning Appeals Report

	WA16 8SF					
20/2673M	1 WATERLOO BARN, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY, SK10 4JW	Proposed single storey rear extension to existing residential property	Delegation	Written Representations	Dismissed	
19/5157M	Ollerton Hall & Ollerton End, POTTS LANE, OLLERTON, WA16 8SF	Reconfiguration of two dwellings to create a single dwelling with ancillary	Delegation	Written Representations	Dismissed	
20/3559C	1, Sparrow Grove Barns, DRAGONS LANE, MOSTON, CW11 3QH	Single storey rear extension (resubmission)	Delegation	Householder Appeal Service	Dismissed	
20/4381M	6, PARK LANE, PICKMERE, CHESHIRE, WA16 0JX	Erection of a wooden shed 3m width 5m length 2.5m height in the front driveway,	Delegation	Householder Appeal Service	Dismissed	
19/1603M	BOUNDARY FARM, PEACOCK LANE, HIGH LEGH, WA16 6NT	Proposed reconstruction / replacement of outbuilding as ancillary domestic build	Delegation	Householder Appeal Service	Dismissed	
19/2364C	FAIR VIEW FARM, BLEEDING WOLF LANE, SCHOLAR GREEN, ST7 3BH	Alterations to provide bedroom and en-suite bathroom in existing roof space and	Delegation	Householder Appeal Service	Dismissed	
19/2657N	20, ARLEY PLACE, WISTASTON, CW2 6QW	Proposed repositioning of brick screen wall	Delegation	Householder Appeal Service	Dismissed	
19/2721M	2, MIDDLEHILLS, MACCLESFIELD, CHESHIRE, SK11 7EQ	First floor side extension	Delegation	Householder Appeal Service	Dismissed	
19/2789M	Reindeer Cottage, CHELFORD ROAD, OLLERTON, WA16 8RD	Infill small area between existing living room / kitchen and bedroom	Delegation	Householder Appeal Service	Dismissed	
19/5928C	14, COLDMOSS DRIVE, SANDBACH, CW11 4HW	Ground floor front extension and front first floor dormer extension and internal	Delegation	Householder Appeal Service	Dismissed	
20/0004M	Beech Cottage, KNUTSFORD ROAD, KNOLLS GREEN, MOBBERLEY, WA16 7BW	Create a single space drive to the front of the property with a metal bi-fold	Delegation	Householder Appeal Service	Dismissed	
19/5162M	HIGHFIELDS, HOLMES CHAPEL ROAD, LOWER WITHINGTON, CHESHIRE,	New garage and access	Delegation	Householder Appeal Service	Dismissed	

Planning Appeals Report

	SK11 9DH					
19/5532N	2 THE SYCAMORE, Bradeley Hall Farm, BRADELEY HALL ROAD, HASLINGTON, CW1 5HR	Window and door's replacement	Delegation	Written Representations	Dismissed	
20/1860M	1A, BRENT CLOSE, POYNTON, SK12 1HS	Erection of a new fence at the property boundary to replace existing hedgerow	Delegation	Householder Appeal Service	Dismissed	
20/1987M	BROWN OWL COTTAGE, GOLBORNE LANE, HIGH LEGH, WA16 0RD	Construction of a first-floor side/rear and two-storey side extension with glaze	Delegation	Householder Appeal Service	Dismissed	
20/2190M	BRADFORD LANE FARM, BRADFORD LANE, NETHER ALDERLEY, SK10 4TR	Demolition of existing outbuilding and erection of replacement outbuilding	Delegation	Householder Appeal Service	Dismissed	
20/1528M	LITTON, CROSS LANE, WILMSLOW, CHESHIRE, SK9 2DD	Re modelling of the dwelling, Two storey rear and side extension and new raised	Delegation	Householder Appeal Service	Dismissed	
20/1677C	13, LIME CLOSE, SANDBACH, CW11 1BZ	Remove oversized/partially dead conifers fit new smaller fence	Delegation	Householder Appeal Service	Dismissed	
20/0954M	6, BARLOW ROAD, WILMSLOW, SK9 4BE	Hip to gable roof alterations and rear dormer construction	Delegation	Householder Appeal Service	Dismissed	
20/0802N	PINNACLE FARM, COOLE LANE, NEWHALL, NANTWICH, CW5 8AY	Variation of Condition 2 (location of garage) on Approved 19/4819N	Delegation	Written Representations	Dismissed	
19/4028M	17, FLETSAND ROAD, WILMSLOW, CHESHIRE, SK9 2AD	Erection of Timber Climbing Frame (Retrospective)	Delegation	Householder Appeal Service	Dismissed	
19/4861N	59, Talbot Way, Stapeley, Cheshire East, CW5 7RR	Proposed two storey rear extension with garage conversion into granny annexe	Delegation	Householder Appeal Service	Dismissed	
19/4261M	Crown Farm, FROG LANE, PICKMERE, WA16 0LL	Erection of glazed link	Delegation	Householder Appeal Service	Dismissed	
19/4288M	Beech Tree Cottage, LONG SHOOT ROAD, LOWER WITHINGTON, SK11 9DX	Proposed replacement of conservatory and porch New 2000mm high wall to front bou	Delegation	Householder Appeal Service	Dismissed	
19/4326M	Lower Kinderfield Farm, HOLLIN LANE, SUTTON,	Proposed extension and alterations	Delegation	Householder Appeal Service	Dismissed	

Planning Appeals Report

	SK11 0NN					
19/3210C	THE STABLES, NEWCASTLE ROAD, SMALLWOOD, SANDBACH, CHESHIRE, CW11 2GB	Single storey rear extension to the rear elevation to create additional living s	Delegation	Householder Appeal Service	Dismissed	
19/3436M	HOLLY CORNER, PADDOCK HILL, MOBBERLEY, CHESHIRE, WA16 7DH	Rear two storey extension	Delegation	Householder Appeal Service	Dismissed	
19/3490M	ROXBURGH, LEGH ROAD, KNUTSFORD, WA16 8NR	Removal of existing 1.8m high timber vertical boarded fence to Legh Road	Delegation	Householder Appeal Service	Dismissed	
19/3493N	32, DAVENHAM CRESCENT, CREWE, CW2 7RZ	Replacement of existing garage and a garden room	Delegation	Householder Appeal Service	Dismissed	
19/3721M	20, BEECHWOOD, KNUTSFORD, WA16 8AR	Re-roofing to raise the height of the roof ridge and provide two bedrooms	Delegation	Householder Appeal Service	Dismissed	
20/0183C	Oakwood Farm, OAKWOOD LANE, MOSTON, CW11 3PR	Removal of existing concrete/asbestos garage, and replace with new conservatory	Delegation	Householder Appeal Service	Dismissed	
20/0238M	14, COPPICE ROAD, POYNTON, CHESHIRE, SK12 1SL	Two-storey side extension, single-storey rear extension and single-storey front	Delegation	Householder Appeal Service	Dismissed	
20/1651M	10, TOWN LANE, MOBBERLEY, WA16 7PY	Proposed rear ground floor extension, roof alterations and new dormers	Delegation	Written Representations	Dismissed	
19/5627N	Land north of EARDSWICK LANE and east of Bradfield Green Farm, Crewe	Change of use of disused agricultural site to landscaping/bulk supplies	Delegation	Written Representations	Dismissed	
19/3123M	BROAD OAK FARM, LEEK OLD ROAD, SUTTON, CHESHIRE, SK11 0JA	Change of use for the conversion of barn to dwelling.	Delegation	Written Representations	Dismissed	
19/2651M	SPRINGSETT FARM, CHELFORD ROAD, PRESTBURY, SK10 4PT	New domestic garage set within existing slope of field and associated landscaping	Delegation	Written Representations	Dismissed	
19/3427C	Paul Sheard Autos, NEWCASTLE ROAD, ASTBURY, CHESHIRE EAST, CW12 4JX	Change of use to mixed use comprising of MOT station, car repairs and hand car w	Delegation	Written Representations	Dismissed	

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19/3147M	HEALD COURT, 34, HAWTHORN LANE, WILMSLOW, SK9 5DG	Replacement of windows in apartment building	Delegation	Written Representations	Dismissed	
19/1560M	LAND OFF DAVENPORT LANE, MOBBERLEY	Retention of storage container	Delegation	Written Representations	Dismissed	
19/1568M	LAND OFF DAVENPORT LANE, MOBBERLEY	Retention of Timber Shed used in Association with Recreational Use of Ponds	Delegation	Written Representations	Dismissed	
19/4816M	LAND OFF, MOSS LANE, OVER TABLEY, CHESHIRE	Construction of agricultural implements and welfare building.	Delegation	Written Representations	Dismissed	
19/4021M	CO-OP Foodstore, WELLINGTON ROAD, BOLLINGTON	Retrospective application to turn the existing turning head into additional	Delegation	Written Representations	Dismissed	
19/4380M	Land on the side of Welsh Row, Nether Alderley, Macclesfield	Place a storage unit on site to safely and securely hold tools used to maintain	Delegation	Written Representations	Dismissed	
17/5461M	Land Opposite F Rudd And Sons Nursery, STOCKS LANE, OVER PEOVER, WA16 9EZ	Retrospective application for surface car parking for up to 300 cars	Delegation	Informal Hearing	Dismissed	
18/5271M	2, CROFT LANE, KNUTSFORD, WA16 8QH	Erection of a single detached dwelling within the gardens of adjacent properties	Delegation	Written Representations	Dismissed	
19/3633N	Holly Cottage & Collingwood, WRENBURY HEATH ROAD, WRENBURY HEATH, CW5 8EQ	Outline application for re-submission of a previous outline application	Delegation	Written Representations	Dismissed	
19/3698N	Land at, BROAD LANE, STAPELEY	Two detached houses with new shared access	Delegation	Written Representations	Dismissed	
19/2203M	GRASS LANDS NURSERY, FREE GREEN LANE, OVER PEOVER, WA16 9QY	Proposed conversion of an existing building into a single dwelling	Delegation	Written Representations	Dismissed	
19/3794M	Eaton Cottage Moss Lane, EATON, CW12 2FY	Construction of new residential dwellings.	Delegation	Written Representations	Dismissed	
19/4054M	207, BIRTLES ROAD, MACCLESFIELD, SK10 3JH	Demolition of garage and outbuildings, extension of existing house, and erection	Delegation	Written Representations	Dismissed	
19/4085M	LAND AT, ASCOL DRIVE,	Change use from class B8 (storage or	Delegation	Written	Dismissed	

Planning Appeals Report

	PLUMLEY, KNUTSFORD, CHESHIRE	distribution) to class C3 (dwellinghouses),		Representations		
19/4443M	DOMEK, 48, TOWERS ROAD, POYNTON, STOCKPORT, CHESHIRE, SK12 1DE	Replacement of a single family dwelling with 3 family dwelling houses	Delegation	Written Representations	Dismissed	
19/4598M	Land At, MOTTRAM ROAD, ALDERLEY EDGE	Full planning application for conversion and extensions to barn	Delegation	Written Representations	Dismissed	
20/0533M	LAND AT MOTTRAM ROAD, ALDERLEY EDGE	Full planning application for conversion and extensions to barn	Delegation	Written Representations	Dismissed	
20/0772M	LAND BETWEEN 4 & 6, SHRIGLEY ROAD NORTH, POYNTON	Variation of condition 2 of 19/3950M (Erection of two detached dwellings with as	Delegation	Written Representations	Dismissed	
20/0775M	DUNMOW, MERESIDE ROAD, MERE, WA16 6QZ	Replacement dwelling	Delegation	Written Representations	Dismissed	
20/1110M	Land North East Of, STOCKS LANE, OVER PEOVER	Infill development comprising the erection of two dwellings	Delegation	Written Representations	Dismissed	
20/1114M	BROADHEATH FARM, MACCLESFIELD ROAD, OVER ALDERLEY, SK10 4SN	To extend the existing farmhouse, conversion of the existing barn to provide	Delegation	Written Representations	Dismissed	
20/1575C	THE HEATH VICARAGE, SCHOOL LANE, SANDBACH, CW11 2LS	Erection of 2 no. dwellings	Delegation	Written Representations	Dismissed	
20/1789N	CINDER LANE FARM, CINDER LANE, REASEHEATH, CW5 6AJ	Erection of Two Dwellings	Delegation	Written Representations	Dismissed	
20/2247C	Land adjacent to Newton Brewery Inn, WEBBS LANE, MIDDLEWICH	Proposed detached property (re-submission of 20/0002C)	Delegation	Written Representations	Dismissed	
20/0159N	Land Adjacent to 14, SWINBURNE DRIVE, CREWE, CW1 5JE	Outline planning permission for a new detached bungalow	Delegation	Written Representations	Dismissed	
19/5867C	Land Off, BRAMHALL DRIVE, HOLMES CHAPEL	New Bungalow (resubmission of planning application reference 18/6386C)	Delegation	Written Representations	Dismissed	
19/2007N	THE OLD VICARAGE, WRINEHILL ROAD,	Outline application with all matters reserved for a single dwelling	Delegation	Written Representations	Dismissed	

Planning Appeals Report

	WYBUNBURY, CW5 7NU					
19/2821M	The Old Surgery, CHURCH LANE, MOBBERLEY, WA16 7RD	Demolition of existing dwelling and new replacement dwelling and associated work	Delegation	Written Representations	Dismissed	
19/2862M	NORTHFIELDS, CASTLE HILL, MOTTRAM ST ANDREW, SK10 4AX	Infill dwelling with associated groundworks, drainage, landscaping, access	Delegation	Written Representations	Dismissed	
19/1230N	LAND ADJACENT TO, Swan Inn, WRENBURY ROAD, MARBURY	Erection of detached dwelling house and creation of access onto Wrenbury Road.	Delegation	Written Representations	Dismissed	
19/1767M	42, JACKSONS EDGE ROAD, DISLEY, STOCKPORT, CHESHIRE, SK12 2JR	New 3 bed dwelling with attached garage and garden	Delegation	Written Representations	Dismissed	
19/1771C	LAND ADJACENT 19, MEADOWSIDE LANE, SCHOLAR GREEN, ST7 3LE	New dwelling	Delegation	Written Representations	Dismissed	
19/1891C	LAND AT DEAN HILL, NEWCASTLE ROAD, BETCHTON, CW11 2TG	Proposed development of a subterranean innovative code 5 dwelling	Delegation	Written Representations	Dismissed	
17/0680N	51, Main Road, Goostrey, Crewe, CW4 8LH	Construction of a single dwelling house	Delegation	Informal Hearing	Dismissed	
17/4451C	51, Main Road, Goostrey, Crewe, CW4 8LH	Construction of one detached and two semi-detached houses	Delegation	Informal Hearing	Dismissed	
19/0131C	21, CHELFORD ROAD, SOMERFORD, CW12 4QD	Demolition of existing house and construction of new residential development.	Delegation	Written Representations	Dismissed	
19/1343C	32, Congleton Road, SANDBACH, CW11 1HJ	New dwelling	Delegation	Written Representations	Dismissed	
20/2265M	2, BROOK STREET, MACCLESFIELD, SK11 7AA	Outline application to infill the 1st floor and convert from commercial to resi	Delegation	Written Representations	Dismissed	
19/0178N	27, Park Road, Willaston, CW5 6PN	'Granny annex' in keeping with our existing bungalow and neighbouring dormer bun	Delegation	Written Representations	Dismissed	
19/0384M	BROOK COTTAGE, CHELFORD ROAD, GREAT	Replacement dwelling, associated garage and landscaping	Delegation	Written Representations	Dismissed	

Planning Appeals Report

	WARFORD, CHESHIRE, SK9 7TL					
19/1061C	7, MOODY STREET, CONGLETON, CW12 4AN	Demolition of Existing 2 storey Office Building and Ancillary storage buildings	Delegation	Written Representations	Dismissed	
20/2403C	Land to the rear of 16, SWEETTOOTH LANE, SANDBACH, CW11 1BE	Proposed new dwelling in residential curtilage of 16 Sweettooth Ave.	Delegation	Written Representations	Dismissed	
20/2721N	13, THE BROADWAY, NANTWICH, CW5 6JH	Outline planning permission for the Erection of a detached house	Delegation	Written Representations	Dismissed	
20/3139C	19, MEADOWSIDE LANE, SCHOLAR GREEN, CHESHIRE, ST7 3LE	New dwelling	Delegation	Written Representations	Dismissed	
19/5007C	Thurlwood Upper Lock, FARAMS ROAD, RODE HEATH	Proposed dwelling (change of house type)	Delegation	Written Representations	Dismissed	
19/5222M	Land between 33 and 35, Carleton Road, Poynton, SK12 1TL	Outline approval for demolition of double garage and the construction of a	Delegation	Written Representations	Dismissed	
19/5656N	Oakville, BACK LANE, SPURSTOW, CW6 9TE	Proposed conversion of agricultural barn to provide single residential dwelling.	Delegation	Written Representations	Dismissed	
19/4044M	MORTON STABLES, WOOD LANE WEST, ADLINGTON, SK10 4PA	Proposed new stables, composting toilet and horse exercise arena.	Delegation	Written Representations	Part allowed/Part dismissed	
19/3136M	ROCKS BARN, Rocks Farm, MUDHURST LANE, DISLEY, SK12 2AN	Proposed first floor bedroom extension, single storey conservatory	Delegation	Householder Appeal Service	Part allowed/Part dismissed	
19/3173M	ROCKS BARN, Rocks Farm, MUDHURST LANE, DISLEY, SK12 2AN	Single storey conservatory extension and single storey side extension	Delegation	Householder Appeal Service	Part allowed/Part dismissed	
20/1961M	17, BOLLIN HILL, WILMSLOW, CHESHIRE, SK9 4AN	Dormer construction	Delegation	Householder Appeal Service	Withdrawn	
19/4924M	HOLLY CORNER, PADDOCK HILL, MOBBERLEY, WA16 7DH	Certificate of lawful proposed development of two storey rear extension	Delegation	Written Representations	Withdrawn	
20/0182M	HEALD COURT, 34,	Development of up to 90 off-street long	Delegation	Informal	Withdrawn	

Planning Appeals Report

	HAWTHORN LANE, WILMSLOW, SK9 5DG	stay car parking spaces with ancillary		Hearing		
19/1574M	Percivals View, MOSS LANE, OLLERTON, WA16 8SW	Construction of proposed stable building	Delegation	Written Representations	Withdrawn	
19/0360M	Percivals View, MOSS LANE, OLLERTON, WA16 8SW	Construction of proposed stable building	Delegation	Written Representations	Withdrawn	
19/0038M	BROOK HOUSE FARM, Farm Complex LONDON ROAD, ADLINGTON, CHESHIRE, SK10 4DU	Comprehensive development, including the restoration of listed farmhouse	Delegation	Written Representations	Withdrawn	
18/4703C	DEAN HILL, NEWCASTLE ROAD, BETCHTON, CW11 2TG	Outline application for proposed development of a sub-terraneum innovative code	Delegation	Written Representations	Withdrawn	

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