

Northern Planning Committee

Agenda

Date: Wednesday, 9th September, 2020
Time: 10.00 am
Venue: Virtual Meeting

How to Watch the Meeting

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

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or dial in via telephone on 141 020 33215200 and enter Conference ID: 656 478 167# when prompted.

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

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

It should be noted that Part 1 items of Cheshire East Council decision-making meetings are 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 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 3 - 6)

To approve the Minutes of the virtual meeting held on 12 August 2020 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 Planning Committee
- The relevant Town/Parish Council

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

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **19/1601M-Residential development comprising of 12no. 2, 4 & 5 bed family houses arranged within two terrace blocks with associated gardens, parking and garages, Stanley Press Equipment Limited, Bank Street, Macclesfield for Mr Stuart Bannerman, MSB Developments Ltd** (Pages 7 - 20)

To consider the above application.

6. **19/3218M-Proposed 45 no. retirement apartments, guest apartment, communal facilities, access, car parking and landscaping, Cypress House, South Acre Drive, Handforth for Churchill Retirement Living** (Pages 21 - 40)

To consider the above application.

7. **20/2717M-Residential development with landscaping and access on land previously granted Outline Approval under 15/5401M. (Resubmission of 19/2200M), Alderley House, Alderley Park, Congleton Road, Nether Alderley for Andrew McMurtrie, PH Alderley Park (Alderley House) LLP** (Pages 41 - 60)

To consider the above application.

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

CHESHIRE EAST COUNCIL

Minutes of a virtual meeting of the **Northern Planning Committee**
held on Wednesday, 12th August, 2020

PRESENT

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

Councillors L Braithwaite, JP Findlow, A Harewood, S Holland, J Nicholas,
I Macfarlane, N Mannion, B Murphy, B Puddicombe and L Smetham

OFFICERS PRESENT

Mrs S Baxter (Democratic Services Officer), Mrs N Folan (Planning Solicitor),
Mr P Hurdus (Highways Development Manager) and Mr P Wakefield (Principal
Planning Officer)

17 APOLOGIES FOR ABSENCE

None.

18 DECLARATIONS OF INTEREST/PRE DETERMINATION

In respect of application 19/1601M, Councillor A Harewood declared that she had discussed the application as a member of Macclesfield Town Council's Planning Committee and had pre-determined the application, therefore she would leave the virtual meeting prior to consideration of the application.

In respect of application 19/1601M, Councillor B Puddicombe declared a personal but non pecuniary interest in that he was married to the representative speaking on behalf of Macclesfield Town Council however he had not discussed the application nor had he pre-determined it.

In the interest of openness in respect of application 19/1601M, Councillor J Nicholas confirmed he had received an email from the Ward Councillor however he had not pre-determined the application.

In the interest of openness in respect of application 20/1170M, Councillor P Findlow declared that he had received two emails from the agent, one asking for him to call-in the application and one asking for him not to call-in the application. No correspondence was entered into.

It was noted that all Councillors had received email correspondence in respect of application 19/1601M.

19 MINUTES OF THE PREVIOUS VIRTUAL MEETING

RESOLVED

That the minutes of the virtual meeting held on 8 July 2020 be approved as a correct record and signed by the Chairman.

20 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

21 19/1601M-STANLEY PRESS EQUIPMENT LIMITED, BANK STREET, MACCLESFIELD, SK11 7BR-RESIDENTIAL DEVELOPMENT COMPRISING OF 12NO. 2, 4 & 5 BED FAMILY HOUSES ARRANGED WITHIN TWO TERRACE BLOCKS WITH ASSOCIATED GARDENS, PARKING AND GARAGES

Consideration was given to the above application.

(Councillor M Warren, the Ward Councillor and Town Councillor F Wilson attended the virtual meeting and spoke in respect of the application).

RESOLVED

That the application be deferred until the next virtual meeting in order for a site visit to be undertaken. If this was not possible then video footage/additional images of local area to be provided at the next virtual meeting.

22 20/1170M- DALE BROW COTTAGE, 63, MACCLESFIELD ROAD, PRESTBURY, SK10 4BH- DEMOLITION OF EXISTING DETACHED TWO STOREY DWELLING AND REPLACEMENT WITH A NEW DETACHED TWO STOREY DWELLING.

Consideration was given to the above application.

(Parish Councillor Marilyn Leather, representing Prestbury Parish Council, Mrs T Jackson, representing Prestbury Amenity Society, Esther Williams, a supporter and Donna Barber, representing 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 verbal update to the Committee the application be approved subject to the following conditions:-

- 1) 3-year commencement
- 2) Development in accordance with approved plans

- 3) Details of facing materials to be submitted
- 4) Landscaping and boundary details to be submitted
- 5) Landscape implementation
- 6) Existing and proposed levels details to be submitted
- 7) Electric Vehicle charging point to be provided
- 8) Ground contamination risk assessment and mitigation
- 9) Checking soil and soil-forming materials
- 10) Discovery of unexpected contamination
- 11) Nesting bird survey
- 12) Incorporation of nesting bird features into the development

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 Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

23 18/1509M- THE WILMSLOW LODGE, 69-71, ALDERLEY ROAD, WILMSLOW, CHESHIRE, SK9 1PA- EXTENSION TO EXISTING HOTEL BUILDING

Consideration was given to the above application.

(Gareth Salthouse, 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 verbal update to the Committee the application be approved subject to the completion of a Section 106 agreement securing a contribution of £26,322.27 towards offsite tree planting at The Carrs, Wilmslow.

And subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Details of Pile Driving to be submitted
5. Dust management plan to be submitted
6. Breeding birds survey to be submitted
7. Parking spaces to be provided and retained
8. Development to be carried out in accordance with Biodiversity Management Plan
9. Scheme of sustainable construction method to be submitted

10. Cycle parking details to be submitted

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 Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

24 PERFORMANCE OF THE PLANNING ENFORCEMENT SERVICE 2019-2020

Consideration was given to the above report.

RESOLVED

That the report be noted.

The meeting commenced at 10.00 am and concluded at 2.00 pm

Councillor C Browne (Chairman)

Application No: 19/1601M

Location: Stanley Press Equipment Limited, BANK STREET, MACCLESFIELD, SK11 7BR

Proposal: Residential development comprising of 12no. 2, 4 & 5 bed family houses arranged within two terrace blocks with associated gardens, parking and garages

Applicant: Mr Stuart Bannerman, MSB Developments Ltd

Expiry Date: 05-Jun-2020

REASON FOR DEFERRAL

The application was deferred from the Northern Planning Committee on 12 August 2020 to the next virtual meeting in order for a site visit to be undertaken. If this was not possible then video footage/additional images of local area will be provided at the next virtual meeting.

Site Visit

Due to potential difficulties in maintaining social distance requirements a large site visit by members of the Committee will not be possible. However, additional images / visual material will be provided as part of the officer's presentation at the virtual meeting on 9 September 2020.

SUMMARY

The application site comprises a vacant, previously developed site in a sustainable location, with good access to a range of local services and facilities, and has good public transport links. The proposed development would add to the stock of housing in the local area.

The proposal provides a modern, but locally distinctive design, which also raises no significant highway safety, ecological or flood risk concerns, and does not raise any significant concerns in terms of the impact of the development upon the living conditions of neighbours. The comments from the neighbours and Town Council are acknowledged and have been considered within this report; however the proposal accords with the policies in the development plan and represents a sustainable form of development. Therefore, given that there are no material considerations to indicate otherwise, in accordance with policy MP1 of the CELPS, the application should be approved without delay.

RECOMMENDATION: Approve subject to conditions and the prior completion of a s106 agreement

REASON FOR REFERRAL

The application has been called to Committee by the local ward member, Cllr Mick Warren for the following reasons:

“The development proposal would represent overdevelopment of what is quite a small compact site. Over-bearing / out-of-scale or out of character in terms of appearance relating to the houses on Greenhills Close and the small terraced houses opposite on Bank Street.”

DESCRIPTION OF SITE AND CONTEXT

The application site is a cleared site previously occupied by a commercial building, of approximately 0.27ha.

The site is located in a residential area of Macclesfield, and is bounded on the east and south sides by dwellings on Greenhills Close and dwellings on Bank Street to the north with Knight’s Pool situated to the west of the application site.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of 12no. new dwellings comprised of two terraced blocks. Block 1, to the west, faces onto the new access road with the rear of the dwellings facing onto Knight’s Pool. Block 2, the eastern terrace, faces onto Greenhills Close with a new access road to the rear. The new access road would separate the two blocks and also link Greenhills Close to Bank Street.

Amended plans have been received during the course of the application, reducing the proposal from 14 dwellings to 12, in order to address officer concerns.

RELEVANT HISTORY

None

POLICIES

Cheshire East Local Plan Strategy (CELPS)

- MP1 Presumption in Favour of Sustainable Development
- PG1 Overall Development Strategy
- PG2 Settlement Boundaries
- PG7 Spatial distribution of development
- SD1 Sustainable development in Cheshire East
- SD2 Sustainable development principles
- IN1 Infrastructure
- IN2 Developer Contributions
- 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
- SE8 Renewable and Low Carbon Energy
- SE9 Energy Efficient Development
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood risk and water management
- CO1 Sustainable travel and transport

Appendix C – Parking Standards

Saved Macclesfield Borough Local Plan Policies (MBLP)

- NE11 (Nature conservation interests)
- DC3 (Amenities of residential property)
- DC6 (Circulation and Access)
- DC8 (Landscaping)
- DC9 (Tree protection)
- DC35 (Materials and Finishes)
- DC36 (Road layouts and circulation)
- DC37 (Landscaping in housing developments)
- DC38 (Space, light and Privacy)
- DC41 (Infilling housing or redevelopment)
- DC63 (Contaminated land)

Neighbourhood Plan

There is no Neighbourhood Plan for Macclesfield

Other Material Considerations

- National Planning Policy Framework (NPPF)
- National Planning Practice Framework (NPPG)
- The Cheshire East Borough Design Guide (2017)
- Cheshire East Parking Standards - Guidance Note

National Policy

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

Of particular relevance are Chapters 2, 4, 5, 6, 8, 9, 11, 12, 15.

CONSULTATIONS (External to Planning)

Strategic Infrastructure Manager - No objections

Environmental Health - No objections subject to conditions relating to contaminated land, electric vehicle infrastructure, dust management and piled foundations

United Utilities - No objections, subject to conditions relating to drainage

Strategic Housing Manager - No objections

Education - No objections subject to financial contribution towards local school places.

Lead Local Flood Authority - No objections subject to condition relating to drainage

ANSA - No objections subject to financial contributions towards public open space and recreation and outdoor sport

Public Rights of Way Unit – No objections

Environment Agency - No objections subject to submission of a remediation strategy for any contamination found.

Macclesfield Town Council – Object on the following grounds:

- No affordable housing provision;
- The site is at a medium risk from surface water flooding;
- Insufficient parking provision for the development.
- EV charging points are included in the design

In the even of approval, request a condition requiring a flood survey and management plan.

OTHER REPRESENTATIONS

Amended plans were received during the application period. 4no. representations were received prior to the amendments with a further 10no. representations received following, with all of these commenters having already commented earlier. Below is a summary of the main issues raised:

- Too dense and too tall in relation to the neighbouring dwellings
- Increase levels of traffic will negatively affect Bank Street and Swettenham Street, which are already congested.
- Three storeys would be out of character here.
- Some positive elements including; use of drystone walling, private gardens, terraced blocks, variations in elevations, location of new road, viewing deck to Knight's Pool.
- Surface water drainage to foul sewers is not consistent with planning policy.
- The choice of brick on the elevations to Bank Street is not in keeping with the Victorian brick colour of the terraced properties opposite.
- Macclesfield Civic Society also included the following comment: *"We support the redevelopment of the site for residential purposes - the former industrial unit was somewhat of an anomaly with its justification lost in old Macclesfield Borough records! However, whilst accepting the principle of redevelopment the relationship of the scheme to existing adjacent development does give rise to a measure of concern. The scheme is very intense for the parameters of the site, reflected in the unconventional spacing and orientation of the new dwellings. We wonder if the offset arrangement to avoid direct overlooking would be equally successful in avoiding undue dominance of outlook. The three storey buildings do appear somewhat out of scale with existing development in Greenhills Close so a reasoned judgement must be made. On balance we would favour a reduced scale of development and more spacing*

between block, perhaps requiring a reduction in the number of units. Having said that we would encourage early redevelopment.”

Following submission of amended plans neighbours were re-consulted and the following comments were received:

- Still tightly packed together.
- Overshadowing of existing homes due to height.
- Design not in keeping with surrounding properties.
- The new access road will increase traffic along Greenhills.
- The new scheme should include trees to replace those lost from the site.
- There will be an increase of on street parking leading to obstruction of the roads.
- Loss of privacy to surrounding neighbours.
- Will lead to traffic issues.
- Do not want to open up the cul-de-sac to through traffic.
- The garages will be turned into accommodation leading to fewer parking spaces.
- Macclesfield Civic Society commented on the amended plans as follows: *“The scheme is much improved by the revised submission. A more generous spacing between the blocks of dwellings meets our previous concerns. The design is well thought out and provides an element of continuity with established building forms in the locality. There is potential for a pleasing form of redevelopment.”*

OFFICER APPRAISAL

Residential Mix

Policy SC4 of the Cheshire East Local Plan states that *“New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.”* The mix of two, four and five bedroom dwellings located within a residential area would contribute to the mix of housing sizes and would complement the existing provision within the area, in accordance with policy SC4 of the CELPS.

Affordable Housing

Policy SC5 of the CELPS states that *“In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable”.* This is a proposed development of 12no. dwellings with a site area of 0.27 hectares, therefore no Affordable Housing Provision is required. An initial objection from Strategic Housing was withdrawn following confirmation that the site area is less than 0.4ha.

Design and Impact on Character of the Area

NPPF paragraph 127 notes that planning decisions should ensure that developments are: visually attractive as a result of good architecture and layout; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, and create attractive and distinctive places to live, work and visit. Paragraph 130 notes that permission should be refused for poor design that fails to take the opportunities for improving the character and quality of an area.

Local Policy SD2 notes that development will be expected to contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of height, scale,

form and grouping, choice of materials, external design features, massing of development, and relationship to neighbouring properties, street scene and the wider neighbourhood. Policy SE1 notes that development proposals should make a positive contribution to their surroundings by:

- Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements
- Encouraging innovative and creative design solutions that are appropriate to the local context

The site was previously an industrial site, surrounded on all sides with residential development. The local area comprises a wide range of dwelling types, predominantly terraced and semi-detached, but there are also detached houses, bungalows and three-storey blocks of flats. A range of materials within the surrounding properties is also evident in different brick types and colours, render and cladding. The proposed residential use would be more in keeping with the character of the area, than the previous industrial use. Amended plans were received during the course of the application following concerns regarding the density of the development and the blank elevation facing Bank Street.

The revised plans pay more regard to local scale, materials, and architectural detailing in order to provide a modern but locally distinctive design. A reduced, uniform and cohesive approach to expressing openings has been established.

A previously dominating roof plane has been broken down to reflect the scale and proportion of the adjacent built form and local context. The scale of the proposal in context of the surrounding built form has been illustrated that a diverse roofscape is achieved, reflecting the topography of the site, and the height of the proposal corresponds with the adjacent buildings. The topography of the site, together with landscaping to the front of block 2 facing Greenhills Close should help to break up the areas of parking to this elevation.

The gable elevation of block 2 facing onto Bank Street has been set back from the road by 2m which would enable some soft planting between the dwelling and the road in order to help integrate this elevation into the street scene. The inclusion of openings on this elevation also gives plot 1, which will occupy the prominent north east corner of the site, a dual aspect giving this elevation some visual interest.

While some of the plots are two and half storey the front elevations are primarily two-storey so the additional storey would not dominate the street scenes. There are also three storey properties in the local area, such as the development at the end of Bank Street to the north-west of the site.

The new access road promotes connectivity through to the existing homes and will encourage the use of the space as a place for the community to interact. It has been suggested that this road should be closed off to retain the existing cul-de-sac, however this would go against principles within the Cheshire East Design Guide which state that new developments should provide connectivity to the wider settlement.

Saved Macclesfield Local Plan policy DC41, relating to infill housing states:

'The garden space should reflect the typical ratio of garden space within curtilages in the area and the location, size and shapes should be suitable for the intended purpose'. The

plot:building ratios of the surrounding dwellings vary widely, however the dwellings would enjoy plot ratios consistent with adjoining development.

Overall, it is considered that the proposed development now provides a modern but locally distinctive design, which is in keeping with and will make a positive contribution to, the local area, in accordance with policies SE1 and SD2 of the CELPS, and the Cheshire East Design Guide.

Amenity

Saved Macclesfield Borough local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

The objections have been carefully considered. The properties directly opposite block 2 on Greenhills Close are positioned just over 24m away at the nearest point with the third floor element approximately 27.5m away. This is broadly in line with guidance within policy DC38 which states that dwelling should demonstrate a gap of 21m front to front for two storeys and 28m for three.

The properties to the south of Greenhills Close would be positioned approx. 16m at its closest point (southernmost point of block 2); however the angle of the windows would be oblique between the two properties so no direct overlooking would be possible between the proposed dwellings and numbers 11 and 13. There would be a corner window wrapping around the two elevations which would be facing numbers 15 and 17 Greenhills Close. Due to the distances between the two properties it is considered appropriate to include a condition limiting any first floor windows in the southern gable elevation of block 2 to install obscurely glazed windows to avoid any overlooking from these windows.

The distance between the properties along Bank Street and block 2 measures over 12m at its closest point. Whilst this is below the guideline distance of 14m outlined in saved policy DC38 of the MBLP, this policy also states that this can be the case provided the relationship is commensurate with the area. In this case, plot 1 has an angled relationship with existing properties on Bank Street. In addition, there are a lot of terraced properties in the surrounding areas which contain a commensurate degree of light and privacy between buildings, and a condition is recommended to obscurely glaze any first floor windows to the northern gable elevation of block 2. The Cheshire East Design Guide also states; *“Acceptable levels of privacy can be achieved through careful and considerate design down to a frontage distance of 12 metres.”* The northern gable end of block 1 faces towards a turning head and car park on Bank Street and raises no significant issues in terms of separation distances. Similarly the gap between the two blocks of proposed dwellings, together with the oblique angle ensures that the relationship between proposed new dwellings also does not raise any significant issues in this regard.

The proposed development is therefore considered to provide a satisfactory level of space light and privacy, and does not significantly injure the living conditions of adjoining properties, in accordance with policies DC3 and DC38 of the MBLP.

Air Quality

Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

This proposal is for the residential development of fourteen new dwellings. Whilst this proposal is relatively small scale, and as such does not require an air quality impact assessment, there is a need to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality. Macclesfield has four Air Quality Management Areas and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed. Conditions relating to travel information packs for residents and electric vehicle charging are therefore recommended, and to ensure compliance with the air quality objectives of policy SE12.

Contaminated Land

Policy DC63 of the MBLP and policy SE12 of the CELPS also seek to ensure that development for new housing or other environmentally sensitive development is not located on areas of contaminated land. In this case, the application is for a proposed use that would be particularly vulnerable to the presence of contamination, and the location of the application has a history of works, former reservoir/pool and abattoir use and therefore the land may be contaminated. The application site is also on an area of land which has the potential to generate quantities of ground gas.

A Phase 1 Preliminary Risk Assessment and a Phase 2 Site Investigation Report have been submitted with the application. However, almost four years has elapsed since these assessments were undertaken, the Contaminated Land Officer advises that an update should be provided with regards to the site. Any further potentially contaminative uses of the site since the reports were issued should also be suitably assessed. Accordingly, conditions are recommended requiring a supplementary post demolition Phase II ground investigation and risk assessment to be submitted, the submission of a Verification Report, the testing of imported soil and regarding what steps to take in the event that any unidentified contamination is found.

Subject to these conditions the proposal will comply with policy DC63 of the MBLP and policy SE12 of the CELPS.

Flood Risk

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

In terms of flood risk, the LLFA note that there is a medium risk from surface water flooding (topographic low spots) within the site boundary. The developer should be aware of this before construction and ensure that the drainage design takes account of this.

Additionally, a ground investigation will be required for the proposed development to determine if soakaways will be a feasible option for the site. If these are not a feasible option then alternative drainage options will need to be considered. A condition requiring the submission of a detailed drainage strategy / design is therefore recommended. Subject to this condition the proposal will comply with policy SE13 of the CELPS.

Highways

The revised plans now indicate a central access road to serve the development that will link Bank Street and Greenhills Close. The access road will be a shared surface, this is acceptable as only a small number of properties are served from it. Due to the layout and the modest increase in dwellings to the area the additional traffic along Greenhills Close and Bank Street will be minimal. Refuse collection and servicing will also take place from the central access road.

The proposed units are a mix of 2, 4 and 5 bed properties. The parking standards within the CELPS require 2 parking spaces to be provided for each of these dwellings, which are shown on the latest site plan, thereby meeting the relevant parking standards. It is also recommended that the provision of cycle storage is the subject of a condition to encourage alternative transport to the private car. There are no objections to the application raised by the Head of Strategic Infrastructure, and therefore no highway safety issues are raised.

Public Rights of Way

The plans as originally submitted appeared to obstruct Public Footpath Macclesfield No. 48 located at the North West corner of the application site. The revised plans that have been submitted remove this obstruction and now the footpath remains unaffected. No objections are raised by the Public Rights of Way team.

Arboriculture and Forestry

Policy SE 5 of the CELPS outlines that 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 previously contained a number of mature ornamental trees located around the site perimeter probably planted as part of a landscape scheme attached to the original development, and a cluster of self set trees to the west of the site on the Knights Pool frontage. None of the trees which were removed were considered to be significant specimens either individually or collectively with the majority identified as low value Category C specimens in terms of BS5837:2012. Replacement planting can be secured to off set the loss of the identified trees via appropriate landscaping conditions. The proposal is therefore considered to comply with policy SE5 of the CELPS.

Nature Conservation

Policy SE3 of the CELPS requires all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. Given the condition and location of the site, no significant ecological issues are

anticipated, however a condition to safeguard nesting birds in the event of the further removal of vegetation is recommended. In addition, Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. In this location the provision of artificial nesting features for swifts and house sparrow would be beneficial. A condition requiring the submission of an ecological enhancement strategy prior is also recommended. Subject to these conditions, the proposal will comply with policy SE3 of the CELPS.

Education

The development of 12 dwellings is expected to generate:

2 primary children (12 x 0.19)

2 secondary children (12 x 0.15)

0 Special Educational Need (SEN) children (12 x 0.51 x 0.023%)

The development is expected to impact on both primary school and secondary school places in the immediate locality. Contributions which have been negotiated on other developments are factored into the forecasts 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 a shortfall of primary and secondary school places still remains. The development is not expected to impact SEN provision.

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

2 x £11,919 x 0.91 = £21,693.00 (primary)

2 x £17,959 x 0.91 = £32,685.00 (secondary)

Total education contribution: £54,378.00

Without a secured contribution of £54,378.00, Children's Services would raise an objection to this application.

This objection would be on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 2 primary children and 2 secondary children would not have a school place in Macclesfield.

Public Open Space and Recreation

Policy SE6 of the Cheshire East Local Plan requires 65 square metres per dwelling for the provision of public open space (POS) and recreation / outdoor sport (ROS) facilities. It appears that this cannot be provided on site and therefore financial contributions will be required for off site provision in line with policy SE6 of the Cheshire East Local Plan.

Based on 12no. dwellings of two or more bedrooms the required contribution would equate to £36,000 for POS and £12,000 for ROS. The POS commuted sum would be used to provide play and amenity enhancements, additions and improvements at the local facilities of Knights Pool, King George open space on Windmill Street and Brynmore Drive play area.

The ROS com would be used to make enhancements, additions and improvements to the outdoor sports and recreation facilities at King George open space in line with the Council's Playing Pitch Strategy.

Policy SE6 of the CELPS sets out all open space requirements from residential development, which includes provision for allotments. Given that this cannot be provided on site, a contribution is required towards local allotment sites in Macclesfield. For 12 dwellings this contribution amounts to £6,750.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required, and should include:

- Public Open space contribution of £36,000
- Recreation & outdoor sports contribution of £12,000
- Allotments contribution of £6,750
- Primary and secondary education contributions of £54,378

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now 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 public open space and education is necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

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

CONCLUSION

The application site comprises a vacant, previously developed site in a sustainable location, with good access to a range of local services and facilities, and has good public transport links. The proposed development would add to the stock of housing in the local area.

The proposal provides a modern, but locally distinctive design, which also raises no significant highway safety, ecological or flood risk concerns, and does not raise any significant concerns in terms of the impact of the development upon the living conditions of neighbours. The comments from the neighbours and Town Council are acknowledged and have been considered within this report; however the proposal accords with the policies in the development plan and represents a sustainable form of development. Therefore, given that there are no material considerations to indicate otherwise, in accordance with policy MP1 of the CELPS, the application should be approved without delay, subject to the conditions listed below and the prior completion of a s106 agreement with the following Heads of Terms:

- Public Open space contribution of £36,000

- Recreation & outdoor sports contribution of £12,000
- Allotments contribution of £6,750
- Primary and secondary education contributions of £54,378

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 Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A23GR - Pile Driving details to be submitted
5. A01LS - Landscaping - submission of details
6. A04LS - Landscaping (implementation)
7. A12LS - Landscaping to include details of boundary treatment
8. Nesting bird survey to be submitted
9. Foul and surface water shall be drained on separate systems.
10. Surface water drainage details to be submitted
11. Travel information pack to be submitted
12. Electric vehicle infrastructure to be provided
13. Contaminated Land - phase II investigation to be submitted
14. Contaminated land - verification report to be submitted
15. Ecological Enhancement details to be submitted
16. Imported soil to be tested
17. Steps to be taken in event of unidentified contamination
18. Car parking spaces to be provided and retained at all times thereafter (including garages)
19. Details of proposed finished floor levels and land levels to be submitted
20. Obscure glazing requirement
21. Cycle storage to be provided

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Application No: 19/3218M

Location: CYPRESS HOUSE, SOUTH ACRE DRIVE, HANDFORTH, SK9 3HN

Proposal: Proposed 45 no. retirement apartments, guest apartment, communal facilities, access, car parking and landscaping

Applicant: Churchill Retirement Living

Expiry Date: 13-Mar-2020

SUMMARY

Handforth is identified as one of the 'Key Service Centres' in Cheshire East where national and local plan policies support sustainable development. The proposal provides 45 dwellings for older persons of an acceptable scale relative to the area and would deliver housing within a highly sustainable location near to the village centre.

The site is brownfield and therefore its redevelopment to provide retirement accommodation in such a highly sustainable location aligns with the general principles of national and local policy. The proposals would provide much needed accommodation and correspondingly, a diverse community taken with surrounding uses. There are benefits derived from ensuring a sustainable future use is secured for such an important and prominent site within Handforth.

The viability of the scheme has been independently assessed and the contribution for affordable housing is acceptable in this case.

In design terms, as amended, this is a well designed scheme which would sit well in the existing surroundings.

The impact on highway safety is considered to be acceptable and the proposal would not materially harm neighbouring residential amenity.

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, the saved policies of the Macclesfield Borough Local Plan, the Handforth Neighbourhood 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

DESCRIPTION OF SITE AND CONTEXT

The site to which the application relates is located off Wilmslow Road, Handforth; the site currently comprises a former care home, which provided 31 bedrooms and has been vacant since 2006.

The site is located within a Predominantly Residential Area, as defined in the Local Plan. There are some existing trees, mainly along the western boundary of the site. A public house and hotel are situated to the south of the site (with associated car parking area), a three-storey apartment block and single-storey community hall to the east of the site and two-storey residential properties to the north and west of the site (mainly terraced and semi-detached).

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of a redundant Nursing Home known as "Cypress House" and the erection of a replacement building comprising 45no. apartments of retirement living housing (use class C3), with associated landscaping and car parking.

RELEVANT HISTORY

16/2614M Demolition of the existing building and construction of new apartment block.
Withdrawn

15/1581M Demolition of redundant Nursing Home known as "Cypress House" and erection of 13No. 2 bedroom houses and associated highway and landscaping works
Withdrawn

POLICIES

Cheshire East Local Plan Strategy – adopted 27th July 2017

MP1 Presumption in Favour of Sustainable Development
PG1 Overall Development Strategy
PG2 Settlement Boundaries
PG7 Spatial distribution of development
SD1 Sustainable development in Cheshire East
SD2 Sustainable development principles
IN1 Infrastructure
IN2 Developer Contributions
SC1 Leisure and Recreation
SC3 Health and Well-Being
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
- SE8 Renewable and Low Carbon Energy
- SE9 Energy Efficient Development
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood risk and water management
- CO1 Sustainable travel and transport
- CO4 Travel Plans and Transport Assessments

Appendix C – Parking Standards

Saved Macclesfield Borough Local Plan Policies

- NE11 (Nature conservation interests)
- RT5 (Open Space Standards)
- RT6 (Recreation/Open Space Provision)
- H9 (Occupation of Affordable Housing)
- DC3 (Amenities of residential property)
- DC6 (Circulation and Access)
- DC8 (Landscaping)
- DC9 (Tree protection)
- DC35 (Materials and Finishes)
- DC36 (Road layouts and circulation)
- DC37 (Landscaping in housing developments)
- DC38 (Space, light and Privacy)
- DC41 (Infilling housing or redevelopment)
- DC63 (Contaminated land)

Handforth Neighbourhood Plan

- H1 New housing in Handforth
- H2 Providing Appropriate House Types, Tenures and Sizes to meet Local Needs
- H8 Landscape and Biodiversity
- H9 Trees and Hedgerows
- H11 Encouraging High Quality Design
- H12 Surface water management
- H16 Congestion and Highway Safety
- H18 Promoting sustainable transport

Other Material Considerations

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance (NPPG)
- The Cheshire East Borough Design Guide (2017)
- Cheshire East Parking Standards - Guidance Note

National Policy:

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

Of particular relevance are Chapters 2, 4, 5, 6, 8, 9, 11, 12, 15.

CONSULTATIONS (External to Planning)

Head of Strategic Infrastructure - No objections subject to condition

Environmental Health - No objections subject to conditions and informatives relating to electric vehicle infrastructure, travel planning, noise mitigation, use of low emission boilers, construction environmental management plan, dust control and contaminated land.

United Utilities - No objections, subject to foul and surface water drainage being connected on separate systems, the submission of a surface water drainage scheme and a sustainable drainage management plan.

Strategic Housing Manager - No objection subject to the contribution for affordable housing

Education - No contributions required

Lead Local Flood Authority - No objections subject to condition

ANSA - A contribution would be required for Public Open Space and for Recreation and Outdoor Sport.

Environment Agency - No objection subject to a condition relating to foul and surface water drainage

Manchester Airport – No objections

NHS East Cheshire CCG – No comments received

Handforth Parish Council: *“The Parish Council strongly recommend refusal of the application on the following grounds:*

The affordability and viability documents have been heavily redacted and consider this unjustified and do not have the full information to make informed consideration as to whether the applicant can reduce the affordable scope from the Cheshire East target of 30% down to 17%. The environment agency has raised a considerable objection relating to the drainage of the site and the Parish Council feel that the case officer should review this very carefully. The Parish Council also note that S106 contributions have yet to be determined and should be put towards local infrastructure such as health services, local schools, public realm, public transport investment and creation of off street car parking. The Parish Council also note that they consider this an overdevelopment of the site; and one that is not in keeping with the area. There is a lack of parking provision in this area and the development will only serve to exacerbate the problem. There are also objections from multiple neighbouring properties which have yet to be fully addressed.”

Following re-consultation of the amended plans similar comments were received from the Parish Council.

OTHER REPRESENTATIONS

Representations have been received from 29 addresses over two periods of consultation objecting to this application on the following grounds:

- Parking provision is insufficient – the surrounding roads already suffer from a lack of spaces.
- The additional traffic generation will be dangerous.
- Out of scale to the area, overdevelopment
- Loss of privacy and loss of light to occupants of South Acre Drive
- The character of the area is two storey in this locality
- The development does not proposed sufficient amenity space for the residents
- S106 contributions should incorporate the entire amount required.
- The site is an eye-sore and can attract anti-social behaviour, making some feel vulnerable as they walk past.
- The proposed development makes efficient use of an accessible brownfield site and my making best use of such sites, relieves pressure to develop on the areas open spaces.
- New houses near local amenities
- This assists the elderly in their later years and may make the Handforth area more available for family housing in the existing housing infrastructure
- The vacant buildings credit should not be used as the existing building has been vacant and neglected for so long.

OFFICER APPRAISAL

Principle of Development

Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined “in accordance with the plan unless material considerations indicate otherwise”. The National Planning Policy Framework reinforces a ‘presumption in favour of sustainable development’ and states that decisions that accord with an up to date development plan should be approved without delay.

Handforth is identified as one of the ‘Key Service Centres’ in Cheshire East where CELPS Policy PG 2 states that *“development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability.”*

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

In this case, the provision of 45 no. C3 units would be of an acceptable scale relative to the key service centre of Handforth and would deliver accommodation within a highly sustainable

location close to the centre of Handforth with excellent transport links. The site is brownfield in nature and therefore its redevelopment to provide residential units in such a highly sustainable location aligns with the general principles of national and local policy.

Having regard to the above, the general principle of the development is found to be acceptable.

The Council can now demonstrate a 5 year housing land supply and therefore the relevant policies concerning the supply of housing should be considered up-to-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is not engaged. It is important to note that this site will deliver 45 properties for older persons within a key service centre. Proposals like this that bring forward development of such sites make a valuable contribution to maintaining a 5 year housing land supply and preventing inappropriate unplanned development elsewhere.

Affordable Housing

The Cheshire East Local Plan (CELP) 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%. 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.

The justification to policy SC 5 explains that "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. HNP policy H2 also states that Developments of 15 or more dwellings will be required to provide at least 30% affordable housing.

This is a proposed development of a total of 45 units for Retirement Living Housing (Use Class C3), which is market housing and would trigger the requirement for affordable housing as well as other infrastructure requirements. In order to meet the Council's Policy on Affordable Housing, there would normally be a requirement for 14 of the dwellings to be provided as affordable dwellings. This would comprise of 9 as rented units and 5 as intermediate tenure.

However, the NPPG provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

In this case, the floorspace of the existing buildings is 1,754sqm and the proposed floorspace is 3,779sqm, an increase of 2,025sqm or 54% of the total proposed floorspace. To put that as numbers of dwellings - 54% of 45 dwellings is 25 dwellings. Therefore, the affordable housing contribution can therefore only be sought from 25 dwellings. 30% of 25 is 8 dwellings, which would be the requirement for this site. This equates to 17.8% of the total

number of dwellings. The vacant building credit applies where the building has not been abandoned, a concept which is considered further below.

The current number of those on the Cheshire Homechoice waiting list with Handforth as their first choice is 267. This can be broken down to 129 x 1 bedroom, 81 x 2 bedroom, 34 x 3 bedroom, 12 x 4 bedroom and 11 x 5 bedroom dwellings.

The waiting list also shows a requirement for 21 x 1 bedroom and 3 x 2 bedroom Older Person dwellings. These dwellings can be via flats, cottage style flats, bungalows and lifetime adaptable homes.

Policy SC5 of the CELPS requires affordable housing to be provided on-site, however, in exceptional circumstances, where it can be proven that on-site delivery is not possible, as a first alternative, off-site provision of affordable housing will be accepted; as a second alternative a financial contribution may be accepted, where justified, in lieu of on-site provision.

Given the characteristics and nature of sheltered retirement housing the applicant has stated that it is not practical or feasible to include an element of on site affordable housing within the proposed development. This view is shared by officers. By reason of the communal nature of the shared facilities within the development together with the management arrangement for providing a concierge/house manager, careline and services covering regular maintenance of the building, access, parking and communal landscaped gardens, Registered Housing Providers are generally unable or unwilling to meet these charges.

A mixed tenure development cannot accommodate, either physically or economically, facilities such as separate entrances, parking, facilities, amenity areas and staffing and management regimes in a single development; unless the site is sufficiently large and suitably configured. This site extends to just 0.30 hectares and as such it is considered that it is not possible to facilitate on site provision while ensuring separate management regimes.

Therefore, given that the applicant has no further land interests within the Council's administrative area and is therefore not in a position to offer units in lieu of on-site provision on an alternative site, it is proposed to secure a financial contribution towards affordable housing in lieu of on site provision.

CELPS Policy SC 5 recognises that some developments may not be able to afford the full cost of affordable provision and in that regard the applicant has submitted a viability assessment to demonstrate that the development has a finite sum that can go towards s106 planning obligations including affordable housing.

Abandonment

Abandonment is a legal concept which has been used by the courts to describe circumstances in which rights to resume a use which has been lawfully carried on in the past may be lost because of the cessation of that particular use. Abandonment may occur where a use has ceased due to leaving premises vacant for a considerable period or by allowing the building on which the use relies to deteriorate to the extent that re-use would involve what would be tantamount to rebuilding. The walls and roof of the building appear to be in reasonable condition.

The courts have held that there are four factors to be taken into account when considering whether abandonment has occurred. These relate to the period of non-use, the physical condition of the property, any intervening use, and the owner's intention. These matters are considered below;

Test 1: Physical condition of property – No structural survey has been provided, however as mentioned above the building appears to be generally in a good condition.

Test 2: Period of non-use – The planning agent has advised that the site has been vacant since 2006. Within this time period a number of applications have been submitted.

Test 3: Intervening use? – There is no planning history to suggest that there has been any intervening use. The planning agent has confirmed this.

Test 4: Owner's intention – Various applicants have submitted planning applications with the apparent intention to replacement accommodation on this site.

Given these circumstances it is not considered that abandonment applies in this case.

Viability

The submitted viability appraisal states that the development would be unviable insofar as it would not yield a sufficient gross development value (GDV) attractive enough for a developer to bring the site forward. This has been independently appraised by a consultant instructed by the Council. The applicant states that the site is subject to a number of criteria that limit the value of the development, including:

- The proposal is for specialist retirement accommodation which is in a single phase - no ability to phase or stop/start – once started each flatted development has to be completed before occupation by the older person's community.
- Significant capital outlay: land purchase; planning permission; construction of the entire development before revenue receipt / any return on investment.
- Added to significant capital outlay is the period of time the capital is employed, i.e. longer cash-flow profile over the land purchase, planning permission, construction and sales period than general market housing.
- Premium sales values are expected above the general needs housing market thus adding risk because of the requirement to accommodate:
- Added specification for specialist form of housing
- Added levels of building and site security, including intruder alarm systems and emergency assistance alarm/help-line available to each unit.
- Restricted Market – over 55's age as opposed to general needs market housing available to all-comers.
- No Help-to-Buy, i.e. No financial market support/intervention
- Retirement Housing Sector Developers and their Shareholders & Lenders require adequate financial returns to carry the typical higher capital outlay and timing risks associated with specialist retirement housing.
- Uncertainties in housing market due to pandemic.

In terms of ensuring viability and deliverability the NPPF (paragraph 57) states that;

'Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.'

The Planning Practice Guidance (PPG) says that decisions must be underpinned by an understanding of viability; ensuring realistic decisions are made to support development.

The Council's independent advisor has concluded that the scheme will not be able to deliver the full affordable housing and / or other commuted sum payments whilst remaining a viable development opportunity.

The Gross Development Value ("GDV") of the overall scheme is in the region of £11 million. National Planning Practice Guidance advises that a minimum profit level of between 15-20% of GDV 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 this type of development. In this case, the developer is assuming 20% of GDV. This is at the upper end of the range and given the high level of demand for such accommodation it could be argued that the associated level of risk to the developer could justify a reduced rate. However, the Council's independent advisor has concluded 20% level is reasonable in the current climate of market instability and noting the large initial financial outlay that this project involves before receiving any income from sales.

It has been calculated that the development would generate a surplus in the viability calculations of approximately £292,050 toward planning obligations. Based on the viability assessment undertaken it is considered that is acceptable in principle and there could be no basis for seeking any further contributions. Officers will seek to include an overage clause within the s106 to enable a clawback of contributions should the scheme prove to be more viable than currently projected.

In this case, owing to the nature of the accommodation for older persons, any affordable housing would be secured by way of commuted sum rather than delivered on site. The Council's Housing Strategy & Needs Manager considers the proposed contribution to be acceptable.

Of the £292,050 that is available for planning obligations, it is recommended that £200,000 is put towards affordable housing. On this basis the proposal will comply with policy Sc5 of the CELPS.

Residential 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. This scheme primarily offers accommodation for the elderly in the form of the 45no. retirement living one and two bed apartments, which would contribute towards creating a mixed, balanced and inclusive community, when combined with the existing residential development in the area. HNP policy H2 states that schemes are strongly encouraged to include a suitable proportion of affordable housing, housing designed for the ageing population. The proposal is fully in line with objectives of the policy to meet the needs arising from the increasing longevity of the Borough's older residents. The proposal is therefore considered to comply with Local Plan Policy SC 4.

Public Open Space

Policies RT5 and DC40 of the MBLP set out the amenity open space requirements for housing development (per dwelling). The retirement living housing element of the scheme would place a greater burden on open space and recreational facilities in the area and accordingly, the applicants would normally be expected to make a financial contribution towards the Borough Council's sports, recreational and open space facilities in lieu of on-site provision.

Policy SE6 of the Cheshire East Local Plan requires 65 square metres per dwelling for the provision of public open space (POS) and recreation / outdoor sport (ROS) facilities. It appears that this cannot be provided on site and therefore financial contributions will be required for off site provision in line with policy SE6 of the Cheshire East Local Plan.

In lieu of onsite provision of POS, a com sum for offsite provision will be required at a rate of £1,500 per bed space. This would be used to make POS improvements, additions and enhancements at Meriton Road Park, the town centre park in Handforth 580m away from the site, and at Arthur Boon open space on the corner of Dean Drive and Wilmslow Road 500m away from the site. Both are easily accessible. An ROS contribution of £500 per two + bed plus apartment to be used in line with the Council's playing pitch strategy.

The required contributions sought for 30 one bed apartments and 15 two bed apartments would therefore be as follows:

- Public Open space contribution of £90,000
- Recreation & outdoor sports contributions of £7,500

Due to the viability issues raised above, these contributions are considered further in the planning balance section below.

Education

The retirement living housing would not place any greater burden on local education provision given the type of accommodation proposed. The units are not 'family dwellings' owing to their size (i.e. maximum of 2 bed) and owing to the occupation by older residents. Accordingly, the scheme would not trigger a requirement for commuted sums towards education provision.

Design and Impact on Character of the Area

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 and H11 of the HNP 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.

Following discussions between the applicant and the Council's Design Officer, the scheme has been the subject of a number of revisions. The proposal replaces Cypress house, a two storey building that is set back from Wilmslow Road. The proposal is an L shaped building of three storeys. The massing is broken down by the use of different materials and series of bays with gables which are designed to replicate a series of town houses on the South Acre Drive elevation. This reflects the design of the building on the corner of Sagars Road and Wilmslow Road nearby. Elevations fronting onto South Acre Drive/Wilmslow Road display front doors which give the presentation of an active frontage and provide a more traditional road frontage with activity.

In order to reduce the height and scale of the building the third storey has been incorporated into the roof, so while the building comprises three storeys it appears more as two and a half storeys.

The plot is situated in a prominent position on entry and exit to Handforth Village and the corner of the building between South Acre Drive and Wilmslow Road attempts to create a 'gateway' feature to the development with a taller element comprising gable features facing onto South Acre Drive and Wilmslow Road. The elevation facing onto Wilmslow Road aims to replicate a pair of semi-detached dwellings in order to complement the existing development along Wilmslow Road. Gabled buildings are prevalent in the immediate area.

There are more modern buildings of similar height within the vicinity, but the majority of the adjacent buildings are two-storey particularly along Wilmslow Road. The three storey scale has been reduced by incorporating the third storey within the roofspace which enables the proposal to sit well within the context of the site.

While the development would cover most of the site, the variation in roofs, materials and the quality design help the development integrate well into the site.

The site is predominantly shielded by a mature green boundary of off site trees which shield views of the site when approaching from the south. This would be strengthened by additional planting to this elevation.

It is considered that the improvements satisfy previous concerns relating to massing, elevational design and the referencing of locally distinctive design and scale, in accordance with the policies listed above.

Landscape

The proposed building would cover most of the site with only limited space left for soft landscaping. Some concern has been raised by the Council's Landscape Officer regarding the low proportion of soft ground retained on the site, the lack of mitigation for loss of vegetation, insufficient information regarding topography, soils, surfaces, vegetation and boundary treatments, and the visual impact of the building.

Whilst these comments are acknowledged, matters of topography, soils, surfaces, vegetation and boundary treatments can be dealt with by condition.

Furthermore, the site is located close to the village centre in a built up area. The existing site contains a wide expanse of hardstanding to the front of the site with minimal landscaping. The properties along Wilmslow Road mainly consist of rear of pavement terraced properties with no landscaping, and the adjacent property to the south (The Bulls Head) is dominated by hardstanding adjacent to the road, again with minimal landscaping within the site.

Whilst the proposed building does cover most of the site there would still be scope for an appropriate landscaping scheme to help soften the appearance of the development, along with the existing mature tree cover along the southern boundary of the site. It is considered that this would be appropriate for the location and a condition requiring a landscape scheme to be submitted would ensure appropriate treatment to boundaries and external areas.

Amenity

Saved Macclesfield Borough local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

The objections relating to the impact upon the living conditions of neighbours have been carefully considered. Numbers 1-4 South Acre Drive are positioned to the north of the development and are positioned at a higher level than the application site. The proposed development along South Acre Drive would roughly follow the building line of the existing care home which is positioned approximately 21m from the front elevations of 1-4 South Acre Drive. Policy DC38 states that buildings should provide a distance of 21m front to front for two storey developments and 28m for three storey developments.

The existing windows facing South Acre Drive are large gable windows and the proposed building would be relatively low for a three storey building with low eaves in line with a two storey building. The corner apartment facing onto number 1 South Acre Drive contains a secondary window at 2nd floor serving a living room. If a condition was included to obscurely glaze this window bearing in mind the relatively low height of the proposed building, the increase in land level of number 1 together with the existing relationship it is considered that the impact on this property would be within acceptable limits.

Number 37 Wilmslow Road would be positioned over 20m from the nearest point of the proposed building and would be offset to the south. With this in mind the impact of the proposal on this property is considered to be acceptable.

To the rear the distance between the 3 storey apartment block and the nearest point of the proposed building would measure approx. 17m. The habitable rooms would be off set from the habitable rooms on the existing development and so the impact on this building is considered to be acceptable.

Accordingly, the proposal is not considered to result in any significant harm to the living conditions of neighbouring properties, in accordance with policy DC3 of the MBLP.

Noise

In support of the application, the applicant has submitted an acoustic report by Clarke Saunders Acoustics, 25 June 2019, AS11139.190607.ra (Stage 1)| 25/06/19. At section 6.2, it is stated that this is a stage 1 Risk Assessment, identifying the development area as low to high risk in terms of noise impact. Noise mitigation measures have not been identified in this report and in order to ensure that future occupants of the development do not suffer a substantial loss of amenity due to noise (particularly transport related noise) a condition is recommended for a noise impact assessment and any appropriate mitigation to be submitted.

Highways

The existing access points are to be stopped up and a new access created to the eastern edge of the site. It has been noted from a site visit that on street parking takes place along South Acre Drive.

The proposed level of parking was initially significantly below the adopted parking standards for this type of development and this shortfall was acknowledged by the applicant. Appendix C of the CELPS recommends that one space should be provided for one bedroom properties and two spaces for two bedroom properties, which would equate to a requirement of 60 spaces. However for sheltered accommodation (shown as a C2 use in Appendix C of the CELPS), the parking requirement is 0.5 per unit and 1 per 3 units (for visitors), which would equate to a requirement of 38 spaces, as there are no staff.

Amended plans have been received showing 23 parking spaces (including 2 visitor spaces) which, albeit still below CEC parking standards, it is considered that the level of parking at 0.5 spaces per unit is acceptable given its sustainable location with good access to facilities and local parking facilities. In addition, likely demand has been compared against active Churchill development's parking ratios at other, geographically similar, locations. The applicant has submitted details of parking assessments carried out at active properties over 12 hour periods, which suggest parking at lower levels than that proposed in the current application satisfies demand at these similar sites.

Other approved Churchill developments in Bridgenorth, Shropshire and Ashbourne, Derbyshire have been analysed and it is noted the parking provision is less generous than that being proposed at approximately 0.35 spaces per apartment against 0.5 spaces at the Handforth site. The Handforth site also provides 2no. spaces dedicated for visitors to the facility.

The Strategic Infrastructure Manage also raises no objections to the proposal. Accordingly, given this information, the proposed level of parking is considered sufficient to serve this development and unlikely to cause a detrimental impact on the surrounding highway network.

Arboriculture and Forestry

Following the receipt of amended plans that have addressed previous concerns, updated comments from the Council's Arboricultural Officer are required and will be reported as an update, together with the wider arboricultural impacts of the proposal.

Nature Conservation

Policy SE3 of the CELPS and H8 of the HNP require all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests.

Bats

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

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

In the UK, the Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory alternative, (ii) that the development is of overriding public interest, and (iii) the favorable conservation status of the species will be maintained.

Current case law instructs that if it is considered clear or very likely, that the requirements of the Directive cannot be met because there is a satisfactory alternative or because there are no conceivable “other imperative reasons of overriding public interest” then planning permission should be refused. Conversely if it seems that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Alternatives

The alternative would be for the existing buildings to fall into disrepair to the detriment of the character of the area. It is likely that some intervention will be required in the future. The alternative of the future refurbishment of the building is likely to have a similar impact upon the protected species as the demolition.

Overriding public Interest

The proposals would bring about additional much need dwellings for an ageing population to the area.

Mitigation

To compensate for the loss of the existing roost the submitted report recommends the installation of bat access tiles on the completed building as a means of compensating for the loss of the roost. A condition will be included in any approval for the recommended mitigation.

On the basis of the above it is considered that requirements of the Habitats Directive would be met.

Breeding birds

If planning consent is granted a condition will be required to safeguard breeding birds.

Subject to the conditions recommended above, the proposal will comply with policy SE 3 of the CELPS and H8 of the HNP.

Flood Risk and Drainage

Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation. Policy H12 of the HNP is also relevant to surface water management.

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 based on the Council's own flood risk advice. Therefore the development is considered to comply with policy SE 13 of the CELPS and H12 of the HNP.

Contaminated Land

Policy DC63 of the MBLP and policy SE12 of the CELPS seek to ensure that development for new housing or other environmentally sensitive development is not located on areas of contaminated land.

The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site. No information relating to land contamination has been submitted in support of the planning application. The plans for the site show areas of landscaped garden for the residents to use, in particular a garden area proposed to be used for seating. Should soils be imported to site to create these areas of landscaping, they should be demonstrated to be suitable for their proposed use.

The Council's Environmental Protection Unit has raised no objection subject to appropriate conditions. Consequently subject to these conditions the proposal will comply with policy DC63 of the MBLP and CELPS Policy SE12.

CONCLUSIONS

Handforth is identified as one of the 'Key Service Centres' in Cheshire East where national and local plan policies support sustainable development. The proposal provides 45 dwellings for older persons of an acceptable scale relative to the area and would deliver housing within a highly sustainable location near to the village centre.

The site is brownfield and therefore its redevelopment to provide retirement accommodation in such a highly sustainable location aligns with the general principles of national and local policy. The proposals would provide much needed accommodation and correspondingly, a

diverse community taken with surrounding uses. There are benefits derived from ensuring a sustainable future use is secured for such an important and prominent site within Handforth.

The viability of the scheme has been independently assessed and the contribution in lieu of the on sit provision of affordable housing is acceptable in this case. However due to the viability issues surrounding the redevelopment of the site, which have been independently appraised by a consultant acting on behalf of the Council, only £292,050 is available for planning obligations. It is recommended that £200,000 of that goes towards affordable housing, with £84,550 towards POS and £7,500 towards ROS.

In design terms, as amended, this is a well designed scheme which would sit well in the existing surroundings.

The impact on highway safety is considered to be acceptable and the proposal would not materially harm neighbouring residential amenity.

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 the saved policies of the Macclesfield Borough Local Plan, the Handforth Neighbourhood Plan and advice contained within the NPPF. The application is therefore recommended for approval subject to conditions and the necessary Section 106 obligation.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required, and should include:

- Affordable housing contribution of £200,000
- Public Open space contribution of £84,550
- Recreation & outdoor sports contributions of £7,500
- Overage Clause from additional value generated from the Site

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now 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 public open space is necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

In the absence of sufficient commuted sums/obligations an Overage/Clawback clause is required to cover any uplift in value on the development during its completion to consider any connected raise in commuted sum amounts as appropriate. This would allow any increase in profits above those cited and assessed to be directed towards commuted sum payments that are sought but are not able to be paid owing to the viability of the scheme.

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

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

Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A01LS - Landscaping - submission of details
5. A04LS - Landscaping (implementation)
6. A12LS - Landscaping to include details of boundary treatment
7. Nesting bird survey to be submitted
8. Foul and surface water shall be drained on separate systems.
9. Surface water drainage details to be submitted
10. Travel information pack to be submitted
11. Electric vehicle infrastructure to be provided
12. Contaminated land - verification report to be submitted
13. Ecological Enhancement details to be submitted
14. Imported soil to be tested
15. Steps to be taken in event of unidentified contamination
16. Car parking spaces to be provided and retained at all times thereafter
17. Details of proposed finished floor levels and land levels to be submitted

18. Obscure glazing requirement
19. Accommodation limited to over 55 age group
20. Development in accordance with submitted bat survey
21. Existing access removed and footway reinstated
22. Construction management plan to be submitted
23. Noise Impact assessment to be submitted



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Application No: 20/2717M

Location: Alderley House, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY, SK10 4TF

Proposal: Residential development with landscaping and access on land previously granted Outline Approval under 15/5401M. (Resubmission of 19/2200M)

Applicant: Andrew McMurtrie, PH Alderley Park (Alderley House) LLP

Expiry Date: 30-Sep-2020

SUMMARY

This application relates to one of the remaining undeveloped residential parcels in the southern campus area of Alderley Park. The principle of the development has been established by the outline approval, and it is considered that the proposals are appropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework. The previous scheme was considered unacceptable however because of its form: the impact of the frontage garages and the relationship with the adjacent Listed Building, the Tenants Hall.

This revised application addresses these principle concerns, by deleting the garages from the frontage of the site, reducing the gaps between properties giving a closer relationship to these frontage properties and allows for the moving of the properties further off the boundary with the Listed Building.

Whilst there are still some slight amenity concerns, regarding the relationship of the development to the adjacent approved commercial uses (which is now improved by increasing the gap), and the Tree Officer feels that whilst accepting there will be no direct impact on adjacent trees, the development of the car park site will lead to some social proximity issues from trees casting shade over the rear gardens of properties in this location, neither in themselves would warrant a reason for refusal on their own.

The development has a neutral impact on Highways and Ecology and environmental matters such as amenity, air quality, and contaminated land. Impacts on Flood Risk again can be readily addressed.

The main issue as discussed above is one of design, landscape setting and impact on the setting of a listed building. The proposals, in their revised form are now, on balance, considered acceptable and as such the application is recommended for approval.

RECOMMENDATION: Approve subject to S106 Agreement and conditions

SITE DESCRIPTION

This application relates to two sites on the main approach road in Alderley Park, leading to the Mereside complex, from the main Congleton Road (A34) entrance. The site is on the northern edge of the area referred to as the southern (residential) quarter. The two sites are separated by an access road running south into an area being developed by PH Homes.

The first, and larger site on the western side, was formerly occupied by Alderley House, a substantial office building which fronted the main access. This building was demolished some time ago, and the site is now cleared, surrounded by hoardings advertising the development to the rear. There is a grassed area to the site frontage with some trees, including one of significance. To the rear are a number of substantial 3 storey town houses known as Cedar Square, now nearing completion. To the west is a complex of original historical Alderley Park buildings, including the Tenants Hall a Grade II Listed Building which has planning permission for conversion to a public house and restaurant. Work has now started on the extension and conversion.

The second, smaller site lies to the east, and sits behind an area of landscaping which falls outside the site boundary. The site was formerly a car park and is currently used as a contractor's compound. The landscaping to the front consists of several trees and a shrub bed along the site frontage. To the side and rear of the site is the edge of an extensive area of woodland which extends to the south and east.

The whole of Alderley Park lies entirely within the North Cheshire Green Belt, but is a Major Developed Site within the Green Belt. All the areas subject to this site are defined as being previously developed land in the Local Plan and Development framework.

PROPOSAL

This application is a re-submission of a similar application reported to Northern Planning Committee on the 12 February 2020.

The application seeks full planning permission for a total of 12 dwellings, 7 on the Alderley House site, and 5 on the car parking area. All the properties are detached, with the Alderley House site being a mixture of 3 storey (central and end units) and 2 storey properties, and the car park site units all being 2 storey.

The properties on the Alderley House site have a traditional appearance with a stucco rendered finish, designed to read as one continuous block, but divided into multiple units. The properties are set back from the site frontage with an area of landscaping and parking off an access road. In addition to the frontage parking, there is a second access road to the rear providing access to additional parking/garages.

The properties on the car park site also have a rendered appearance and pick up some of the more classical design features on the entrances and at roof level in the central property

so they use a similar design “language” to the other site rather than a contrasting one. A frontage access provides curtilage parking, with attached garages for 3 out of the 5 units.

The application has been revised from the previous application in two main ways:

1. The frontage garages have been deleted from the proposals.
2. The properties on the Alderley House site have been moved closer together, and further off the boundary with the Listed Building, the Tenants Hall.

RELEVANT PLANNING HISTORY

Alderley Park has been the subject of a significant number of planning applications in recent years, including a series of applications associated with the residential development of the southern campus, redevelopment of the Parklands office block (soon to be occupied by Royal London), a new leisure complex and more minor developments in the Mereside area. Of particular relevance to this application are:

15/5401M Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: • Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); • Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); • Up to 275 residential dwellings, where up to 60 units could be for retirement / care (Use Classes C2 and C3); • Up to a 100 bed hotel (Use Class C1); • Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); • Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); • A waste transfer station of up to 900 sqm of (sui generis); • Public realm and landscaping; • Other associated infrastructure – APPROVED June 2016

This application covered the whole of the Alderley Park Site, and granted outline approval for residential development on the site subject to this application.

As referenced above in the proposal section there was a previous application on this site:

19/2200M Reserved matters application including details of access, layout, landscaping, appearance and scale for a residential development comprising 12 new dwellings, new internal roads, boundary treatments and associated landscaping and infrastructure. Alderley House and Car Park Sites, Alderley Park, Congleton Road, Nether Alderley, SK10 4TF - REFUSED February 2020

Adjacent to the site are the following recent planning approvals:

To the northeast beyond an area of woodland:

18/0403M Reserved matters application following outline approval 15/5401M for detail of access, layout, scale, landscaping and appearance for a residential development comprising 50 residential dwellings in addition to new internal roads, boundary treatments and associated landscaping and infrastructure - LAND AT HEATHERLEY WOODS, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, SK10 4T -

APPROVED 2018 Bellway Homes

To the south:

16/5853M Reserved matters application including details of access, layout, landscaping, appearance and scale for a residential development comprising 73 new dwellings in addition to selective demolition and the renovation and extension of the Gardener's Cottage as a dwelling, new internal roads, boundary treatments and associated landscaping and infrastructure. An environmental statement was submitted with the outline application. - Alderley Park, Congleton Road, Nether Alderley, Macclesfield, Cheshire - APPROVED 2017 PH Properties

Finally to the west:

17/5386M Reserved matters application relating to outline approval 15/5401M for the extension and change of use of Blocks 113 and 114 (Tenants' Hall) from conference centre (D1/Sui Generis) to restaurant/gastropub (A3/A4) including selective demolition to facilitate conversion; the extension and change of use of Block 112 (former Stanley Arms) from public house (A4) to farm shop (A1) and guest rooms (C1) above including selective demolition to facilitate conversion; change of use of block 119 (former Dovecote) from storage area (Sui Generis) to private dining room for restaurant/gastropub use (A3/A4); creation of a new building comprising guest rooms (C1); and creation of car parking, landscaping, boundary treatments and other associated works. UPPER HISTORIC COURTYARD, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4TF APPROVED 2018

19/3214M Reserved Matters application for the extension and change of use of Blocks 113 and 114 (Tenants' Hall from conference centre (Use Class C1/ Sui Generis) to a restaurant/gastropub (Use Class A3/A4) including car parking, landscaping, boundary treatments and other associated works UPPER HISTORIC COURTYARD, ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY, MACCLESFIELD, CHESHIRE, SK10 4TF ONGOING

To accompany the application subject to this report, an application has been made to discharge conditions applied at outline. This is particularly relevant to ecological and environmental matters:

19/2982D Discharge of conditions 7, 8, 9, 10, 11, 15, 16, 19, 20, 22, 23, 26, 28, 30, 39 & 43 of 15/5401M - Alderley House & car park sites, Alderley Park, CONGLETON ROAD, NETHER ALDERLEY, SK10 4TF - ONGOING

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

- PG 2 Settlement Hierarchy
- PG 3 Green Belt
- SD1 Sustainable development in Cheshire East
- SD2 Sustainable development principles
- SC 5 Affordable Homes

SE 1 Design
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 5 Trees, Hedgerows and woodland
SE7 Heritage
SE 9 Energy Efficient Development
SE13 Flood Risk and Water Management
CO 1 Sustainable Travel and Transport

LPS 61 Alderley Park Opportunity Site

Macclesfield Local Plan (Saved policies)

NE 3 Landscape Conservation
NE11 Nature Conservation
GC 1 Green Belt – New Buildings
GC 4 Major Developed Sites in the Green Belt
DC3 Design – Amenity
DC8 Design – Landscaping
DC9 Design – tree protection
DC13 Design – Noise

Other Material Considerations

The National Planning Policy Framework

Alderley Park Development Framework

Alderley Park Design Principles – Addendum Revision A (Approved as part of the outline approval 15/5401M)

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

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

National Planning Practice Guidance

CONSULTATIONS (External to Planning)

United Utilities – No objections are raised, but recommend two conditions, one relating to surface water drainage and separate systems for foul and surface water.

Head of Strategic Infrastructure – No objections.

Environmental Protection – No objections subject to conditions/informative relating to construction works, pile foundations and dust

Flood Risk – No objections subject to a condition requiring approval of the overall detailed strategy / design limiting the surface water runoff generated by the proposed development.

Cheshire Gardens Trust – Object on the grounds that it will erode the historic parkland and is contrary to the approved Alderley Park Design Principles. They go on to say:

“We object to this application which proposes the development of housing on an existing car park, thereby extending development into the woodland and beyond the development boundary defined in the approved outline application 15/5041M. It is contrary to the approved Alderley Park Design Principles which established a framework and hierarchy for development. If permitted it would further erode the character and significance of the historic parkland at Alderley Park, contrary to Cheshire East Local Plan Policy SE 4 The Landscape.”

Nether Alderley Parish Council – “Whilst the Parish Council have no objection to the proposed 12 dwellings and note the various comments the Planning Officer gave when refusing the original application. We concur that any development should not detract from the adjacent historic buildings i.e. Tenants Hall, Dove Cote, The Old Courtyard etc. There is no special requirement for this development to be a "Statement Development" but simply a continuation of the existing buildings nearby. Therefore, we would suggest the 12 dwellings be constructed in soft coloured brick to complement surrounding materials and not the Stucco rusticated render proposed. This would continue the ribbon development along the road and the style of material used in this area of the park.

The Parish Council note and appreciate that the garaging and some visitor parking has been readdressed within this resubmission. “

OTHER REPRESENTATIONS

None received

OFFICER APPRAISAL

Principal of Development/Green Belt

As mentioned above, the whole of Alderley Park falls within the Green Belt, but as set out in the policy section above, the built up areas of the site, which include the application site, are covered by policies LPS 61 Alderley Park Opportunity Site in the Cheshire East Local Plan, and Saved Policy GC 4 Major Developed Sites in the Green Belt of the Macclesfield Local Plan. The Alderley Park Development Framework, which builds on the LPS policy, clearly identifies the site as Previously Developed Land, which under policy LPS 61 allows for the construction of new buildings (Criteria 3) so long as the meet the criteria set out at 1. Which reads:

Criteria 1. Development shall be:

- i. For human health science research and development, technologies and processes; or
- ii. For residential (around 200 to 300 new homes) or other high value land uses demonstrated to be necessary for the delivery of the life science park and not prejudicial to its longer term growth; or
- iii. For uses complimentary to the life science park and not prejudicial to its establishment or growth for this purpose.”

Outline approval has already been granted for this site and the 12 units are accounted for in the originally approved 275 units. The Section 106 agreed at the outline stage would ensure that profits are put back into the science park. It is proposed this is replicated for the current full planning application.

Criteria 2 is that the development shall be in accordance with the Alderley Park Development Framework. In this document the site is clearly shown as “Potential residential” in the indicative masterplan.

Criteria 3. States that construction of new buildings for uses in criterion 1 above shall be restricted to the Previously Developed Land (PDL) which is the case here.

Criteria 4 states that development would not have a greater impact on the openness and visual amenity of the Green Belt and the purposes of including land within it than existing development. This is examined further below.

Criteria 5 is primarily concerned with impact on Listed Buildings or other heritage impacts which again is considered further in this report, and is a significant issue here.

These policies are reflected in the NPPF which at Paragraphs 143-147 considers development in the Green Belt. Whilst the construction of new buildings in the Green Belt should be regarded as inappropriate development – which is by definition harmful, there are exceptions listed at Para 145 including:

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

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

In summary then the proposed development of this site can be considered to be appropriate development in the Green Belt, on condition that it does not have a greater impact on openness than existing development. In this case it needs to be seen in the context of the built form as was at Alderley Park, as the proposed development of the main site is on an area which was previously occupied by Alderley House, a substantial office building, and was always envisaged to be developed with residential accommodation. The car park site was not shown as being developed in the Local Plan or Development Framework but was clearly marked as previously developed land. As such whilst looked at in isolation any development on this land would have a greater impact on openness, it needs to be looked at in the overall context of all the adjoining sites in the southern quarter and as the overall volume of development (which was fixed at the outline stage) is less than that it replaces, the overall impact on openness is less.

The NPPF advises that substantial weight must be given to the harm to the Green Belt. Any other harm additional to that of inappropriateness must also be considered. The proposal, due to its scale and nature, will have no significant impact on the openness of the Green Belt, and cause no other harm to the purposes of Green Belt (NPPF para. 143).

In conclusion then, the development is considered to constitute appropriate development in the Green Belt and to comply with the majority of the principles in the Development Plan (design and heritage will be addressed later in the report), and therefore there are no objections in principle to the site being developed for residential purposes.

Highways

The proposals provide safe access and the parking provision is considered to be acceptable, and in accordance with the parking standards in the CELPS. The Head of Strategic Infrastructure also raises no objections to the proposal .

Landscape and visual Impact

The landscape scheme shown on the submitted plan, and outlined in the Design and Access Statement is better than the scheme that was submitted with application 19/2200M. The main improvement being the omission of the pavilion garages from the Alderley House frontage. These garages have been relocated to the rear of the properties as recommended. The frontage parking areas are now screened by hedges and some additional trees are proposed to enhance the roadside parkland belt.

The Alderley House landscape proposals are formal in character:

- The existing mature Sweet Chestnut on the site frontage is retained and six additional semi-mature trees are proposed within a formal lawn.
- A low retaining wall alongside the front access drive plus new Yew hedges screen the parking areas
- Estate railings, clipped hedges and feature topiary divide the front gardens.
- Pleached trees on the western and eastern boundaries improve screening and 'book-end' the development.
- Brick walls softened by ornamental shrubs enclose rear gardens

The car park site landscape proposals are more informal in character:

- The existing mixed shrubbery on the site frontage is retained. A new 1.8m high Holly hedge plus six semi-mature parkland trees within meadow grassland are proposed.
- Estate railings and hedges divide the front gardens and native species hedges enclose the small rear gardens.
- The historic woodland would be managed. The woodland edge would be cleared of self-seeded trees and overgrown laurel to form a parkland transition area with veteran trees plus new specimen trees within meadow grassland with spring bulbs (all subject to TPO consent).

The hard landscape proposals for both areas include granite kerbs, granite sett thresholds and block paving paths and driveways.

The landscape proposals are appropriate and would provide an attractive setting for the development but full hard and soft details and boundary treatments would be required by condition.

If the application is approved it is recommended landscape conditions so that the following information is submitted for approval:

- Existing and proposed levels and cross sections

- A detailed Landscape Proposals Plan
- Full hard and soft landscape details
- Boundary treatment details

Plus

- The landscape implementation and 5 year replacement condition
- And a long-term Landscape Management Plan for the historic woodland, the woodland edge area and the roadside parkland belt.

The latter (woodland management) however is covered by a condition on the outline for the whole site so would not be needed here.

Trees/Woodland

Policy SE 5 of the CELPS outlines that 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.

A woodland (Rookery Wood) lies to the south east of the site and is afforded protection by the Cheshire East Borough Council (Nether Alderley - Alderley Park No. 3) Tree Preservation Order 2108 (W2)

This application is supported by an Arboricultural Report, Preliminary Tree Assessment Drawing and Tree Protection – Arboricultural Method Statement .

As part of a pre-application consultation a request was made for a Tree Shadow Assessment to assess the impact of shading from the adjacent protected woodland on the proposed development and in particular private residential amenities. A Tree Shadow Study (Arboshadow) has been included with the application.

A draft Woodland Management Plan (the principles of which have been agreed with the owners of the woodland) is also included as part of the submitted Arboricultural Impact Assessment.

A separate application for works to protected trees (App19/2827T) was also received by the Council on 12th June 2019 which includes details of proposed tree works and the Arboricultural Report referred to above. Determination of the tree work application cannot be considered prior to determination of the planning application as trees are a material consideration.

Alderley House site

The Alderley House site contains one High (A) category tree, three Moderate (B) category trees, three low (C) category trees and two individual trees and one group identified as unsuitable for long term retention (U) category. None of the trees are formally protected by a Tree Preservation Order or lie within a designated Conservation Area.

All moderate and low category trees are proposed to be removed to accommodate the proposed development and associated storage areas. The three (U) category trees are to

be removed irrespective of the development proposals. The one remaining High (A) category tree, a Sweet Chestnut (T6) is to be retained.

The proposed tree removals will have a slight adverse impact within the immediate area, but are not considered to have a significant wider impact. A detailed Tree Protection Plan and method statement have been submitted which include provision for temporary storage/site cabins and installation of drainage.

Overall, the proposals are considered to be acceptable and in accordance with the recommendations detailed in BS5837:2012 Trees in Relation to Design, Demolition and Construction - Recommendations

Car Park Site

The proposed dwellings are sited wholly within the hard standing of the former car park. Consequently due to the sub grade and compacted nature of the underlying soils, any impact on the rooting environment of adjacent protected trees is considered negligible. The Assessment identifies 13 trees that are proposed for removal to accommodate the development and one Group (G3). Nine trees are located outside the protected woodland and are low (C) category specimens which have a negligible contribution to the wider amenity of the area. The four remaining trees and Group identified for removal, stand on the edge of the protected woodland to the south of the site. One tree has been assessed as Moderate (B) category and three trees and the group as low (C) category. The moderate category tree, a Silver Birch (T25) is located on a raised bed, has a slight lean. The low category trees and the linear group (G3), the latter comprising of Cherry root suckers, Sycamore saplings and planted Cherry Laurel provide little long term benefit to the woodland. The removal of these trees is considered reasonable and in accordance with good woodland management.

Para 7.3 of the Assessment refers to an animation of proposed shadow positions from the woodland with specific regard to units 8-12. In addition a Daylight and Sunlight Study (Brentwood Lighting Design) provides assessment for Interior Spaces and sunlight assessment for the rear gardens of Plots 8-12 have been provided using accepted methodology (BRE 2011 Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice).

The results reveal that average Internal Daylight Factor is achieved for 5 plots facing the woodland. With regard to the garden sunlight assessment, a minimum target of 2 hours sunlight in the garden of Plot 10 with over 50% of the garden area was achieved (21st March) and up to 4 hours 45 mins sunlight achieved with Plots 8 and 12.

It should be noted that these figures represent a time of year when the trees are not in leaf and consequently sunlight will be more restricted when trees are in full leaf during the summer.

The shadow assessment referred to in the AIA provides a screen grab showing details of shade at mid summer (21st June) on the five plots. At 9.50am, 11.40 and 13.15 pm. The assessment shows shading of the plots is primarily in the morning early afternoon, with shade passing the gardens by mid-late afternoon. It should be noted that the assessment

has been taken when shadows will be at their shortest and before and after 21st June shadows from trees will become longer.

The issue of shading from trees has been discussed at length with the applicant with suggestions to improve the design by moving the plots northward to provide increased distances from the woodland edge, however moving plots forward would conflict with other design concepts including ensuring that the buildings are subservient to Alderley House.

This issue is consequently a matter of planning balance between the competing design philosophies.

Woodland Management

Although the woodland is located outside the site edged red draft Woodland Management Proposals are attached as Appendix 1 to the AIA and are broadly in accordance with previous discussions on site. The proposals should be part of a long term plan of operations for management of at least 10 years. Should planning consent be granted, conditions relating to tree Protection and Construction Specification / Method Statement are recommended.

Building design/layout/impact on adjacent listed building

This is perhaps the main issue, and one that has been discussed extensively with the applicant. The previous application (19/2200M) referenced above was refused by the Northern Planning Committee in February 2020 for the following reason:

“The proposed development, by virtue of it’s form and design, has an unacceptable appearance on this important frontage site, and is harmful to the setting of the Tenants Hall a Grade II Listed Building, contrary to Criteria 5 of Policy LPS 61, SE1 (Design), SE7 (Historic Environment) of the Cheshire East Local Plan Strategy, and the approved Alderley Park Design Principles.”

The Council’s Design and Conservation Officer advises that the application has been improved compared with the development that was previously submitted and refused. The removal of frontage garaging and associated access clearly improves the presentation of the development and its relationship with the forecourt area of the Tenant’s Hall, which is grade II listed. The design rationale and heritage justification to create high status neo-classical architecture in the location of the former Alderley House, (where the previous country house stood) is appreciated, to attempt to complete the grouping but there is still a degree of tension in the design, namely that there are a number of detached houses with linked ground floor sections and individual entrances to each house, which would be improved at least by gluing the buildings together into a single whole. Overall however, with the benefit of adequate design controls it can be seen how this aspect of the proposals would be considered acceptable given the unfortunate office building that was previously on this part of the site, with associated impacts on heritage assets.

There were some concerns regarding the position of the proposed frontage access points, and the size of the internal access roads, which have been discussed with the applicant. The access points are as existing, and moving them could impact on existing trees and the access roads are the size shown to meet the requirements for manoeuvring vehicles in these areas. The form the access roads take however can be dealt with as part of the

landscaping condition where for example a dropped kerb arrangement could be used rather than a full swept kerb junction to reduce it's impact and help reduce vehicle speeds.

Finally the issue of the car park site is discussed and the Design & Conservation officer goes on to state:

“Whilst I appreciate the policy anomalies in relation to the car park element of the site, and the commentary in the heritage assessment, this was historically an undeveloped part of the gardens/ parkland, with historic maps showing it on the periphery of park/woodland to the east of Alderley House. It is only relatively recently (within the last 50 or so years) that it has been hardened for use as car parking, within the life of the science park. There would clearly be heritage benefit in not further developing this land and returning it to its historic purpose as part of the designed parkland. The park is a non-designated heritage asset (NDHA) and therefore the further development of this land for housing would lead to some harm to the NDHA and its setting, notwithstanding its present hardened state (the heritage assessment considers the impact to be neutral). The application should therefore be assessed against the NPPF and policies SE1, SE4 and SE7 of the CELPS where a balanced consideration should be taken having regard to impacts and benefits. Consequently, although the design of these units is considered to have improved from the previous scheme the concern re: principle remains. This land would be better restored to parkland to better showcase the new development on the Alderley House part of the site and create a more logical distinction between the buildings and the historic landscape.”

He also notes and draws attention to the objection from the Cheshire Gardens Trust given the impacts upon the historic park and garden.

Whilst these comments are understood, the fact remains, as set out in the principle of development section above, this car parking area is within the area of previously developed land and as such it is not considered that there can be a policy objection to its development and as such has to be looked at it terms of its impact. Whilst reversion to parkland would bring some benefits, and some harm to the character of the site has been identified, on balance considering the policies as a whole it is not considered that refusal could be sustained on this basis. It is also important to highlight that this was not considered to be one of the main issues with the previous application, and was not included in the reason for refusal.

If it is considered that there is harm, albeit less than substantial harm, to this non designated heritage asset and in accordance with Paragraph 196 of the NPPF this needs to be looked at against the public benefits of the scheme. As these are limited, this does weigh against the scheme, however this is not given significant weight in the balance. Members may recall greater weight was applied in the previous application when there was considered to be harm to the setting of the Listed Building, a heritage asset.

For completeness and to be consistent with the previous application the Alderley Park Design Principles – Addendum Revision A are again considered below:

Alderley House Design Guidance:

Layout

1. The layout should take regard to the key contextual landscapes of the arboretum to the south and the expansive park land to the north.

Whilst the development does form a continuous frontage on both sites, in a similar way to the previous scheme, there is a greater off set to the Listed Building to the west and more planting has been shown to the site “edges” helping to create a greener character and link to land to the rear.

2. The layout should take care to keep a form benefitting its character, the setting and proximity of the historical courtyard.

There is now a greater off set to the Listed Building, and whilst a rendered appearance is proposed it is not considered that this significantly conflicts with the materials of the Tenants Hall.

3. The layout should carefully consider parking strategies, so as to minimise the impact of the car on the public realm.

Whilst parking is still proposed on the frontage, the garages have been deleted from the scheme, a significant improvement. Landscaping as proposed will help to reduce the impact of this frontage parking. Parking is also provided to the rear of properties.

Scale

1. Any new buildings should aim to be more sympathetic to the historic context of the site, the scale and massing should respond to the neighbouring historical courtyard therefore reducing in height and massing towards the western edge should be encouraged.

The closest building has been moved further away from the boundary with the Listed Building and it is not now considered there is a significant impact.

2. The replacement Alderley house should present itself as a focal building in the character area, whilst respecting the sensitivity and historic relationship that the site has had with the Tenants Hall.

Whilst ideally the development would comprise one building, rather than the detached properties as proposed, as discussed above the changes now proposed do improve the relationship and are considered acceptable.

Landscape

1. The landscape should accommodate both public and private uses.

2. The landscape should connect the new buildings to the historic parkland and arboretum in a geometrical form as did the original park house.

Whilst the trees may not be of any value, their contribution to the parkland is important. The outline permission, within the characterisation study, showed the value of the woodland buffers and the contribution they made to the site. As a minimum these features should be retained and it is felt this level of screening and planting would be important to ensure the domestic presence of this type of housing doesn't impact on the parkland. As discussed above this has been improved by the landscaping now proposed.

3. Parking for any commercial vehicles should be placed in the existing car park to the north east.

The parameters however do not say this site can't be developed, and the principle is again discussed above.

4. Any new proposal should be designed with consideration of how car parking and servicing of this are can be adequately provided for without impacting upon the public realm and parkland setting.

This is now considered acceptable.

For completeness the other matters considered in the guidance are satisfied.

In conclusion, whilst the scheme proposed has its faults, a development comprising a single focal building would be preferred to individual houses, and reversion of the car parking site to parkland, the scheme overall is now considered a big improvement on the original scheme and as such on balance the building design, layout and impact on the setting of the Listed Building meets the overall policy objectives, and is considered acceptable.

Amenity

There are two issues here, the proximity to the approved commercial uses in the Tenants Hall, and relationship to the development to the rear.

The proposed end unit (Plot 1) would be adjacent to the car park, and more significantly servicing area for the approved pub/restaurant. There was a concern with the previous application that there could be amenity issues associated with this relationship, but as noted above however the building has now been moved further off this boundary which will assist.. Environmental Protection have raised no issues with this relationship, and it is not considered that an objection on amenity grounds could not be sustained as a result of these factors.

The development to the rear is all 3 stories in height, and at a slightly higher level than the frontage site subject to this application. However given the separation distances, over 27m at the closest point, it is not considered that there are any significant overlooking/privacy issues.

Ecology

Policy SE3 of the CELPS requires all development to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. A number of conditions were attached to the outline planning permission at this site, but which remain relevant to the current application, and are subject to the current discharge of conditions application referenced above:

Condition 30 Lighting Assessment

The submitted ecological assessment refers to results of a lighting assessment. This condition is dealt with under discharge of conditions application 19/2982d.

Condition 39 an updated protected species survey where required.

An updated protected species assessment has been submitted as required by this condition.

A number of ponds are located within 250m of the proposed development. Great Crested Newts have been recorded at a pond located 100m from the proposed development. The application site however offers limited habitat for great crested newts and does not support any features likely to be utilised by newts for shelter and protection and the proposed development would not result in the fragmentation or isolation of great crested newt habitat.

The potential impacts of the proposed development are limited to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to

address this risk the applicant's ecological consultant has recommended a suite of 'reasonable avoidance measures'.

It is advised that provided these measures are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

If planning consent is granted a condition is recommended to ensure the development proceeds in strict accordance with the Great Crested Newt Reasonable Avoidance measures submitted.

No evidence of badger activity was recorded, however as new setts can be constructed in a short timescale and the adjacent woodland has the potential to support a sett the submitted protected species report recommends that an updated badger survey is undertaken prior to the commencement of development. This matter may be dealt with by condition.

Condition 42 No development within ancient woodland, no loss of semi-natural habitat from within the Local Wildlife Site

Previously proposed units 8 – 12 had a gate provided to allow access to the Local Wildlife Site. These gates have now been removed from the revised submitted plans.

In order to protect the Local Wildlife Site there should be no construction related activity within its boundary. Whilst the red line of the application does not encroach into the Local Wildlife site there is the risk of impacts occurring during the construction phase due to the movement of machinery and the storage of material etc.

The application must therefore be supported by proposals for the safeguarding of the Local Wildlife Site during the construction phase. These proposals should include the erection of protective fencing around the boundary of the Local Wildlife Site for the duration of the construction phase. An appropriate condition is recommended.

Condition 43 Residential reserved matters application to be supported by proposals for the incorporation of features suitable for swifts, house sparrow and roosting bats.

Revised proposals for the provision of features for roosting bats and nesting birds have been included with the updated protected species strategy (ref 10489_RO3b). These are now acceptable and will contribute positively to biodiversity.

Flood Risk/Drainage

Whilst no detailed drainage scheme has yet been submitted, it is considered that drainage issues at Alderley Park are now fully understood and a scheme should be readily achievable. Conditions are recommended by both UU and the Flood Risk Team.

Air Quality

Conditions attached at the outline stage are applicable here, and will be repeated as part of this full planning application.

Contaminated Land

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

- Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site.
- Further information has now been received on the site.
 - o Supplementary Investigation and Geoenvironmental Appraisal of Former Alderley House Frontage and Car Park, ID Geoenvironmental Limited, Letter Report, Ref. 4917-G-LR001–Rev C, dated July 2020.
 - o Hazardous Ground Gas Risk Assessment of Former Alderley House Frontage and Car Park, ID Geoenvironmental Limited, Letter Report Ref. 4917-G-LR002-Rev A, dated July 2020.
 - o Remediation Strategy for land at Former Alderley House Frontage and Car Park, ID Geoenvironmental Limited, Report Ref. 4917-G-R003-Rev A, dated July 2020.
 - o Hazardous Gas Protection Measures Verification Implementation Plan for Former Alderley House Frontage and Car Park, ID Geoenvironmental Limited, Report Ref. 4917-G-R004 dated August 2020.
- The reports submitted in support of the application recommend remedial measures including hotspot removal, importation of clean fill and gas protection measures to all properties. Environmental Protection are in agreement with the proposed remedial approach and would note that verification of all measures should be submitted prior to occupation.

As such, and in accordance with the NPPF, two conditions and an informative are recommended.

CONCLUSIONS

This application relates to one of the remaining undeveloped residential parcels in the southern campus area of Alderley Park. The principle of the development has been established by the outline approval, and it is considered that the proposals are appropriate development in the Green Belt and in line with the general policies in the Development plan, NPPF and the Alderley Park Development Framework. The previous scheme was considered unacceptable however because of its form: the impact of the frontage garages and the relationship with the adjacent Listed Building, the Tenants Hall.

This revised application addresses these principle concerns, by deleting the garages from the frontage of the site, reducing the gaps between properties giving a closer relationship to these frontage properties and allows for the moving of the properties further off the boundary with the Listed Building.

Whilst there are still some slight amenity concerns, regarding the relationship of the development to the adjacent approved commercial uses (which is now improved by increasing the gap), and the Tree Officer feels that whilst accepting there will be no direct impact on adjacent trees, the development of the car park site will lead to some social

proximity issues from trees casting shade over the rear gardens of properties in this location, neither in themselves would warrant a reason for refusal on their own.

The development has a neutral impact on Highways and Ecology and environmental matters such as amenity, air quality, and contaminated land. Impacts on Flood Risk again can be readily addressed.

The main issue as discussed above is one of design, landscape setting and impact on the setting of a listed building. The proposals, in their revised form are now, on balance, considered acceptable and as such the application is recommended for approval.

SECTION 106

In line with the previously approved site-wide outline application a section 106 agreement will accompany the application and is required to secure the following:

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

The wording can be copied across for the outline consent and pro rata applied to this smaller scheme.

CIL REGULATIONS

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

RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

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

And the following conditions:

1. Standard 3 year consent

2. Approved Plans
3. Materials to be submitted
4. Landscaping including details of the internal access roads/junctions.
5. Implementation of landscaping
6. Tree Protection and Construction Specification / Method Statement
7. Development to be in accordance with the Great Crested Newt Reasonable Avoidance measures
8. Updated badger survey
9. Method statement for the safeguarding of the LWS/ancient woodland
10. Surface water drainage strategy
11. Separate drainage systems for foul and surface water
12. Travel information pack
13. Electrical vehicle infrastructure
14. Contaminated land verification report
15. Measures to deal with unexpected contamination
16. Levels to be submitted

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 Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions



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