

# Northern Planning Committee

## Agenda

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<b>Date:</b>	<b>Wednesday, 10th August, 2022</b>
<b>Time:</b>	<b>10.00 am</b>
<b>Venue:</b>	<b>The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA</b>

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

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

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

1. **Apologies for Absence**

To receive any apologies for absence.

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

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

3. **Minutes of the Previous Meeting** (Pages 5 - 8)

To approve the Minutes of the meeting held on 13<sup>th</sup> July 2022 as a correct record.

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For requests for further information

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#### 4. **Public Speaking**

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

- Ward Councillors who are not members of the 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. **21/5810M - Full planning application for the demolition of the existing dwelling and the erection of two detached dwellings and six apartments with associated landscape and access works: 64, Dickens Lane, Poynton SK12 1NT for Abode Property Development Ltd (Pages 9 - 26)**

To consider the above planning application.

6. **21/4669M - Approval of Reserved Matters (layout, landscaping, appearance and scale) following Outline Approval 17/5837M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space: Land West Of, Alderley Road, Wilmslow for Ms Siobhan Sweeney, Story Homes Limited (Pages 27 - 64)**

To consider the above planning application.

7. **21/6431M - Change of use from offices to C2 accommodation to create 8no. 1 bedroom flats with associated amenities: Catherine House, Catherine Street, Macclesfield, SK11 6BB for Martin Ball, North West Capital (Pages 65 - 78)**

To consider the above planning application.

8. **22/0566M - Residential redevelopment of former Winstanley House site and demolition of associated garages. Replacement building containing 28 no 100% affordable apartments, car parking and landscaping: Winstanley House, Northwich Road, Knutsford, Cheshire WA16 0AF for Mr Dan Brocklehurst, Peaks and Plains Housing Trust (Pages 79 - 100)**

To consider the above planning application.

9. **21/5730M - Conversion of existing grass playing pitch to astroturf all weather surface with lighting and spectator stand and the conversion of existing overflow area to form associated formal parking: Wilmslow Phoenix Sports Club, Styal Road, Wilmslow, Cheshire SK9 4HP for Alan Murdoch, Wilmslow Phoenix Sports Club** (Pages 101 - 120)

To consider the above planning application.

**Membership:** Councillors L Braithwaite (Vice-Chair), T Dean, JP Findlow, A Harewood, S Holland, D Jefferay, J Nicholas (Chair), I Macfarlane, N Mannion, K Parkinson, L Smetham and J Smith

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 13th July, 2022 in the The Capesthorne Room - Town  
Hall, Macclesfield SK10 1EA

**PRESENT**

Councillor J Nicholas (Chair)  
Councillor L Braithwaite (Vice-Chair)

Councillors T Dean, JP Findlow, A Harewood, S Holland, D Jefferay,  
I Macfarlane, N Mannion, K Parkinson, L Smetham and J Smith

**OFFICERS IN ATTENDANCE**

Mrs N Folan (Planning Solicitor), Neil Jones (Principal Development Officer)  
and Paul Wakefield (Planning Team Leader)

**1 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2 DECLARATIONS OF INTEREST/PRE DETERMINATION**

There were no declarations of interest.

**3 MINUTES OF THE PREVIOUS MEETING****RESOLVED**

That the minutes of the previous meeting held on 20 April 2022 be  
approved as a correct record and signed by the Chair.

**4 PUBLIC SPEAKING****RESOLVED**

That the public speaking procedure be noted.

**5 21/5812M-ERECTION OF 6 NO. NEW DWELLINGS, LAND OFF, HEYES  
LANE, ALDERLEY EDGE FOR DEANBANK INVESTMENTS LIMITED**

Consideration was given to the above application.

(Councillor C Browne, the Ward Councillor, Parish Councillor M Dudley-  
Jones, representing Alderley Edge Parish Council and David Brickwood,  
representing The Edge Association, objecting).

**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. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. Construction of access and parking made available for use prior to first occupation
4. Details of boundary treatments to be submitted, approved and implemented
5. Details of ground levels to be submitted, approved and implemented
6. Foul and surface water drainage to be connected on separate systems
7. Scheme of surface water drainage and management plan to be submitted, approved and implemented
8. Sustainable drainage management and maintenance plan to be submitted, approved and implemented
9. Details of materials to be submitted, approved and implemented
10. Removal of permitted development rights for extensions and outbuildings
11. Phase I contaminated land investigation to be submitted and approved
12. Verification of remediated contaminated land to be submitted and approved
13. Details of bin / refuse storage to be submitted, approved and implemented prior to first occupation
14. Details of pile foundations to be submitted, approved and implemented
15. Electric Vehicle Infrastructure to be provided prior to first occupation
16. Scheme of construction management plan including dust control to be submitted, approved and implemented
17. Accordance with Ecological Assessments
18. Nesting bird mitigation measures to be submitted, approved and implemented
19. Scheme of biodiversity enhancement to be submitted, approved and implemented
20. Cycle storage provided prior to first occupation
21. Details of energy efficiency measures to be submitted (AENP policy AE3(9))

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 Chair (or in his absence the Vice Chair) 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.

- 6 **WITHDRAWN BY OFFICERS-21/2866M-REPLACEMENT OF EXISTING RURAL BUILDINGS WITH 5 ACCESSIBLE TOURIST UNITS, HIGHER KINDERFIELDS FARM, HOLLIN LANE, SUTTON FOR MR MIKE EARDLY**

This item was withdrawn by officers prior to the meeting.

The meeting commenced at 10.00 am and concluded at 11.35 am

Councillor J Nicholas (Chair)

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Application No: 21/5810M

Location: 64, DICKENS LANE, POYNTON, SK12 1NT

Proposal: Full planning application for the demolition of the existing dwelling and the erection of two detached dwellings and six apartments with associated landscape and access works.

Applicant: Abode Property Development Ltd.

Expiry Date: 12-Aug-2022

### **SUMMARY**

The application lies within Poynton, which is identified as a Key Service Centre where the principle of residential development on the site is acceptable. The site is sustainably located and is in easy walking distance of the town centre, public transport and services and facilities within Poynton. The development complies with Policies SE 2, SD 1 and SD 2 of the CELPS in this regard.

Following a recent appeal decision for a similar proposal, the inspector's comments have been reflected in a revised proposal to reduce the number of dwellings, address landscaping, design, tree and amenity matters.

The development is considered to be acceptable in terms of its impact on the highway network (including access and parking matters), ecology, trees, flooding and drainage.

However, the proposals would have a harmful effect on the amenity of future and existing occupiers as a result of overlooking and a loss of privacy and do not comply with MBLP Saved Policy DC3 and DC38, CELPS policies SD2 and SE1, policy HOU 6 of the PNP, advice within the Cheshire East design guide, and emerging SADPD policy HOU 10 which all seek to safeguard residential amenity.

The proposals are also not considered to respond well to the character of the surrounding area and do not therefore comply with policies SE1, SD2 and SE4 of the CELPS, HOU 11 and HOU 15 of the PNP, or SADPD emerging policy HOU 8.

As such the proposals do not comply with the development plan and the application is recommended for refusal.

### **SUMMARY RECOMMENDATION**

Refusal

## **REASON FOR REFERRAL**

The application has been called-in to be determined by the Northern Planning Committee by Cllr Sewart for the following reason;

*The application presents only a minor reduction (one detached dwelling removed and the number of apartments now defined as six) in this application compared with 21/0264M which was refused on appeal (reference) APP/R0660/W/21/3271202. The key objection of residents is the inclusion of apartments.*

## **DESCRIPTION OF SITE AND CONTEXT**

The site is a rectangular-shaped 0.2 hectare residential plot south of Dickens Lane, southeast of the centre of Poynton. It comprises a two-storey detached dwelling with gardens to front, side and rear, bounded by Dickens Lane to the north, public open space to the south and residential property to the east and west. On the opposite side of the road is Clumber House Nursing home.

The house is located to the east of the site and is visible from the road frontage. The front boundary is well screened with mature trees and shrubs. Trees to the east and north west of the site are afforded protection by the Macclesfield Borough Council (Poynton-With-Worth – Fleetbank Farm) Tree Preservation Order 1974 (totalling 5no trees on site).

There is an in/out vehicular access onto Dickens Lane with parking to the front of the dwelling and large garden area to the rear.

The site is around 300m from the centre of Poynton with access to its shops and services. The road junction with Clumber Road is to the south west of the site and a pedestrian crossing approximately 70m south of the site. Dickens lane is serviced by the local bus network.

The immediate context of the site is characterised by moderate sized properties within large plots. Development becomes more closer knit when moving several properties away. The site is within floodzone 1.

## **DESCRIPTION OF PROPOSAL**

This is a resubmission of application 21/0264M which sought to create six apartments with three detached properties to the rear. This was dismissed at appeal in July 2021. More details on the previous application are found within the 'Background' section below.

The application as proposed now seeks consent for the demolition of the existing dwelling and the redevelopment of the site to provide six apartments (over 3 floors) and two detached dwellings. This is to be provided as;

- 4no. 2 bed apartments
- 2no. 1 bed apartments
- 2no. 5 bed detached dwellings.

Access is to be taken from the north western side of the site. The front boundary would consist of a brick wall with railings above with trees and shrub planting behind.

The proposed apartment block would be located to the front section of the site, set back from the front boundary by 19m with parking laid out in front for 10 vehicles. The building would be a 'L' shape with front facing gables, 2 storey protruding bays and gable windows within the roof slope. The main entrance into the apartments would be gained from the western elevation. Landscaped grounds surround the apartment block. A bin store and cycle store will be positioned against the western boundary.

A gated access drive will run parallel to the western boundary leading to the 2no detached dwellings at the rear of the site, each of which will have 2no parking spaces and an attached garage. Private garden areas extend to the front and rear of these properties.

The application is accompanied by the following assessments;

- Arboricultural assessment
- Asbestos survey
- Daylight and sunlight assessment
- Daytime bat survey and ecological scoping survey
- Site investigations phases 1 and 2
- Highways technical note.

1 individual B category tree (T6), 5 individual C Cat trees (T4, T5, T7, T8 & T9) and 4 hedgerows (H1, H2 and H5) will be removed to accommodate the development.

Revised plans were submitted during the course of the application to swap the proposed Scots Pine for a Silver Birch in line with tree officer comments, reduce the bedrooms proposed at second floor to 2no 1 bed units (to reduce the parking requirement) and to increase parking space size. Details have also been provided that confirm arrangements made with the waste collection team that bins will be stored within the shared bin store and collected from inside the site boundary and returned to the site bin store once emptied. The gates have been removed from the front of the site to facilitate this. Plans were also re-issued with corrected plan numbers.

### **RELEVANT HISTORY**

13975PB - Bedrooms in roof space Approved 21.3.1978

12939PB - Double garage, dining kitchen and loft Approved 13.12.1977

21/0264M - The demolition of dwelling house and erection of 3 detached dwellings, 6 apartments and associated landscaping and access. – Non-determination appeal ref APP/R0660/W/21/3271202. Dismissed July 2021 on grounds of; *'The development would have a harmful effect on the character and appearance of the area, on the living conditions of neighbouring and prospective occupiers and on existing trees'*.

21/5362T - Silver birch (T1) - Fell because of deteriorating condition and mechanical stability, with extensive bark/cambial dieback and decay to stem, and recent dieback in the crown Weeping ash (T2) - Fell because of deteriorating condition caused by colonisation by Ash

Dieback Disease, with between 30 and 40% crown dieback - Consent for works in TPO with conditions / 16-Dec-2021

21/5015T - Works to trees T13 - OAK., G1 - SILVER BIRCH. - Consent for works in TPO with conditions / 20-Dec-2021

## **RELEVANT PLANNING POLICY**

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

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement hierarchy  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
SC3 Health and Well-being  
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  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plan (January 2004).

The Macclesfield Borough Local Plan is the relevant plan in relation to this site.

### **The relevant Saved Policies of the Macclesfield Borough Local Plan are:**

Policy DC3 - Amenity  
Policy DC38 - Space, Light and Privacy  
Policy DC6 - Circulation and Access  
Policy DC8 - Landscaping  
Policy DC9 - Tree Protection  
Policy DC14 - Noise  
Policy DC36 - Materials and finishes  
Policy DC38 - Space light and privacy  
Policy DC41 - Infill housing development or redevelopment  
Policy NE11- Nature Conservation

## **Poynton Neighbourhood plan**

EGB1 Surface water management  
EGB9 Nature Conservation  
HOU6 Housing Mix  
HOU 7 Environmental considerations  
HOU8 Density and coverage  
HOU 12 Replacement of Existing Dwellings  
HOU11 Design  
HOU15 Back land and tandem development

## **Other Material Planning Considerations**

### **Emerging Cheshire East Site Allocations and Development Policies Document (SADPD).**

The Revised Publication Draft SADPD was submitted to the Secretary of State on 29 April 2021. Following the examination hearings and report from the Inspector, Main Modifications were published for consultation between 19 April 2022 and 31 May 2022. The Council has recently published its report of consultation and the Inspector will take the representations into account in preparing his Examination report, which will be issued to the council in due course. The following policies are considered to carry moderate weight in the assessment of the application:

PG9 Settlement Boundaries  
GEN1 Design principles  
ENV1 Ecological network  
ENV2 Ecological implementation  
ENV3 Landscape character  
ENV5 Landscaping  
ENV6 Trees, hedgerows and woodland implementation  
ENV7 Climate Change  
ENV12 Air quality  
ENV14 Light pollution  
ENV15 New development and existing uses  
ENV16 Surface water management and flood risk  
ENV17 Protecting water resources  
HER1 Heritage assets  
HER3 Conservation Areas  
RUR6 Outdoor sport, leisure and recreation outside of settlement boundaries  
HOU10 Amenity  
INF1 Cycleways, bridleways and footpaths  
INF3 Highways safety and access  
INF6 Protection of existing and proposed infrastructure  
INF9 Utilities

National Planning Policy Framework (2021)  
National Planning Policy Guidance  
Cheshire East Design Guide

## CONSULTATIONS

**Highways (CEC)** – All highway matters are considered acceptable on this application, no objection.

**Environmental Protection (CEC)** – No objection subject to conditions regarding contamination, soil importing and EV charging.

**Forestry (CEC)** - Recommend conditions relation to tree retention and tree protection.

**Nature Conservation (CEC)** – No objection subject to conditions to protect breeding birds and biodiversity enhancement

**United Utilities** – Recommend conditions relating to surface water drainage, foul sewage (to be drained on separate systems), maintenance scheme for drainage scheme

**Poynton Town Council – OBJECTS** to this application, which fails to address the concerns expressed about the previous plans (21/0264M) by the Inspector, the Town Council and many local residents.

The proposed development is contrary to the prevailing Planning policies for the area and should be refused for the following reasons:

1. The proposed development is an inappropriate form of development on this site and in this location as it is not sympathetic to the site, immediately adjoining properties or the character or the surrounding housing area. This house and its neighbours form an area of lower density housing, separating areas of higher density along Dickens Lane and providing a contrasting environment with larger gardens and a significant number of trees.
2. Issues including the size and scale of the apartment block, its impact on neighbouring properties and the street scene and risk to protected trees have not been resolved.
3. The proposed development is contrary to the Development Plan for the Poynton area as set out in Cheshire East Local Plan 2017 and the Macclesfield Borough Local Plan 2004 (Saved policies) and should be refused.
4. Planning permission should be refused as the development fails to comply with the following up-to date Development Plan policies: MP1, SD2, SE1, SE4, SE5, SC3 and SC4 of the Cheshire East Local Plan 2017 and the following Saved policies of the Macclesfield Borough Council Local Plan 2004: H11, DC3, DC6, DC8, DC37, DC38, DC41, RT1 and RT2.
5. The proposed development is contrary to relevant policies of the Poynton Neighbourhood Plan 2019 as the local and up to date part of the Development Plan. As a cramped and intrusive form of development on the northern entrance into the town, the development would fail to meet the following policies of the Neighbourhood Plan: HOU 6 (housing mix), HOU 7 (environmental considerations), HOU 8 (density and site coverage), HOU 11 (design), HOU15 (backland and tandem development) and EGB 2 (open spaces).

6. The proposed development fails to address the Supplementary Planning Guidance set out in the Cheshire East Borough Design Guide SPD 2017.
7. A clear breach of the Cheshire East Design Guide is the applicant's proposal for a gated "private drive" layout which is contrary to the Cheshire East Design Guide (Volume 2, page 39). This states that a "private drive" should serve a maximum of five properties – in this case there are eight.
8. Loss of Trees contributing to Amenity – The proposed development by virtue of its size and siting would result in the direct loss of existing trees which are of amenity value to the area.
9. Impact on Wildlife- loss of garden space and increased proximity of new housing and increased artificial illumination will drive away wildlife.
10. Backland Development without proper road frontage.
11. Development Unneighbourly - unduly dominant when viewed from adjoining property, causing an unacceptable loss of light to the detriment of the residential amenities of the occupiers of that property.
12. The proposed wheelie-bin store right by the boundary with 62 Dickens Lane is unneighbourly and too small to accommodate 24 wheelie bins (3 per flat and house).
13. Cramped development - proposed development would change this character very much to the detriment of the appearance of this area and would set a dangerous precedent.
14. Lack of Amenity Space for Residents of the proposed Flats.
15. Loss of privacy - by reason of overlooking, especially from the three-storey block of flats. The proposed access road to the rear of the site will pass very close to the boundary with 62 Dickens Lane.
16. Highways Issues: The Town Council urges that a qualified Highways Engineer visits the site to conduct a full review of the highway issues including, Increased Turning Movements, recently approved development at Sprink Farm (traffic volumes), visibility, space for manoeuvring vehicles within the site, Inadequate Service Provision and tight overall layout, large vehicle access.
17. The proposed internal access, only 4.8 metres wide with gates and no visibility splay is totally inadequate.
18. Car parking provision is inadequate and in breach of the Cheshire East Local Plan Appendix C.
19. Flood Risk - the applicants have not provided a flood report.

### **OTHER REPRESENTATIONS**

76 representations of objection have been received from 67 addresses and are summarised below;

- Amended plans do little to address the unneighbourly points raised by the Planning Inspector previously,
- Intrusive over-development within the Dickens Lane area,
- Loss of privacy to rear of neighbouring properties especially from glass frontage,
- Infrastructure is severely overloaded already,
- Further strain on local Schools,

- Health care in the area is already stretched,
- Existing sewers on Dickens lane are severely overloaded and sewage is discharged from manholes in heavy rain,
- The site is 50yards from a blind bend on a busy road for schools,
- Highway technical note is misleading and does not reference traffic behaviour,
- Adding 16 cars to the locality is irresponsible,
- Cars regularly park on the pavement forcing school children into the road,
- Apartments are totally out of keeping with the area in terms of height, scale and density,
- Apartments severely encroach on the privacy of neighbouring properties,
- Development will increase flood risk
- Development is too big for the site
- Access road into the site will create noise pollution for 62 Dickens lane
- The development is overbearing,
- Not enough bin storage provided and bins left out will narrow the footway
- Dickens lane has traditional houses with no apartments and should stay as such,
- Apartment block would be out of character and negatively affect the appearance of adjacent housing,
- Noise and fumes from extra traffic
- Entrance position is dangerous, between a blind bend bust T junction and uncontrolled pedestrian crossing.
- Large housing estate is being built nearby-we have enough housing,
- Residential care home opposite frequently needs ambulance access
- Loss of garden trees,
- Application would set a dangerous precedent
- Not enough parking for visitors to the apartments,
- Single storey neighbouring properties will be overshadowed,
- Dickens Lane is a busy road (it is not "lightly trafficked") that will only get busier with the developments at Spink Farm and the High School playing field.
- Apartments do not meet the local housing need; this application seeks to demolish a type of housing (large detached) that is in demand and replace it with a type of property (apartments) that is in oversupply
- It is not in keeping with the local street scene. This stretch is characterised by large detached houses
- and mature greenery. I don't feel that a block of apartments at the front of the site will be in keeping with
- the character of this part of the road.
- This is a vision of a greedy developer proposing massive overdevelopment
- Construction noise would be unbearable to current residents.
- There are not enough amenities in Poynton for the long residing residents, never mind for all the new residents
- Site overlooks an area where children play
- Application goes against the Poynton Neighbourhood Plan (2019) HOU11-Design
- Loss of traditional family homes will ultimately erode character of Poynton
- Loss of trees,
- Noise concerns have not been addressed or appropriately mitigated for,
- Lack of outdoor space for future residents,
- Loss of wildlife,
- Bin collection of 16 bins will cause further obstruction and road safety concerns.



- The height of the proposed 3 storey apartments in excess of the height of the current dwelling and visually out of character
- A significant proportion of garden area will be replaced with the proposed properties and hardstanding required for the parking areas, driveways and the access road - This development will only intensify the flooding problem.
- Unlikely future occupants would prune existing tree and would therefore be a hinderance which would threaten its existence,
- Management of construction traffic, vehicles endanger pedestrians and obstruct traffic,
- Visibility splay that can be achieved is actually less than the 2.4m x 40m that is required from MfS.
- No swept paths are shown for vehicles using parking spaces for apps 05 or 06.
- There is a need to assess the turning space with more realistically sized vehicle.
- The swept path of vehicle accessing parking for the eastern house appears to crash into the car in the adjacent space.
- There are safety issues with dragging large bins a fair distance and across the footway,
- Consultation has not been wide enough,
- Incorrect ownership certificate served, notice should have been served on other interest parties,

## **OFFICER APPRAISAL**

### **Background**

This application follows the refusal of a scheme for the demolition of the dwelling and replacement with 6 apartments and 3no. dwellings (21/0264M). An appeal was made against non-determination and the appeal was subsequently dismissed by the Planning Inspectorate in July 2021. In dismissing the appeal the Inspector determined that the proposals would

1. Have a harmful effect on character and appearance of the area
2. Have a harmful effect on living conditions of neighbouring and prospective occupiers in relation to privacy and noise,
3. Have a harmful effect on existing trees,

This resubmission presents an amended scheme which seeks to address the matters raised by the Inspector.

### **Principle of development**

Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out quickly. To promote the development of a good mix of sites local planning authorities should amongst other things 'support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'.

The application site lies within a predominately residential area in Poynton. Poynton is identified as being a Key Service Centre under Policy PG 2 of the Cheshire East Local Plan Strategy (CELPS). This policy confirms that within Poynton, development of a scale and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability.

As a windfall site, CELPS Policy SE 2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure
- Consider the consequences of the proposal for sustainable development having regard to Policies SD 1 and SD 2

In this case, the provision of 2 no. dwellings and 6 apartments would deliver housing within a sustainable location with the town centre of Poynton which is within walking / cycling distance from the site. From here, there are good rail links (including to Manchester and London) and buses to other local / key service centres. There are local amenities nearby, and infrastructure such as schools, hairdressers, gyms, employment etc. The development to provide residential units in a sustainable location aligns with the general principles of national policy, local policy and neighbourhood policy.

The development would make a modest contribution to the Borough's housing requirements through the provision of 8no. market dwellings. A development of this size, does not trigger the need for affordable housing provision or any other planning obligations. It is noted that the previous Inspector considered the principle of residential development was acceptable on this site.

In accordance with these policies, there is no objection in principle to new dwellings in this location, subject to compliance with the other relevant development plan policies

### **Housing Mix**

Policy SC4 of the CELP 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. Further, PNP Policy HOU 6 requires new developments of 5 or more units to deliver a mix of housing types and tenures which meet the needs of current and future residents of Poynton, including young families and elderly people; and advises 'The provision of smaller units to meet local needs should be given priority subject to compliance with other housing policies'.

The mix of 1no. and 2no. bed apartments and 5no. bed dwellings located within a residential area would contribute to the mix of housing sizes and types and would complement the existing provision within the area. CELP policy SC5 confirms there is no Affordable Housing requirement on a site of this size (0.2 ha) and scale (8 units).

The proposals would assist in providing a mix of units on site thus contributing to a diverse community and the requirements of CELPS Policy SC 4 and some of the aims of PNP Policy HOU 6.

### **Character and Design**

The National Planning Policy Framework (NPPF) paragraph 127 notes that planning decisions should ensure that developments function well and add to the overall quality of the area, be 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.

CELPS Policy SE 1 states that development proposals should make a positive contribution to their surroundings. It seeks to ensure design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. It should also respect the pattern, character and form of the surroundings. There are also further references to design within policies; SD1, SD2 and SE3 of the CELPS.

Amongst other criteria, Policy SD 2 of the CELPS also expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

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

PNP Policy HOU11 requires any new housing development to achieve a high standard of design and that new development should be compatible with the existing character of Poynton. PNP Policy HOU 8 requires dwellings to reflect the height, form, extent and pattern of surrounding development and character of the local area including site coverage by hard surfaced areas. New dwellings should be designed having regard to matters of location, plot size, topography, shape of the site and potential for future extensions to meet changing needs. Existing site features should be identified on planning submissions and retained to maintain the character of the area. These features include existing site features such as mature trees, shrubs, hedgerows and soft amenity areas.

Emerging Policy HOU 8 of the SADPD advises backland development will only be permitted where they:

1. demonstrate a satisfactory means of access to an existing public highway that has an appropriate relationship with existing residential properties;
2. do not have unacceptable consequences for the amenity of the residents of existing or proposed properties;
3. are equal or subordinate in scale to surrounding buildings, particularly those fronting the highway; and
4. are sympathetic to the character and appearance of the surrounding area through its form, layout, boundary treatments and other characteristics. This policy is currently afforded moderate weight.

The proposal seeks the erection of an apartment block comprising of 4no 2 bed apartments at ground and first floor and 2no. 1 bed units at second floor. The building will be 8.7m in height and is traditionally designed with quoins, exposed rafters, stone window surrounds and roof finials. The apartment block with the 'L' shaped design and front facing gables appear as a large property fronting Dickens Lane. Front facing dormers and additional windows (on the northern elevation) have been added to provide more detailing and interest on the front facing elevation.

The dwellings to the rear would be hidden by the apartment block from the street scene. The front boundary will comprise a wall with railings above with hedge and planting, including trees, behind to reflect surrounding boundary treatments.

The two dwellings located at the south of the plot would be two-storey detached properties with accommodation in the roof space providing 5 bedrooms. These are also traditionally designed with a roof pitch running east to west, timber detailed front facing gables and double height bay windows and an attached garage with dormer window above. The design simplifies on the rear elevation. Due to the significant distance from public vantage points to the west they would have little impact on the character of the area. From the south the properties would be read amongst the built form of Dickens Lane.

From the previous application the apartment block has been reduced in height by around 0.7m and design altered to make the rear section of the apartment building more subservient to the main form of the block, to consolidate the form of the block and to include more detailing on the northern elevation so the block orientates to the front of the site. It has been set further back into the site, and additional planting has been included to the front of the site, to mirror neighbouring boundaries. The number of units has reduced and so the amount of parking spaces. All of these design alterations collectively are considered to be an improvement from the previous scheme however the modest reduction in height and massing does not address previous concerns in relation to the prominence of the apartment block on the site and within the street scene.

The apartment block would be visually dominant and would dwarf the neighbouring bungalow at no 62 Dickens lane and no 60 beyond when viewed from the east and north. This difference in height and massing and its close proximity to the neighbouring bungalow would form an incongruous relationship and it would cause harm to the character and appearance of the area. Although Dickens lane does not present a uniform street scene the juxtaposition of the apartment block and neighbouring bungalows would be jarring. Whilst landscaping is proposed to the front and side boundaries, this would not overcome the harm that would result.

The apartment block does not reflect the height, form, extent and pattern of surrounding development and is not equal or subordinate in scale to surrounding buildings. Overall, the proposals do not therefore contribute positively to the character of the area. As such the proposals do not comply with policies SE1, SD2 and SE4 of the CELPS, HOU 11 and HOU 15 of the PNP, or SADPD emerging policy HOU 8.

## Amenity

CELPS policy SE1 seeks to ensure appropriate levels of privacy for new and existing residential properties. Policy SD 2 also expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of its **relationship to neighbouring properties**. Saved Macclesfield Borough local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearly 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 advice within the Cheshire East Design Guide. PNP Policy HOU 6 requires, amongst other things that, new developments should protect and enhance the character and amenities of housing areas. Emerging SADPD policy HOU 10 seeks a similar protection of residential amenity.

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 13m to 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties and these are set out in Policy DC38. The policy includes provisions to increase

these distances in circumstances when development exceeds two-stories in height. It should also be noted that the Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a rule.

Both the dwellings and apartments meet the national described space standard in terms of internal accommodation provided.

To the south of the site is open space and does not pose amenity concern. There are no side facing windows proposed on the proposed dwellings which may cause overlooking. There is approximately 14m between the proposed dwellings and apartment block. Whilst the layout has been amended from the previous application, units 2, 4 and 6 would have a principal kitchen window on this rear elevation. This is not commensurate with the standards outlined in policy DC38 or those within the design guide and would result in an unacceptable level of privacy for future residents.

To the east, the proposed apartment block will provide direct overlooking to the garden of 66 Dickens Lane. However, this will be from one secondary window each at ground, first floor and second floor level. These are not primary windows and the ground floor windows would be screened by existing established boundary hedging. This is an urban area whereby overlooking of neighbouring gardens from secondary windows is not uncommon.

To the west, side facing windows will serve the stairwell and bedrooms at first and second floor. The bedroom windows are principal windows. The apartments will be approx. 14m from no 62. Dickens lane and whilst planting proposed will provide screening from this, during winter months when trees are not in leaf this will be less effective. The distance between the windows on the apartment block and side facing windows and the rear garden access of no 62. Dicken lane falls short of the requirements of the policy DC38 and the design guide and would be unacceptable.

With regards to noise and activity within the site, the number of dwellings at the rear of the site has been reduced from 3 to 2 from the previous scheme which would reduce the amount of vehicles accessing the rear of the site along the internal road parallel to the eastern boundary. There will still be coming and goings to the car parking area to the front of the site although this is currently a parking area and is adjacent to the highway whereby noise and activity from vehicles is expected. Additional planting along boundaries is also proposed, which will provide screening and may limit the noise from vehicles accessing the rear properties and residents accessing the apartment block entrance.

The bin store and cycle store have also been repositioned further forward in the site away from the neighbouring property to the east. The applicant confirms that bin serving will occur outside of the site.

The proposals have altered from the previous scheme to attempt to address the previous Inspectors comments in relation to amenity. Amendments include the repositioning of the apartment block, reduction in number of dwellings, removal of proposed balconies and improved boundary planting to increase screening.

However, the proposals as submitted would result in a loss of amenity to future and existing residents by virtue of overlooking and a loss of privacy. The proposals do not therefore comply

with the provisions of CELPS local plan policies SD2 and SE1, MBLP saved policies DC3 and DC38, policy HOU 6 of the PNP, advice within the Cheshire East design guide, and emerging SADPD policy HOU 10 which all seek to safeguard residential amenity.

### **Highways/Accessibility**

CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations. MBLP saved Policy DC6 requires new developments to provide safe and convenient access for vehicles and pedestrians, as well as providing adequate parking and turning for vehicles.

As a key service centre, it is accepted that Poynton is a suitably accessible location for additional housing. Dickens lane is on a bus route which also serves the train station. The town centre is within 300m of the site which is considered to be within a very sustainable location.

Revised plans have been submitted that increase the parking spaces to the requisite 2.5m x 4.8m and reduce the number of 2bed apartments to 4no, with 2no. 1 bed apartments now proposed. A total of 10 spaces are laid out for the apartments, and 3 spaces for each of the dwellings. The proposals now meet the parking standards outlined within Appendix C of the CELPS.

The gates to the site entrance have been removed and arrangements made with the waste collection teams to collect bins from within the site. Therefore the technical issues regarding the provision of adequate parking and facilities for refuse and deliveries has been demonstrated to be acceptable.

Concerns have been raised by the Town Council and residents regarding the suitability of the site access and the additional pressures on the local highway network. However, the Highway Authority have confirmed that all other highway matters are considered acceptable on this application and raise no concerns in this regard. It is noted that in dismissing the previous appeal, the Inspector did not raise highway matters.

Subject to appropriate conditions the proposals are considered to comply with the provisions of Policy CO1 of CELP.

### **Trees**

The proposals involve the removal of trees on site, one within category B (moderate quality) and the remaining within category C (low quality) or hedges and bushes. Consent has recently been granted for the removal of 2no protected trees, with suitable replacement planting (21/5362T). The Tree Protection Plan and Arboricultural Method Statement accompanying the application detailed the protection of remaining trees during works. The report concludes that, "The proposed spatial relationship of the retained trees with the development is sustainable and there are no major post-development pressures expected to emerge that could not be dealt with by routine arboricultural maintenance." The proposed removals do not have a significant adverse impact on the wider amenity of the area.

The site layout has been amended from the previous scheme to provide for a reduced number of dwellings which has resulted in larger rear gardens for the dwellings and reduced pressure for felling/pruning trees to the rear. The apartments have also been repositioned from the previous scheme away from trees to the north east to improve this relationship. The submitted

landscape plan makes provision for, amongst other shrubs planting, new tree planting surrounding and within the site including extra heavy standard (16-18cm girth) trees along the western and northern boundaries.

An assessment of the daylight and sunlight levels of the two proposed dwellings has been submitted and concludes that all habitable rooms exceed the Average Daylight Factors in both summer and winter months, complying with requirements of BRE 209 guidance.

The Councils Forestry officer has not raised objection to the proposals and acknowledges that there may be some shading to properties and gardens. However, given the pruning works approved and revised relationship the scheme as proposed is broadly acceptable. The applicant has amended the proposed Scots pine with silver birch to maintain the integrity of the TPO and in line with the conditions on the tree work approval.

Subject to appropriate conditions the proposals are considered to comply with the provisions of Policy SE5 of CELP.

### **Ecology**

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. PNP Policy HOU 7 requires the protection and enhancement of biodiversity. The submitted ecological survey found no evidence of bats at the property and although evidence of badger presence was found on site, there is no evidence of a sett. The habitats present on the wider site were found to be of limited ecological value.

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with local plan policy. The Councils ecologist recommends that a condition is attached which requires the submission of an ecological enhancement strategy.

Subject to such conditions it is considered the proposal would comply with policy SE3 of CELP, saved policy NE11 of MBLP, and HOU 7 of PNP.

### **Contaminated Land**

Reports submitted in support of the application conclude that no remedial measures are required and recommends a watching brief be carried out during excavation works for visual or olfactory evidence of contamination.

Environmental Health officers agree with these recommendations and suggest conditions which require any imported material for garden use to be tested to demonstrate that it is free of contaminants and suitable for use. It is therefore considered that subject to such conditions the proposed development would comply with Policy SE12 of CELP and the NPPF.

### **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.

Poynton Town Council and residents have raised concerns over flood risk.

The site is located within Flood Zone 1, indicating that the site is not at risk from fluvial or tidal sources according to the Flood Map for Planning.

United Utilities have commented on the application and raised no objections to the proposals subject to conditions relating to drainage.

It is concluded therefore that the proposals accord with policy SE13 of the CELPS and the NPPF.

### **Representation**

Representations have been received in relation to the application with issues relating to highways, design, amenity, ecology, flooding and trees are addressed within the main body of the report.

Highways, United Utilities, Environmental health, CEC ecologist and CEC forestry officers have raised no objections to the proposals.

### **CONCLUSIONS**

The application lies within Poynton, which is identified as a Key Service Centre where the principle of residential development on the site is acceptable. The site is sustainably located and is within walking distance of the town centre, public transport, services and facilities within Poynton. The developments accords with Policies SD 1, SD 2, PG 2 and SE 2 of the CELPS in this regard.

Following the recent appeal decision for a similar proposal, the inspector's comments have been reflected in a revised design, layout and number of dwellings that seeks to address previous reasons for refusal.

However, as detailed in the report above the proposals would have a harmful effect on the amenity of future and existing occupiers as a result of overlooking and a loss of privacy and do not comply with MBLP Saved Policy DC3 and DC38, CELPS policies SD2 and SE1, policy HOU 6 of the PNP, advice within the Cheshire East design guide, and emerging SADPD policy HOU 10 which all seek to safeguard residential amenity.

The proposals are not considered to respond well to the character of the surrounding area and do not therefore comply with policies SE1, SD2 and SE4 of the CELPS, HOU 11 and HOU 15 of the PNP, or SADPD emerging policy HOU 8.

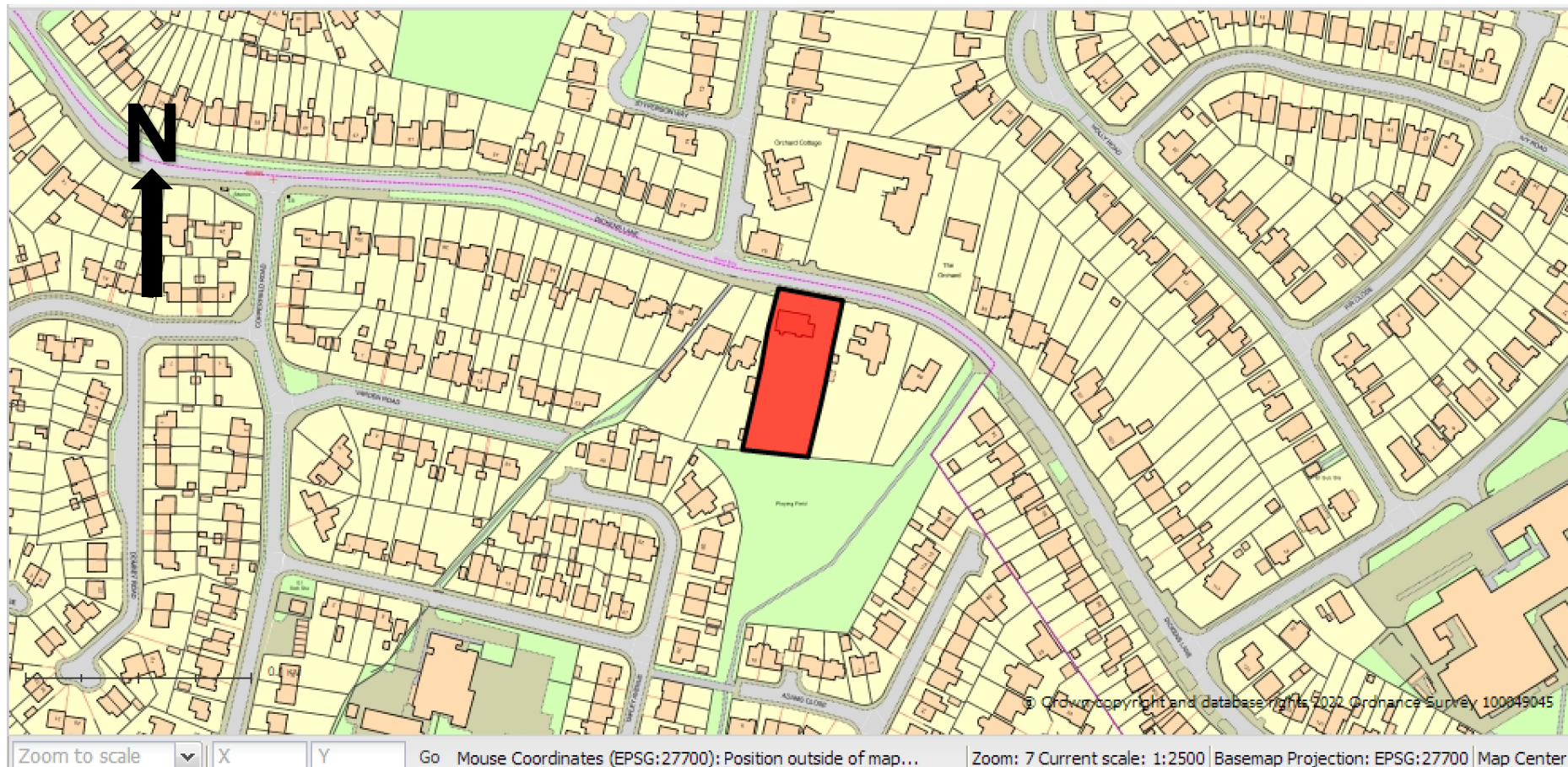
There would be no significant impacts in terms of flood risk, drainage, highways, trees or ecology.

The proposal is for housing which would bring economic and social benefits. However, as detailed above the proposals are not considered to respond well to the character of the area and would harm residential amenity. The other matters raised in support do not outweigh the harm identified. As such the proposals do not comply with the development plan and the application is recommended for refusal.



**Recommendation: Refuse for the following reasons**

- 1. The proposed development would be visually dominant and form and incongruous relationship to neighbouring properties which would detract from the established character and appearance of the area. Overall, the proposals do not therefore contribute positively to the character of the area. As such the proposals do not comply with policies SE1, SD2 and SE4 of the CELPS, HOU 11 and HOU 15 of the PNP, or SADPD emerging policy HOU 8.**
- 2. The proposed development would have a harmful impact upon the amenity of existing and future occupants as a result of overlooking and a loss of privacy. It is therefore contrary to Macclesfield Borough local plan Saved Policies DC3 and DC38, policies SD2 and SE1 of the Cheshire East Local Plan, policy HOU 6 of the Poynton Neighbourhood Plan, advice within the Cheshire East design guide, and emerging SADPD policy HOU 10 which all seek to safeguard residential amenity.**



Application No: 21/4669M

Location: Land West Of, ALDERLEY ROAD, WILMSLOW

Proposal: Approval of Reserved Matters (layout, landscaping, appearance and scale) following Outline Approval 17/5837M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space

Applicant: Ms Siobhan Sweeney, Story Homes Limited

Expiry Date: 12-Aug-2022

## **SUMMARY**

The principle of erecting up to 60 dwellings on this site has been approved by Cheshire East Council by Outline Planning Permission 17/5837M (which included matters of Access). This remains extant. This application considers the acceptability of the remaining reserved matters, namely: Layout, Scale, Appearance and Landscaping.

Following extensive negotiations and the receipt of various sets of revised and further plans, it is now deemed that the layout, scale and appearance of the application proposals is acceptable. It is considered that the scheme achieves the correct balance between respecting the specific design characteristics of Fulshaw Park and its gateway location as well as providing a good mix of properties in order to create a sustainable community. The provision of solar panels, water butts and the already required electric charging points ensure that the scheme can demonstrate strong green credentials.

Matters in relation to landscape, including trees, are deemed to be acceptable in principle, subject to the specific detail being agreed by the Council's Landscape Officer.

The scheme is deemed to satisfy the requirements of the Council's Highway's Officer and would result in no notable concerns regarding neighbouring amenity, or ecology subject to conditions.

Securing the relevant amount of affordable housing and mitigating the development's impact upon local education provision, health, open space (in principle) and flood risk were resolved or secured at outline stage.

Subject to the satisfactory receipt of outstanding consultee responses, the application is recommended for approval.

## **RECOMMENDATION**

<b>APPROVE subject to satisfactory receipt of outstanding consultee responses and conditions</b>
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## REASON FOR REFERRAL

This application is referred to Northern Planning Committee as it represents a residential development between 20-199 dwellings. In this case, 54 dwellings are proposed.

## SITE DESCRIPTION

The application site consists of a largely rectangular parcel of land located to the west of Alderley Road, Wilmslow. Alderley Road forms the eastern boundary of the site. Beyond the northern, western and part of the southern boundaries are dwellings accessed via Donkey Lane, Fulshaw Park and Fulshaw Park South.

The site rises in ground level from Alderley Road towards the residential properties beyond the application site to the west. A number of trees are located within the site, some of which are protected and a hedge is located along the boundary with Alderley Road.

## DETAILS OF PROPOSAL

Reserved Matters approval is sought for; Layout, Scale, Appearance and Landscaping following the approval of Outline permission ref: 17/5837M. The Outline permission granted approval for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space.

The application proposes 54 dwellings, comprising of 38 market dwellings and 16 affordable dwellings (30%). Condition 16 on the outline permission restricted any reserved matters application to '*no more than 60 dwellings*'.

The proposed housing mix is as follows:

### Detached

- 5-bed (x4)
  - *Lyme* house type – 2.5-storey – x4
- 4-bed (x13)
  - *Capesthorpe* house type – 2-storey – x5
  - *Tabley* house type – 2-storey – x3
  - *Gawsworth (Bay)* house type - 2.5-storey – x4
  - *Gawsworth* house type - 2.5-storey – x1
- 3-bed (x15)
  - *Dunham* house type – 2-storey, detached – x9
  - *Adlington* house type – 2-storey, detached – x4

- Walton house type – Bungalow – x2

#### Semi-detached

- 3-bed (x4)
  - Arley house type – 2.5-storey – x4
- 2-bed (x2)
  - Bollin house type - 2-storey - x2

#### Mews/Apartments (affordable units)

- 3-bed (x3)
  - Tatton house type - 2-storey – x3
- 2-bed (x7)
  - Moreton house type - 2-storey, x6
  - Bramall house type – 2-storey, x1
- 1-bed (x6)
  - Bramall house type – 2-storey – x2
  - Mere house type – 2-storey – x4

### **RELEVANT HISTORY**

**22/1330M** – Non-material Amendment to 17/5837M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 5<sup>th</sup> July 2022

*Note: Above permission granted approval for the further amendment to the Parameter's Plan approved by permission 17/5837M. This was in order to a) account for the construction of the footpath/cycleway improvement scheme on Alderley Road undertaken by Cheshire East Council so the scheme aligns and b) update the plan to show which trees are to be retained.*

**21/5744M** – Advertisement Consent – Under consideration

**21/3907M** - Non-material amendment of 17/5837M - Outline permission for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 26<sup>th</sup> July 2021

*Note: Above permission granted approval to amend Condition 24 from 17/5837M. The condition required the submission/approval of a Design Principles Document that specified certain requirements. It was proposed that this condition wording be amended to simplify the condition. This was approved.*

**21/2927D** - Discharge of Condition 24 on approval 17/5837M for Outline permission for residential development with all matters reserved expect for means of access off Alderley Road together with associated infrastructure and open space – Approved 8<sup>th</sup> August 2021

**20/1435M** - Non-material amendment to application 17/5837M - Outline permission for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 28<sup>th</sup> April 2020

*Notes: Above permission amended conditions 3 (approved plans) and 4 (submission/approval of a detailed drainage scheme). This allowed the detailed drainage plan, required by Condition 4, to no longer have to rely on an older outline drainage strategy, which was linked to the wider Royal London site, as set-out within the condition. It was proposed that the drainage for the application site come forward independently so the various parts of the Royal London site where not held-up by their conjoined drainage strategy. Condition 3 was updated to refer to an update Parameters Plan, removing any reference to the minimum development levels, influenced by the older drainage strategy, and the older outline drainage strategy itself.*

**17/5837M** - Outline permission for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 1<sup>st</sup> October 2018

**17/4833S** - EIA scoping opinion for residential development of up to 70 units – Approval required 11<sup>th</sup> December 2018

## **ADOPTED PLANNING POLICIES**

The relevant aspects of the Cheshire East Council development plan to the application proposals include: the Cheshire East Local Plan Strategy (CELPS), the made Wilmslow Neighbourhood Plan (WNP) and the saved policies within the Macclesfield Borough Local Plan (MBLP).

### Cheshire East Local Plan Strategy 2017(CELPS)

LPS 54 – Royal London, including land west of Alderley Road, Wilmslow

MP 1 – Presumption in favour of sustainable development, PG 1 – Overall Development Strategy, PG 2 – Settlement hierarchy, PG 7 – Spatial Distribution of Development, SD 1 – Sustainable Development in Cheshire East, SD 2 – Sustainable Development Principles, IN 1 – Infrastructure, IN 2 – Developer contributions, SC 1 – Leisure and Recreation, SC 2 – Outdoor Sports Facilities, SC 3 – Health and Well-Being, SC 4 – Residential Mix, SC 5 – Affordable Homes, SE 1 – Design , SE 2 – Efficient Use of Land , SE 3 – Biodiversity and Geodiversity, SE 4 – The Landscape , SE 5 – Trees, Hedgerows and Woodland, SE 6 – Green Infrastructure, SE 12 – Pollution, Land Contamination and Land Instability, SE 13 – Flood Risk and Water Management, CO 1 – Sustainable Travel and Transport, CO 4 – Travel Plans and Transport Assessments

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

### Wilmslow Neighbourhood Plan (October 2019) (WNP)

LPS1 – Sustainable Construction, LPS2 – Sustainable Spaces, LPS3 – Sustainable Transport, NE1 – Countryside around the Town, NE2 – River Valley Landscapes, NE3 – Green Links, NE4 – Countryside Access, NE5 – Biodiversity Conservation, TH1 – Gateways into Wilmslow, TA1 –

Residential Parking Standards, TA2 – Congestion and Traffic Flow, TA4 – Access to Schools, TA5 – Cycling in Wilmslow, CR4 – Public Open Space, H2 – Residential Design, H3 – Housing Mix

## Macclesfield Borough Local Plan Policy (MBLP)

NE3 – Protection of Local Landscapes, NE11 – Protection and enhancement of nature conservation interests, NE17 – Nature Conservation in Major Developments, RT5 – Open Space Standards, DC3 – Amenity, DC6 – Circulation and Access, DC8 – Landscaping, DC9 – Tree Protection, DC15 – Provision of Facilities, DC17 – Water Resources, DC35 – Materials and Finishes, DC36 – Road Layouts and Circulation, DC37 – Landscaping, DC38 – Space Light and Privacy, DC40 – Children's Play Provision and Amenity Space. DC41 – Infill Housing Development

## **Other Material Policy Considerations**

- National Planning Policy Framework 2021 (NPPF)

Of particular relevance are chapters in relation to; Achieving sustainable development, Decision making, Delivering a sufficient supply of homes, Building a strong, competitive economy, Ensuring the vitality of town centres, Promoting healthy and safe communities, Promoting sustainable transport, Making efficient use of land, Achieving well design places, Protecting Green Belt land, Meeting the challenge of climate change, flooding and coastal change, Conserving and enhancing the natural environment and Conserving and enhancing the historic environment.

- National Planning Policy Guidance (NPPG)
- The Cheshire East Design Guide Supplementary Planning Document (SPD) – *Adopted*
- Housing Supplementary Planning Document (SPD) – *Adopted*
- The Three Wilmslow Parks Supplementary Planning Guidance (SPG) (2004) - *Adopted*
- The Royal London Development Framework (2017) – *Approved Guidance*
- Emerging Cheshire East Site Allocations and Development Policies Document ("SADPD")

The Revised Publication Draft SADPD was submitted to the Secretary of State on 29 April 2021. Following the examination hearings and report from the Inspector, Main Modifications were published for consultation between 19 April 2022 and 31 May 2022. The Council has recently published its report of consultation and the Inspector will take the representations into account in preparing his Examination report, which will be issued to the council in due course. The following policies are considered to carry moderate weight in the assessment of the application:

PG9 Settlement Boundaries, GEN1 Design principles, GEN5 Aerodrome safeguarding, GEN6 Airport public safety zone, ENV1 Ecological network, ENV2 Ecological implementation, ENV3 Landscape character, ENV5 Landscaping, ENV6 Trees, hedgerows and woodland implementation, ENV7 Climate Change, ENV12 Air quality, ENV14 Light pollution, ENV15 New development and existing uses, ENV16 Surface water management and flood risk, ENV17 Protecting water resources, HER1 Heritage assets, HER3 Conservation Areas, RUR6 Outdoor sport, leisure and recreation outside of settlement boundaries, HOU10 Amenity, INF1 Cycleways, bridleways and footpaths,

INF3 Highways safety and access, INF6 Protection of existing and proposed infrastructure and INF9 Utilities

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

**Head of Strategic Transport (CEC Highways)** – No objections, subject to a condition requiring the submission/approval of a Construction Management Plan (CMP)

**Environmental Protection (CEC)** – No objections, subject to a number of conditions including implementation of submitted noise mitigation and the implementation of electric vehicle charging infrastructure. It is advised that conditions relating to dust management, a travel plan and contaminated land imposed as part of the outline permission be carried forward.

**Lead Local Flood Risk Authority (CEC)** – No objection in principle

**Public Rights of Way (CEC)** – No comments received at time of report (*note: there are no PROW impacted by the proposed development*)

**Education (CEC)** - No comments received at time of report (*note: Education was considered as part of the Outline permission*)

**Housing (CEC)** – No objections

**ANSA Greenspace (CEC)** – Unable to support the application proposals for various reasons including:

- Location of the proposed play area
- Lack of surveillance due to location of play area that can also lead to anti-social behaviour
- Concerns about the siting of the play area within a flood zone
- Proximity of site to a highway without a gate
- Lack of maintenance access
- How will the site be accessible all year round in all weather?
- Unsatisfactory access to the play area from the development site
- Insufficient detail provided for the play area itself, including specifications
- Concerns regarding the proposed surfacing material to be used in the play area
- A detailed management and maintenance plan is required for the open space and play area

**NHS CCG** - No comments received at time of report (*note: Health was considered as part of the Outline permission*)

**Environment Agency** - No comments received at time of report

**United Utilities** – Advise that they note the outstanding requirement for drainage details to be agreed as per Condition 4 on the outline and wish to be consulted on these when submitted. It is also advised that the revised layout overcomes initial concerns regarding access to public sewers being obstructed but wish to reiterate the point as an informative that UU will not allow building over or in close proximity to a water main.



**Cadent Gas Ltd** – Recommend the developer contact Cadent prior to the commencement of development in order to receive authorisation from the relevant network

**Network Rail** – *‘No comments’*

**Ramblers Association** – No comments received at time of report

**Wilmslow Town Council** – Object to the proposals for the following summarised reasons:

- Contrary Wilmslow Neighbourhood Plan Policy TH4 (Three Parks) as the elements of scale, massing and topography have not been adequately considered and incorporated
- Contrary to Wilmslow Neighbourhood Plan Policy TH1 (Gateways to Wilmslow) as it fails to deliver development of exceptional quality and architectural design required for such a key gateway
- Proposed tree lining along Alderley Road is inadequate
- Contrary to Wilmslow Neighbourhood Plan Policy TH3 (Heritage Assets) as proposal fails to demonstrate how it will lessen the impact on the setting of important heritage assets, in particular assets 15, 16 and 17 (Fulshaw Park, Chorlton House, Rostherne and Inglewood). Flats proposed on highest part of the site impacts these assets to a maximum. Any buildings in this part of the site should not exceed two-storey's in height
- Contrary to Wilmslow Neighbourhood Plan Policy H2 as it fails to respect the local character, the types of houses and their distribution within the wider area
- Surface water drainage should be dealt with within the defined site. Concerned that no SuD's plan accompanies the application
- Inadequate green infrastructure provision and the impact of on-going management is questionable
- Cannot see that the proposed development has demonstrated a net-gain in biodiversity (as per Wilmslow Neighbourhood Plan Policy NE5).
- Consider that the layout of the affordable homes within 3 areas is contrary to Wilmslow Neighbourhood Plan Policy SC5.
- Housing Mix - Concerned that the affordable houses are the only small houses proposed on site

## REPRESENTATIONS

In response to the re-consultation exercise inviting comments on the revised scheme, comments have been received from 17 residential addresses including 3 local interest/resident's groups. All consultation responses raise objections or concerns relating to the following matters:

### Principle

- No pressing need for the number of houses allocated to be built-out

### Design & Heritage

- Design does not reflect its positions as a gateway site & fails to respond to the existing local character in scale, massing and design

- Scale – Provision of 3-storey development adjacent to two-storey development; changes in levels will mean some units (e.g. 2.5-storey units) would appear considerably taller
- Overdevelopment of site / density too high - contrary to Three Parks SPG
- Poor housing mix, lack of bungalows
- Impact of the development upon Fulshaw Park. The Three Parks SPG, which refers to Fulshaw Park, has been totally ignored. Larger individual houses with larger gardens. No semi-detached or terrace or anything above two-storey, insufficient landscaping
- Proximity of development to a Locally Listed Building (Chorlton House)
- Pressure for extensions within small rear gardens that would extend development even closer to the boundaries

### Highways

- Insufficient parking provision, resulting in overspill
- Where will people park for the play area
- Increase in traffic as a result of the proposals

### Amenity

- General proximity to neighbouring land and concerns that extensions built under permitted development rights would exacerbate the concern
- Garden depths of Fulshaw Park boundary – loss of light as a result of boundary trees
- Loss of privacy for properties on Fulshaw Park and Broadacres, to the north of the site due to proximity and provision of 2.5 storey dwellings
- Concerns over proposals to plant a new tree on southern boundary due to loss of light
- Loss of privacy as a result of positioning of proposed play area to the south of the site
- Overbearing impact and overlooking (3, 4 & 5 Heathfield)

### Flood Risk and Drainage

- Alderley Road notably susceptible to flooding
- The Alderley Road drainage solution (attenuation lake) is not working
- No surface water attenuation proposed as part of this development
- Any re-direction of surface water to the southern side of the site will worsen matters as its already boggy.
- Proposals will lead to an increase in flooding. Site already floods

### Open Space

- Play area in a poor position as drainage is bad
- How will play area and adjacent land be managed/maintained?
- Attraction of anti-social behaviour and youth congregation

### Landscape

- Insufficient green infrastructure
- Future pressures to cut-back western boundary with Fulshaw Park due to short garden depths

## Ecology

- The application is not supported by a Biodiversity Gain Analysis

## Affordable Housing

- Not 'pepper potted' throughout the site
- 'Affordable' housing in name only

## Sustainability

- Local schools and doctors are oversubscribed and pressures on dentists

## Policies

- The following policies have been quoted by objectors that they consider the proposals be contrary to:
  - CELPS – LPS54 (Strategic Site Allocation), SE3 (Biodiversity and Geodiversity), SE6 (Green Infrastructure), SD2 (Sustainable Development Principles), SE1 (Design)
  - MBLP – DC3, DC38, DC41
  - WNP – NE5 (Biodiversity Conservation), TH1, TH4
  - Three Parks SPG
  - Royal London Development Plan – Key Principle 2 (Landscape) and 6 (Ecology)
  - Emerging SADPD – ENV2

## Other matters

- Northern boundary hedge is not within the ownership of the applicant.
- That the committee report relating to the outline permission did not refer to the Three Parks SPG
- Loss of view (*note: not a material planning consideration*)
- Concerns over maintenance of hedgerow near Post Box on the corner of Alderley Road and Fulshaw Park South

The following positive comments have also been received about the application proposals:

- Welcome the provision of a 'pocket park' (Design)
- Improved access to the proposed Play Area (Design / Open Space)

In response to the original consultation, objections were received from 21 addresses, including 3 local interest/resident's groups, raising the following concerns.

## Procedural matters

- Planning permission has now expired
- Inaccuracies on plans along northern boundary – missing trees, missing neighbouring dwelling (Orchard Villas)

### Principle

- Housing targets have already been met
- Loss of Green Belt land

### Design & Heritage

- Appearance – Style not reflective of the surrounding area in this gateway location (Policy TH1 of Wilmslow NP), unimaginative. Contrary to Policy H2 of Wilmslow NP – fails to enhance and reinforce local character
- Contrary with the Three Wilmslow Parks SPG in terms of the space between the proposed houses
- Scale – 3-storey properties are out of character, scale does not appear to have been designed in consideration of levels changes on site
- Mix - No bungalows proposed which would free-up family homes; the form is not reflective of the local area which consists of large, detached dwellings; Concerned about the presence of semi-detached units (not in keeping)
- Density – character is large dwellings on large plots, proposal does not reflect this
- Contrary to Neighbourhood Plan policy TH4 *"All new development should reflect the existing form of Fulshaw Park."* In addition, density is not commensurate with the local area
- Layout – Provision of an unrelieved line of houses on western extremity of site too close to boundary; density too high; suggest a footpath/cycle link via to the north-western boundary into Fulshaw Park or The Stablings
- Heritage – depreciate the value of local historical buildings

### Amenity

- Loss of light and privacy due to proximity of properties that back onto the Rostherne / Heathfield area.
- Difference in levels in conjunction with the siting of 2.5-storey properties in particular, resulting in loss of privacy/overlooking and loss of light
- Lack of boundary treatment between Point A and B compounds problem
- Future occupiers – poor light for those that back onto Fulshaw Park due to mature trees; small gardens
- Air and noise pollution as a result of increased traffic
- Impact of construction traffic – noise and vibrations
- Creation of anti-social behaviour (dog fouling and drug dealing) as a result of providing public open space

### Flood Risk & Drainage

- Site within a designated flood zone, concerned that proposals will lead to increased flooding
- More could be proposed with regards to Sustainable Urban Drainage (SuDs)
- No strategic drainage solutions proposed on Land to the West of Alderley Road which suffers from surface water flooding
- Photographic evidence that suggests the Drainage Solution to the East of Alderley Road is not working which in turn, is still resulting in the flooding of Alderley Road

## Highways

- Impact upon traffic volumes
- Traffic 'hot spot'
- Road users will seek to utilise 'rat runs' as a result such as Fulshaw Park
- Suggest the provision of an extra car park at the top of Harrington House
- On-street parking will impact visibility from existing driveways and pedestrians
- No public parking for the play area/open space

## Landscaping

- Existing trees and shrubs should be retained and any development should include a high proportion of soft landscaping
- Park area will be located on marsh as it currently drains poorly

## Open Space

- Only single access to proposed POS is through the housing development. Difficult to access for existing residents

## Ecology

- No biodiversity net-gain analysis has been provided to ascertain whether any biodiversity off-setting will be required
- Loss of wildlife as a result of proposals
- Suggested mitigation deemed insufficient
- Suggest corridor to rear of site

## Affordable housing

- Social housing should not be provided on this site, but elsewhere. Compromises the density of the site
- Insufficient information provided in relation to the Affordable housing mix
- Affordable housing is not 'Pepper Potted'
- Lack of justification as to how the provision meets the local affordable housing need

## Other matters

- Breaches of existing covenants regarding the land being built upon
- Social housing should not be provided on this site, but elsewhere
- Loss of agricultural land
- Impact upon doctors, dentists and school places
- Impact upon house prices
- Land included within 'red dotted line' not in ownership of Story Homes
- Existing vegetation has been cut-back

Positive comments received include:

- Welcome the Landscape buffer along Alderley Road
- Welcome more homes into the area

## OFFICER APPRAISAL

### Procedural Matters

Several objector's have raised the question whether the outline permission to which this Reserved Matters application relates (17/5837M) has time expired. The only time limit condition attached to the outline permission was:

1. *The development hereby approved shall commence before whichever is the later of the following dates:*

*(a) within three years of the date of this permission, or*

*(b) within two years of approval of the last of the reserved matters to be approved.*

The 3 years expired on the 1<sup>st</sup> October 2021 meaning that 1(a) above became redundant, leaving just 1(b). Works therefore need to commence within 2 years of the approval of the last reserved matters. However, there is no further time limit condition which sets out when the Reserved Matters needs to be submitted by.

Upon closer review, Section 92 of the Town and Country Planning Act refers to Outline Planning Permissions. It states:

*'(2) Subject to the following provisions of this section, where outline planning permission is granted for development consisting in or including the carrying out of building or other operations, it shall be granted subject to conditions to the effect—*

*(a) that, in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission; and*

*(b) that, in the case of outline planning permission for the development of land in England, the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;*

*(3) If outline planning permission is granted without the conditions required by subsection (2), it shall (subject to subsections (3A) to (3D)) be deemed to have been granted subject to those conditions.'*

The condition required by (2) (a) above was omitted on the Outline permission. However, it automatically applies according to the Act. As such, an application for approval of the reserved matters must be made within 3 years of the expiration of the outline. Outline permission 17/5837M expired on the 1<sup>st</sup> October 2021. The application currently under consideration was received and registered by the Council on the 3<sup>rd</sup> September 2021, within the required window.

As such, the associated Outline permission is not deemed to have time expired.

### **Principle of development**

This application shall consider the acceptability of the proposed development in the context of the reserved matters as the principle of erecting up to 60 dwellings on the site has been approved by the Council under the extant permission 17/5837M.

In this instance therefore, consideration of the Layout, Scale Appearance and Landscaping are the principal considerations, along with the consideration of any detail required to be submitted with the reserved matters as detailed by condition on the outline permission.

### **Design (Including Heritage)**

The reserved matters sought for assessment relate to: Layout, Scale and Appearance, all of which are design considerations.

### Policy context

There are numerous design policies within the development plan and within supplementary planning guidance that are relevant in the assessment of this scheme.

Within the adopted Cheshire East Local Plan Strategy (CELPS) are the following relevant, principal design policies: SE1 (Design), SD2 (Sustainable Development Principles) and SC4 (Residential Mix). In addition, the Strategic Allocation policy relating to this particular site (LPS54) includes design considerations. These policies were all adopted in 2017.

Within the Wilmslow Neighbourhood Plan (WNP), 'made' in 2019, are the following relevant design policies: LPS1 (Sustainable Construction), LPS2 (Sustainable Spaces), TH1 (Gateways into Wilmslow), TH4 (The Three Wilmslow Parks), H2 (Residential Design), H3 (Housing Mix).

In addition to the above is the following supplementary planning guidance; The Cheshire East Design Guide SPD, the recently adopted Cheshire East Housing SPD, The Three Wilmslow Parks SPG (2004) and the Royal London Development Framework (2017).

Design policies within the emerging SADPD, the NPPF and guidance within the NPPG are also material planning considerations.

It should be noted from the outset that given the number of relevant design policies that apply, there are instances where some conflict with one another. As such, consideration needs to be given to the weight afforded to the relevant policies that apply.

In addition to these policies, the Reserved Matters are controlled, to an extent, by the Parameters Plan approved as part of the Outline permission. This plan effectively sets a series of basic parameters that any future reserved matters application, such as the application proposals, would need to adhere too. It specified which part of the site where matters of 'Access' were approved, it identified that the extent of the land where the residential development would be located and the location and extent of the land that is allocated to be Public Open Space. In addition, it specified which trees would be retained, the

location of existing and enhanced landscape buffers, an area of potential future residential development and the area that would form part of the outline drainage strategy for the site. A non-material amendment application subsequently tweaked this plan under 22/1330M. The plan was amended to account for the Cheshire East cycleway/footpath improvement works on Alderley Road and remove reference to x3 trees that were previously shown for retention. As such, the parameters plan that needs to be adhered to by this application is currently ALD-AHR-00-ZZ-DR-A-90-PL402 Rev 3.

### Assessment

#### *Layout*

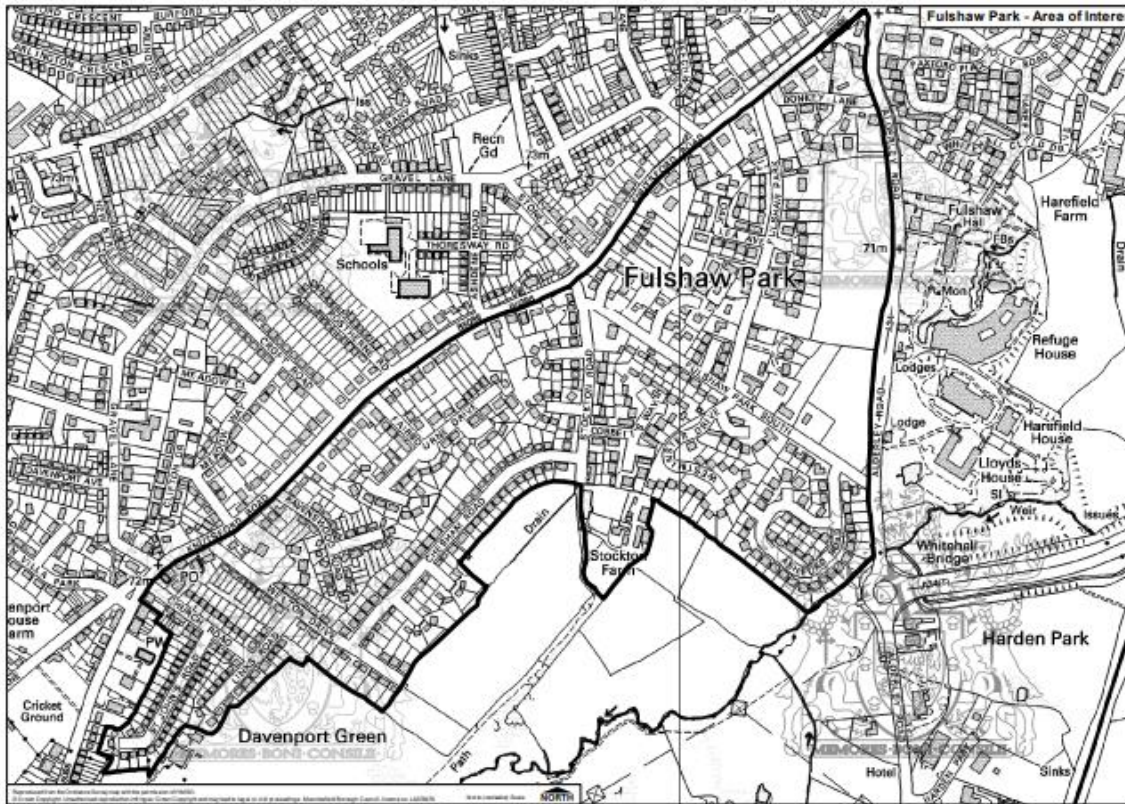
The application site is currently an open, largely rectangular shaped field located immediately adjacent to Alderley Road, Wilmslow. The plot narrows at its southern end when approaching the junction between Alderley Road and Fulshaw Park South. There are variations in levels on the site. Surrounding the site is predominantly residential development (north, west and south), Alderley Road itself to the east, beyond which is the Royal London campus, which also falls within the Strategic Allocation for development under Policy LPS 54.

With regards to the existing surrounding character, the Landscape Character Assessment undertaken as part of the Neighbourhood Plan, identifies the area as 'Urban', outside of any defined character areas.

As demonstrated within the Neighbourhood Plan and the Three Parks SPG, the application site falls within Fulshaw Park, an identified area of specific characteristics. These characteristics are set-out within the Three Parks SPG.

Fulshaw Park covers a triangular area as set out below with the application site, currently shown undeveloped, to the far right-hand side:





The Three Parks SPG goes into great detail about the design characteristics of this area. The general character is set-out below.

- Park is essentially a quiet residential area
- Has many mature trees and landscaping, creating green tunnels of foliage over the roads in places
- Dwellings are mostly 2-storey, detached houses. However, there are also examples of 3-storey dwellings, purpose-built apartments, detached bungalows, semi-detached houses and apartments
- There are a mixture of periods and occur in groups with some having direct access onto the road and some being accessed via a cul-de-sac

The Three Parks SPG sets out that any proposed development should generally:

- Reflect the identified characteristics from density through to materials
- Proximity to highway
- Boundary treatments
- Medium-to-large detached, single-family dwellings. There are some semi-detached houses in the south which are modest. There are also bungalows in clusters.

The more up-to-date Neighbourhood Plan Policy TH4 sets out that any future development within the Fulshaw Park area should *‘reflect the existing built form from Fulshaw Park which consists of medium to large detached single family dwellings and a small number of modest, semi-detached and bungalow properties in clusters.’*

With regards to layout, the access details have already gained approval as part of the outline permission (17/5837M). The extent of the level of 'Access' approved is controlled by the approved parameters plan.

The proposed road layout, beyond the approved access arrangements, represents a series of cul-de-sacs which extend from a main 'T'- shaped road, that itself extends west from the access point with Alderley Road, then travels in a north-to-south direction.

Within the Three Parks SPG, specific reference is made to road layouts within Fulshaw Park. Other than Alderley Road to the immediate east of the site (which travels north-to-south and vice versa), the closest roads are Fulshaw Park which lies to the west. Fulshaw Park runs effectively parallel and follows a similar north-to-south axis as Alderley Road to the east as well as one of the principal roads proposed by the application layout.

The SPG goes on to state that all the main roads *'...have cul-de-sacs leading off them with developments of varying numbers of houses..'* In a similar vein, the road layout of the application proposals also propose this arrangement, reflecting the character of the layout of Fulshaw Park. The use of shared surfacing concept proposed away from the main routes is welcomed. For these reasons, the road layout of this application is deemed to be acceptable.

With regards to density, Policy LPS54 allocated *'around 75 [dwellings] on land West of Alderley Road'*. The approved outline permission granted approval for no more than 60 dwellings. The application proposals seek permission for 54 dwellings. As such, below the figure the Council has already accepted for this site and in particular, within this parcel of the site as controlled by the approved parameters plan.

Comparing the density visually on the proposed site plan, between the application site and the closest relatable developments to the west (Fulshaw Park) and the north, whereas these relatable plots generally comprise of dwellings with relatively large footprints on large plots, the application proposals comprise generally of buildings of large footprints but positioned within smaller plots. The applicant has consolidated much of the built form by revising the scheme during the application process in order to try and respect the surrounding built form's footprint as much as possible following officer advice. This has been achieved by introducing semi-detached units and the removal of a number of detached garages and garage blocks. In addition, the applicant is only seeking permission for 54 dwellings on site as opposed to the 60 permitted by the Outline permission. As such, the density is deemed acceptable.

With regards to the position of built form, it is noted that whilst some of the proposed dwellings are proposed to be constructed close to the edge of some of the internal roads, as revised, it is considered that a decent amount of green infrastructure is now achieved. This is particularly the case along the internal main road of the site that travels north to south. This offers a degree of relief from the built form. As such, no particular concerns are raised relating to the general position of the built form within the site from a design perspective.

In consideration of off-street parking provision, different solutions are proposed throughout the site. This includes frontage parking, parking down the side of properties and the provision of parking courtyards. Although frontage parking is not welcomed, it is not uncommon to Fulshaw Park. As such, the parking solutions are deemed acceptable from a design perspective.

There are no vehicular linkages through the site. The site would comprise of a single vehicular access in and out of the site. However, pedestrian/cycle access is proposed in 3 instances onto Alderley Road where bus services can be accessed (No.130 that travels from Macclesfield to Wythenshaw). In addition, pedestrian access is proposed to the south of the site so access is gained to the associated, proposed Public Open Space (POS), including the children's play area. Unfortunately, only a mown footpath can be provided from the residential part of the site down to the play area. This is due to the presence of a restrictive covenant preventing any built form between the site sought for housing and the play area.

It is proposed for there to be x2 pedestrian accesses to the POS and children's play area. One would be onto Fulshaw Park South, to the south of the site, and another onto Alderley Road to the east. It is deemed that these linkages act as suitable alternative for the occupiers of the residential part of the site to access the children's play area to the south in the winter months where the mown footpath is not suitable. Overall, the sites linkages are deemed acceptable.

In consideration of vistas, dwellings have been generally positioned so they are central to the end of a notable road therefore offering strong viewpoints/points of reference.

CELPS Policy LPS54 requires the incorporation of green infrastructure (GI) and the provision of POS at the southern end of the site, pedestrian and cycle links and high-quality landscaping including the retention and enhancement of features of amenity value such as tree and hedge lined frontages to Alderley Road. It is deemed that these requirements have been satisfactorily achieved.

For the above reasons, it is considered that the layout of the application proposals, as revised, reflect the general character of how Fulshaw Park is laid out that of straight main roads with cul-de-sacs leading off. The overall layout of the application proposals is considered to be acceptable for a combination of the above reasons.

### *Form & mix*

With regards to form, as noted above, both the Three Parks SPG and Policy TH4 (The Three Wilmslow Parks) of the Neighbourhood Plan set out that any new residential development should reflect the existing built form of Fulshaw Park which comprises of medium-to-large detached, single, family dwellings and a small number of modest, semi-detached units and bungalow properties in clusters.

The application proposals seek a mixture of detached, semi-detached and mews/apartments style properties. The break-down of this mix based on the number provided is as follows:

- Detached – 32 units (59.3%)
- Semi-detached – 6 units (11.1%)
- Mews/apartments – 16 units (29.6%)

This range is deemed to largely adhere with the character of Fulshaw Park insofar that the majority of the units, comprise of detached, medium-to-large properties. It is noted that the properties chosen to be positioned to the far west of the site extending in a linear north-south pattern to reflect the arrangement of properties beyond to the west are predominantly the larger, detached units to reflect the closest, relatable Fulshaw Park arrangement. This is welcomed.

The presence of a smaller percentage of semi-detached units is also deemed to be in line with the defined character of the area as referred to within the Three Parks SPG and Policy TH4 of the WNP.

The provision of Mews and apartments is not particularly characteristic of Fulshaw Park according to Policy TH4 of the WNP. However, it is noted that within the Three Parks SPG that there are examples of *'purpose-built apartments'* and *'apartments formed by subdividing large detached houses.'* Importantly, consideration needs to also be given to the housing mix Policy of the CELPS (SC4). This sets out that new residential developments should provide to a mix of housing tenures, types and sizes to help support the creation of a mixed, balanced and inclusive communities.

As such, there is a tension between the design policies in this instance with regards to housing mix. On one hand, the more localised policies suggests that the overwhelming form should be that of detached units, whereas the wider, Cheshire East Plan sets out that more of a mix should be achieved.

As such, the applicant has sought to attempt to address both policies as best they can. They have ensured that the majority of the site comprises of detached dwellings, but also introduced a small percentage of semi-detached, mews properties and apartments. Furthermore, a pair of detached bungalows are proposed adjacent to each other. Both Policy TH4 of the WNP and the Three Parks SPG refer to the presence of clusters of bungalows within Fulshaw Park. Although these are 1.5 storeys, the floor plans of these show the provision of two of the three bedrooms in each to be at ground floor level. This will assist in satisfying Policy SC4 of the CELPS criteria, supported by the Housing SPD that a form should be included that would be capable of meeting and adapting to the long-term needs of an ageing population.

It is deemed that as proposed, the built form of the dwellings proposed would largely respect the prevailing character with the provision of detached units, whilst also achieving a mix as per CELPS policy SC4. The form of the proposals is therefore deemed to be acceptable.

### *Scale*

With regards to scale, the application proposals comprise of a mixture of one-and-a-half storey, two-storey or two-and-a-half storey development. A break-down of the scale is as follows:

- One-and-a-half storey: 2 units (3.7%). Max Height 6.4 metres
- Two-storey: 39 units (72.2%). Max Height range between 8.4 and 8.8 metres
- Two-and-a-half storey: 13 units (24.1%). Max Height range between 9.7 and 10.4 metres

*Note: these max heights exclude chimneys.*

The Three Parks SPG sets out that dwellings within Fulshaw Park are mostly 2-storey, but there are some examples of 3-storey dwellings, purpose-built apartments, semi-detached units and bungalows. Policy TH4 of the WNP, which specifically relates to the Three Wilmslow Parks does not specifically refer to scale when referring to Fulshaw Park. With regard to form, it sets out that the character is that of medium to large, detached and a small number of modest, semi-detached and bungalows in clusters.

As the vast majority of the development proposed would be two-storeys in scale, this would tie-in with the prevailing two-storey character. Whilst the development would comprise of 2 ½ storey development, this represents a low proportion of the scheme. In addition, dormers have been removed from the majority of these house types during the application process in order to reduce their mass and bulk. It should also be recognised that the presence of a few taller units adds a degree of interest

to the streetscene and that 2 ½ storey units can be found immediately adjacent to the site beyond its northern boundary. The Parameter's Plan approved on the associated outline permission, which this development should adhere too, includes an annotation that the building heights are to be upto 2.5 storeys on the developable part of the site.

Consideration is also necessary as to how the variation of ground levels will impact the design. Within the submitted Finished Floor Levels Plan (FFL's), it is shown that the ground floor levels of the properties proposed will range between 71.8 and 74.5 AOD, a variation within the site of 2.7 metres. In general terms, the lower positioned development would be on the eastern, Alderley Road, side of the site and the higher positioned development towards to western boundary, with the highest part of the site being to the south-west corner. This variation in FFL's largely reflects where the existing site level changes occur at present albeit to a lesser degree.

As advised, the figures quoted in the above table do not account for changes in levels. In order to demonstrate how the differences in both ground levels, in conjunction with the varying heights will influence the design, a proposed spot levels plan and a series of streetscene plans have been provided. These demonstrate that the scheme achieves sufficient variation to create its own character as a result of the level changes that largely reflect the existing levels on site

With regards to footprint, the scale of the developments are not hugely dissimilar to the surrounding footprints. Overall, the scale of the development is deemed to be acceptable.

### *Appearance*

The Three Parks SPG sets out some of the main appearance characteristics of dwellings found within Fulshaw Park. These include:

- Varied roof forms – simple dual-pitched, gable-ended, simple hips to more complex forms of Victorian villas. Sometimes flat roofs to single-storey areas such as porches and garages
- Walls – Victorian buildings – either half-timbered or brick. Brick buildings have been rendered and have black timbers and either white render or white painted brick panels. Most post-Victorian housing is basically of brick construction though some have been rendered either fully or partially
- Built features – Most of the properties on Fulshaw Park have at least one chimney of brick construction
- Windows – Only a few houses on Fulshaw Park have dormer windows and these are mainly later additions. Usually are in the side elevations and provide light to first-floors. Dormers have not been inserted to make use of the loft space of 2-storey dwellings
- Detailing – mock-Tudor detailing has been picked up on newer developments further down Fulshaw Park South. Many dwellings incorporate tile-hung details or white, painted tounge-and-groove boarding. Some dwellings have more brick detailing such decorative band courses at first-floor level, window and door head cills and brick quoins

The application proposals seek the creation of 14 different house types/variations, a degree of variation that is welcomed. Noted, re-occurring characteristics of the proposed house types that tie-in with the above characteristics include:

- Dual-pitched roofs with a small amount of hipped and Mansard style roof styes
- Either exposed brick or render finishes

- Decorative brick such as brick band course (*Tatton, Arley*), quoins (*Dunham, Walton, Bollin, Tabley, Adlington, Moreton*)
- Chimneys (*Dunham, Arley, Bollin, Capesthorne*)
- Mock Tudor painted timber beams (*Arley, Tabley, Gawsworth, Capesworth*)
- Within proposed Gawsworth house types x2, small dual-pitched dormer windows within the principal roof elevations are proposed (5 units in total)
- Either individual, dual-pitched canopy porches or front doors covered be elongated, horizontal lean-to features

As part of the application process, the applicant notably reduced the number of dormer windows proposed as it was acknowledged that these were not a characteristic of Fulshaw Park as specified within the Three Parks SPG. Now, only 5 dwellings are proposed with dormer windows. This limited number is deemed to add a degree of interest. In addition, the SPG does state that there are a few houses already with dormer windows in Fulshaw Park.

More flat-roofed features were added also during the application process in order to respect the local character as described by the Three Parks SPG. More specifically, flat-roofed single-storey outriggers have been added to the Tabley house type.

Concerns were raised about the degree of 'dead frontage' where blank elevations were highly visible within the streetscene. As such, the applicant has updated a number of the plots to either include additional openings or dummy openings. It is considered that these amendments overcome this concern.

For the above reasons, subject to a condition to ensure that the specific detail of the materials to be used on the facing walls and roofs of the buildings are to an acceptable standard, the appearance of the application properties is deemed to be acceptable.

#### Other design considerations

##### *Green credentials*

In consideration of sustainable development / green credentials, the outline planning permission conditioned the requirement to provide electric vehicle charging infrastructure. The detail of this has been advised as being acceptable by the Council's Environmental Protection Officer, subject to it being ensured it applies to each property with off-road parking.

Other than this, the scheme as originally proposed was lacking in this regard. As such, during the application process it was agreed that each dwelling be fitted with Solar PV panels and each dwelling be provided with a water butt for rainwater harvesting. This detail is shown on the submitted 'Green Credentials Layout' plan which would be secured by condition in the event of approval. These additions are welcomed and indeed represent a notable benefit of the scheme as a whole.

##### *Heritage*

Policy SE7 of the CELPS refers to matters of heritage. The crux of Policy SE7 is to conserve and enhance the character, quality and diversity of the historic environment of Cheshire East. Emerging Policy HER1 of the SADPD is also a material consideration.

In consideration of designated heritage assets, the site lies on the opposite side of Alderley Road to Fulshaw Hall, which is a grade II listed building, and the grade II listed former stables and coach house (now a staff Restaurant to Royal London).

The Council's Heritage Officer, having considered the historic map evidence, advises that there is no designed or ownership relationship between the site of the listed buildings and the application site.

The listed Hall sits within a mature landscaped setting and is approached via a new entrance drive. The historic entrance lodge (South Lodge - curtilage listed) is now hidden in undergrowth. The gate lodge, stables / coach house and the Hall share this garden setting and the Council's Heritage Officer advises that the new development does not affect the setting of either building, either how they are appreciated or their significance.

Alderley Road is a generous width, with wide verges, and the application has preserved the character of the hedgerow which lies along the eastern boundary of the site. There are no impacts on designated heritage assets.

In consideration of non-designated heritage assets, the site also lies adjacent to two Locally Listed buildings. These are Chorlton House on Fulshaw Park and Rostherne, also on Fulshaw Park. Both of these are detached villas sit within large, landscaped grounds. They share boundaries with the application site. The Council's Heritage Officer has advised that these properties were laid out with views to the west and south, and positive views to the east (towards the application site), but these views appear to be contained to their large gardens and are deemed not to have a designed relationship with the application site. The gardens to each of these villas were planted with the mixed planting and large mature trees of their day. The Council's Heritage Officer advises that it is important that there is some recognition of the existing canopy but also provide opportunities to supplement the boundaries if the trees are over-mature or if there have been losses.

Upon closer review, the Council's Landscape Officer has advised that there isn't scope to plant large trees within the small gardens along the western site boundary. As such, this suggestion cannot be carried forward. However, it is not considered that this lack of additional landscaping would result in harm to the setting of these assets to a level sufficient to warrant refusal of the application.

### *Parameters Plan*

The proposed layout is considered to adhere with the requirements of the latest approved parameter's plan.

### *Original Urban Design Officer issues*

The Council's Urban Design Officer raised a number of issues with the original scheme submitted for consideration and advises that these concerns remain as part of the revised scheme. The section below sets-out the main concerns raised and how the scheme, as revised, is deemed to overcome these concerns.

- Lack of information: More specifically a lack of detailed analysis of how the scale, massing and density of the scheme responds to the local context and setting of listed buildings. In addition, sought street hierarchy plans that highlight and match boundary treatments plans required within the design guide



Response: It is considered that a judgement of scale, massing and density can be made based on the information as submitted. The Council's Heritage Officer did not request the submission of any further information to assist their comments. The Council's Landscape Officer, as referred to later in this report has raised no objections in principle to the scheme, subject to conditions.

- Layout: Various concerns including:- position of Public Open Space and Children's Play area being remote from development and within the area of the highest flood risk; that the proposed affordable housing is clustered rather than 'pepper potted'; lack of external storage; that the density of the development proposed not reflective of local character; in terms of linkages, that connections could be improved by creating 'loop' routes / more to link the cul-de-sacs; that much of the proposed building line is too linear and should be more organic; that the position of the access be amended to avoid tree loss and finally the lack of private outdoor amenity space proposed for the affordable dwellings.

Response: Policy LPS54 of the CELPS sets out that '*A new public open space at the southern end of land west of Alderley Road*' should be provided. The position of this POS was fixed by the Parameter's Plan approved as part of the outline planning permission. The position of the Children's Play area was also fixed by the S106 Agreement associated with the outline approval to fall within the POS. As such, these elements cannot be re-visited as part of this application. Matters of flood risk are considered in the flood risk section of this report.

The affordable housing is located in three areas of the site, the far north, a small area centrally and the far south. As per Policy SC5 of the CELPS, supported by the recently adopted Housing SPD, affordable housing should be dispersed throughout the site. In this instance, the affordable housing is not all congregated together, but split up into 3 areas. This distribution is deemed to be acceptable. Furthermore, the Council's Housing Officer advises he has no objections to the position of the affordable housing within the site.

The amount of outdoor amenity space proposed for the affordable dwellings is deemed acceptable and commensurate with the size of the units. All affordable units have either a private or shared area of open space dedicated to that property.

An external storage layout plan has been provided as part of the revisions. This shows the position of external storage buildings (e.g. sheds) for all plots apart from plots 17-20 and 41-43 which include shared bin/cycle storage facilities. This plan also shows the bin storage positions of all plots. This plan is deemed to address this concern.

Matters in relation to density have already been addressed and are deemed acceptable for the reasons already set out. With regards to linkages, the applicant advises that due to 3 pedestrian/cycle links proposed along Alderley Road and the main access that these effectively act as a link and also enables more soft landscaping within the site. This is accepted.

With regards to the linear building line being overly formal, as set out within the report, it is considered that the road layout respects the road layout of the adjacent Fulshaw Park and is therefore deemed to be acceptable.

The position of the access cannot be amended as it is fixed by the outline permission.



- Scale: that a flat roofscape is proposed as the site being levelled, need to work with existing levels more

Response: As advised, there is a proposed variation in levels across the site and this largely reflects the levels on the site at present, albeit with the variation in levels proposed to be reduced. Nonetheless, as demonstrated by the proposed streetscene plans, it is deemed that the proposed levels add to the character of the proposed development.

- Appearance: That distinctive house types should be placed at junctions as a memorable locator and that a uniform approach should be taken to corner plots

Response: It is deemed that distinctive house types have been placed at the main junctions that not only create attractive vista's looking along the highway, but also include double-fronted properties to add to the degree of interest. Where previously blank elevations fronted the streetscene, these have been updated to include windows or dummy openings in order to avoid dead frontages.

- Green credentials: Sustainable drainage solutions have not been provided and should be integral. Green possibilities re: green roads, rainwater butts, swales etc...

Response: This is deemed to now have been addressed with the revised submission. A 'green credentials' layout plan has been provided which sets out that each unit would include solar panels and a water butt. In addition, electric vehicle infrastructure is already secured for each dwelling with an off-road parking space by the outline permission.

- Landscaping/trees: Lack of green infrastructure, position of trees, potential loss of trees

Response: These matters are considered/addressed within the landscaping/tree section of this report based on the comments of the Council's Landscape and Tree Officer's.

### Design conclusions

The proposed development, as revised, is deemed to be of an acceptable layout, form, scale and appearance and would therefore be acceptable when considered against the design policies of the development plan. It should be recognised that there is tension between the design policies applicable, but it is considered that the revised scheme has, as closely as possible, managed to achieve a scheme that adheres with them all, namely adhering with the local character as well as delivering a good mix of dwellings in order to create sustainable communities.

### **Landscaping**

Matters of 'Landscape' are sought by this application. This includes the consideration of tree impacts.

### Landscape

Policy SE4 of the CELPS refers to Landscape. The crux of the policy is to conserve the landscape character and quality and where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. Emerging Policy ENV5 of the SADPD is also a consideration.

As part of the outline approval (17/5837M), a number of landscape related conditions were imposed. These comprised of - that any future reserved matters be accompanied by finished floor levels (Condition 9); the submission/approval of boundary treatment prior to occupation (Condition 15) and that any landscaping plan approved as part of any future reserved matters application shall be implemented in accordance with various 'standard' requirements (Condition 23).

The application proposals, as revised, are accompanied by:

- A proposed finished floor levels plan (to satisfy Condition 9)
- A hard surfaces layout plan
- A boundary treatment plan (and plan to show details) (to satisfy Condition 15)
- A Landscape Master Plan (to satisfy Condition 23)
- X3 more detailed Landscape plans (also to satisfy Condition 23).

In consideration of the original submitted proposals, the Council's Landscape Officer raised various concerns with the scheme. Submitted subsequent revisions have sought to address these concerns. Negotiations have reached an advanced stage and the Council's Landscape Officer has concluded that, in principle, they raise no objections to the scheme subject to a number of conditions. These conditions include the requirement to provide an updated hard and soft landscaping scheme, boundary treatment details, a landscape management plan, proposed levels information and details regarding the storage and re-use of soil. The requirement to provide boundary treatment prior to the occupation of any of the dwelling remains as a condition on the outline permission. As such, it would not be necessary to repeat this.

Since coming to these conclusions, the applicant has submitted yet further landscape documentation and plans in order to partly address some of the proposed conditions, but also to address some outstanding queries the Landscape Officer had with the scheme, specifically in relation to proposed retaining walls, hard surfacing materials, planting specifications and positions and additional planting. The acceptability of this further detail will be reported to committee in the form of a written update once further updated comments have been received from the Council's Landscape Officer.

### Trees

Policy SE5 of the CELPS states that development which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands, that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted. Emerging Policy ENV6 of the SADPD is also a consideration.

As part of the outline approval to which this Reserved Matters application relates, the following conditions were either directly or indirectly tree related: Condition 3 (Approved plans – *Parameter Plan*) and Condition 7 (Reserved Matters to be accompanied by an updated Arboricultural Impact Assessment (AIA), Tree Protection Scheme and Method Statement).

In accordance with Condition 7, the application is supported by the abovementioned tree documentation, updated to reflect revisions provided during the application process. As such, this condition is satisfied.

The Council's Tree Officer advises that all protected trees within the residential section of the site have, over time, died or been removed for other reasons. x4 trees remain on site that are subject to a Tree Preservation Order (TPO). These are located to the south of the proposed development and as shown to be retained within the area designed as open space.

X6 trees and sections of hedgerow require removal to facilitate the development. This includes x1 high value tree (T11 - Cat A), x4 moderate value trees (Cat B) and x1 tree in a poor condition (T3 - Cat U). The hedgerow removal includes x5 sections of moderate value (Cat B) hedgerow, totalling approximately 52 metres. These are proposed to facilitate vehicular and pedestrian access. It is advised that the remaining trees which form the majority of the site's tree cover will be retained as part of the development and protected during construction.

The Council's Tree Officer advises that the poor-quality tree (T3 - Sycamore) and one of the moderate value trees (T2 – Oak) require removal irrespective of the development proposal due to disease. Two of the moderate trees (T7 – Plane and T8 – Oak) to the north of the proposed access and the high category tree (T11 – Plane) will require removal to either accommodate construction of the access, approved as part of the outline approval or due to their proximity to a proposed dwelling. The remaining moderate category tree sought for removal T41 (Ash), is sought for removal to accommodate a retaining wall.

A moderate (B) quality Sycamore (T1) is proposed for retention within the proposed pocket park. The Council's Tree Officer advises that some minor encroachment into the Root Protection Area of the tree from proposed development to the north and east is not anticipated to have any significant adverse impact on the trees long term health and relevant safeguards are included in the supporting Tree Protection Scheme.

It is noted that approximately 105 new trees are proposed as part of the development.

Details of a proposed no-dig driveway construction are provided as part of the detailed tree protection/method statement proposals and the Council's Tree Officer advises that this detail is acceptable in this instance.

Concerns were raised by the Council's Landscape Officer in relation to the possible impact of retaining walls upon retained trees, proposed close to parts of the western boundary (Fulshaw Park boundary). Para 3.5 and Table 5 of the revised AIA refers to sensitive excavation within the Root Protection Area (RPA) of trees to be retained. Retaining features and terracing of gardens along the western site boundary adjacent to trees have been amended to account for RPA's.

Detail requirements of sensitive excavation are provided on the Tree Protection Plan and include hand digging within the specified areas, retention of roots over 25mm the requirement for direct supervision by a qualified arboriculturist. It is unclear as to whether this would be carried out by the consulting arboriculturist or another appointed by the applicant. The Council's Tree Officer therefore advises that the scheme of be clarified by condition.

Details of no dig surfacing within RPA's are shown around tree T9 and an illustrative specification provided on the Tree Protection Plan. Details of proposed location of utilities have not been provided and their location must respect those areas where no-dig construction is proposed.

Overall, no tree objections are raised by the Council's Tree Officer subject to a number of conditions. These include that the development be carried out in accordance with the submitted, updated AIA and Tree Protection Plan and a condition requiring the submission/approval of an agreed scheme of supervision for the approved arboricultural protection measures. The application proposals are therefore deemed to adhere with Policy SE5 of the CELPS and emerging Policy ENV5 of the SADPD.

In terms of how the application proposals align themselves with the Parameter's Plan, this plan has been varied since the determination of the original permission. Permission 22/1330M recently granted approval to amendments to the parameters plan for x3 trees originally required for retention to no longer be retained. The application proposals with regards to trees now align with the updated Parameter's plan.

### **Other Matters**

#### Highways

A number of objections have been received in relation to highway matters.

Matters of 'Access' to the site have already been approved in the outline permission 17/5837M which includes any off-site impacts resulting from the scheme. This reserved matters application concerns the design of the internal infrastructure only.

#### *Highway Design*

There is a single access point to the site that connects to Alderley Road that has a ghost right turn lane. The internal roads are a mix of 5.5m and 4.8m carriageways and there are a number of private shared drives off the proposed adopted internal roads within the site.

The road layout design is a standard format with linear roads although the design is largely dictated by the shape of the site and having the central single access point. The Council's Highway's Officer has advised that the proposed road design is acceptable and is suitable for adoption, turning heads are provided for refuse vehicles at the end of the cul-de-sacs.

#### *Car Parking*

There are mix of units proposed on the site ranging from 1 bed apartments to 5 bed houses totalling 54 units. Car parking has been provided mainly using driveways with some units having integral garages. Overall, the level of car parking provision across the development complies with CEC parking standards.

Neighbours have questioned the lack of parking available for the play area/open space to the south of the site for members of public which may seek to drive to the site from further afield. In response, given the small scale of the play area and space, it is deemed unlikely that members of public from beyond walking distance would regularly visit the site. However, for the occasional visitor, road-side parking is possible on nearby residential roads.

#### *Accessibility*

The internal roads are a mix of shared surface and roads with footways on both sides. The main access has a segregated footway on both sides and connects with the shared pedestrian/cycleway on the

frontage along Alderley Road. The Council's Highway's Officer has advised that given that vehicles will be travelling at low speeds, it is not considered necessary to provide segregated paths internally. There are two additional footway connections to Alderley Road provided to the north and south of the site.

### *Highway Summary*

The proposed internal road layout is acceptable in terms of meeting highway standards for adoption. There are a number of private drives that will not be adopted but are suitable to serve the small number of units proposed. The level of car parking provision conforms with CEC standards.

Subsequently, the Council's Highway's Officer raises no objections subject to a condition requiring the submission/approval of a Construction Management Plan (CMP). Although a cycle parking condition was also originally proposed, details of external storage for each property has now been provided.

### Amenity

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations. Policy DC38 provides the recommended separation standards. The CEC Design guide is a more up-to-date document and also provides separation standard guidance. Emerging Policy HOU10 from the SADPD is also a material planning consideration.

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

### *Neighbouring amenity*

The closest neighbouring dwellings to the application site comprise of the occupiers of the properties beyond the site to the north and those beyond the site to the west (and south-west). The impact of the proposed development upon the occupiers of all these neighbours are considered in detail below.

#### No.1 Orchard Villas (north):

This neighbouring property is the southern-most unit of a pair of semi-detached properties which were only relatively recently constructed. The side elevation of this property would lie parallel with the application site. The gap between the side wall of this property and the application site boundary is approximately 9.8 metres. This property is 2 ½ storeys tall. The main, two-storey side elevation of the properties proposed on the most north-eastern plot would oppose approximately half of the side elevation of No.1 Orchard Villas and would be approximately 13.5 metres away.

Within the side elevation of the closest proposed dwelling to this neighbouring property, no openings are proposed other than a solid door at ground floor level. As such, it is not deemed that the occupiers of No.1 Orchard Villas will be impacted by the development in terms of a loss of privacy.

Within the directly opposing part of the side elevation of No.1 Orchard Villa's are openings over two floors. These comprise of a utility room door at ground-floor level and a secondary bedroom window (with Juliet) and a small en-suite window at first floor.

As none of these neighbouring openings that would directly oppose the side elevation of the closest of the proposed windows represent sole windows to principle habitable rooms it is not deemed that the occupiers of No.1 Orchard Villas would be directly, unacceptably impacted by the proposed

development with regards to a loss of light or an overbearing impact. It is also not deemed that the occupiers of this neighbouring property would be impacted by any openings on the front or rear on the closest neighbouring unit proposed to their property due to the off-set relationship.

The dwelling proposed on Plot 21 would be offset from the neighbouring dwelling itself and would lie parallel to the rear garden of No.1 Orchard Villas. It is measured that the two-storey rear wall of the dwelling proposed on plot 21 would be approximately 18.7 metres away from the rear garden of No.1 Orchard Villas. This is deemed far enough away not to cause concerns regarding overlooking/loss of privacy from this proposed dwelling into this neighbour's rear garden.

#### Broadacres (north):

Broadacres is a detached, 2 ½ storey dwelling located approximately 13 metres to the north of the site boundary (and to the rear of No.1 Orchard Villas). The side elevation of Broadacres faces the application site. Directly opposing this side elevation, the only elevated built form proposed is a single-storey, detached garage which would serve the dwelling proposed on plot 24. The remainder of the elevation of this neighbouring dwelling would front onto the front garden of the dwelling proposed on plot 24 and the side garden of the dwelling proposed on plot 23. The rear elevation of the proposed garage would be approximately 16.7 metres from the side elevation of Broadacres. Given this distance and the single-storey nature of the proposed outbuilding it is not deemed that this, or any of the development proposed would result in any loss of amenity, light or an overbearing impact to Broadacres.

The two-storey rear elevation of the dwelling proposed on plot 23 would be approximately 10.9 metres from the boundary with Broadacres. Directly opposing the rear elevation of the dwelling proposed on plot 23 would be part of Broadacres driveway.

Within the side elevation of the dwelling proposed on plot 24, which also partly faces the garden of Broadacres, any first-floor window can be obscurely glazed, eliminating any overlooking/loss of privacy concerns onto the private amenity space of Broadacres.

#### Chestnut Cottage (north):

The rear elevation of No.3 Chestnut Cottage would be approximately 13.6 metres from the northern boundary of the site. However, the closest proposed dwelling (Plot 24) would be offset from this neighbour's rear elevation. At its closest point, the dwelling proposed on plot 24 would be approximately 18.4 metres away from Chestnut Cottage.

As advised above, subject to the obscuring of any first-floor window windows within the northern side elevation of plot 24, no loss of privacy concerns are raised. For a combination of the above reasons, it is not deemed that the occupiers of Chestnut cottage would be detrimentally impacted by the proposed development in terms of loss of privacy, light or an overbearing impact.

#### Neighbours beyond western boundary:

Chorlton House, Springfield, Barnfield, No's 3-6 Westgate, No's 3-5 Heathfield, Uplands Cottage and Rostherne all back onto the application site beyond the western boundary. The impact of the proposed development upon the amenity of these neighbouring occupiers is also therefore a consideration.

All of these properties are in excess of the minimum separation standards away from any of the proposed dwellings. The closest of the relationships being that between No.3 Westgate and the

dwelling proposed on plots 29 and 30. At this juncture, the two-storey development is at least approximately 32.7 metres apart. The policy minimum as set out within saved Policy DC38 of the MBLP is 25 metres in the case of 2-storey development or 32 metres in the case of 3-storey development. As such, at the proposed distances the development is not deemed to result in any notable amenity issues for the occupiers of the dwellings to the west of the site in terms of loss of privacy, light or visual intrusion.

A series of sections have been provided during the application process including a few that show the relationship of the closet dwellings to the properties on Fulshaw Park to the west. These demonstrate that these neighbouring properties are either located at a similar level as these neighbouring properties or at a lower level. As such, level differences do not alter the conclusions that the application proposals should not injure the amenity of the occupiers of the dwellings to the west with regards to loss of privacy, light and visual intrusion.

Beech House (south-west):

Beech House is a detached dwelling located approximately 10.3 metres from the south-western corner of the application site. The closest part of the development proposed to this neighbour would be the mews/apartments on plots 41-43. This proposed built-up form would be approximately 30.8 metres away from Beech House and would be notably offset from the dwelling itself. As such, Beech House itself is not deemed to be detrimentally impacted by the proposed development in terms of loss of privacy, light or visual intrusion.

The first-floor windows within plots 41-43 would be positioned approximately 16.7 metres away from the garden of Beech House and they too, would be offset from this space. As such, it is not deemed that the development would create any concerns with regards to a loss of privacy for the private amenity space of Beech House.

Overall, it is not deemed that the proposed development would result in any unacceptable loss of neighbouring amenity.

### *Environmental amenity*

In consideration of environmental amenity, Environmental Protection were consulted on the proposals at outline stage and as part of that approval, the following conditions were imposed: Travel plan to be submitted/approved prior to occupation (Condition 6), Submission/approval of a Construction Environmental Management Plan prior to commencement of development (Condition 10), Submission/approval of electric vehicle charging infrastructure prior to occupation (Condition 17), Submission/approval of a Phase II contaminated land report prior to commencement (Condition 18), submission/approval of a soil verification report prior to its importation (Condition 19), Works to stop if contamination is identified (Condition 20) and that any future reserved matters be accompanied by an updated Noise Impact Assessment, including mitigation (Condition 22).

Of these conditions, which still apply, the only condition that required details to be submitted with the Reserved Matters application was Condition 22. This required the submission/approval of an updated Noise Impact Assessment (NIA). This accompanies the submission. This has been reviewed by the Council's Environmental Protection Officer who agrees with the findings. The proposed mitigation (inclusion of acoustically rated ventilator units and mechanically assisted ventilation) shall be secured by condition in the event of approval as this was not controlled by the original condition.

The application is also supported by electric vehicle charging infrastructure details as set-out within the submitted Design & Access Statement. The Council's Environmental Protection Officer has advised that this detail is acceptable. However, as a plan detailing the location and type of infrastructure has not been provided, this condition remains outstanding at this time and will require subsequent approval. This is controlled by the outline approval.

No other comments are made by the Environmental Protection Team other than the acknowledgement that the conditions imposed on the outline still apply, unless altered by this permission.

#### *Amenity of future occupiers*

In consideration of the amenity of the future occupiers of the dwellings themselves, consideration needs to be given to the proximity/relationship of the proposed dwellings to the existing surrounding properties as well as their private amenity spaces. Consideration also needs to be given to the amount of private amenity space provided for each property. The relationships between the proposed properties themselves is a further matter.

The closest existing elevated built form to the application site is beyond the site to the north. Due to there being no windows within the side elevation of the closest dwelling proposed to the far north-east of the site, the future occupiers of this unit itself, would not be impacted in terms of loss of privacy, light or visual intrusion as a result of the application proposals. However, consideration needs to be given to whether the private amenity space of this unit would suffer from an unacceptable degree of overlooking from the occupiers of No.1 Orchard Villas.

The shared private amenity space would be 9.1 metres away from and would directly oppose the side elevation of No.1 Orchard Villas. Within the directly opposing side elevation part of Orchard Villas, at first-floor level is a double window to a bedroom suite and a window with a Juliet balcony to a dressing room. At second floor level is a double-window to another bedroom.

In response to this concern, the applicant has advised that landscaping could be proposed to shield this shared private garden from being overlooked by the occupiers of No.1 Orchard Villas. An indicative section has been provided to demonstrate this. In addition, an updated landscaping plan has been provided. These show the presence of a tree on the common boundary that would be retained in the event of approval. Whilst this mitigation would not completely screen the gardens of No's 17-20, it would provide a degree of screening. For this reason, along with the fact that the shared garden space is relatively large so a degree of relief can be achieved, it is not deemed that this relationship is sufficiently harmful to warrant refusal of the application.

Due to the off-set relationship between Broadacres and No.3 Chestnut Cottage to the north to the remainder of the proposed dwellings along the northern boundary, it is considered that these dwellings are either sufficiently offset from the closest gardens within the development or are a sufficient distance away not to cause concern.

Due to the distance of the dwellings beyond the site to the west and south-west from the development proposed, in conjunction with the levels details provided, it is not deemed that any of the dwellings proposed or their private amenity spaces would be impacted by the neighbouring units.

All 54 of the dwellings/apartments proposed would benefit either from a private or a shared private amenity space. There are no policy minimum standard and these spaces are deemed sufficient to allow the future occupiers to perform normal duties such as sit out, dry washing etc.



Within the site itself, minimum separation standards are generally met. However, there are various instances where they are not. However, the separation standards vary within adopted planning policy and there is an accepted degree of flexibility within development sites in order to achieve suitable design. There is also a degree of buyer beware. As such, subject to various openings being conditioned to be obscurely glazed, it is deemed that these relationships are acceptable in this instance.

### *Amenity conclusions*

For the above reasons, subject to the above-mentioned conditions, it is considered that the development would adhere to the requirements Policy DC3 and DC38 of the MBLP and the amenity aspect of Policy SE1 of the CELPS and emerging Policy HOU10 of the SADPD.

### Nature Conservation

Matters of ecology were considered at outline application stage. The Council's Ecologist raised no objections to the development, subject to conditions. These conditions were added to the outline permission and include the following requirements:

- Condition 11 (Reserved Matters to be accompanied by a detailed lighting scheme) (bats)
- Condition 12 (Reserved Matters to include details of how the existing hedgerows will be retained)
- Condition 13 (Reserved Matters should be supported by a strategy to enhance the biodiversity value of the site)
- Condition 14 (Prior to commencement of development a 10-year habitat management plan) shall be submitted and approved
- Condition 21 (Reserved Matters to be accompanied by an updated badger survey)

### *Condition 11*

A lighting scheme has been submitted as required by this condition. The Council's Nature Conservation Officer advises that although there would be some localised light-spill onto vegetation along Alderley Road, this is not likely to have an adverse impact on bats due to the existing levels of artificial light associated with the road. This detail is therefore deemed to be acceptable. The implementation of this detail is controlled by this old condition.

### *Condition 12*

Hedgerows are a priority habitat and hence a material consideration. Based upon the submitted Arboricultural Impact Assessment (AIA), the proposed development will result in the loss of a number of sections of existing hedgerow to facilitate access and drainage connections. A further section of hedgerow is also now lost on the northern corner of the site due to the construction of a shared private drive. The current landscape proposals include proposals for replacement native hedgerow planting, which the Council's Nature Conservation Officer advises is sufficient to compensate for that lost, if the loss is unavoidable which is deemed to be the case in order to deliver an acceptable scheme.

### *Condition 13*

The Council's Nature Conservation Officer advises that an acceptable, revised, Biodiversity Enhancement Strategy, produced by Urban Green (May 22 version 04) has now been received to satisfy

the requirements of this condition. In the event of approval, it is proposed to add a condition that this be implemented.

#### *Condition 21*

An 'other protected species' survey has been submitted as required by this condition. No evidence of activity was recorded during the submitted survey. Nothing further is required, and this condition is now deemed to be satisfied.

#### *Bats*

A number of trees are proposed for removal as part of the development. Further bat surveys of these trees has been undertaken. No evidence of roosting bats were recorded and the Council's Nature Conservation Officer advises that roosting bats are not reasonably likely to be present or affected by the proposed development.

#### *Nesting birds*

In the event of approval, a condition to protect nesting birds is recommended. This was not included on the outline permission.

#### *Ecology conclusions*

In the event of approval, it is proposed that the detail submitted to satisfy Condition 13 on the outline application be conditioned to be implemented and a condition imposed to protect nesting birds. Subject to these conditions, it is considered that the proposal would not result in any ecology concerns and the development would adhere with the ecology requirements of the development plan policies.

#### Flood Risk and Drainage

Flood Risk has been raised as a concern by a number of objectors as well as the Council's ANSA Greenspace Officer.

According to the Environment Agency maps, the site falls entirely within a Flood Zone 1, which represents the parts of the country subject to the very lowest flood risk with less than 0.1% chance of flooding.

Matters of flood risk have already been considered as part of the Outline Planning permission (17/5837M) for this site. As part of the outline assessment, a Flood Risk Assessment (FRA) accompanied the submission which was considered by both the Environment Agency and United Utilities.

It was concluded that there were no flood risk concerns, subject to conditions recommended by United Utilities that required the submission/approval of a detailed strategy for surface water drainage. This was added as Condition 4 to the decision notice. The Condition sets out that the strategy should be in accordance with the submitted FRA (and associated statement).

Since the determination of the outline permission, a revised, overall drainage solution for the wider Royal London site, across the road has been approved. Cheshire East Council's Strategic Planning Board granted planning permission (20/3107M) for drainage works in December 2020 to enable the

independent delivery of residential planning permissions subject to this current application (Land to the West of Alderley Road) and the site also subject to housing (Land to the East of Alderley Road). This is because prior to the approval of 20/3107M, the land subject to the current application had a drainage strategy intrinsically linked to a strategy approved on another residential scheme on 'Land to the East of Alderley Road' which meant that both sites could not be independently delivered.

The residential permission for 'Land to the West of Alderley Road' (17/5837M) has already been updated by a further permission (20/1435M) in order to ensure that its future drainage strategy is no longer linked to the older approved drainage details and as such, is free of the previously approved intrinsically linked strategy. This current application seeks to now provide its own drainage solution.

No formal drainage documentation accompanies the application proposals, just an indicative layout to assist the Council's Landscape Officer in their assessment of the scheme. However, Condition 4 on the outline, amended by permission 20/1435M, remains outstanding. This condition, as amended, still requires the submission/approval of an updated Flood Risk Assessment, Surface Water Drainage Strategy and an associated management and maintenance plan, prior to commencement of development.

As such, both the Council's Flood Risk Officer and United Utilities have advised that they have no objections at this stage.

The application is therefore considered to adhere with Policy SE13 of the CELPS and emerging Policy ENV16 of the SADPD.

### Affordable housing

Policy SC5 of the CELPS sets out that in residential developments, affordable housing will be provided where 15 or more dwellings are proposed. In such circumstances, 30% of the development proposed should comprise of affordable dwellings.

As part of the outline planning permission to which this application relates (17/5837M), matters of affordable housing for this site were considered. As part of 17/5837M a S106 legal agreement accompanied the permission which secured the policy required 30% on-site provision. More specifically, it secured:

- 30% of the provision would be affordable
- That the split of the affordable housing provision would be 65% social rented and 35% intermediate housing

As part of the application proposals, a plan showing the layout of each tenure has been submitted. This has been reviewed by the Council's Housing Officer who raises no objections. The Officer also raises no objections to the spread/position of the affordable dwellings within the site. As such, the proposals are deemed acceptable with regards to affordable housing requirements.

### Open Space

Matters in relation to Open Space were considered as part of the Outline application. As part of this, the Council's ANSA Greenspace Officer raised no objection to the scheme, subject to a financial contribution being agreed in respect of recreation open space, indoor recreation provision and the detailed layout going forward providing a LEAP and the required amount of open space within the site

based on the number of units proposed. The applicant agreed to this detail which was all subsequently included within a S106 Agreement that accompanied the permission.

As part of the S106 Agreement, the location of the play area within the site was fixed to be located within the far southern part of the site.

Condition 26 of the outline permission required details of the children's play area and how the wider open space will be laid out to accompany the reserved matters application.

The Council's ANSA Greenspace Officer objects to the application proposals for various reasons as summarised within the consultation section of this report. Many of these concerns relate to the location of the play area. More specifically concerns relating to its detachment from the proposed housing, its subsequent lack of surveillance and its position in an area that is claimed to flood.

In response, as advised, the location of the play area is fixed by the legal agreement and cannot now be altered by this application. As such, whilst these concerns are understandable, these concerns cannot be overcome at this stage.

The Council's ANSA Greenspace Officer also raises concerns about the fact that a mown path is proposed leading from the proposed housing through the Open Space to the play area. The Officer considers that such a proposal is unsuitable as it is not inclusive or accessible for all and during winter months may well be inaccessible due to bad weather. Again, this concern is agreed with. However, between the part of the site where the housing is proposed and the play area to the far south of the site, a third-party restrictive covenant exists which prohibits the erection of any built form. As such, it is not an option to lay a more formal path. Those persons with limited mobility and those wishing to access the play area during winter months can access this part of the site via the pavement on Alderley Road onto which pedestrian/cycle access is being created. This is deemed to be an acceptable alternative solution.

According to Environment Agency mapping, all of the application site falls within Flood Zone 1, land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). Furthermore, the Council's Flood Risk Officer, the Environment Agency and United Utilities have not raised any objections in principle to the scheme on flood risk grounds. A drainage scheme for the wider site is still to be agreed by condition and this detail will not be approved unless the detail is satisfactory.

In response to the more technical matters raised such as the surfacing material of the play area, the lack of gates, maintenance access for vehicles, more detail relating to the play area itself, including specifications and a management and maintenance plan, the applicant has subsequently provided updated details in an attempt to address these concerns. At the time of writing this report, the Council's ANSA Greenspace Officer had not provided updated comments on the acceptability of this further detail. A written update on the acceptability of this detail will be provided to committee.

### Education and Health

How the proposals would impact local education and health provision/capacity were considered as part of the associated outline planning permission. As part of this outline, commuted sums were secured to compensate for both.

### Other matters

The proposals have no direct impact upon Public Rights of Way's or Network Rail infrastructure.

## **Conclusions**

The principle of erecting up to 60 dwellings on this site has been approved by Cheshire East Council by Outline Planning Permission 17/5837M (which included matters of Access). This remains extant. This application considers the acceptability of the remaining reserved matters, namely: Layout, Scale, Appearance and Landscaping.

Following extensive negotiations and the receipt of various sets of revised and further plans, it is now deemed that the layout, scale and appearance of the application proposals is acceptable. It is considered that the scheme achieves the correct balance between respecting the specific design characteristics of Fulshaw Park and its gateway location as well as providing a good mix of properties in order to create a sustainable community. The provision of solar panels, water butts and the already required electric charging points ensure that the scheme can demonstrate strong green credentials.

Matters in relation to landscape, including trees, are deemed to be acceptable in principle, subject to the specific detail being agreed by the Council's Landscape Officer.

The scheme is deemed to satisfy the requirements of the Council's Highway's Officer and would result in no notable concerns regarding neighbouring amenity, or ecology subject to conditions.

Securing the relevant amount of affordable housing and mitigating the development's impact upon local education provision, health, open space (in principle) and flood risk were resolved or secured at outline stage.

Subject to the satisfactory receipt of outstanding consultee responses, the application is recommended for approval.

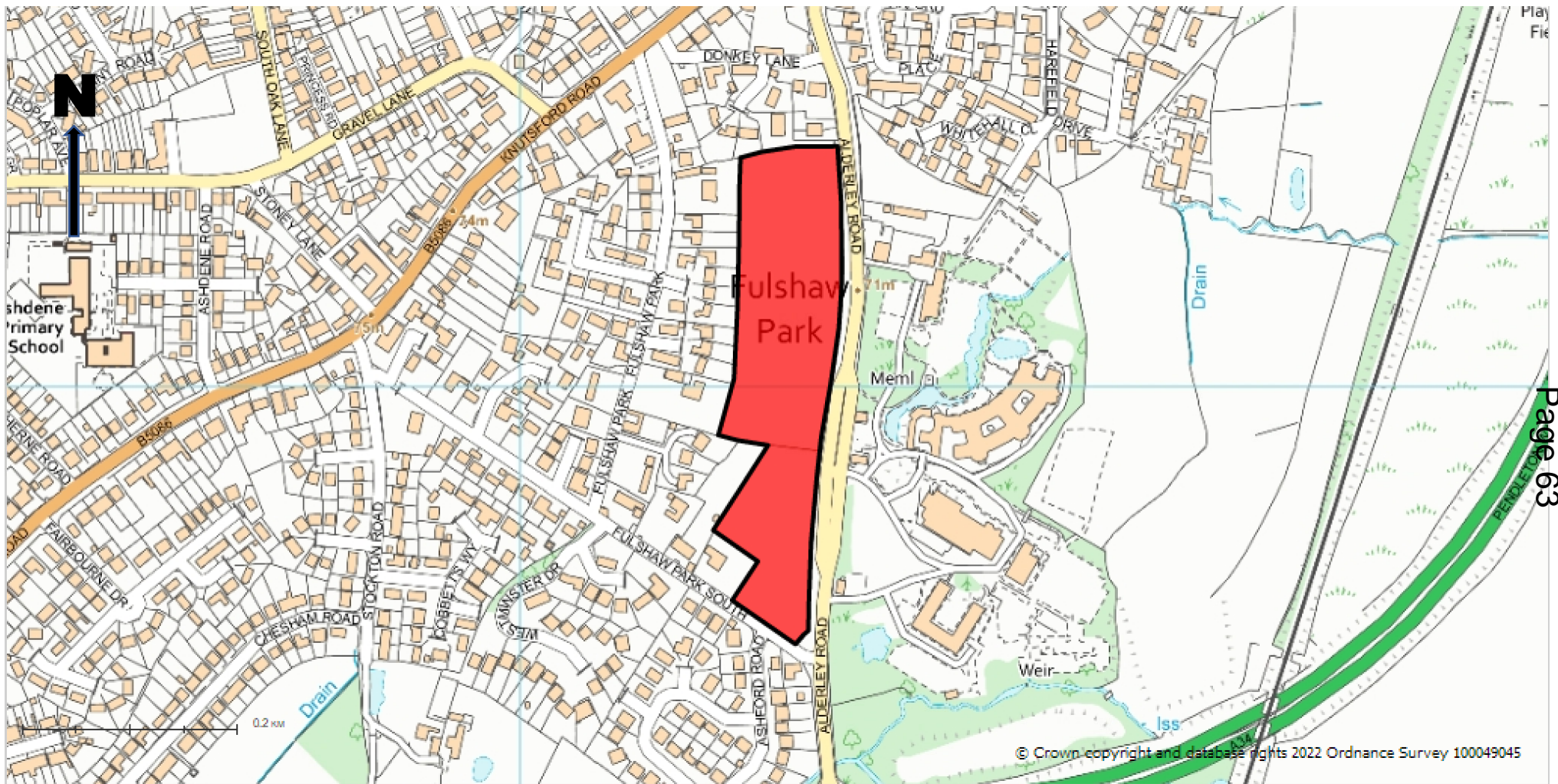
## **RECOMMENDATION**

**APPROVE** subject to the satisfactory receipt of outstanding consultee responses and the following conditions:

- 1. In accordance with Outline**
- 2. Plans**
- 3. Submission/approval of facing and roofing materials**
- 4. Submission/approval of a Construction Management Plan**
- 5. Implementation of Biodiversity Enhancement Strategy**
- 6. Nesting birds**
- 7. Implementation of Tree Protection Plan and AIA**
- 8. Submission/approval of an agreed scheme of supervision for the approved arboricultural protection measures**
- 9. Obscure glazing - various**
- 10. Implementation of Noise Mitigation**
- 11. Submission/approval of a Landscape Management Plan**
- 12. Submission/approval of details re: storage and re-use of soil**

*In order to give proper effect to the Committee's intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair*

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



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Application No: 21/6431M

Location: Catherine House, CATHERINE STREET, MACCLESFIELD, SK11 6BB

Proposal: Change of use from offices to C2 accommodation to create 8no. 1 bedroom flats with associated amenities.

Applicant: Martin Ball, North West Capital

Expiry Date: 17-Aug-2022

### **SUMMARY**

The application site lies within Macclesfield, which is identified as a Principal Town, within the Town centre and mixed-use regeneration area where residential development is deemed acceptable. The development accords with Policies PG 2 and SE 2 of the CELPS.

The site is within a highly sustainable location and is in easy walking distance of town centre amenities, services and facilities and public transport links including the train and bus stations within Macclesfield.

The design is considered to be acceptable and would not result in harm to the character or appearance of the surrounding Conservation Area. The proposal complies with Policies SE 1, SD 2 and SE7 of the CELPS, emerging SADPD policy HER 3, the CEC Design Guide and MBLP saved policies BE2 and BE8.

The development is considered to be acceptable in terms of its impact upon the residential amenities of the dwellings surrounding the site. Although there is some conflict with Policy DC38 of the MBLP with respect to neighbouring properties, the proposal would accord with the advice of the Cheshire East Design Guide.

The development is considered to be acceptable in terms of its impact upon the highway network and parking provision. The development complies with MBLP Policy DC6, CO2 and Appendix C of the CELPS.

The proposal is for sustainable development which would bring environmental, economic and social benefits. Although the development would result in the loss of employment land, the proposed C2 use is supported, in line with emerging SADPD policy HOU 2.

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, and advice contained within the NPPF. The application is therefore recommended for approval subject to conditions.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions

### **REASON FOR REPORT**

The application has been called-in to be determined by the Northern Planning Committee by Cllr Braithwaite for the following reasons:

- *Potential impact on the residential amenity of neighbouring properties, including but not restricted to overlooking, hours of operation, parking, increased traffic*
- *Potential impact on future residents' amenities including but not restricted to design of accommodation units, noise, outside amenity space, internal amenity space, parking*
- *Clarity around what type of supported accommodation is intended for the site*
- *Suitability of location for intended use*
- *Overdevelopment in a densely populated area*

### **DESCRIPTION OF SITE AND CONTEXT**

The site comprises a vacant two storey brick, stone and render built office building and associated car park. The site is located on the outskirts of the Town centre of Macclesfield which also forms part of the Christ Church Conservation Area and Mixed-Use Regeneration Area.

The site is accessed via Catherine Street with the former office building located to the south-east of the site with a tarmac parking and turning area to the front and side. Currently, access into the building can be gained from the front elevation, with a secondary entrance to the side and a metal escape stair to the rear. The boundary treatment is made up of brick and concrete walls, with hedges and planting to the north and east, and a gated access.

### **DESCRIPTION OF PROPOSAL**

This application seeks full consent for the conversion and extension of the existing building to provide 8no. 1-bedroom independent apartments (Use class C2), with communal lounge and office space for staff with associated parking, bin and cycle storage. The building will provide assisted living accommodation comprising individual flats for adults with learning disabilities with an office

on site for 2 support workers on site 24/7. Prospective occupants have some independent living skills but require low level support and assistance in their day to day lives.

The proposed extensions to the building comprise 2no. single storey flat roof additions to the front of the building either side of the main entrance. The extensions will be finished in render with composite panel detailing and high level windows.

A timber bin store will be positioned within the far north eastern corner of the site and a timber enclosed cycle store located to the southern side of the entrance road will provide storage for 8 cycles. Parking space for 10 vehicles will be laid out on site with additional soft landscaping within the site and retention of the existing boundary hedging.

It is also proposed to reposition the rear metal escape staircase further along the rear elevation. Revised plans were submitted during the course of the application to amend the internal layout and reduce the amount of new windows to overcome officer concerns regarding privacy. It is now proposed to insert only one additional first floor window to the rear and one to the front; both of which shall be obscure glazed. Additional windows at ground floor comprise 2 at the rear and one at the front, with additional windows in the proposed extensions.

The applicant submitted an acoustic assessment, additional detail about the application and revised plans during the course of the application to address comments from the environmental health officer regarding noise and to show additional detail on the plans including parking, bin storage and planting.

## **RELEVANT HISTORY**

97/04365P - Alterations & extension to existing light industrial building (Class B1) – Withdrawn May 1997

97/1246P - Alterations & extension to existing light industrial building (Class B1) -Approved with conditions 31-July 1997

99/1615P - Extension to existing light industrial building (Class B1) - Approved with conditions - 29-Sep-1999

04/1205P- Replacement Roof, Renovations to External Cladding and Other External Alterations - Approved with conditions - 16-Jun-2004

## **RELEVANT PLANNING POLICY**

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

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement hierarchy  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
EG1 Economic Prosperity  
EG 3 Employment Land  
SC3 Health and Well-being  
SE1 Design  
SE2 Efficient Use of Land  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure

SE7 The Historic Environment  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plan (January 2004).

The Macclesfield Borough Local Plan is the relevant plan in relation to this site.

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

BE2: Preservation of Historic Environment  
BE8: Christ Church Conservation Area  
H6: Town Centre Housing  
E11: Mixed Use Areas  
MTC12: Town Centre Mixed Use Areas  
MTC 19: Housing  
MTC 20: Christ Church Housing Area  
DC3: Amenity  
DC6: Circulation and Access  
DC8: Landscaping  
DC14: Noise  
DC37: Landscaping  
DC 38: Space, Light and Privacy

### **Other Material Planning Considerations**

National Planning Policy Framework (2021) National Planning Policy Guidance

Cheshire East Design Guide

### **Emerging Cheshire East Site Allocations and Development Policies Document (SADPD).**

The Revised Publication Draft SADPD was submitted to the Secretary of State on 29 April 2021. Following the examination hearings and report from the Inspector, Main Modifications were published for consultation between 19 April 2022 and 31 May 2022. The Council has recently published its report of consultation and the Inspector will take the representations into account in preparing his Examination report, which will be issued to the council in due course. The following policies are considered to carry moderate weight in the assessment of the application:

PG9 Settlement Boundaries  
GEN1 Design principles  
ENV12 Air quality

ENV15 New development and existing uses  
ENV16 Surface water management and flood risk  
HER1 Heritage assets  
HER3 Conservation Areas  
HOU2 Specialist Housing Provision  
HOU10 Amenity  
INF3 Highways safety and access  
INF6 Protection of existing and proposed infrastructure  
INF9 Utilities

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

### **Environmental Protection (CEC) –**

Contaminated Land – No comments

Amenity – comments on additional information – June 2022.

This Service would accept the statements provided by Archiphonic Ltd. and would not be in a position to support a refusal on noise / amenity grounds.

Original comments -February 2022.

Object on grounds of insufficient information to adequately assess the impact of the proposed development having regard to noise / quality of life / residential amenity to the future occupiers of the flats.

Air Quality

No objection subject to conditions relating to Ultra low emission boilers, and EV infrastructure

Contaminated Land

No comments

**Highways (CEC)** – No objections subject to condition relating to cycle parking

**Macclesfield Town Council** - The committee resolved that whilst it in principle it supports town centre living, it objected to this application on the grounds of:

- Amenity for residents does not comply with Cheshire East Council's Local Plan Strategy policies SC1 and SC2,
- Inadequate size of and quality of accommodation,
- Lack of parking,
- Loss of privacy to neighbouring properties.

## **REPRESENTATIONS**

19 letters of representation have been received from 9 neighbouring properties objecting to the proposal on the following grounds:

- Loss of privacy to rear of neighbouring properties especially from glass frontage,
- Increase in noise and disturbance
- Future residents will be affected by existing noise from Picturedrome.
- Application doesn't specify what type of supported living is proposed,
- Loss of amenity from peace and quiet in rear gardens,
- Additional waste and pollution, and the potential for rodents
- Additional traffic including emergency vehicles accessing assisting living accommodation 24/7.
- The site currently operates as an office until 6pm and will now be in use 24/7.
- Potential safety concerns from future occupiers,
- No space for parking for residents
- No bin storage shown
- The change of use to residential is at a density which exceeds that recommended for contemporary living, wellbeing and social value.
- If this isn't specifically 'supported living' then it is an attempt to introduce a HMO into a quiet residential area.
- Level of internal insulation is a concern,
- No outdoor leisure space means that the car park could be used for leisure in good weather and spread noise more readily,
- There is an existing supported living house on the corner of Great King Street and George Street West. In recent years there has been an increasing number of disturbances and emergency vehicles currently attend on average a couple of times a week. It is unfair to residents to introduce another possible source of noise and disturbance so close by.
- Lack of provision for electric vehicles,
- No greening of the surroundings all of which could damage air quality.
- Unattractive design on front elevation.
- Proposals will affect planned work on neighbouring development.
- Loss of amenity from people using the fire exit at the rear
- Proposed tree would affect foundation of neighbouring wall and patio and would shade the neighbouring garden,
- The similar applications mentioned in the application are not for supported living.
- Opaque windows are a poor attempt to address overlooking,
- Catherine house should never have been given consent as it blocks fire access
- There is a youth support house on Bridge Street nearby so we already have lots of vulnerable people circulating in the area

2 letters of support have been received and are summarised below;

Cheshire East Senior Commissioning Manager for Adult Social Care and Health

- The commissioning team have been in dialogue with the developer and we are supportive of the proposal in terms of demand and this meeting the needs of individuals with Complex Needs.

Macclesfield Civic Society

- The surrounding area is largely residential in character and the proposal would be consistent with such. Minor changes to the external appearance of the building will allow for the provision of 8 small units of accommodation close to the facilities of the town centre. Existing parking provision would be available though perhaps some reduction could be secured to allow for the provision of some external amenity space.

### **OFFICER APPRAISAL**

#### **Principle of development**

The application site is located within the urban area of Macclesfield as defined by the Local Plan Policies Map. Within such locations there is a presumption in favour of sustainable development.

The site lies on the outskirts of Macclesfield town centre, where policies PG2 and EG5 of the Cheshire East Local Plan Strategy (CELPS) identifies principal towns (such as Macclesfield) as being the main focus for town centre type uses including residential. Macclesfield Local Plan saved policy MTC 12 and 19 provides support for residential uses within mixed use regeneration areas, provided amenity and character are maintained and the proposals do not prejudice the operation of other uses or policies within plan.

Policy EG3 of the CELPS seeks to protect existing employment sites unless the site is causing a significant nuisance or it is no longer suitable for employment use and there is no potential for modernisation and no other occupiers are found.

The applicant has confirmed that the site was previously occupied as offices within a hot desking scenario which proved unviable. It was marketed as offices for around 5 years.

It is acknowledged that the proposals do not fully comply with policy EG3 as it has not been demonstrated by the applicant that alternative uses have been explored. However, the site is adjacent to sensitive residential properties which would limit the scope for suitable alternative uses. The site will also retain some form of employment on the site with the 2 members of support staff on site 24/7 at the site and visiting manager daily.

It is also noted that it is permitted development under Class MA of General Permitted Development Order, for office buildings to change to residential dwellings (subject to the relevant criteria being met within the prior approval process.) This application provides specialist residential accommodation for which there is a recognised need.

Policy SC3 of the CELPS states that the Council and its partners will create and safeguard opportunities by working in partnership with health and social care providers to improve health across Cheshire East and reduce inequalities. SADPD Emerging Policy HOU 2 provides support for specialised housing that meets an identified need. This proposal contributes to the promotion of wellbeing in the area and support individuals to lead an independent life. A letter of support has been received from Cheshire East Adult and Social Care Commissioning Team in relation to the use.

The site is surrounded by a mix of commercial and predominantly residential properties and is within walking distance of the main retail area and town centre, with its associated public transport links and local amenities. The proposals include secure cycle storage. The site is within a highly sustainable location. Although the proposals will result in the loss of office

accommodation the proposals will bring a vacant unit back into operation thus enhancing the vitality of the area.

It is therefore considered that the loss of this office use to a C2 use is acceptable in principle and in accordance with CELP policy SD1, SD2, SC3, EG3, EG5, MBLP saved policies MTC 12 and 19 and SADPD emerging policies HOU 2.

Matters such as heritage and design, amenity, highways and air quality are considered in more detail below.

### **Heritage and Design**

Policy SE1 of the CELPS sets out the design criteria for new development which is underpinned by achieving high quality design. Policy SD2 of the CELPS further details the design matters that should be considered, including; height, scale, form and grouping of development, choice of materials, external design features, massing of development and impact upon the street scene. The Emerging Site allocations and Development policies document (SADPD) policy GEN 1 echoes this advice. CELPS Policy SE7 supports proposals which do not cause harm to or better reveal the significance of heritage assets. Emerging SADPD policy HER 3 requires amongst other things that proposals pay special attention to the desirability of preserving or enhancing the character or appearance of any area; and take into account established townscape and landscape character or the area and its wider setting.

Saved policy BE2 of the MBLP seeks to preserve, enhance and interpret the historic fabric of the environment. Policy BE8 seeks to preserve or enhances the historic environment and that alterations and extensions should respect the established 19th century character.

This site is surrounded by predominantly residential properties, generally arranged in close knit terraces with occasional commercial properties interspersed. The gated access is taken from between two residential properties and the site opens out beyond the residential properties. Consequently, the building is not easily visible from public vantage points.

The Conservation officer has not raised any objection to the proposals subject to a condition regarding materials. The proposed extensions are modest and simple additions to the building and will provide additional accommodation to facilitate the use. Materials proposed are considered to be acceptable. The external alterations to the building are minimal and overall, the extensions and alterations to the building will not detract from the character and appearance of the host building and the wider conservation area.

The additional planting and soft landscaping to the front of the building and along the access road is welcomed and will soften the otherwise hard landscaped site. The bin and cycle stores are appropriately designed modest buildings that will not detract from the visual amenity of the area.

In light of the above the proposals are considered to be in accordance with the provisions of CELPS policy SE1, SD2, SE7, policies BE2 and BE6 of the MBLP saved policies, emerging SADPD policy HER 3 and advice within the Cheshire East Design Guide.

### **Amenity**

CELPs Policy SE1 states that development should ensure an appropriate level of privacy for new and existing residential properties. This advice is echoed in emerging SPD policy HOU 10.



MBLP Policy DC3 states that development proposals should not significantly injure the amenities of adjoining or nearby residential properties through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation. Policy DC38 of the MBLP provides guidelines for minimum separation distances between buildings of 21m front to front and 25m back to back for facing habitable rooms. This reduces to 14m for habitable rooms facing non habitable rooms. Further, more up to date, advice on separation distances is set out within the CEC Design Guide.

The Design Guide identifies the following separation distances;

21 metres for typical rear separation distance

18 metres for typical frontage separation distance

12 metres for reduced frontage separation distance (minimum)

The site is surrounded by residential properties to the east (which back on to the site) and west (at right angles to the rear) with commercial properties to the north and south (sides). The proposed single storey extensions are located to the front of the building and are well within the site and screened by the existing boundary wall. The repositioning of the external stairs is not considered to result in a loss of privacy to neighbours and serves as an emergency exit only. The proposals are not therefore considered to result in overshadowing or overbearing effects to neighbouring occupiers.

There are to be windows installed in the building at ground floor in addition to the existing windows on the front, side (north) and rear which will serve habitable rooms. However, these will be screened by the existing boundary treatment and are not considered to result in a loss of privacy to neighbours.

At first floor an additional window is proposed on the western (front) elevation approx. 7m from the rear of the nearest residential property at 20 Catherine Street, which comprises habitable room windows. Revised plans were submitted to alter the internal layout at first floor and this is now a secondary window serving a kitchen/living area and will be obscure glazed, and a condition is recommended to ensure this is maintained as such.

At the rear, on the eastern elevation the existing fire escape doorway will be closed off. An existing window serving a bathroom will remain obscure glazed as a secondary window serving a kitchen/living space. An existing window on the rear elevation will serve a bedroom as its primary window. This window whilst introducing a habitable room close to the existing residential property at no. 28 George Street West, around 11m at its closest point to the north east, is at an oblique angle and will not cause direct overlooking to neighbouring properties. Other properties to the east are around 21m away and so below the 25m guideline distance outlined within saved policy DC38 of MBLP but in compliance with the more recent Cheshire East Design Guide distances of 21m for back to back development.

Whilst privacy distances are below standard, para 111 in the Cheshire East Design Guide advises 'where rear of properties sit at oblique angles these distances can be reduced'. It is acknowledged that this is not a new window in the building and whilst it is proposed to be in residential use and serving a bedroom, the perception of overlooking from this window is at present already established. On balance, the proposals are not considered to result in a loss of privacy as would warrant a refusal.

Residents are concerned about the potential for increased noise and disturbance from the proposed use. However, this site is located within the town centre where a degree of noise and activity can be expected. The proposed residential use for 8 apartments is relatively low density and is not considered to result in a significant increase in noise to the area.

Internally, each unit will provide for a kitchen/living area, bedroom and bathroom and shall exceed the Nationally described space standard each being between 42-48sqm (the requirement is 37-39sqm). Environmental Health originally raised concerns about incompatible internal arrangements leading to a loss of amenity for future residents. The applicant submitted an acoustic assessment and additional detail on how the proposed use would work (i.e. staff on site at all times to manage site operation) to address these comments. The report concludes that BS8233:2014 and WHO Guidelines for Community Noise can be achieved for internal noise levels in all habitable rooms; Environmental health have confirmed that they are satisfied with the proposals and would not support a refusal on amenity grounds. In any event, internal acoustic standards between proposed apartments are covered by separate legislation within Building regulations.

Although the site does not provide for on-site external amenity space, the site is within close proximity to public open space and West park some 0.5miles to the north west of the site.

It is therefore considered that the proposals comply with the principles of CELPS policy SE1, emerging SADPD policy HOU 10, MBLP Saved Policies DC3 and DC38 and advice within the Cheshire East Design Guide in this regard.

### **Highways/Accessibility**

CELP Policy CO1 seeks to deliver the Council objectives of delivering a safe, sustainable, high quality integrated transport system. Emerging SADPD policy INF 3 requires that development provide a safe access to and from the site for all highway users. Saved MBLP Policy DC6 relates to circulation and access. It sets out the circulation and access criteria for new development.

The highway officer has not raised any objections to the proposals.

The proposed extensions will result in the loss of parking spaces on site. However, the proposals provide 10 spaces on site which is in excess of the requirement for 1 space per apartment laid out in appendix C of the CELP. The proposals also include secure cycle parking.

There are no alterations to the existing access to the site and there would be no adverse impact on the safety or operation of the adjacent highway.

The site is within a highly sustainable location close to existing amenities and public transport links. The proposals comply with CELPS Appendix C: Parking Standards and are considered to contribute to the aims of CELP policy CO1, Emerging SADPD policy INF 3 and the requirement of MBLP saved Policy DC6.

### **Air Quality**

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

Strategy. Emerging SADPD policy INF 3 requires developments to incorporate appropriate charging infrastructure for electric vehicles in safe and convenient locations.

When assessing the impact of a development on Local Air Quality, the Council has regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality January 2017)

This proposal is for the conversion and extension of an existing building for across 8 one bedroom apartments) with parking, and associated infrastructure.

Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality. Macclesfield has an Air Quality Management Area and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

Residents are concerned about the lack of landscaping and the impact on air quality however this is an existing hard surfaced car park and does not propose to increase the amount of hard landscaping, moreover additional planting is proposed to soften the development and contribute positively to air quality.

Conditions have been recommended in relation to boilers and electric vehicle charging points to contribute to air quality aims. A condition can require appropriate electric vehicle charging on site in accordance with Emerging SADPD policy INF 3. However, requiring boiler type by condition is not reasonable or necessary and does not meet the requirement of para 57 of the NPPF in this regard.

### **Representations**

A number of representations have been received in relation to the application. Issues in relation to principle of the development, highways and amenity have been raised and have been addressed within the main body of the report. The highways, conservation and environmental health team have raised no objections to the proposals, following the submission of additional information.

A representation has been made regarding the lack of EV charging points. Environmental health have requested a scheme for EV infrastructure is submitted, agreed and implemented, and an appropriate condition is recommended.

A representation has been made regarding inadequate fire escapes for some of the properties. This is covered by separate legislation within building regulations.

A representation has been received regarding potential damage to foundations from the proposed planting. Any damage to neighbouring property as a result of proposed works is a civil matter outside of the jurisdiction of planning.

A representation has been raised regarding the use being a HMO rather than assisted living. The application is made for 8no. 1bed apartments and is not a house in multiple occupation. As detailed above, residential development is deemed acceptable in principle on this site.

## **CONCLUSIONS**

The site is located with Macclesfield in a very sustainable location. The application will provide living accommodation for vulnerable people with on site support. The building is currently a vacant office block. The loss of commercial office space in this case is considered to be acceptable, furthermore the proposed development will maintain an element of employment and bring a vacant site back into active use.

No objections have been raised by consultees in relation to technical matters, and for the reasons mentioned the application is recommended for approval subject to conditions.

## **RECOMMENDATION**

**The application is recommended for approval subject to the following conditions:**

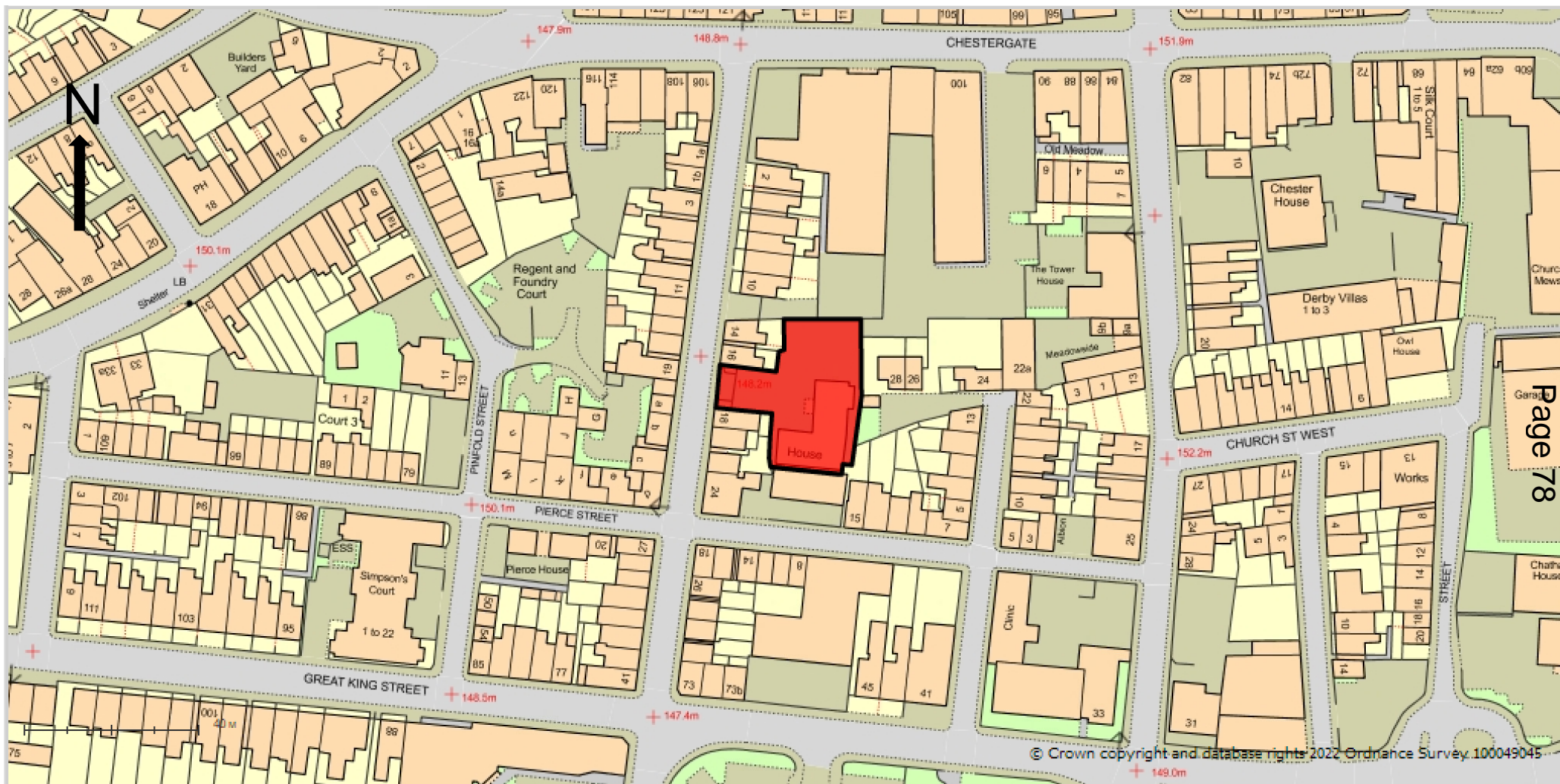
1. Time Limit
2. Development in accord with approved plans
3. Materials as per application
4. Landscaping details to be submitted, agreed and implemented.
5. Obscure glazed windows to remain for lifetime of development
6. Bin storage to be in place prior to occupation
7. EV infrastructure plan to be submitted
8. Cycle store to be in place prior to occupation

*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 following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A01LS - Landscaping - details to be submitted, agreed and implemented
5. A25GR - Obscure glazing as detailed on plans to remain for the lifetime of the development
6. Bin storage to be in place prior to occupation
7. Electric vehicle infrastructure plan to be submitted, agreed and implemented
8. Cycle store to be in place prior to occupation



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Application No: 22/0566M

Location: Winstanley House, NORTHWICH ROAD, KNUTSFORD, CHESHIRE, WA16 0AF

Proposal: Residential redevelopment of former Winstanley House site and demolition of associated garages. Replacement building containing 28 no 100% affordable apartments, car parking and landscaping.

Applicant: Mr Dan Brocklehurst, Peaks and Plains Housing Trust

Expiry Date: 26-Aug-2022

### **SUMMARY**

The application proposes the erection of an affordable housing apartment block in a predominantly residential area of Knutsford. Within such locations, development is deemed to be acceptable in principle, subject to its adherence with all relevant policies of the development plan.

Of particular relevance in this instance are policies relating to affordable housing, heritage and design, neighbouring amenity, highway safety and trees.

The Council's Affordable Housing Officer is satisfied that the tenure mix and size of the units being provided (in terms of the number of beds) satisfy a local need and as such, is supportive of the scheme. This provision is to be secured via S106 Agreement.

The site lies adjacent to two Conservation Areas and as such, the impact upon the setting of these is a consideration. Following pre-application discussions and revisions received during the application process, both the Council's Heritage and Urban Design Officers are now satisfied with the latest set of plans, subject to conditions.

Following the receipt of an updated Noise Impact Assessment in order to consider the impact of any possible noise pollution from the substation, the Council's Environmental Protection Officer raises no environmental amenity concerns subject to conditions. No issues are raised in relation to neighbouring loss of privacy, light or visual intrusion, subject to an obscure glazing condition.

Although the proposals provide a below-standard number of parking spaces, the Council's Highway's Officer is satisfied with the level of provision proposed given that the units are 1 and 2 bed only. The site is also sustainably located. No concerns are raised in relation to access, traffic impact and highway safety.

TPO trees lie adjacent to the site but will not be impacted by the development. Three (3) C-category trees are sought for removal to accommodate the proposed development. The Council's Tree Officer raises no objections to the removal of these trees or the scheme overall, subject to conditions.

No issues are deemed to be created with regards to flood risk and drainage, the impact of the proposals upon Manchester Airport and the impact of the proposals upon local health provision subject to conditions and a commuted sum.

Matters in relation to Landscape shall be reported to committee in the form of a written update.

For the above reasons, the application is recommended for approval subject to satisfactory receipt of outstanding consultee responses, a S106 Agreement and conditions

**RECOMMENDATION**

**APPROVE subject to satisfactory receipt of outstanding consultee responses, a S106 Agreement to secure the affordable housing provision and a commuted sum towards Healthcare, and conditions.**

**REASON FOR REFERRAL**

The application is referred to Cheshire East Council's Northern Planning Committee as it comprises of residential development in excess of 20 dwellings.

**DESCRIPTION OF SITE AND CONTEXT**

This application relates to the site of the former Winstanley House, a former two-storey block of x33 sheltered housing bedsits & flats, located on a corner plot between Northwich Road and Stanley Road, within a predominantly residential part of Knutsford.

The building was granted approval for demolition under 21/0231M.

On the opposite side of Northwich Road and to the immediate east of the application site is the Town Centre (Knutsford) Conservation Area. Beyond the immediate western boundary of the site and on land within the site to the south (garages), is the Heathfield Square (Knutsford) Conservation Area.

There are trees subject to Tree Protection Orders (TPO's) on and adjacent to the site.



## DETAILS OF PROPOSAL

Full planning permission is sought to erect a block of 28, one and two-bed affordable housing apartments to replace the former sheltered accommodation on site with a more modern facility. The application has been submitted on behalf of 'Peaks and Plains' Housing Trust.

The tenure of the 28 units would be split up with 22 apartments being rented accommodation and 6 units being shared ownership.

Revised plans were received during the application process in order to address comments made by Officers based on the originally submitted scheme. A subsequent re-consultation was undertaken.

## RELEVANT HISTORY

**22/0567M** - Residential redevelopment of former Winstanley House site and demolition of associated garages. Replacement building containing 28 no 100% affordable apartments, car parking and landscaping – Withdrawn 6<sup>th</sup> July 2022

**21/0231M** - Prior Approval for the demolition of existing 2 storey sheltered housing block and associated single storey garages – Approval not required 16<sup>th</sup> March 2021

**09/2065M** - Installation Of 2 No. Flues – Approved 2<sup>nd</sup> September 2009

**65172P** - Two Storey Extension of Existing Building to Provide Additional Eight Flats – Approved 5<sup>th</sup> December 1990

**19949P** - Prop Sub-Station – Approved 19<sup>th</sup> September 1979

## ADOPTED PLANNING POLICIES

The Development Plan for this area comprises of; the Knutsford Neighbourhood Plan (KNP), the Cheshire East Local Plan Strategy (CELPS) and the Macclesfield Borough Local Plan (MBLP). The relevant policies within these documents include:

### Knutsford Neighbourhood Plan 2019 (KNP)

C4 – Utilities, D1 – The Knutsford Design Guide, D2 – Local Distinctiveness, D3 – Landscape in New Development, D4 – Sustainable Residential Design, E1 – Connections to the Countryside, E2 – Green and Blue Corridors, E3 – Habitat Protection and Biodiversity, E5 – Pollution, HW1 – Health and Wellbeing, HE1 – Landmarks, Views, Vistas and Gateways, HE2 – Heritage Assets, H1 – Housing mix, H2 – Previously Developed and Infill Development, SL1 – Open Space in New Developments, T1 – Walking in Knutsford, T2 – Cycling in Knutsford, T3 – Public Transport and T4 – Parking

### Cheshire East Local Plan Strategy 2017 (CELPS)

PG1 - Overall Development Strategy, Policy PG2 - Settlement Hierarchy, PG7 – Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 -

Sustainable Development Principles, IN1 – Infrastructure, IN2 Developer Contributions, 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, SE7 – The Historic Environment, 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, CO3 – Digital Connections, CO4 – Travel Plans and Transport Assessments

#### Macclesfield Borough Local Plan (MBLP)

Relevant saved policies include:

NE11 - Nature Conservation, NE15 – Creation or enhancement of habitats, RT5 – Open Space Standards, RT7 – Cycleways, Bridleways and Footpaths, H9 – Occupation of Affordable Housing, WTC6 – Green Lane/Alderley Road Redevelopment Area, DC3 - Protection of the amenities of nearby residential properties, DC6 - Circulation and Access, DC8 – Landscaping, DC9 - Tree Protection, DC10 – Landscape and Tree Protection, DC13 and DC14 – Noise, DC17, DC19 and DC20 - Water Resources, DC35 - Materials & Finishes, DC36 – Road Layouts and Circulation, DC38 - Guidelines for space, light and privacy for housing development, DC40 – Children’s Play/Amenity Space and DC63 – Contaminated land

#### **Other Material planning policy considerations**

National Planning Policy Framework (NPPF) 2021

National Planning Policy Guidance (NPPG)

Cheshire East Council Pre-application advice: PRE/0358/21

Emerging Cheshire East Site Allocations and Development Policies Document (“SADPD”)

The Revised Publication Draft SADPD was submitted to the Secretary of State on 29 April 2021. Following the examination hearings and report from the Inspector, Main Modifications were published for consultation between 19 April 2022 and 31 May 2022. The Council has recently published its report of consultation and the Inspector will take the representations into account in preparing his Examination report, which will be issued to the council in due course. The following policies are considered to carry moderate weight in the assessment of the application:

PG9 Settlement Boundaries, GEN1 Design principles, GEN5 Aerodrome safeguarding, GEN6 Airport public safety zone, ENV1 Ecological network, ENV2 Ecological implementation, ENV3 Landscape character, ENV5 Landscaping, ENV6 Trees, hedgerows and woodland implementation, ENV7 Climate Change, ENV12 Air quality, ENV14 Light pollution, ENV15 New development and existing uses, ENV16 Surface water management and flood risk, ENV17 Protecting water resources, HER1 Heritage assets, HER3 Conservation Areas, RUR6 Outdoor sport, leisure and recreation outside of settlement boundaries, HOU10 Amenity, INF1 Cycleways, bridleways and footpaths, INF3 Highways safety and access, INF6 Protection of existing and proposed infrastructure and INF9 Utilities

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

**Head of Strategic Transport (CEC Highways)** – No objections

**Environmental Protection (CEC)** – No objections are raised, subject to the following conditions: Implementation of noise mitigation measures, submission/approval of low emission boiler details, submission/approval of electric vehicle charging infrastructure, submission/approval of a Travel Plan, submission/approval of a Phase I contaminated land report, submission/approval of a contaminated land verification report, submission/approval of an imported soil verification report and that works should stop should contamination be identified. A number of informatives are also proposed.

**Education (CEC)** – *‘No claim to make’* (No objections)

**Housing (CEC)** – No objections, subject to the affordable provision being secured via a S106 Agreement

**ANSA Greenspace** – No objections

**NHS CCG** – Request a contribution of £18,864 to offset the impact of the development upon local NHS resource

**Lead Local Flood Risk Authority (CEC)** – Recommend a condition be added in the event of approval requiring the submission/approval of a detailed surface water drainage strategy and associated management and maintenance plan

**United Utilities** – Request detailed drainage plan upfront. However, advise that should planning permission be granted without this information, that a condition should be imposed requiring the submission/approval of drainage details. In addition, a condition is proposed requiring the submission/approval of a drainage management and maintenance plan

**Manchester Airport** – No objections, subject to the following conditions: Measures to minimise and manage dust and smoke should be implemented, that no pools or ponds should be constructed without approval, that all exterior lighting should be capped at the horizontal and that no solar panels should be installed without approval. A number of informatives are also proposed

**Natural England** – *‘No comments’*

**Cadent Gas Ltd** – No objections, subject to an infomative

**Knutsford Town Council** – The council raises the following concerns:

Procedural

- The specification for the substation fails to include dimensions on the plan and elevation drawings, there is indication the substation is higher than the boundary wall so this element cannot be fully considered until adequate information is submitted

- The council requests that neighbours are fully consulted regarding the boundary treatments and requests a condition the Construction Management Plan uses the Northwich Road entrance/exit for construction traffic.

#### Highway safety

- Has concerns over the details within the traffic assessment

#### Amenity

- There is no assessment of the noise impact

#### Landscape

- Shrubs proposed for planting in the narrow channel between the substation and the existing boundary wall
- The applicant intends to retain the existing wall but it only represents half of the western boundary. The plan shows the replacement for the backs of the existing garages as a wooden fence but has left a gap in the boundary.

### **OTHER REPRESENTATIONS:**

Letters were sent to the occupiers of adjacent properties; a site notice was erected, and the proposals were advertised within a local newspaper. At the time of consideration, 8 letters of representation had been received.

Of these 8 letters, 6 raise the following concerns/objections:

#### Heritage & Design

- 3-storey nature of the proposals will impact the setting of the Heathfield Square Conservation Area due to its bulk
- Limited number of 3-storey development nearby
- Overdevelopment of the site / scale of proposals too large
- Lack of detail/plans provided in relation to a proposed substation
- Proposed substation will impact the Heathfield Square Conservation Area – proposed in a prominent location
- Suggestion to provide pedestrian access onto Northwich Road

#### Highway safety

- Proposals will result in an increase in traffic, particularly on Racefield Road
- Figures within the submitted Transport Statement are contested with regards to their being a net reduction in traffic as a result of the proposed development

- Concerns regarding the use of Racefield Road for construction traffic. Recommend the submission of a Construction Management Plan
- Insufficient off-street parking proposed (resident and visitor). Proposals will lead to an overflow of car parking due to an uplift in resident numbers

### Sustainability

- Impact of the development upon amenities such as schools etc.
- Pedestrian safety/sustainability - How will future occupiers have access to health (e.g. GP practice) and leisure facilities without private transportation and lack of pedestrian crossings and lack of streetlighting

### Health and Wellbeing

- Proposals need to adhere with the Health and Wellbeing policies within the Neighbourhood Plan from page 59

### Amenity

- Creation of additional air pollution as a result of increased traffic levels
- Loss of privacy and light to the back gardens of the properties on Northwich Road and Heathfield Square due to 3-storey nature
- Noise Assessment needs updating to include the substation
- Concerns about the internal size of the proposals – lack of storage space

### Landscape

- Presence of shrubs between substation and boundary fence does not appear to have been fully considered. How will these survive?
- Seek to ensure the boundary treatment on the western boundary be of a suitable material – continuation of brick wall. Request that the full rear boundary be included for this boundary treatment

### Other matters

- Question the boundary lines/ownership of part of the site
- Propose the inclusion of the side wall of garage 12 within the boundary replacement proposals
- As that neighbours be consulted on the western boundary treatment

Comments from 2 interested party offer's their support for the proposals.

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site comprises of the site of the former Winstanley House and garaging located on the southern side of Northwich Road, to the west of the B5083 and to the north of Racecourse Road, Knutsford, in a predominantly residential area.

The proposal is to replace the largely demolished existing structures on site (formerly comprising of an apartment block of 33 affordable apartments) and associated garages and replace them with 28 new apartments for 100% affordable rent, built to current Nationally Described Space Standards.

Policy PG2 of the CELPS identifies Knutsford as a Key Service Centre (KSC). Within such locations, 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. PG7 of the CELP states that within Knutsford, in the order of 15 hectares of employment land and 950 homes are expected to be accommodated during the local plan period.

Policy H2 of the Knutsford NP refers to development on Previously Developed Land. It states that on such sites, residential development that deliver the types set out in Policy H1 (Housing Mix) should be approved where they are able to meet a number of criteria.

Policy H1 states that affordable housing will be supported in line with CELPS policies then specifically states that '*The Neighbourhood Plan supports rented accommodation provided by a Registered Provider*'. The scheme is being provided by Peaks and Plains Housing Trust. As such, the proposal adheres with Policy H1.

Returning to Policy H2, housing should; ensure that the scheme has a plot ratio, scale and height which is commensurable with the surrounding townscape; preserves all mature vegetation including trees and hedgerows, especially where these are part of the street scene or a visually prominent boundary; provide on-site parking in accordance with Policy T4, including bin storage and refuse collection which does not dominate the street scene.

These matters will be considered later in the relevant section of the assessment.

As the application proposal seeks a reduction in the number of units on this site, in a sustainable position, the principle of such a proposal in this location is deemed acceptable, subject to its adherence with all other relevant development plan policies including those matters detailed by Policy H2 of the KNP. These are considered below.

### **Affordable Housing**

The proposal relates to erection of 28 affordable apartments in the place of an affordable housing apartment block comprising of 33 units, which has recently been demolished. It is advised that the replacement facility would be built to Nationally Described Space Standards. An Affordable Housing Scheme accompanies the application.

The proposed tenure mix of the facility would comprise of 6 (2-bed) shared ownership (Intermediate tenure) units and 22 (1 and 2-bed) Affordable rent units. This would equate to a 21/79% split which is a departure from the 35/65% split set-out in policy. However, as the proposal leans towards more rented accommodation where there is a specific need in Knutsford, as detailed below, this split is welcomed.

The current number of those on the Cheshire Homechoice waiting list, which is used as an indication of need for affordable rented units in an area, who list Knutsford as their first choice as where they would like to live is 407. This can be broken down as below:

	How many bedrooms do you require?						
First Choice	1	2	3	4	5	5+	Grand Total
<b>Knutsford</b>	<b>224</b>	<b>91</b>	<b>58</b>	<b>19</b>	<b>15</b>		<b>407</b>

These figures strongly demonstrate the need for the proposals and support the number of 1 & 2 bed units proposed as well as the tenure split.

The Council's Affordable Housing Officer raises no objections to the proposed development, subject to the provision being agreed via a S106 Agreement.

## Heritage & Design

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

Policy SD2 of the CELPS refers to sustainable development principles. Within this policy, it is advised 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, grouping, material choice, external design features, massing, green infrastructure and relationship to surrounding development amongst others. These policies are supplemented by the Cheshire East Design Guide SPD.

Policy D1 of the Knutsford NP states that new development of all types and scales should be of a high design quality and complement its surroundings. Design solutions must positively respond to localised conditions, landscape and built vernacular. All planning applications must demonstrate how schemes comply with the Design Guide or justify why they do not.

Policy D2 of the Knutsford NP states that all development should respond to the local townscape character.

Policy H2 of the KNP states that housing should; ensure that the scheme as a plot ratio, scale and height which is commensurable with the surrounding townscape.

As well as general design considerations, heritage is also a consideration.

On the opposite side of Northwich Road and to the immediate east of the application site is the Town Centre (Knutsford) Conservation Area. Beyond the immediate western boundary of the site and on land within the site to the south (garages), is the Heathfield Square (Knutsford) Conservation Area.

As such the impact of the proposed development upon the setting of the Town Centre (Knutsford) Conservation Area and the impact of the development upon both the setting and directly upon the Heathfield Square (Knutsford) Conservation Area is a consideration.

In response to the originally submitted scheme the Council's Urban Design Officer was generally supportive of the design but did suggest a number of amendments with regards to pedestrian access, materials, further detailing into the gable ends and additional landscaping.

Revised plans were subsequently received and in response, the Council's Urban Design Officer advises that the alterations are positive on the whole and subsequently is supportive of the scheme.

With regards to heritage, the Council's Heritage Officer advises that the developer has worked with officers to address concerns relating to the scale, massing and detailing at both pre-application stage and during the course of this application. The building has been amended so that it drops down in height where it borders the Heathfield Square Conservation Area so that it connects to and respects the adjacent, modest, semi-detached houses in terms of scale and form.

The design and materials clearly reference the earlier buildings within the two Conservation Areas, with the 18<sup>th</sup>, 19<sup>th</sup> century terraces and town houses of Gaskell Avenue and the inter war properties at Heathfield Square, albeit in a contemporary form. By using a palette of traditional materials found within the immediate area and wider town the building will respect its setting. The Design and Access statement clearly sets out how the building has responded to the context in particular Heathfield Square adjacent, including building lines, proportions, decoration, string courses, materials.

The Council's Heritage Officer advises that the architectural design fits well with the two Character Area 3 Northwest Knutsford and Mere Heath Park and Area 4 The Heath) set out in The Knutsford Character Assessment 2018 (in support of the Knutsford Neighbourhood Plan) and responds positively to local landscape and townscape character.

In the view of the Council's Heritage Officer, the replacement building is of a higher quality than the original structure. The entrance will face the street, with improved building lines and clear references to the adjacent buildings in terms of materials and the design of the elevations. Subsequently, the Council's Heritage Officer concludes that the proposals will not cause harm to the adjacent Conservation Areas. In the event of approval, the Council's Heritage Officer recommends that due to the sensitive location of the site a condition requiring the submission/approval of facing and roofing materials be included. In addition, it is recommended that details of all windows and doors, including cross-sections and glazing bars be conditioned.

Subject to these conditions, the scheme is deemed to comply with the policies SD2, SE1 and SE7 of the CELPS, the saved heritage policies of the MBLP, the KNP and emerging SADPD heritage and design policies and Chapter 16 of the NPPF.

## **Highways**



Saved Policy DC6 of the MBLP considers accessibility, servicing and parking provision and details a number of requirements. Most notably, these include that; consideration needs to be given to safe vehicular and pedestrian access, including for special needs groups, access to bus routes, space for manoeuvring vehicles and provision for service / emergency vehicles. Emerging Policy INF3 of the SADPD is largely reflective of this policy. Policies CO1 and CO4 form the highways related policies within the CELPS.

### Access

The existing access will be used for the development. The Council's Highway's Officer has advised that it provides sufficient visibility and previously served a development for a greater number of units. As such, the existing access is acceptable to serve this development.

### Parking

Concerns were originally raised by the Council's Highway's Officer regarding the amount of parking proposed in association with the development proposals. In response, the applicant has submitted a revised plan that provides an extra 8 car parking spaces bringing the total to 37 spaces.

The Council's Highways Officer advises that whilst it is recognised that 37 spaces still falls short of the car parking standards (50 spaces), the additional spaces do make a difference in catering for the development parking demand. There are no 3 and 4 bed units proposed on the site which are much likely to be family accommodation. The site is also deemed to be sustainably located and within easy walking distance of the town centre.

Therefore, the revised layout that includes the additional car parking spaces is considered to provide an acceptable level of parking given the type of development.

### Accessibility

The site is well located in regard to its distance to Knutsford town centre, approximately 500m from the town centre although pedestrians need to cross the busy A50 to access the town centre. There are bus services within easy walking distance of the site on Northwich Road. Overall, the accessibility of the site is good.

### Development Impact

The former use of this site generated traffic movements on the road network, the number of trips generated was likely in excess of the level of traffic generation by this proposal and an overall reduction in trips will result from this proposal. In these circumstances, the Council's Highway's Officer advises that there are no concerns regarding traffic impact of the proposal.

### Highway conclusions

For the above reasons, the Council's Highway's Officer raises no objections to the proposals. The development is therefore deemed to be acceptable in highways terms.

### **Amenity**

Saved Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to (amongst other considerations): loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations. Policy DC38 sets out separation standards as does the Cheshire East Design Guide. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties. Emerging SADPD Policy HOU10 is largely reflective of these policies.

#### Neighbouring amenity

The closest neighbouring dwellings to the application site include: No.1 Northwich Road and No's 9, 11, 13, 15, 17 & 19 Heathfield Square, all to the east and the properties on Racefield Road to the south.

The proposed development would be set-back from the Northwich Road frontage to an extent where only the very front corner would oppose the rear corner of No.1 Northwich Road. As such, it is not deemed that the proposed development would have any direct impact upon the property itself at No.1 Northwich Road.

However, large parts of the development would directly face the rear, private amenity space of this neighbouring dwelling. As such, consideration needs to be given as to whether the privacy of this space would be retained and whether the development would have an overbearing impact upon this space and result in an unacceptable loss of light.

The proposed building would be inset from the boundary with No.1 Northwich Road by approximately 5.4 metres. At this juncture, the proposed building is 2 storeys tall. No openings are proposed in this section of the building that would face in a direction towards No.1 Northwich Road. Subsequently, there are no concerns about the proposed development resulting in a loss of privacy for the occupiers of this neighbour.

Whilst the proposed building is set-back from Northwich Road compared to No.1 Northwich Road and because this closest section of the building will be 2 storeys tall, there are likely to be impacts to this neighbouring property's rear windows and private amenity space with regards to loss of light and an overbearing impact. However, the building that was demolished to be replaced by the application proposals was also 2-storey's tall and not in a dissimilar position. Furthermore, the demolished building extended parallel the full length of the garden with No.1 Northwich Road whereas much of the proposed building is pulled much further away. As such, in many respects the impact upon the occupiers of No.1 Northwich Road would be reduced.

As such, it is not deemed that the proposals would injure the amenity of No.1 Northwich Road sufficiently to warrant refusal of the application.

Turning to the properties on Heathfield Square to the west of the application site, the application site borders the rear boundaries of these properties beyond the end of their rear gardens. The rear boundaries of No's 9 & 11 Heathfield Square directly adjoined the site on which the previous 2-storey facility was located whereas the rear boundaries of No's 13, 15, 17 & 19 Heathfield Square currently about a row of single-storey garages associated with the application site.

A two-storey section of the proposed building would be inset by approximately 14.7 metres from the rear boundary with No.9 Heathfield Square and would be approximately 47 metres away from the neighbouring dwelling itself. It is deemed that these distances are sufficient not to warrant concerns with regards to loss of privacy, light or an overbearing impact for this neighbour.

It is deemed that the proposed development is sufficiently far away as well as being offset from the rear amenity space of No.11 Heathfield Square so not to injure amenity. Although a substation is proposed to the rear of this neighbouring site, submitted plans show this to be single storey and it is not deemed that this would impact the occupiers of No.11 in terms of loss of light or an overbearing impact due to its minor scale. Matters relating to environmental amenity are considered later in this report.

In the place of the proposed garages which abut the rear boundaries of No's 13, 15, 17 & 19 Heathfield Square, in their place will be open parking spaces to serve the application building. This will result in no amenity issues for these neighbours in terms of privacy, light or an overbearing impact.

The plot of No.2 Racefield Road is effectively enclosed by the application site to the north and west. Prior to the demolition of the previous building on the application site, the blank, side elevation of this property was approximately 10.4 metres away from a two-storey section of the former building. Hard standing then encircles the curtilage of No.2 Racefield Road immediately to the north and west.

As proposed, 2-storey development would once again face this side elevation but would be set back a further 1.7 metres from this property.

Given that the side elevation of No.2 Racefield Road includes no side windows facing the application site, there are no direct loss of privacy concerns from the development site. The proposed building would extend further to the rear of No.2 Racecourse Road and as such, consideration should be given to any loss of light or an overbearing impact being experienced from the rear elevation of this property and its private amenity space.

It is deemed that the proposed building is sufficiently set-back from the boundary with this property and sufficiently off-set so not to cause an unreasonable loss of amenity and the relationship is not dissimilar to that before. To ensure as much privacy as possible is retained to the immediate private amenity space of No.2 Racefield Road, in the event of approval, it is proposed that the first-floor windows on the closest southern elevation of the application building which serve a hallway and an en-suite and x2 bedroom windows all to unit 19 be obscurely glazed.

It is not deemed that the application proposals would result in any notable neighbouring amenity concerns to any other side in consideration of privacy, light or an overbearing impact.

### Amenity of future occupiers

Policy HW1 of the KNP states that development should demonstrate how they have considered health and wellbeing and encouraged healthier lifestyles as part of their application and, as a minimum, provide sufficient access to open space, including garden's.

No individual private gardens are proposed for the future occupiers. However, the scheme includes a shared space which has been broken-up into a sensory garden, wildflower area and orchard. It is deemed that this space is sufficient as outdoor space for the development, particularly considering that the site lies adjacent to park.

### Environmental amenity

Concerns have been raised by some local residents regarding the possible noise impact of the proposed substation. Following correspondence with the Council's Environmental Protection Officer, they requested that the originally submitted Noise Impact Assessment (NIA) be updated to include this. This was updated and has since been reviewed by the Council's Environmental Protection Officer who raises no objections to the scheme on noise grounds, subject to the suggested noise mitigation within the NIA being conditioned to be implemented.

The Council's Environmental Protection Officer has raised no objections in relation to all other environmental amenity matters, subject to the following conditions: submission/approval of electric vehicle charging infrastructure, submission/approval of low emission boilers, submission/approval of a Travel Plan, submission/approval of a Phase I contaminated land report, submission/approval of a contaminated land verification report, submission/approval of an imported soil verification report and that works should stop should contamination be identified. A number of informatives are also proposed. The condition recommended by Environmental Protection relating to low emission boilers is not considered to be reasonable or necessary to make the development acceptable, and therefore does not meet the tests for conditions set out in the NPPF.

#### Amenity conclusions

Subject to the inclusion of the above conditions and informatives, it is considered that the proposals are acceptable in terms of amenity and would adhere with the relevant amenity requirements of the development plan.

#### **Ecology**

Policy SE3 of the CELPS refers to Biodiversity and Geodiversity. The crux of the policy is to protect and enhance these considerations. Saved Policy NE11 is largely reflective of these requirements as is emerging Policy ENV2 of the SADPD. Policy E3 of the KNP should also be considered.

The application is supported by an Extended Phase 1 Habitat Survey and a Daytime Bat Survey. This, along with all other ecology considerations is considered below.

#### SSSI Impact Zone

The proposed development falls within Natural England's SSSI impact zone. Natural England ask that for proposed developments in this location they are consulted on the potential risk from 'Any residential developments with a total net gain in residential units'.

Natural England have reviewed the proposals and advised that they have no comments to make in this instance. As such, no concerns are raised with regards to the impact of the proposals upon the SSSI.

#### Ecological Enhancement

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

The applicant has submitted a *Landscape General Arrangements plan* (Saville Landscape Design, Drawing number 01 Rev E, June 2022) which includes provisions for bats and birds, and native species planting. The Council's Nature Conservation Officer advises that this is sufficient to satisfy ecological enhancement requirements and should be conditioned to be implemented in the event of approval.

#### Breeding/nesting birds

In the event of approval, a condition should be included to ensure that nesting birds are protected.

#### Schedule 9 Species

The applicant should be aware that Rhododendron, Montbretia and Cotoneaster are present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause this species to grow in the wild.

Disturbance of soil on the site may result in increased growth of these species on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with Rhododendron, Montbretia or Cotoneaster must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste. This will be added as an informative in the event of approval.

Subject to the above recommended conditions and informatives, the proposed development is deemed to adhere with policies SE3 of the CELPS, E3 of the KNP, saved policy NE11 of the MBLP and emerging Policy ENV2 of the SADPD.

### **Landscape**

Policy SE4 of the CELPS is the over-arching landscape policy of Cheshire East Council. Policy SE4 seeks to conserve Cheshire East's landscape character and quality and where possible, enhance landscape features that provide a positive contribution. Emerging Policy ENV4 of the SADPD is largely reflective of this policy.

The application is supported by a Landscape plan which has been updated during the course of the application. This was updated to reflect changes made in response to comments made from the Council's Highway's Officer and Urban Design Officer. More specifically, the amount of on-site parking was increased, the priority on the hard surface off Northwich Road was amended to reduce car prioritisation and, to the front of the building, facing the Heath sensory spaces were introduced.

A number of objectors have raised concerns about possible deficiencies in the proposed boundary treatments proposed along the western boundary and question the material choice in this sensitive location. A further revised plan has been received to rectify some of these concerns. However, in the event of approval, it is proposed that a further revised boundary treatment plan still be conditioned to allow consultation with the immediate local residents and for the final materials to be agreed.

At the time that this report was finalised, no consultation response had been received from the Council's Landscape Officer. An update on the acceptability of this revised scheme, which includes proposed boundary treatment, will be reported to committee in the form of a written update.

## **Trees**

Policy SE5 of the CELPS refers to Trees, Hedgerows and Woodland. Policy SE5 states that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands, 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 and overriding reasons for allowing the development. Emerging Policy ENV5 is largely reflective of this policy.

A group of trees on the northern boundary of the application site adjacent to Northwich Road are protected by the Knutsford Urban District Council (The Heath, Toft Road and Parkgate Lane) Tree Preservation Order 1972. The group is scheduled as G12 within the Order and comprises of 4 Sycamore and 1 Black Pine. A mature Sycamore shown located on the western boundary of the site (scheduled as T1 in the Order) appears to be incorrectly plotted on the original TPO map.

The application is supported by an Arboricultural Impact Assessment (AIA) submitted by Tree Solutions (Ref 21/AIA/CHE/(E)/214) dated January 2022 and includes a Tree Protection Plan (TPP) and Method Statement.

The Council's Tree Officer advises that the assessment accords with the definition and criteria in BS5837:2012 and accepted as an accurate assessment of the quality of trees on the site.

The Assessment has considered 19 trees and three groups of trees located within or immediately adjacent to the site. Three low (C) category individual trees and a low category group of trees will require removal to accommodate the development. The trees are not protected by the Tree Preservation Order and the Council's Tree Officer advises that their removal will not have a significant adverse impact on the wider amenity of the area.

Proposed parking bays and roads are as existing hard standing and will be re-surfaced. The Council's Tree Officer agrees that this will have no adverse impact on retained trees. Pedestrian footpaths are proposed which will encroach within the Root Protection Areas (RPA) of three trees (Lime T12. Black Pine T14 and Sycamore T18). A no dig, three-dimensional cellular confinement system (CCS) is suggested to minimize disruption to the rooting environment of trees. The Council's Tree Officer advises that details of installation are provided in the accompanying Tree Protection Plan and Method Statement (Appendix 4 & 5) and subject to an Engineering specification, are acceptable and accord with the design requirements of BS5837:2012.

The Council's Tree Officer advises that the impact of trees and their relationship/social proximity to new development is considered acceptable. One tree, a mature Sycamore (T18) adjacent to the western boundary of the site will benefit from an improved relationship to the new structure than what was there previously.

The provision of underground services have not been provided to the consultant Arboriculturist. The Council's Tree Officer advises that any services should utilize existing service runs where possible or if this is not possible, shall be located outside the Root Protection Area (RPA) of trees or otherwise supported by an agreed methodology for construction within the RPA.

Subject to conditions requiring the development to proceed in accordance with the AIA, Tree Protection Plan and Method statement, the submission/approval of an engineered no-dig construction specification and the submission/approval of detailed surface and foul drainage layout plan, the Council's Tree Officer raises no objection to the proposed development.

Subject to these conditions therefore, the proposals are deemed to adhere with the requirements of Policy SE5 of the CELPS and emerging Policy ENV5 of the SADPD.

### **Flood Risk and Drainage**

The application site falls within a Flood Zone 1, the lowest category of flood zone and indeed the category afforded to all parts of England unless flooding is known to occur where in such cases, these sites are referred to as falling within Flood Zone 2 or 3.

The application is supported by a preliminary drainage strategy. This has been reviewed by the Council's Flood Risk Officer who advises that no objection to the approach outlined within the report however, as the strategy is only preliminary, they would request a surface water drainage condition is added in the event of approval.

United Utilities originally advised that they preferably have sight of the proposed drainage plan for the site upfront. However, their consultation response goes on to state that should planning permission be granted without this information, that a condition should be imposed requiring the submission/approval of drainage details. In addition, a condition is proposed requiring the submission/approval of a drainage management and maintenance plan.

Subject to the above recommended drainage conditions the application is deemed to adhere with Policy SE13 of the CELPS and the other drainage policies of the development plan.

### **Health**

Knutsford Medical Partnership (KMP) is a GP partnership, currently working across 4 sites to deliver care to 22,950 patients of Knutsford and its surrounding areas. The sites are referred to as Toft Road, Manchester Road, Annandale and Town Lane (Mobberley).

The existing premises occupied by Knutsford Medical Partnership have been documented as being unable to support the current and future provision of services by the GP Practices therein. The condition of the various GP premises involved requires significant improvement, as there are numerous aspects of the premises that are non-compliant with modern regulatory requirements, and the available space is restricting the amount and type of services that can be provided. The Lease of one of the existing premises is also due to expire in 2024 with no options to extend.

The following building size estimates are based on using the NHS Project Appraisal Unit Primary Care Consulting/Examination and Treatment Room Estimator Tool, however further

space analysis will be undertaken with the GP's should this new build development gain approval, as it is anticipated that there may be some areas for economies of scale within the new building.

**Individual Practice List Size versus Recommended Healthcare Building Size:**

Practice	List Size (Nov 2020)	GIA (m <sup>2</sup> ) for Clinical/Waiting Areas	NHSE Guidance GIA (m <sup>2</sup> )	Shortfall GIA
Annandale Medical Centre (inc. Town)	6,123	311	909	-66%
Manchester Road Medical Centre	7,998	443	1157	-61%
Toft Road Surgery	9,829	424	1405	-70%

**Collective Partnership List Size versus Recommended Healthcare Building Size:**

Practice	List Size (Nov 2020)	GIA (m <sup>2</sup> ) overall	NHSE Guidance GIA (m <sup>2</sup> )	Shortfall GIA
Knutsford Medical Partnership	22,950	1,178	3,307	-64%
Recommended no. of Consulting, Examination & Treatment Rooms			40 Rooms	18 Rooms

Noting the above, the NHS CCG therefore advise that a development of this scale will have a detrimental effect on the GP Practices within Knutsford; therefore the CCG request section 106 monies as per the below.

Initial calculations in conjunction with NHS Property Services, and other neighbouring CCG's is based on occupancy x number of units in the developments x £360

Size of Unit	Occupancy Assumptions Based on Size of Unit	Health Need/Sum Requested per Unit
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1,008 per 3 bed unit
4 bed unit	3.5 persons	£1,260 per 4 bed unit
5 bed unit	4.8 persons	£1,728 per 5 bed unit

As the housing mix has not been identified within the application form, a provision is made as follows:

- 1 bed unit x 6 = £3,024
- 2 bed unit x 22 = £15,840

Total: £18,864

It has been confirmed that the money will either be spent towards a new medical facility in Knutsford or improvements at the existing sites.

It is advised that the trigger for this contribution prior to first occupation of the approved development. The applicant advises that they are agreeable to this contribution.

## Manchester Airport



Manchester Airport advise that they have no objections to the application proposals, subject to the following conditions: Measures to minimise and manage dust and smoke should be implemented, that no pools or ponds should be constructed without approval, that all exterior lighting should be capped at the horizontal and that no solar panels should be installed without approval. A number of informatives are also proposed. Conditions to ensure that these matters are secured shall be added in the event of approval.

### **Other matters**

The Council's Education Officer and ANSA Open Space Officers advise that they have no objections to the proposed development.

### **Heads of Terms**

If the application is approved, a Section 106 Agreement will be required to secure the following:

- On-site affordable housing provision and stipulations
- Contribution of £18,864 towards mitigating the impact of the development upon local Health provision

### **CIL Regulations**

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

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

The affordable housing is to be secured via a S106 Agreement to ensure the site operator is a Registered Provider (RP) and to ensure that stipulations are included that require the affordable homes be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Council's allocations policy.

A contribution of £18,864 is deemed necessary to ensure the impact of the future occupiers of the development upon local health facilities is mitigated.

The requirements are therefore considered to be necessary, fair and reasonable in relation to the development. The S106 recommendation is compliant with the CIL Regulations 2010.

### **Conclusions**

The application proposes the erection of an affordable housing apartment block in a predominantly residential area of Knutsford. Within such locations, development is deemed to be acceptable in principle, subject to its adherence with all relevant policies of the development plan.

Of particular relevance in this instance are policies relating to affordable housing, heritage and design, neighbouring amenity, highway safety and trees.

The Council's Affordable Housing Officer is satisfied that the tenure mix and size of the units being provided (in terms of the number of beds) satisfy a local need and as such, is supportive of the scheme. This provision is to be secured via S106 Agreement.

The site lies adjacent to two Conservation Areas and as such, the impact upon the setting of these is a consideration. Following pre-application discussions and revisions received during the application process, both the Council's Heritage and Urban Design Officers are now satisfied with the latest set of plans, subject to conditions.

Following the receipt of an updated Noise Impact Assessment in order to consider the impact of any possible noise pollution from the substation, the Council's Environmental Protection Officer raises no environmental amenity concerns subject to conditions. No issues are raised in relation to neighbouring loss of privacy, light or visual intrusion, subject to an obscure glazing condition.

Although the proposals provide a below-standard number of parking spaces, the Council's Highway's Officer is satisfied with the level of provision proposed given that the units are 1 and 2 bed only. The site is also sustainably located. No concerns are raised in relation to access, traffic impact and highway safety.

TPO trees lie adjacent to the site but will not be impacted by the development. Three (3) C-category trees are sought for removal to accommodate the proposed development. The Council's Tree Officer raises no objections to the removal of these trees or the scheme overall, subject to conditions.

No issues are deemed to be created with regards to flood risk and drainage, the impact of the proposals upon Manchester Airport and the impact of the proposals upon local health provision subject to conditions and a commuted sum.

Matters in relation to Landscape shall be reported to committee in the form of a written update.

For the above reasons, the application is recommended for approval subject to satisfactory receipt of outstanding consultee responses, a S106 Agreement and conditions

## **RECOMMENDATIONS**

**APPROVE subject to satisfactory receipt of outstanding consultee responses and a S106 Agreement to secure the following:**

<b>S106</b>	<b>Amount</b>	<b>Trigger</b>
<b>Affordable Housing</b>	100% on-site provision	N/a

<b>Health – Commuted Sum</b>	£18,864	Prior to occupation
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**And the following conditions:**

- 1. Time (3 years)**
- 2. Plans**
- 3. Submission/approval of facing and roofing materials**
- 4. Submission/approval of window and door details**
- 5. Implementation of supporting tree documents/plans**
- 6. Submission/approval of an engineer designed no-dig hard surface construction for hard surfacing within RPA's**
- 7. Landscape – implementation**
- 8. Submission/approval of levels**
- 9. Obscure glazing – Far southern elevation, first-floor corridor and unit 19**
- 10. Implementation of Noise Mitigation**
- 11. Submission/approval of electric vehicle charging infrastructure**
- 12. Submission/approval of a Travel Plan**
- 13. Submission/approval of a Phase I contaminated land report**
- 14. Submission/approval of a contaminated land verification report**
- 15. Submission/approval of an imported soil verification report**
- 16. Works should stop should contamination be identified**
- 17. Nesting birds**
- 18. Implementation of ecological enhancement plan**
- 19. Submission/approval of boundary treatment plan (*in consultation with residents beyond western boundary*)**
- 20. Submission/approval of a detailed surface & foul water drainage strategy (*drainage and trees*)**
- 21. Submission/approval of a drainage management and maintenance plan**
- 22. Submission/approval of a dust and smoke management plan (construction and demolition)**
- 23. No open pools or ponds should be created**
- 24. All exterior lighting shall be capped at the horizon**
- 25. No solar panels**

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



Zoom to scale



X

Y

Go Mouse Coordinates (EPSG:27700): Position outside of map...

Zoom: 7 Current scale: 1:2500 Basemap Projection: EPSG:27700 Map Center

Application No: 21/5730M

Location: WILMSLOW PHOENIX SPORTS CLUB, STYAL ROAD, WILMSLOW, CHESHIRE, SK9 4HP

Proposal: Conversion of existing grass playing pitch to astroturf all weather surface with lighting and spectator stand and the conversion of existing overflow area to form associated formal parking

Applicant: Alan Murdoch, Wilmslow Phoenix Sports Club

Expiry Date: 12-Aug-2022

### **SUMMARY**

The application site comprises Wilmslow Phoenix Sports Club which is designated as an existing open space within the Green Belt.

It is considered that the proposals for a replacement of a grass playing pitch with an Astro-turf, all weather surface pitch with associated fencing, lighting and formalising and extension of the overflow parking area, are in compliance with the aims of enhancing and protecting an existing outdoor sports venue with established on site associated infrastructure, within an existing open space. However the proposal does not preserve the openness of the Green Belt, and is therefore inappropriate development in the Green Belt.

Following revisions to the proposals during the course of the application and subject to the use of planning conditions to secure further details it is considered there are no significant adverse impacts in regard to design, heritage assets, highways, accessibility, public right of ways (PROWs), Network Rail infrastructure, Manchester Airport, ecology, trees, residential amenity, air quality, flood risk or contaminated land/pollution control.

It considered that the proposals would address the highlighted need for further all-weather, multi-sport, Astro-turf pitches within this area of Cheshire East to support the provision of outdoor sporting offer and promote healthy lifestyles for Cheshire East residents as per the Council's Playing Pitch Strategy document. This is considered to amount to the required very special circumstances to outweigh the identified harm to the Green Belt.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions.

### **REASON FOR REPORT**

This application is presented before the committee as it meets the criteria set out within the Constitution. The application falls within the category of application proposals for Small Scale Major Development of '*retail or commercial/industrial or other floor space of between 5,000 and 9,999 square metres or 2-4ha*' which are to be determined by the Planning Committees.

## **DESCRIPTION OF SITE AND CONTEXT**

The application site falls within the Wilmslow Phoenix Sports Club, which is located in the Styal area of Wilmslow, opposite the entrance to Quarry Bank Mill National Trust property and grounds. The site is located within the Green Belt. The wider site is an area of Existing Open Space within the Green Belt. The site is adjacent to the Styal Conservation Area boundary, which lies to the west of the site. To the south of the site is HMP Styal. Elsewhere on the site is a surface car park, club house with bar, lounge and dining (historically extended/altered), changing rooms and various sports playing fields for cricket, lacrosse, football, hockey etc. including natural turf pitches and enclosed all-weather pitch. The wider site overall comprises: 4no. grass lacrosse pitches, 1no. multi-Sport (predominantly hockey) All-Weather surface pitch and 1no. cricket square with outfield. An additional All-weather MUGA has also recently received planning permission (extant) to the south-west of the clubhouse. The overall sports club site covers an area of 3.14ha. The proposed development site currently comprises an existing grass pitch area with an informal overflow car parking area and associated access. There are approximately 98no. existing parking spaces near the existing clubhouse on a formal car park with 20no. overflow spaces to the north-east of the site close to the railway on informal gravel areas. Public Right of Way Footpaths (PROW) FP17 and FP20 run west to east and south-west to north-east respectively through the site. The site is used by Wilmslow Phoenix, Lindow Cricket Club and Wilmslow Lacrosse teams/groups to name a few, alongside being used for private hire by schools and other local groups. The site is owned by Cheshire East Council and has been leased since 1978, with the lease most recently updated and renewed in 2019 for a period of 99 years. The site access is owned by Cheshire East Council to which Wilmslow Albion Football Club located directly to the south has shared access rights over.

## **PROPOSAL**

The proposed development description is 'Conversion of existing grass playing pitch to Astro-turf all weather surface with lighting and the conversion of existing overflow area to form associated formal parking'. It is proposed that the all-weather pitch would be for multi-sport usage would have steel mesh enclosures up to 4m in height in green to match the existing Astro turf pitch with 6.3m tall sections of these behind goal areas, with associated landscaping, block paving and 15m flood lighting masts. It is proposed that the formal overflow parking area to replace the informal overflow parking area would create an additional 41no. spaces bringing the total overflow parking number to 61no. As a result of the proposed works the total parking and split of type of parking for the development is as per the below table provided by the applicants, totalling 157no. spaces. Amendments to the existing formal car parking closest to the clubhouse are also planned with additional EV Charging, disabled and cycle parking bays.



WPSC Parking Allocation			
	Existing	Proposed	
<b>Clubhouse Total Bays</b>	<b>98</b>	<b>96</b>	
Clubhouse Disabled Bays	2	5	
Clubhouse EV Bays	0	4	
Clubhouse Standard Bays	96	85	
Cycle parking	0	10	
<b>Overflow Total Bays</b>	<b>20</b>	<b>61</b>	
Overflow Disabled Bays	0	2	
Overflow EV Bays	0	0	
Overflow Standard Bays	0	59	
Cycle Parking	0	10	

The application form indicates that surface water will be disposed of via soakaway and mains sewer and that foul sewage arrangements are not required due to the nature of the development. The landscaping proposals include retaining the existing landscaping bunding to the north and east of the site between the proposals and residential properties to the north and railway lines to the east. The proposals also include the erection of a spectator stand within the new pitch enclosure to the north dimensioned 10.2m (l) x 2.9m (d) x 3.2m (h). The spectator stand would have a canopy cover over its proposed 75no. seats. 4no. floodlights aligned to the northern and southern boundaries of the pitch are proposed in a grey finish colour. It is proposed that the PROW FP20 would be gravelled and run alongside the amended access to the overflow parking area before crossing the existing bridge over the railway. Along the access driveway from Styal Road leading to both the overflow and clubhouse parking areas is the route of PROW FP17 where 2no. pedestrian refuges of 3m x 1.5m are proposed to allow pedestrians to pull in when vehicles are passing. It is proposed the hedgerow sections of these will be removed and replanted as part of landscaping to the northern overflow area. It is proposed that the enclosed pitch would be for a multi-sport use and would have the ability to be used in all weathers. Bollards are proposed to the car park area closest to the railway for safety reasons.

## RELEVANT PLANNING HISTORY

20/3352M –Erection of a Multi-Use Games Area (MUGA) on our existing grounds. The MUGA will be 27m in length x 9m width with an astro cushioned carpet area surrounded by a supporting 3m sports fence and lit by 6 LED lights. There will be one double gate entrance at one end and a rebounder wall at the other built from concrete blocks, supported by several buttresses. The electric for the LED lights will be supplied from the main building. – approved with conditions – 25<sup>th</sup> May 2022

19/2801M - Proposal to erect a replacement spectator seating area to the all-weather sports pitch & adjust fence line to suit. The proposal is not designed to increase use of the overall facility. – approved with conditions – 20<sup>th</sup> August 2019

18/5799M - Proposal to change the fence line of the all-weather sports pitch to create a safe viewing area for spectators – approved with conditions – 1<sup>st</sup> February 2019

16/1875M – Extension of clubhouse to provide new entrance, toilets and storage facilities. – approved with conditions – 27<sup>th</sup> May 2016

07/2292P - single storey front extension to clubhouse, extension to store . installation of windows and doors to rear and insertion of solid metal roller shutters – approved with conditions – 3<sup>rd</sup> December 2007

03/0040P – installation of all-weather pitch – approved with conditions – 23<sup>rd</sup> April 2003

97/1658P - floodlit all-weather sports pitch – approved with conditions – 2<sup>nd</sup> February 1998

96/1461P – floodlit all-weather sports pitch – refused – 16<sup>th</sup> October 1996

## **RELEVANT PLANNING POLICIES, GUIDANCE AND LEGISLATION**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG2 Settlement Hierarchy

PG3 Green Belt

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and Well-being

SE1 Design

SE3 Biodiversity and Geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE7 The Historic Environment

SE12 Pollution, Land Contamination and Land Instability

SE13 Flood Risk and Water Management

CO1 Sustainable Travel and Transport

Appendix C Parking Standards

Macclesfield Borough Local Plan 2004 (MBLP)

NE11 Nature Conservation

NE15 Habitat Enhancement

BE2 Historic Environment

GC1 Green Belt New Buildings

RT1 Protection of Open Spaces

RT5 Open Space Standards



RT6 Recreational/Open Space Provision  
RT7 Cycleways, Bridleways and Footpaths  
IMP3 Land Ownership  
DC3 Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC13 and DC14 Noise Generating Developments  
DC15 and DC16 Provision of Facilities  
DC17, DC19 and DC20 Water resources  
DC33 Outdoor Commercial Recreation  
DC63 Contaminated Land  
DC64 Floodlighting

**Emerging Cheshire East Site Allocations and Development Policies Document (“SADPD”).**

The Revised Publication Draft SADPD was submitted to the Secretary of State on 29 April 2021. Following the examination hearings and report from the Inspector, Main Modifications were published for consultation between 19 April 2022 and 31 May 2022. The Council has recently published its report of consultation and the Inspector will take the representations into account in preparing his Examination report, which will be issued to the council in due course. The following policies are considered to carry moderate weight in the assessment of the application:

PG9 Settlement Boundaries  
GEN1 Design principles  
GEN5 Aerodrome safeguarding  
GEN6 Airport public safety zone  
ENV1 Ecological network  
ENV2 Ecological implementation  
ENV3 Landscape character  
ENV5 Landscaping  
ENV6 Trees, hedgerows and woodland implementation  
ENV7 Climate Change  
ENV12 Air quality  
ENV14 Light pollution  
ENV15 New development and existing uses  
ENV16 Surface water management and flood risk  
ENV17 Protecting water resources  
HER1 Heritage assets  
HER3 Conservation Areas  
RUR6 Outdoor sport, leisure and recreation outside of settlement boundaries  
HOU10 Amenity  
INF1 Cycleways, bridleways and footpaths  
INF3 Highways safety and access  
INF6 Protection of existing and proposed infrastructure  
INF9 Utilities  
REC1 Green/open space protection  
REC3 Green space implementation  
REC5 Community facilities

National Planning Policy Framework 2021 (NPPF)  
National Planning Practice Guidance  
Cheshire East Borough Design Guide 2017 (CEDG)  
Trees and Development SPD  
Section 106/ Planning Obligations SPD (S016 SPD)  
Open Space Assessment  
Styal Conservation Area Appraisal SPD 2008  
Cheshire East Playing Pitch Strategy June 2021 (CEPPS)  
Cheshire East Landscape Character Assessment 2018 (CELCA)  
Sport England's Playing Fields Policy and Guidance document

## **CONSULTATIONS (EXTERNAL TO PLANNING)**

**Manchester Airport** – June 2022 - no objections subject to the use of conditions and informatives attached to any approval of the development as follows: conditions – construction management plan submission on prior to commencement basis to avoid bird attraction; external lighting capped horizontal with no upward light spill and informative – crane permit and radio frequencies

**United Utilities** – May 2022 - no objection subject to conditions and informatives covering the submission of detailed surface and foul water drainage scheme and that the drainage scheme be implemented on a prior to first use basis.

**Highways** – May 2022 - no objections.

**Network Rail** – May 2022 - no objection as there is a trespass proof fence insitu and the plans indicate 3m high fencing around the pitches plus proposed vehicle incursion bollards to the car park area. Condition these elements.

**LLFA** – April 2022 - no objection subject to the use of planning conditions: detailed surface water and foul drainage strategy including management/maintenance/boundary treatment plans and informatives: infiltration testing, CEC byelaws and works to ordinary watercourses.

**Sport England** – April 2022 - no objections subject to the use of planning conditions covering: hours of use Monday to Friday 09:00-21:30 and Saturday/Sunday 0900-2200; Phasing Plan prior to commencement; Construction Management Plan prior to commencement; Management/Maintenance Scheme submission for the new pitch prior to commencement. Sport England confirmed on 2<sup>nd</sup> February 2022 they wish the hours of use condition previously suggested to read as 0800 -2200 Monday to Friday and 0800-2000 Saturday, Sunday and Bank Holidays.

**Public Right of Way** – February 2022 object to the proposals summarised as follows:

- Potential increase in vehicular traffic along FP17 and FP20 if approved and this poses risk to members of the public and request further information on how this can be mitigated and to ensure public safety at all times.

- Proposed Gravel pathway is not suitable for all users and further consideration is needed for inclusivity and accessibility with permeable resin bound gravel or hop path a preferred surface.
- A diversion route may also address the objection.

**Public Right of Way** – July 2022 – withdrawn holding objection subject to the use of planning conditions to secure pedestrian refuges, signage and hardstanding materials relating to PROW's FP17 and FP20.

**ANSA** – April and June 2022 - made observation as follows:

- Queried site edge red for pull in for vehicles on access and if Sport England had been consulted.
- Queries what the playing surface specification will be.
- Queries shared access rights over track and impacts on Wilmslow Albion.

**ANSA** – July 2022 - withdrawn holding subject to the use of planning conditions as requested by Sport England Officers, landscaping details including hedgerow relocation/replacement to ensure no loss, drainage strategy and landscaping strategy to be interlinked with regards to SuDS for whole site.

**Environmental Protection** – December 2021 - no objection subject to conditions as follows: Hours of operations restricted to Monday to Friday 08:00-22:00, Saturday 08:00-20:00 and Sundays and Bank Holidays 08:00-20:00; Site specific dust management plan prior to commencement; 4no. electric vehicle charging points; Construction hours informative; previously undiscovered contamination reporting

**Styal Parish Council** – May 2022 - supports the application however raises the following comments:

- External lighting may be an issue only 30m away from local homes and therefore suggest an 8pm cut off on the closest pitch to residential properties should be enforced via suitable planning condition.
- Padded back goals should be in permanent use in respect to noise amenity considerations.
- Consideration should be given to the use of pitch 3 next to the clubhouse than the new pitch as this would address concerns raised from neighbours.

## **REPRESENTATIONS**

7no. letters from the public have been received supporting the development summarised as follows:

- The additional formal parking is welcomed and will address congestion on match days utilising a space that doesn't have a significant weekday use.
- Enhancements to the access road would be beneficial.
- The Astro-turf pitch is welcome as it provides an additional facility for use and rent which will reduce journeys for sports clubs to other nearest suitable all-weather Astro-turf facilities in Wythenshawe, Stockport and Macclesfield which clubs have to utilise due to training and competition demand.

- The proposed new all-weather pitch will promote a multitude of sport and uptake of healthy lifestyles.

3no. letters from the public have been received objecting to the development summarised as follows:

- The doubled amount of floodlights much closer to residential properties Clarendon Cottages is unacceptable and will create light pollution.
- The development will introduce further noise disturbance from balls and sticks and speaking closer to residential properties such that it would worsen the existing situation to the detriment of residential amenity.
- The proposed additional landscaping planting to the bunding in the manner of trees could not be meaningfully done as it would cast shadows into neighbouring properties.
- Other areas of the site are suitable for the proposed use away from residential properties.
- The proposed hours of operation would not work as this is often exceeded to 10:30pm at night.
- The proposals would de-value Clarendon Cottages as a result of the proximity of overbearing development detrimental to residential amenity.

3no. letters from the public have been received making observation regarding the development summarised as follows:

- The closer proximity of the pitch may cause detrimental impacts on noise and light amenity of neighbouring residential properties of which training/matches can last until 10pm.
- Planning conditions should prevent the use of the second pitch after 6pm on any day.
- Planning conditions should include soft walls to absorb the impact of balls etc. hitting goals or sides of the enclosure.
- The existing access to the site and car park is problematic due to the narrow entrance way and this can cause backlogs onto Styal Road and if there is to be further development of a pitch and larger car park this needs improvement.
- Additional landscaping of tree planting will not mitigate floodlight impacts.

## **OFFICER APPRAISAL**

The following appraisal is based on the revised submission as received during April and June 2022.

### **Principle of the development**

The site is located within existing open space within the Green Belt. The most applicable policies to consider are MP1, PG2, PG3, SD1, SD2, SC1 and SC2 of the CELPS, GC1 of the MBLP, PG9, RUR6, REC1, REC3 and REC5 of the emerging SADPD and the CEPPS.

#### Green Belt

Policy PG3 of the CELPS states *'Green Belt is a designation for land around large built-up areas, which aims to keep land permanently open or largely undeveloped.*

*1. The purposes of the Green Belt are to:*

*i. check the unrestricted sprawl of large built up area;*

*ii. prevent neighbouring towns from merging into one another;*

*iii. safeguard the countryside from encroachment;*

- iv. preserve the setting and special character of historic towns; and*
- v. assist urban regeneration by encouraging the recycling of derelict and other urban land.*
- 2. Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.*
- 3. The construction of new building is inappropriate in Green Belt. Exceptions to this are:*
  - ii. provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.'*

Policy GC1 of the MBLP states '*Within the Green Belt approval will not be given, except in very special circumstances, for the construction of new buildings unless it is for the following purposes:*

*2. Essential facilities for outdoor sport and outdoor recreation, for cemeteries, and for other uses of land which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it.'*

The proposed development involves an existing sports facility within existing open space set within the Green Belt. The existing facility has 3no. grass lacrosse pitches, 1no. cricket square and 1no. all-weather multi-sport pitch (predominantly used for hockey). As part of the proposals an existing grass pitch without fenced boundaries or floodlighting will be replaced with an all-year, multi-sport, all-weather sports playing surface with fencing and floodlighting alongside the formalisation and expansion of the car parking overflow with associated SUDS and tree protection.

The proposed all-weather pitch will provide a permanent developed feature in place of the existing open playing field and whilst the fencing would be lightweight, and the spectator stand relatively small-scale, when taken as a whole with the proposed extended parking area, when having regard to its scale, and associated level of activity compared to the existing, the visual and spatial aspects of openness would not be preserved. Whilst the proposal would extend the developed area of the existing sports club, it would be entirely within the curtilage of the club, replacing an existing grass pitch and informal parking area, and would not amount to encroachment into the countryside. No conflict with any of the purposes of Green Belt is therefore identified. However, due to openness not being preserved, the proposal is considered to be inappropriate development in the Green Belt.

#### Principle of replacement pitch / additional facilities

Policy SC1 of the CELPS states '*In order to provide appropriate leisure and recreational facilities for the communities of Cheshire East, the council will:*

*Seek to protect and enhance existing leisure and recreation facilities, unless a needs assessment has clearly proven them to be surplus to the requirements to local community needs or unless alternative provision, of equivalent or better quality, is to be made.*

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

*i. The proposal is a facility that:*

*a. supports a business use;*

*b. is appropriate in an employment area; or*

*c. supports an outdoor sports facility, education or related community/visitor facility; or*

*d. supports the visitor economy and is based on local cultural or existing visitor attractions.*

*4. Work with agencies services and businesses responsible for providing facilities to make sure that the needs and demands of communities are met.*

*5. Make sure that appropriate developments contribute, through land assembly and financial contributions, to new or improved facilities where development will increase demand and/pr there is a recognised shortage of local leisure, community and recreation facilities.'*

Policy SC2 of the CELPS states 'In order to provide appropriate sports facilities for the communities of Cheshire East, the Council will:

*1. Protect existing indoor and outdoor sports facilities, unless:*

*Either:*

*i. They are proven to be surplus to need (47); or*

*ii. Improved alternative provision (48) will be created in a location well related to the functional requirements of the relocated use and its existing and future users.*

*And in all cases:*

*iii. The proposal would not result in the loss of an area important for its amenity or contribution to the character of the area in general: and*

*2. Support new indoor and outdoor sports facilities where:*

*i. They are readily accessible by public transport, walking and cycling; and*

*ii. The proposed facilities are of a type and scale appropriate to the size of the settlement; and*

*iii. Where they are listed in an action plan in any emerging or subsequently adopted Sports Strategy.'*

As the proposals would result in a loss of a grass pitch and erection of an all-weather Astro-turf pitch both Sport England and ANSA Greenspace officers were consulted on the proposals.

Following the provision of additional information Sport England do not object to the development. Sport England noted in their response that the second Astro-turf pitch for hockey would meet exception 5 of their Sport England's Playing Fields Policy and Guidance document policy which states '*the proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.*' Sport England consider this is met as it will provide a second Astro-turf all-weather pitch, in a logical area, which will reduce existing demand on the existing pitch, which will assist in meeting hockey club training needs on the one site reducing reliance on other pitches on different sites, proposed in a manner to meet England Hockey technical requirements with regard to surfacing, fencing and floodlighting.

Sport England state their support for the proposals is subject to the use of planning conditions to ensure appropriate phasing in retaining the operations of the pitches insitu and the bringing into use the new all-weather pitch to ensure no loss of sports ground offer at the site. In addition they seek the provision of a management plan, hours of operation and submission of a construction management plan again to ensure ongoing outdoor sport/recreation at the site for lacrosse, hockey and cricket both during construction and post development and to ensure that amenity of immediate residents is not impacted by the proposals. It is considered that the existing clubhouse facilities are sufficient.

Whilst it is acknowledged that the proposals are in compliance with the aims of enhancing and protecting an existing outdoor sports venue with established on site associated infrastructure,

within an existing open space, the proposal does not preserve the openness of the Green Belt and is therefore inappropriate development.

Paragraphs 147 and 148 of the NPPF state that Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Substantial weight should be given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. This is explored further below.

### **Design, Character and Designated Heritage Assets**

The most applicable policies and guidance to consider are policies SD1, SD2, SE1 and SE7 of the CELPS, BE2 of the MBLP, GEN1, ENV7, HER1 and HER3 of the emerging SADPD and the CEDG and Styal Conservation Area Appraisal.

Between them these policies and guidance seek that new development is of an appropriate size, scale and design that is commensurate to the character of the area in which it would be situated, whilst championing higher quality design to enhance and improve the wider borough alongside the immediate area of Styal and Wilmslow. These policies and guidance also seek to conserve, enhance and protect designated heritage assets.

The site is located adjacent to the Styal Conservation Area and opposite National Trust site Quarry Bank Mill which are considered under policy SE7 of the CELPS to form designated heritage assets. During the course of the application the Conservation Officer provided comment and did not object to the development on the whole due to the distance from the setting of the designated heritage assets. With this said, they did raise concern at the site being illuminated by floodlighting and that this may detract from the otherwise rural and open character facing the designated heritage assets and sought use of planning conditions (notwithstanding relevant amenity considerations) in respect of the use of external lighting, so as to avoid unnecessary spill. In regard to the design of the enclosure the proposals are almost identical to that on the existing all-weather pitch, proposed in appropriate green, light weight, permeable fencing. In respect of the car parking appropriate breaking up of the hard surfacing is planned and it is considered that all other surfacing aspects can be confirmed via carefully worded materials conditions. It is considered subject to the use of conditions that the development is in compliance with policies and guidance regarding design, local character and designated heritage assets.

### **Amenity, contaminated land and pollution control**

The most applicable policies and guidance to consider are policies SD1, SD2, SE1, SE12 and SE13 of the CELPS, policies DC3, DC13, DC14, DC33, DC38 and DC64 of the MBLP and emerging policies ENV7, ENV12, ENV14, ENV15, ENV16, ENV17, HOU10 and INF9 of the SADPD.

Between them these policies seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. Developers will be expected to minimise and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (including additional traffic)

during both the construction and the life of the development. Where adequate mitigation cannot be provided, development will not normally be permitted.

During the course of the development concern was raised at the proximity of the enclosure closer to residential properties to the north, the hours of operation, the method of construction of the enclosure with regards to noise of objects hitting the sides, the noise from people playing/spectating sports and light pollution from the floodlighting proposed.

The proposals have been reviewed by the Environmental Health Officers who raise no objection to the development subject to the use of planning conditions to restrict the hours of operations of the new pitch (pitch 02) to Monday to Friday 08:00-22:00, Saturday 08:00-20:00 and Sundays and Bank Holidays 08:00-20:00 with respect to residential amenity protection of immediate neighbouring properties, provision of a Site specific dust management plan prior to commencement to prevent dust pollution into the wider area and the provision of 4no. electric vehicle charging points with submission of location and specification. In addition, they recommended the use of construction hours and previously undiscovered contamination reporting via informatives attached to any decision notice produced.

Sport England also consider that the recommended planning conditions be used to restrict the hours of operation of the development to those as stated by the Environmental Health Officers are appropriate. As the hours proposed are within non-sensitive hours considering the proximity of residential properties to the north it is considered that there would not be detrimental impacts on amenity with regards to noise or other disturbance as result of playing or spectating sport. In addition, a condition is recommended to dampen the noise of balls and equipment hitting the sides of the enclosure and to provide specifications of noise dampening pads to all sides and goals to be used on a permanent basis. No issue was raised at the proposed external lighting which again will be controlled by planning condition including their hours of operation, noting the spill pattern is away from these properties. Further to this a Construction Management Plan to protect amenity and the provision of sports facilities on an ongoing basis was also recommended by Sport England. Taking these points into account and subject to the use of conditions and informatives it is considered that the development is in compliance with policies and guidance covering amenity and pollution protection.

### **Highway safety, parking and Public Rights of Way**

The most applicable policies and guidance to consider are SD1, SD2, IN1, IN2, SC1, SC2, SE1, CO1 and Appendix C of the CELPS, policies RT7, DC6 and DC33 of the MBLP and emerging policies GEN1, ENV12, ENV15, RUR6, HOU10, INF1, INF3, INF6 and the CEDG.

Between them these policies seek to deliver safe, sustainable, high quality, integrated transport systems that encourage a modal shift away from car travel to public transport, cycling and walking; supportive of the needs of residents and businesses and preparing for carbon free modes of transport.

During the course of the development concern was raised at the access to the site for vehicles, the proposed lay-by close to the Wilmslow Albion Football Club and the proximity of the car parking to Network Rail infrastructure. Within the lifespan of the application the proposals have been amended to no longer include a vehicular lay-by within the site access from Styal Road due to ongoing discussions with neighbouring landowners. In addition, a series of protective bollards are now proposed closest to the north- eastern boundary of the sites proposed



additional car parking area nearest network rail infrastructure, to respond to Network Rail officer concerns about the potential for vehicles impacting the metal fenced boundaries or entering the railway line. Network Rail do not object to the proposals on the basis that the bollards are secured via the use of planning conditions attached to any approval of the development. As the site would utilise an existing access track from Styal Road leading to the existing car park and as additional parking would be provided, that would assist in alleviating cars waiting on the wider highways on busy match or training days, the Highways Officers have raised no objection to the development. They also note that the proposals would provide permanent parking on the current informal overflow car parking area. Additional cycle parking is also proposed as 2no. 10 bay secure cycle storage areas, to which no issue is raised at the number of bays to be provided however further detail as to siting, elevation and materials/construction details is required, which can also be dealt with by condition.

Notwithstanding the Highways Officers comments, it is considered that there would be some uplift in vehicle trips as a result of the creation of further formalised overflow parking and that pedestrian refuges to the northern side of the access would assist in providing a better shared surface arrangement and enhance the PROW offer across the site. This would also complement policies seeking improved access to the countryside. PROW Officers originally objected to the proposals due to the impact that the proposed car parking and amended access to the site would have on FP20 running off FP17 to the north and east of the site heading to the railway. They were concerned about the impact on the PROWs during the construction period, arrangements for diversions, long term management and that the proposed surfacing materials of gravel were inappropriate as this would discourage access for all public including those with disabilities where new development should protect and enhance existing PROW offers. Further to discussion with the applicants they have revised the scheme to provide 2no. pedestrian refuges along PROW FP17 which is also the access driveway for vehicles leading to both car parks. The pedestrian refuges in places are dimensioned 3m x 1.5m which the PROW officer considers acceptable. It is however noted that suitable signage will require installation associated with these to make them known to both pedestrians and vehicle users in the interests of highways safety. Gravel hardstanding is proposed to PROW FP20 as indicated on the plans however further discussion as to other types of permeable hardstanding for this aspect is required which is considered can be appropriately managed via the use of planning condition. It is also noted from discussion with the PROW officer there are occasions of water pooling to the existing FP20 as such a drainage scheme and hardstanding materials scheme for this will need to incorporate both elements to allow continued, protected and enhanced footpaths offer of these existing PROW's on site, via suitable planning condition.

Planning conditions will be used secure the parking and access arrangements be implemented in accordance with the submitted Site Plan, secure cycle parking storage details, protective bollards provision and electric vehicle charging points for the new development in line with policies and guidance.

### **Biodiversity and nature conservation**

The most applicable policies and guidance to consider are SD1, SD2, IN1, IN2 and SE3 of the CELPS, policies NE11 and NE15 of the MBLP, emerging policies GEN1, ENV1, ENV2 and ENV7 of the SADPD and the CEDG.

Between them these policies and guidance seek that all development must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should

not negatively affect these interests, instead planning for net gains. Where appropriate, conditions will be put in place to make sure appropriate monitoring is undertaken and make sure mitigation, compensation and offsetting is effective.

The proposals have been reviewed by the Nature Conservation Officer who raised no objection to the proposals. They noted that the habitat to be lost to development is a managed sports field unlikely to offer much value to biodiversity. However, with this said they noted that as the area is natural green field and will be replaced with an artificial pitch, there will still be a net loss of biodiversity. To compensate for this the Nature Conservation Officer considers it important that through use of planning condition attached to any approval of the development that a designated narrow area of unmanaged semi-natural habitat along a section of the vegetated margin of the wider field is allocated alongside appropriate management of this. It is considered that there would be space sufficient enough and appropriately located for this to be executed and as such, subject to the use of conditions it is considered that the development is in compliance with policies and guidance on biodiversity and nature conservation.

### **Trees, hedgerows and landscape character**

The most applicable policies and guidance to consider are SD1, SD2, SE1, SE4, SE5 of the CELPS, policies DC8, DC9 and DC33 of the MBLP, emerging policies GEN1, ENV3, ENV5, ENV6 and ENV7 of the SADPD, the CEDG and Trees and Development SPD.

Between them these policies seek to protect the continued health and life expectancy of trees, hedgerows or woodlands and where loss of or threat to them is proposed development will not normally be permitted unless there are clear overriding reasons for allowing development and that there are no suitable alternatives. These policies and guidance also seek to protect and enhance landscape character. Where such impacts are unavoidable, development proposals must satisfactorily demonstrate a new environmental gain by appropriate mitigation, compensation or offsetting.

The proposals indicate that the existing bunding and boundary landscaping to the northern and eastern elements of the site beyond the pitch enclosure are to be enhanced to provide further screening with other landscaping and tree/hedgerow retention to the eastern boundaries near the new car park planned. The application is supported by an Arboricultural Impact Assessment (AIA) which confirms that all tree life within site as existing is to be retained without pruning with aspects where access and parking hard surfacing planned to have no-dig solutions attributed to them. The AIA also provides information as to the Tree Protection Plan for during the construction of the development such as fencing protection and cellweb system protection of trees and hedgerows. It is considered that the information within the AIA provides a clear indication that the development will protect the longevity of trees and hedgerows on site during the construction period and that the development is mostly placed away from RPA's of trees and hedgerows or otherwise where there is encroachment there can be effective no-dig solutions. Whilst only indicative landscaping is proposed it is considered that an appropriate landscaping scheme can be prepared that re-inforces the open and minimalistic natural landscape aesthetic whilst combining the need to create biodiversity gains as aforementioned. Further to this to create the 2no. pedestrian refuges along PROW FP17 which is also the access driveway, small sections of hedgerow will require removal, however it is noted on supporting plans that these sections will be replanted to the northern overflow car park as part of landscaping, i.e.. translocation. Conditions requesting a detailed landscaping scheme including soft and hard landscaping with planting plans including size, amount, spacing and age, general

specification and colour with no dig solutions where appropriate, details of pedestrian refuges construction with appropriate signage (for highways general safety) and hedgerow translocation and to include boundary treatments are recommended to be attached to any approval of the development. A Landscaping Management and Maintenance Plan by condition would also be required. Subject to conditions and informatives it is considered that the development is in compliance with listed policies and guidance regarding trees, hedgerows and landscape character.

### **Flood risk and water management**

The most applicable policies and guidance to consider are SD1, SD2, SE1, SE12 and SE13 of the CELPS, policies DC15, DC16, DC17, DC19, DC20 and DC33 of the MBLP and emerging policies GEN1, ENV15, ENV16, ENV17 and INF9 of the SADPD.

Between them these policies seek to ensure that developments must integrate measures for sustainable water management to reduce flood risk, avoid an impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation. New development must be designed to be safe, taking into account the lifetime of the development and the need to adapt to climate change, seeking improvements to current surface water drainage network and be designed to manage surface water noting it is not sustainable to drain surface water to public sewers. New development should incorporate water efficiency measures.

During the course of the application the United Utilities and Floods Officers originally objected to the development due to the surface water flood risk and water run off being unknown and requiring addressing due to the removal of grass and installation of man-made surfacing. As a result, a Flood Risk Assessment was produced by the applicants to support the application which confirms that as the site and what will surround it will be largely retained as green field with green-field run off rates and that hard surfacing will be permeable with run-off rates appropriate and capable of being attenuated without impacting flood risk elsewhere. The FRA also confirmed the site to be located in flood zone 1, however with a surface water flood risk to the eastern boundary, as such it advises that boundary drains/treatments be installed to prevent transfer of surface water between the development site and third-party land. The United Utilities and Floods Officers no longer object subject to the use of planning conditions to secure detailed surface and foul water drainage schemes, management/maintenance and boundary treatment plans and verification of implementation. The Floods Officer notes that infiltration testing would be required as part of this noting NPPG hierarchy for drainage and to provide evidence that ground conditions onsite are suitable. In addition as part of these planning conditions evidence would be required of hydraulic modelling onsite to calculate the volume of attenuation storage required to accommodate all surface water flows up to 1 in 100 year event plus 40% Climate Change allowance also restricted to the existing green field rate. They also recommend the attachment of informatives to cover infiltration testing, CEC byelaws and works to ordinary watercourses. Subject to the use of conditions and informatives it is considered that the development would be in compliance with policies and guidance covering flood risk and water management.

### **Manchester airport operations**

The site is located within the operational area of Manchester airport. The most applicable emerging policies to consider are GEN5, GEN6 and ENV14 of the SADPD. During the course of the application Manchester Airport were consulted on the proposals and confirm that they

raise no objections to the development subject to the external lighting scheme being implemented on site in accordance with the details supporting the application with no upward light spill. This is sought for execution via planning condition as any upward light pollution has the potential to present ocular hazard to pilots of aircraft within the approach zone of Manchester airport runway operations as such requires careful control. In addition to this as the information has not been presented within the application Manchester Airport also seek that Construction Management and Water Management schemes be submitted for approval on a prior to commencement basis. This request was made as disturbance to the ground or pooling of water during the construction period of a development can encourage birds and other wildlife that can cause obstruction to aircraft and increase bird strike risk which must be avoided to ensure the ongoing safe operations of the airport. Subject to the use of conditions and informatives, it is considered that the development would not implicate the safe operations of Manchester Airport.

### **Other matters**

During the course of the application comments from residential neighbours to the development were received raising concern that the proximity of the proposals closer to residential properties would impact the re-sale value as a result. Whilst these comments are noted, this is not a matter that can be considered within the scope of the determination of planning applications.

### **PLANNING BALANCE & CONCLUSIONS**

The proposed development is an inappropriate form of development in the Green Belt. Substantial weight is afforded to this identified harm.

Following revisions to the proposals during the course of the application and subject to the use of planning conditions to secure further details it is considered there are no significant adverse impacts in regard to design, heritage assets, highways, accessibility, public right of ways (PROWs), Network Rail infrastructure, Manchester Airport, ecology, trees, residential amenity, air quality, flood risk or contaminated land/pollution control.

Balanced against the identified harm is the fact that the proposals are in compliance with the aims of enhancing and protecting an existing outdoor sports venue with established on site associated infrastructure. Sport England also support the proposal and advise that a second Astro-turf all-weather pitch, will reduce existing demand on the existing pitch, will assist in meeting hockey club training needs on the one site reducing reliance on other pitches on different sites, and in a manner that will meet England Hockey technical requirements with regard to surfacing, fencing and floodlighting.

Further to this, the supporting Design and Access Statement provides details on the history of the site and club and the reasons as to why the proposals are sought for approval summarised as follows:

The site is owned by Cheshire East Council and has been leased since 1978, with the lease most recently updated and renewed in 2019. At the time of the application it is stated that the Club had hockey teams comprising 5no. senior men's and ladies teams respectively playing regularly on a Saturday with Under 11's, 13's and 15's junior teams, veteran and mixed teams. The total membership number is approximately 242 persons. The club is also said to have 3no. semi-professional coaches and have training sessions most week-nights. In addition, Wilmslow Lacrosse Club runs 2no. senior men's teams, 1no. senior ladies team and 3no. juniors teams

play at the club, albeit mostly on the grass pitches. The applicant notes that as Lacrosse is unplayable on grass in winter months of January and February this is also said to place further pressure on the existing Astro-turf pitch usage, which is unavailable to them for home matches, as such they have to travel to Greater Manchester for them. It is stated however that the Lacrosse teams do regularly use the existing Astro pitch for evening training. The site has also hosted the British National Championships for Lacrosse. The Astro pitch is also used by Wilmslow Junior Football Club, Premier League Sports 5 a side and hired by Wilmslow Preparatory School and Alderley Edge School for girls. Until recently the Wilmslow Wayfarers Cricket Club also played at the site until moving to Lindow Cricket Club, though still utilise the facilities at this site.

They state that as a result of improvements to the club grounds, such as, the astroturf pitches, supporter stands, club house extensions etc. that this has resulted in an increase of site users and numbers of teams and their playing standards improving with the club hosting North-West league hockey games. In the Design and Access Statement it also states that the club has submitted its Development Strategy and Recruitment Plan 2020-25 to England Hockey and it identifies that when the next band of juniors come into seniors the club will need more teams to accommodate them, resulting in an increased need for pitch time. They note that the need is heightened given that all league hockey is being played on the Astro turf pitches and as such growth is required. It is stated that home matches take place on the Astro-turf pitch with 2 hours between each match with start times of 10:30am, 12:30am, 2:30pm and 4:30pm. The earliest match time conflicts with the opening of the social club between 1:00pm and 8:30pm which is said to cause issue with attachment to the club's other facilities. It is noted that the Cheshire East Playing Pitch Strategy (CEPPS) identifies the need for an additional Astroturf pitch in the Wilmslow area and that it is England Hockey's preferred approach for a new pitch to be placed in Wilmslow area also. It is for these reasons it is stated that there is a demand for a second Astro-turf pitch at the site in line with identified needs within the CEPPS. The placement of the second pitch is considered to be the most logical location and would not impact the existing 3 lacrosse pitches, cricket square or outfield. It is stated that with the new pitch and spectators stand that the existing club house and changing facilities can be managed effectively as they are insitu to support the current proposals, with eventual aims to further improve or extend these should demand prompt this (subject to future separate planning permissions).

This information that the facilities at the club are very well used and form a valuable sporting facility for the local community, and having regard to the identified need, the details above are considered to amount to the very special circumstances required to outweigh the identified harm to the Green Belt. Accordingly, the application is recommended for approval subject to conditions.

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

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A06EX - Materials as application
4. A02LS - Submission of landscaping scheme
5. A04LS - Landscaping (implementation)
6. NPPF - NPPF informative
7. tree protection
8. tree works
9. external lighting
10. external lighting caps
11. Construction management plan
12. Parking
13. hours of operation
14. noise dampening pads
15. drainage scheme
16. drainage implementation scheme
17. drainage verification
18. SE PHASING
19. SE CONSTRUCTION MAN
20. SE PITCH MANAGEMENT AND MAINTENANCE
21. site specific dust management plan
22. electric vehicle charging points
23. external lighting
24. crane permit
25. construction hours
26. previously undiscovered contamination
27. infiltration testing
28. ordinary watercourses
29. cec byelaw
30. extent of approved development
31. radio frequency

32.secure cycle parking

33.pedestrian refuge signage

