

Application No: 14/5120C

Location: Land North of Congleton Road, SANDBACH, CHESHIRE, CW11 1DN

Proposal: Reserved matters application for The construction of 160 dwellings, associated on site highways infrastructure, car parking and pedestrian routes, formal and informal open space provision and associated works.

Applicant: Taylor Wimpey UK Limited and Seddon Home

Expiry Date: 10-Feb-2015

SUMMARY: The principle of the housing development has been established through outline planning permission. The application seeks approval of reserved matters detail. The scale, layout, appearance and landscaping of the development are acceptable and compliant with Development Plan policy. The proposal is considered to be acceptable in terms of its impact upon residential amenity and it complies with the relevant local plan policy requirements for residential environments. The design of the scheme is of a good quality and: it supplies appropriate highway and education mitigation, affordable housing, landscape, open space and ecology provision and can be supported on all other issues.

The proposal meets the objectives of sustainable development as set out in the NPPF.

RECOMMENDATION: Approve with conditions

PROPOSAL:

Approval is sought for the reserved matters of the appearance, landscaping, layout and scale of the scheme.

Details relating to means of access were approved at the outline stage. The development will be accessed via Congleton Road as agreed at the outline stage. The applicant's have submitted an application to discharge conditions relevant to the provision of details for traffic management/speed reduction measures and on street parking controls along Congleton Road. It is noted that this is a separate application pending consideration by the Council. Access issues are not considered as part of this application.

The development will comprise a total of 160 dwellings, including 48 affordable homes; a mix of dwelling types and sizes, ranging from one to five bedroom family homes and elderly accommodation in the form of cottage flats; and public open space, including formal and informal recreation, and areas of wildlife habitat.

There is potential to provide a landscape buffer or potential garden extensions to some existing properties with short rear gardens which back onto the site from Congleton Road. The final arrangement of this will be confirmed upon the satisfactory approval of reserved matters.

SITE DESCRIPTION:

The site extends to 7.89ha and is situated to the north of Congleton Road, on the edge of the Sandbach.

The land comprises of agricultural fields used for grazing and a series of paddocks. There are mature trees along the boundaries of the site and within the existing hedgerows. The residential property of No. 130 Congleton Road is also included within the site boundary.

A public right of way leading from Congleton Road bisects the site. An additional public right of way runs along the western boundary and is accessed from Offley Road.

The site is bounded:

- 1 To the north by the residential properties of Marlborough Drive and a strong hedge with trees. Beyond is Sandbach Rugby Club, associated pitches, club house and car park;
- 2 To the south by the residential properties fronting Congleton Road and to the south west by the Offley County Primary School and associated playing fields. The boundary to the school comprises a substantial hedge together with additional planting;
- 3 To the east by established hedgerows, a significant band of trees and open countryside; and,
- 4 To the west by the agricultural land and beyond by the residential properties on Twemlow Avenue.

RELEVANT HISTORY:

12/1903C – Outline planning permission for the erection of up to 160 dwellings, including access and associated infrastructure, and the demolition of No 130 Congleton Road. Approved 18 October 2013 following an appeal against non-determination of the application. This application is most relevant to the determination of the reserved matters application.

Other less relevant planning history comprises:

- 1 Land North Of Congleton Road Sandbach 20901/1 - Residential Development. Refused 2 May 1989
- 2 Land North Of Congleton Road Sandbach 22517/1 - Residential Development. Refused / Appeal Dismissed 1 August 1991
- 3 128-130 Congleton Road 32345/3 - Residential development comprising of 12 units. Refused 25 September 2000
- 4 128-130 Congleton Road Ref: 32821/3 - Residential development comprising 11 detached dwellings and all associated work and demolition of 128 & 130 Congleton Road. Refused 2 July 2001
- 5 128-130 Congleton Road Ref: 34104/3 - Outline application for residential development of 10 houses and all associated work and demolition of 128 & 130 Congleton Road. Refused 12 June 2002
- 6 Land North of Congleton Road Ref: 13/0012C – Erection of up to 160 dwellings, including landscaping, access and associated infrastructure including the demolition of 130 Congleton Road. (Duplicate application of appeal proposals)

NATIONAL & LOCAL POLICY

National Policy:

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

Of particular relevance are paragraphs: 14 and 55.

Development Plan:

GR1 (New Development)

GR2 (Design)

GR3 (Residential Development)

GR4 (Landscaping)

GR5 (Landscaping)

GR6 (Amenity and Health)

GR9 (Accessibility, servicing and provision of parking)

GR14 (Cycling Measures)

GR15 (Pedestrian Measures)

GR17 (Car Parking)

GR20 (Public Utilities)

GR21 (Flood Prevention)

GR22 (Open Space Provision)

H13 (Affordable and Low Cost Housing)

NR1 (Trees and Woodlands)

NR3 (Habitats)

NR5 (Habitats)

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1, SD1, SD2, PG5, SE1, SE3, SE4, SE5.

CONSULTATIONS:

Highways: The SHM has been very actively involved in the consideration of the reserved matters and it is anticipated that the scheme will be supported. These final comments will be reported as an update.

Environmental Health: No comments - Subject to the conditions requested for the outline application 12/1903C

Housing Officer: Is satisfied with all of the Affordable Housing Scheme that has been submitted except for the tenure split. In discussions the Housing Officer accepts that the slight deviation proposed from the normal tenure split may be appropriate given the planning

balance and the applicants undertaking to provide specific elderly accommodation at CEC's request.

Countryside Access Development Officer: The Countryside Development Officer notes that Footpath No. 6 along the western boundary of the site is not afforded natural surveillance through the layout of the site. The proposed layout shows backs of gardens with 1.8m close board fencing forming the boundary to the footpath, rather than open front gardens as would be best practice design. They also go on to state that proposals were raised at outline application for the on-site part of public footpath No. 6 at the western edge of the site being made available to both pedestrians and cyclists. This would increase the permeability of the site to both users groups along the one of the main travel trajectories and has been suggested by local cyclists. Finally it is requested that the proposed path linking Footpaths Nos. 6 & 7 would be welcomed as this had been an aspiration of local residents, registered under the Council's statutory Rights of Way Improvement Plan (ref. W8) and offers options for circular walks close to people's homes.

Cheshire Fire and Rescue Service: Cheshire Fire and Rescue have requested confirmation that Fire Service access will be provided within 45m of all points within the dwelling house, any secondary roads and private drives will comply with the requirements in relation to access route specification and turning facilities will be provided in accordance with any dead-end access route that is more than 20m long.

CTC – Working for Cycling: CTC is pleased that each property will feature cycle storage in the form of a shed within the rear garden. They consider that should contain some anchor fitted into the ground for safe locking. They also hope the flats also provide the one required cycle space per unit as requested by Cheshire East's Cycle Parking Standards. CTC would also like to see access to this footpath for cyclists to reach Congleton Road to the south and also to have it converted to cycle track for this section. They consider that this enables a more direct journey for some cyclists to Offley Road and Congleton Road. Should further developer contributions be available then they suggest investigating if the footpath can be converted to cycle track to the north as well via Sandbach United Football Club to allow good access to the quiet lanes there.

Environment Agency: The Environment Agency is a statutory consultee for any development of land of 1 hectare or more, under the terms of Schedule 5 Articles 16 and 17 (zf) of the Town and Country Planning (Development Management Procedure)(England) Order 2010 (DMPO). This is to ensure consideration of surface water run-off issues on larger sites within Flood Zone 1. However, the introduction of the Flood & Water Management Act 2010 has passed responsibility for ordinary watercourses and surface and ground water flooding to the Lead Local Flood Authorities. Therefore from 1st June 2014, and in accordance with Part 3, Article 16 (1)(d) of the DMPO, they no longer wish to be consulted directly on developments over 1 ha where there are no other environmental constraints within their remit, and would ask that Standing Advice is applied to any such development proposals.

REPRESENTATIONS:

6 letters of objection have been received from six addresses on the grounds of:

- 1 Impact on residential amenity of existing properties as a result of overlooking issues
- 2 Too many greenfield sites under consideration
- 3 Loss of public rights of way
- 4 Impact on local services
- 5 Impact on ecology

This is a summary and the full contents are on the Council website.

APPRAISAL:

The key issues are:

Environmental Sustainability – The application raises no fundamental issues in respect of landscape and diversity but would result in the development of open land.

Social Sustainability – The proposal is in a sustainable location.

Economic Sustainability – The proposal would introduce more indigenous town centre residents that would in turn utilise local shops and facilities.

Principle

Given that the application is for reserved matters, the key issues in question in this application, are the acceptability of the appearance, landscaping, layout and scale of the buildings, particularly in respect of residential amenity, their relationship to retained trees and the surrounding area.

The principle of residential development is already established by the permission granted in outline. Therefore the background policy issues at the time were duly rehearsed by the Inspector who granted the outline planning permission 12/1903C.

ENVIRONMENTAL SUSTAINABILITY

Highways

The site is accessed from Congleton Road. This arrangement was approved at the outline planning permission stage. The internal road layout is based on a simple and clear street hierarchy. The Inspector in his Report granting outline planning permission for the development considered that it is clear that adequate visibility would be available in both directions along the main road.

Other than the financial contributions outlined in the Section 106 Agreement towards highways namely:

- 1 £50,000 which shall be used for the implementation of improvements to the Congleton Road/Old Mill Road junction and for no other purpose.
- 2 £3,000 per dwelling shall be used for the implementation of improvements to junction of Old Mill Road/the Hill and at the A533/A534 roundabout and/or to the public highway realm along Congleton Road within Sandbach town centre and for no other purpose.

There are no other highways requirements other than to prepare information in relation to Condition 15 which requires the provision of details for traffic management/speed reduction

measures and on street parking controls along Congleton Road. It is noted that this is a separate application pending consideration by the Council (Ref: 14/5739D).

The principal access route indicated on the layout plan does accord with that approved at outline. In design terms the roads promote low traffic speeds as would be expected in a residential development.

Car parking is predominantly provided by way of integral or detached garages or driveways.

New footpaths enhance the accessibility and permeability of the site, with routes provided alongside the main access roads around the development and within public open spaces. Comments made by the public rights of way officer have been incorporated into the development proposals.

The comments of the Highways Officer on the reserved matters layout are awaited and will be reported as an update.

Layout, Design & Scale

The application comprises details of scale, layout, appearance and landscaping.

The development will provide 160 dwellings set within landscaped green corridors. The majority of the proposed development would be two-storey with occasional increases in height to 2.5 storey to define spaces and to create focal points. This is in accordance with the parameters plan.

The main area of open space will be located along the north-east boundary of the site. This open space will create a green buffer to the adjacent fields and includes fruiting trees, a wildlife pond, play area (LEAP), kick-about space, a seating area and buffer planting. A footpath will be provided within the greenspace connecting the public right of way to the north-west. The eastern landscape buffer broadly accords with the approved parameters plan; but has been slightly reduced following consultation with PlacesMatter! to make the greenspace edge a more active and useable space and to accommodate changes to the layout to improve the amenity of the residents along Congleton Road.

The retained landscape features on the site will be enhanced and supported by new elements comprising hard and soft landscaping, play areas, an enhanced pond and boundary treatments.

Linear open space, comprising retained hedgerows and trees and new footways is also provided.

In terms of the detailed design the proposed dwellings a character assessment is provided in the Design & Access Statement which fed into the proposed house types on the site. The design of the proposed dwellings and their scale is considered to be acceptable and would not detract from this part of Sandbach.

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that: *"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."*

The final design of the scheme has been subject to significant public consultation with local residents and Council Officers. The Urban Design Officer has commended the development of the scheme as exemplary noting in his Buildings for Life 12 Assessment that the scheme has benefitted from the iterative process adopted, including design review. The applicant's also amended further areas of the scheme to improve the layout to ensure that 12 greens are achieved in the Buildings for Life 12 Assessment. The Urban Designers' concluding statement notes that *"this is the quality of scheme, that, if implemented to the standard indicated, we should be aspiring to for all new development in Cheshire East"*.

Amenity

It is generally considered that in new residential developments, a distance of 21m between principal windows and 13m between a principal window and a flank elevation is required to maintain an adequate standard of privacy and amenity between residential properties. Amenity standards to existing properties along Congleton Road are well in excess of these distances.

There is potential to provide a landscape buffer or potential garden extensions to some existing properties with short rear gardens which back onto the site from Congleton Road. The final arrangement of this will be confirmed upon the satisfactory approval of reserved matters.

The layout and design of the site demonstrates satisfactorily that all dwellings can be comfortably accommodated on the site, whilst maintaining these minimum distances between existing and proposed dwellings. It also illustrates that the same standards can be achieved between proposed dwellings within the new estate.

Landscape & Open Space

The Landscape Officer is generally satisfied with the soft landscape scheme. A further layout has been submitted to provide additional planting to break up some parking areas as well as provide additional planting to the eastern buffer.

Amendments have also been proposed to the location of the fencing to the LEAP to protect veteran trees to the east of the site. This has been forwarded to the Landscape Officer for comments.

The overall open space provision is provided in accordance with the outline planning condition 17 which requires the provision of a minimum total of 3712 sq m of children's play space comprising 2320 sq m of informal play space and a 1392 sq m LEAP with a minimum of 5 pieces of equipment. The reduction in the eastern buffer does not affect the overall provision of open space across the site.

Forestry

Six individual trees, four groups (plus part of one other group) and a woodland group will be removed to facilitate the development. The majority of these trees are either low or moderate value. Mitigation for tree loss will be provided in the form of replacement planting which will include new amenity trees, screen planting, infill planting to reinforce existing features and a new area of fruit trees for community foraging. The proposed new planting will lead to an increase in tree cover as new trees mature are planted as part of the development. The overall concept has had the benefit of ongoing advice from the Landscape Officer.

Hedgerows

There would be some hedgerow removal to facilitate the proposals. Out of the 142m to be removed, hedgerow H6 and H9 are classified as important under the Hedgerow Regulations 1997, of which 13m and 17m respectively will be removed. New broad hedgerows to compensate are proposed with the public open spaces and along access roads define front boundaries of properties.

Ecology

The Biodiversity Protection Method Statement has been prepared in support of the proposals. The retained and enhanced pond will provide an improved range of aquatic, marginal and terrestrial habitat which will be suitable for a wide range of flora and fauna.

The landscape scheme will incorporate native species and wildlife friendly species to increase foraging opportunities for birds and bats. Structural diversity within the site will be increased through the planting of shrubs, bulbs, hedgerows and trees in addition to maintaining grassed areas.

Bird nest boxes will be installed into the existing hedgerows and trees along the north boundary and existing trees in the east of the site.

The existing subsidiary badger sett on the site will be closed. New planting, including fruiting trees, will be managed to provide foraging habitat for badgers. Hedgerows will also be planted along the eastern boundary for screening of the off-site setts.

Bat boxes will be installed on four existing trees within open spaces to preserve the availability of potential tree roost habitat. An inspection of those trees with bat roost potential will also be carried out prior to felling or tree surgery works.

Each resident will be supplied with one wildlife habitat feature from a choice of 40 no. bird boxes, 32 no. bird feeding stations, 32 no. bat boxes, 16 no. hedgehog boxes and 40 no. invertebrate features.

Flood Risk & Drainage

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. A Flood Risk Assessment was submitted as part of the outline planning application.

The Environment Agency and United Utilities have been consulted as part of this application and have raised no objection to the proposed development. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

Details relating to the proposed drainage strategy for the site have been provided as part of the separate discharge of conditions application pending consideration by the Council (LPA ref: 14/5739D). The drainage strategy includes the use of over-sized pipes under the highway, rainwater butts to roof areas of the social rented properties, and a landscape basin/depression and underground hydro-chamber tanks. United Utilities have agreed in principle to the proposed strategy to be adopted with regards to on/off-site surface water and foul drainage.

SOCIAL SUSTAINABILITY

Affordable Housing

The applicant's propose to provide 30% affordable housing (48 dwellings) in accordance with the operative provisions of the Section 106 Agreement. The Housing Officer is satisfied with submitted Affordable Housing Scheme with the exception of the tenure split.

The affordable housing layout highlights the location of the affordable units. The location of the units constitutes pepper-potting and this is sufficient integration of the affordable units. This is accepted by the Councils Housing Officer.

A mix of unit types and size is proposed on the development with 1, 2 and 3 beds included in the affordable housing scheme. The Housing Officer is content with the residential mix.

The proposals will provide 37.5% intermediate tenure (18 dwellings) and 62.5% (30 dwellings) as social rented tenure. The Section 106 Agreement requires 65% social rented and 35% intermediate tenure. The justification for the minor change to the tenure split has arisen in order to meet specific comments received from occupiers of Congleton Road (no 124) who, at the pre-application stage, submitted a letter of objection to the layout requesting that the affordable units be replaced with detached properties in order to facilitate views through the site from their property. The layout was amended to meet with their specific comments but this had implications on the wider scheme with the need to pepper pot the affordable units away from existing residents on Congleton Road.

As a minimum Registered Providers are only prepared to deliver social rented properties that come in pairs. The final layout does not enable this. In the interests of meeting the needs of residents bounded by the development proposals a reduction in social rented tenure by 2.5% is considered minor and the overall amount of affordable housing will still be provided on site.

Education

This issue was dealt with as part of the outline application. The Section 106 Agreement contains a primary education of £282,003 and a secondary education contribution of £343,196.

ECONOMIC SUSTAINABILITY

The proposal would introduce more indigenous town centre residents that would in turn utilise local shops and facilities and will provide the related construction employment on the site for the duration of the build programme.

Other Issues

Taylor Wimpey and Seddon Homes have carried out extensive pre-application discussions with Places Matter, elected members, stakeholders, residents and local businesses at the pre-application stage as set out in the Statement of Community Involvement. The applicants considered the concerns of the residents and ward members directly affected by the development proposals on Congleton Road and amended the scheme prior to the submission

of the application. During the consideration of the application, the applicants have met with residents and continually discussed the scheme.

In accordance with the provisions of the National Planning Policy Framework, the applicants have undertaken good quality pre and post submission discussions which have resulted in the creation of a high quality scheme.

Planning Balance

The proposal is considered to be acceptable in terms of its impact upon residential amenity and it therefore complies with the relevant local plan policy requirements for residential environments and design.

The submitted Affordable Housing Scheme provides the details of affordable housing provision at the site and whilst there is a slight variation from the tenure split of the Section 106 Agreement, it is considered that the development is acceptable in terms of affordable housing provision.

The provision of the access point from Congleton Road was accepted as part of the outline application and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works.

The impact upon local education is considered to be acceptable and a contribution has been secured as part of the S106 Agreement.

The amount of POS and children's play provision to be provided on site is considered to be acceptable and is provided in accordance with the provisions of the Section 106 Agreement and the relevant outline planning conditions.

With regard to ecological impacts, the Council's ecologist is satisfied with the impact of this development.

There would be some limited tree loss at the site and the majority of the trees would be retained on this site.

The development is considered to be of a high standard of design and complies with the adopted Local Plan Policies and guidance contained within the NPPF.

Overall, this reserved matters application is acceptable and provides an exemplary standard of design. The conditions attached to the outline permission are extant and are equally applicable to this application and are therefore not repeated. Therefore details in relation ground conditions, construction management, drainage and details for traffic management/speed reduction measures and on street parking controls along Congleton Road will be resolved through the discharge of conditions on the outline planning permission.

Recommendation: Approve with conditions

- 1. Plans and details submitted**
- 2. Time**
- 3. Landscape implementation**

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