

NORTHERN PLANNING COMMITTEE – 1 June 2016

UPDATE TO AGENDA

APPLICATION NO.

16/1560M

LOCATION

Ned Yates Nurseries, Moor Lane, Wilmslow, Cheshire, SK9 6DN

UPDATE PREPARED

27 May 2016

CONSULTATIONS

ANSA – No objections subject to financial contributions in lieu of on site provision

Education – No objections subject to financial contributions

Flood Risk Manager – No objections subject to drainage conditions

APPLICANTS SUBMISSION

Two letters have been submitted by the existing occupants of the site, Jaques Landscaping and Leech Vehicle Repairs, outlining that they will be relocating within Cheshire East, the businesses are looking to expand on more suitable sites, and there will be no loss of employment.

KEY ISSUES

Open Space

The required contributions are as stated in the original report (£42,000 for POS and £10,000 for ROS)

The POS will be used for Gravel Lane Park junior play, Lindow Common access improvements and Carnival Field access improvements

The ROS will be for Carnival Field pitch improvements.

Education

The development of 14 dwellings is expected to generate:

3 primary children (14 x 0.19)

2 secondary children (14 x 0.15)

0 SEN children (14 x 0.51 x 0.023%)

The development is expected to impact upon secondary places in the immediate locality. Contributions which have been negotiated on other

developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at secondary schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that a shortfall of school places still remains.

The development is not expected to impact primary school or SEN provision.

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

$2 \times £17,959 \times 0.91 = £32,685.38$ (secondary)

Total education contribution: £32,685.38

Flood Risk

The Flood Risk Manager raises no objections subject to conditions relating to submission of a detailed design and associated management and maintenance plan of surface water drainage for the site; the development to be carried out in accordance with the submitted FRA, and; submission of detailed proposals for disposal of surface water (including a scheme for the onsite storage and regulated discharge).

Other matters

Comments from the Forestry Officer are still awaited. With regard to the site boundaries, the eastern boundary has been shown as a landscaped bund (0.5m high) within the rear gardens with a 1.8m high close board fence along the boundary. The reason for this proposed solution was:

- The landscaped bund has been proposed to develop a continuous tree lined edge of development when seen from the distant viewpoint along Moor Lane.
- The owner of the adjacent ménage raised concerns that balls kicked against the fence within the rear gardens may spook the horses.
- Landscaping outside the fence would be damaged by use of the ménage.

For these reasons, the applicant has requested that the current boundary treatment be retained as proposed. Given that the proposed tree belt behind the fence will mature, and will serve to soften the impact of the fencing, the proposed boundary treatment is considered to be acceptable

Amended Heads of Terms

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

- £42,000 POS contribution
- £10,000 ROS contribution
- Provision, tenure and phasing of 30% affordable housing
- £32,685.38 secondary education contribution

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to

consider the issue of whether the requirements within the S106 satisfy the following:

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

The provision of affordable housing and contributions towards offsite public open space are necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

The development would result in increased demand for school places at the secondary school within the catchment area which forecast to not have spare capacity. In order to increase capacity of the secondary school which would support the proposed development, a contribution towards secondary school education is required based upon the number of units proposed. This is considered to be necessary and fair and reasonable in relation to the development.

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

CONCLUSIONS

As in the original report, it is recommended that the application is delegated back to the Planning & Enforcement Manager, in consultation with the Chairman, to approve subject to the following additional conditions:

- 14. Submission of a detailed design and associated management and maintenance plan of surface water drainage for the site.
- 15. The development to be carried out in accordance with the submitted FRA.
- 16. Submission of detailed proposals for disposal of surface water (including a scheme for the onsite storage and regulated discharge).
- 17. Site levels details to be submitted.