

Application No: 16/0514C

Location: Land At, BACK LANE, CONGLETON

Proposal: Outline application for demolition of some existing buildings and the development of a residential scheme composing up to 140 dwellings, open space, landscape, access and associated infrastructure

Applicant: RUSSELL HOMES (UK) LIMITED,

Expiry Date: 23-May-2016

SUMMARY

The application site lies entirely within the Open Countryside as determined by the Congleton Borough Local Plan First Review 2005.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policy H6. The proposed development does not fall within any of the listed categories and as such, there is a presumption against the proposal unless material considerations indicate otherwise.

The site also forms part of the CS44 site allocation within the Submission Version of the Cheshire East Local Development Strategy, which is allocated for housing development and is an important material consideration to which significant weight can be placed, due to the stage the emerging Plan has reached.

Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development.

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide positive planning benefits such as; the provision of market and affordable dwellings in a sustainable location and the knock-on local economic benefits such a development would bring to local shops and suppliers.

Balanced against these benefits must be the adverse impacts, which in this case would be the loss of open countryside and the moderate impact upon the operation of the Jodrell Bank Telescope

All other issues are considered to be mitigated against by the use of planning conditions or a S106 Agreement and as such, are considered to have a acceptable impact upon the social, economic and environmental conditions of the area.

In this instance, is considered that the benefits of the scheme would outweigh the adverse impacts.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits. Accordingly it is recommended for approval.

RECOMMENDATION

Approve subject to conditions and the completion of a S106 Agreement and subject to a 21 day notification period to the University of Manchester (Jodrell Bank) of the intention to grant planning permission.

PROPOSAL

This is an outline proposal for up to 140 dwellings and associated open space, landscape, access and associated infrastructure. Only access is being formally applied for at this stage with all other matters being reserved for future assessment. An existing farmhouse is being retained and refurbished as part of these proposals. All other out buildings and stables on site are being demolished. A small number of parking spaces on Back Lane are also being provided opposite Back lane Playing fields for the use of the general public. Additionally, part of this red edge comprises the land that will comprise the access roundabout for Radnor Park.

SITE DESCRIPTION

The application site is located on the north western edge of the settlement of Congleton and is broadly flat and irregular in shape. The site is currently bounded by open fields to the north, east and west. To the south is a range of uses including the Radnor Park Industrial Estate, a dense area of existing residential development and a large area of playing fields. Access to the site is taken via Back Lane. Back Lane Playing Fields are opposite.

The site is 5.3 hectares in size, some of this area is to be used to facilitate the delivery of infrastructure associated with the new Congleton Link Road, including the widening of Back Lane within the application site.

The site comprises mainly greenfield land and accommodates a single 4 bed dwelling(to be retained and refurbished) with associated out-buildings and stables. The land is grazed by horses.

RELEVANT HISTORY

No previous planning applications of relevance on this site.

Permissions adjoining of relevance are:

15/4480C - The proposed Congleton Link Road - a 5.7 km single carriageway link road between the A534 Sandbach Road and the A536 Macclesfield Road. Permission granted 15 July 2016

The Planning Authority has other planning applications yet to be determined for the site immediately adjacent :

16/1824M - Demolition of the existing building and an outline planning application with all matters reserved except for means of access for a mixed use development comprising residential dwellings (use class C3) and employment development (use classes B1, B2 and B8) incorporating an element of leisure uses (use classes A3 and A4), together with associated woodland buffer, ecological mitigation and enhancements, open spaces and infrastructure.(to be determined) – This comprises circa 29000 sq m of Class B1 floorspace and up to 270 dwellings and also forms part of the CS44 Allocation within the emerging Local Plan Strategy

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14 - Presumption in favour of sustainable development, 17 – Core planning principles, 47-50 - Wide choice of quality homes, 55 - Isolated dwellings in the countryside, 56-68 - Requiring good design, 69-78 - Promoting healthy communities

Development Plan

The Development Plan for this area is the adopted Congleton Borough Local Plan First Review (2005). The relevant Saved Policies are:

GR1 New Development
GR2 Design
GR3 Residential Development
GR5 Landscaping
GR6 Amenity and Health
GR9 Accessibility, servicing and provision of parking
GR14 Cycling Measures
GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
GR21 Flood Prevention
GR22 Open Space Provision

NR1 Trees and Woodland
NR2 Statutory Sites (Wildlife and Nature Conservation)
NR3 Habitats
NR5 Habitats
H2 Provision of New Housing Development
H6 Residential Development in the Open countryside
H13 Affordable Housing and Low Cost Housing

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
CS44 - Back Lane/Radnor Park (Formerly SL6)
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 – Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management
SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

Other Material considerations:

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation
Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing

Supplementary Planning Documents:

Interim Planning Statement: Affordable Housing (Feb 2011)
North West Sustainability Checklist
SPG2 - Provision of Private Amenity Space in New Residential Development

CONSULTATIONS

Head of Strategic Infrastructure (HSI) – No objections, subject to S106 requiring financial mitigation (index linked) of £638,695.34 to provide for the widening works to Back lane or the direct provision of those widening works by the developer as part of the implementation of this scheme. Also seeks to ensure land in the highway is dedicated to the Council via the S106 Agreement.

Environmental Protection (Cheshire East Council) – No objections, subject to a number of conditions including; electric car charging points to be provided for all dwellings (not as suggested by the Applicant as upon request from future residents); the implementation of noise mitigation; the prior submission/approval of an Environmental Management Plan; the prior approval of air quality mitigation measures

Flood Risk Manager (Cheshire East Council) – No objections, subject to conditions

Housing (Cheshire East Council) – No objections, subject to the 30% affordable housing provision being secured via a S106 Agreement in a 65:35 split

ANSA Greenspaces (Cheshire East Council) – No objection subject to on site provision of POS and children's play space (min area 4460 m sq – of which 1000 m sq should be a NEAP) and the delivery of the NEAP. Considers residents management of the open and play space to be acceptable

Natural England: No objection. Satisfied that based upon the information provided there will be no adverse impact upon the River Dane SSI

Ecology: No objection subject to conditions

Education (Cheshire East Council) – This development of 140 dwellings is expected to generate:

26 primary children (140 x 0.19) – 1 SEN
20 secondary children (140 x 0.15) – 1 SEN
2 SEN children (140 x 0.51 x 0.023%)

This equates to the following number of places

15 x £11,919 x 0.91 = £162,694.35 (Primary)
20 x £17,959 x 0.91 = £326,853.80 (secondary)
2 x £50,000 x 0.91 = £91,000 (SEN)
Total education contribution: £580,818.15,

No Objection provided the mitigation required is provided

Congleton Town Council – Consider proposal to be premature before delivery of link road and express concern about highway safety on Back Lane

Somerford Parish Council - Objection on grounds that the proposal is premature before the link road is provided

Jodrell Bank: Oppose the development on grounds that it will have a moderate impact upon the operation of the telescope.

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants, site notices were erected and an advert placed in the local paper.

Approximately 31 letters/web based submissions have been received objecting to the proposal from nearby businesses, residents and another house builder. The main areas of objection are:

- Principle of development
- The application as proposed is premature in advance of the discussions on the Proposed Changes to the Local Plan. In particular Local Plan Strategy Site CS44 Back Lane/Radnor Park which according to that plan presents an opportunity to establish a high quality extension to Radnor Park Trading Estate alongside prominent and recreational uses. Key to this development will be the provision of the Congleton Link Road.
- The application is premature in advance of the finalisation of the North Congleton Masterplan which has been prepared to inform the allocation of the land to the north of the town and provide guidance on a number of sites including Back Lane/Radnor Park.
- Development of this site in isolation will undermine the final agreement of that masterplan, the distribution and relationship of the land uses to be accommodated and any final agreement with landowners and developers to contributions towards the delivery of the Congleton Link Road.
- An unplanned development on this site for residential development on what is 'green field land' if approved, will seriously prejudice the long term planned development of this area and could undermine the delivery of much needed employment land, the aims of the proposed changes to the Local Plan (para 15.227) 'to support the economic, physical and social regeneration of the town' and 'the opening up of new development sites in particular to improve access to Radnor Park Industrial Estate and Congleton Business Park.
- Part of the application site is clearly shown in Figure 15.26 in the Local Plan (February 2016) as employment land and includes a new access road to serve Radnor park. The application site does not make any provision for any employment land or an access road and is therefore contrary to the emerging plan.
- Paragraph 15.235a sets out clearly the Council's stated aims for the delivery of the sites north of Congleton that they should be delivered on a comprehensive basis in line with the North Congleton Masterplan.
- Paragraph 15.240a indicates that the employment allocations in mixed use schemes will be phased in tandem with the housing allocations.
- The proposed application is also contrary to Policy EG3 in the Local Plan Proposed Changes in particular that part of the policy which states 'subject to regular review, allocated employment sites will be protected for employment use in order to maintain an adequate and flexible supply of employment land to attract new and innovative businesses to grow and to create new and retain existing jobs.
- Cheshire East Council is confident that the Proposed Changes to the Local Plan deliver a 5 year land supply for the Borough.

- Congleton Local Plan First Review 2005
- The site is shown as open countryside and is outside the settlement zone line on the inset map and is therefore contrary to Policy PS4 in that plan and Policy PS8 Open Countryside.
- National Planning Policy Framework
- The planning application is contrary to the advice contained in the NPPF in particular the following paragraphs:
 - Para 18 where the Government is committed to securing economic growth in order to create jobs and prosperity and the planning system does everything it can to support sustainable economic growth. Approval of the application as submitted in the absence of any compliance with the North Congleton Masterplan and contributions to the link road will seriously prejudice the provision of future employment land in Congleton and quite possibly the long term viability of Radnor Park
 - Lack of sustainability (access to public transport/linkages with surroundings)
 - Need by-pass before any new housing
 - Ecology – Impact on wildlife
 - Brownfield development should be first
 - Loss of valuable dog walking space
 - Highway safety and congestion
 - Impact upon schools and physical infrastructure
 - No need for more housing / affordable housing in this location
 - Impact on the PROW, Congleton FP20
- The proposal makes no allowance for access from Congleton's major industrial estate (Radnor Park) to the proposed link road – HGV traffic would have to negotiate at least one T-Junction (and up to three) plus three roundabouts to reach the link road.
- The aim should be for much improved access to the link road to alleviate and potentially remove the current problems for both residents and businesses.

All representations can be viewed on the web site.

APPRAISAL

The key issues are:

- The Policy Position
- Sustainability including the proposal's Environmental, Economic and Social role
- Housing land supply
- The acceptability of the indicative design and layout
- Impact on residential amenity
- The impact upon highway safety in the locality
- Impact upon trees and landscape
- Impact upon ecology
- Drainage
- Jodrell Bank
- Planning Balance
- Other Material Considerations

Policy Position

The site lies in the Open Countryside as designated in the Congleton Borough Local Plan First Review, where policies H6 and PS8 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “in accordance with the plan unless material considerations indicate otherwise”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient to outweigh the policy concerns. One of these material considerations is the allocation of the site within the emerging Plan.

Cheshire East Local Plan Strategy – Proposed Changes Consultation Draft (March 2016)

The application site is identified as part of a preferred site for housing and commercial development (site CS44 Back Lane / Radnor Park, Congleton (Former SL 6) within the Cheshire East Local Plan Strategy – Submission Version. The strategy (inter alia) envisages:

The development of Strategic Location at Back Lane / Radnor Park over the Local Plan Strategy period will be achieved through:

1. The delivery of, or a contribution towards, the Congleton Link Road;
2. The delivery of 500 - 750 new homes (at approximately 30 dwellings per hectare) as set out in Figure 15.26 of the LPS;
3. The delivery of up to 7 - 10 hectares of employment land adjacent to Radnor Park Trading Estate as set out in Figure 15.26 of the LPS;
4. The delivery of up to 1 hectare of employment or commercial development adjacent to the Congleton Link Road Junction as identified in Figure 15.26 of the LPS
5. The retention and enhancement of Back Lane Playing Fields which has Village Green status;
6. The delivery of improved recreational facilities linked to Back Lane playing fields and the proposed primary school site a leisure hub of up to 10 hectares adjacent to Back Lane Village Green including new sports and leisure facilities;
7. The provision of appropriate retail space to meet local needs;
8. The provision of pedestrian and cycle links set in Green Infrastructure to new and existing employment, residential areas, shops, schools, health facilities and the town centre;
9. The provision of a new country park as set out in Figure 15.26 of the LPS
10. The provision of children's play facilities
11. The provision of a new primary school with linked community use as set out in Figure 15.26 of the LPS; and

12. Contributions to new health infrastructure.

13. The provision of land required in connection with the Congleton Link Road as set out in Figure 15.26 of the LPS

Site Specific Principles of Development

- a. Contributions towards the Congleton Link Road / complimentary highway measures on the existing highway network.
- b. The provision of a network of open spaces for nature conservation and recreation, including access to and enhancement of the River Dane Valley Corridor as shown in Figure 15.26 of the LPS. Development should retain and enhance areas of landscape quality / sensitivity.
- c. The timely provision of physical and social infrastructure to support development at this location.
- d. The achievement of high quality design reflecting the prominent landscape location of the site and creating a vibrant destination and attractive public realm.
- e. The design, layout and style of individual plots should be guided by appropriate master planning and design codes influenced by existing locational assets of the area and its surroundings. The site should be developed comprehensively consistent with the allocation of uses set out in Figure 15.26 and the principles of the North Congleton Masterplan. Development should integrate with the adjacent uses, particularly through sustainable transport, pedestrian and cycle links.
- f. The delivery of appropriate public transport links to connect with employment, housing and retail / leisure uses in the town.
- g. The promotion provision of pedestrian and cycle routes to provide clear and safe links to surrounding communities.
- h. A pre-determination desk based archaeological assessment will be required for any future application on this site for this strategic location.
- i. The site Strategic Location will provide affordable housing in line with the policy requirements set out in Policy SC5 (Affordable Homes).
- j. Future masterplanning development should have reference to the River Dane Local Wildlife Site of Biological Importance and Ancient Woodland.
- k. Future development should also have consideration to Policy SE14 (Jodrell Bank).
- l. In order to ensure a sustainable, mixed use scheme is delivered on the site, the Council will require all housing proposals to demonstrate, through the execution of an s106 Agreement or appropriate alternative, how the delivery of employment land as an extension to the Radnor Park Trading Estate in tandem with housing development will be assured.
- m. The Visual, Noise and Pollution assessment of development should be undertaken with the assumption that the Link road is in situ and suitable screening / mitigation provided accordingly. Noise and visual mitigation measures should be provided between future and existing employment / residential areas. This could include separation distances, acoustic fencing, earth mounding, tree planting and building orientation.
- n. Any replacement and/or new sports provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy and with Policy SC2 'Indoor and Outdoor Sports Facilities'
- o. Future development should provide an appropriate buffer with the Ancient Woodland along the River Dane Corridor

- p. Future development should provide an east to west Greenway with pedestrian and cycle links across the site linking together proposed and existing leisure uses, local retail and other community facilities at this site with other sites to the north of Congleton. This should include a footbridge over the River Dane for pedestrian / cycle use.
- q. The Congleton Link Road will form the boundary for development; except for a single area shown in Figure 15.26
- r. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the site is, or could be made, suitable for use should it be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the site.
- s. The proposed route of the Congleton Link Road is as shown in Figure 15.26. Development should be undertaken with the assumption that the link road is in situ. The land required for the construction and delivery of the Congleton Link Road will be safeguarded from development.

Congleton has been identified as a Key Service Centre for Cheshire East. The focus for Congleton over the Local Plan Strategy period will be that of high quality employment led growth to accommodate the expansion of existing businesses and attract new investment into the town. The provision of new housing is seen as important as part of balanced and integrated portfolio of development to support the town centre, ensure balanced and sustainable communities and support the delivery of the Congleton Link Road. Congleton is therefore expected to accommodate in the order of 24 hectares of employment land and 3,500 new homes up to 2030. This site is part of one of the sites that has been identified to contribute towards these future needs (CS44 in the Consultation Draft Version March 2016, previously known as SL6).

The location of the town's existing employment sites to the north of the settlement, the ambition to create a link road to the north of the town and the constraints presented by the South Cheshire Green Belt have led to the selection of a range of Local Plan Strategy Sites and Strategic Locations located to the north of Congleton. These sites offer the most effective means to support the expansion of existing successful business locations and make sure that new residential development is not only located within easy access of these employment sites but also to facilities and services in Congleton without the need to remove land from the South Cheshire Green Belt.

Housing Land Supply

Following the receipt of the Further Interim Views in December 2015, the Council has now prepared proposed changes to the Local Plan Strategy (LPS), alongside new and amended strategic site allocations, with all the necessary supporting evidence. The proposed changes have been approved at a Full Council meeting held on the 26 February 2016 for a period of 6 weeks public consultation which commenced on Friday 4 March 2016.

The information presented to Full Council as part of the LPS proposed changes included the Council's 'Housing Supply and Delivery Topic Paper' (CD 9.7) of February 2016.

This topic paper sets out various methodologies and the preferred approach with regard to the calculation of the Council's five year housing land supply. From this document the Council's latest position indicates that during the plan period at least 36,000 homes are required. In order

to account for the historic under-delivery of housing, the Council have applied a 20% buffer as recommended by the Local Plan Inspector. The topic paper explored two main methodologies in calculating supply and delivery of housing. These included the Liverpool and Sedgefield approaches.

The paper concludes that going forward the preferred methodology would be the 'Sedgepool' approach. This relies on an 8 year + 20% buffer approach which requires an annualised delivery rate of 2923 dwellings.

The 5 year supply requirement has been calculated at 14617, this total would exceed the total deliverable supply that the Council is currently able to identify. The Council currently has a total shortfall of 5,089 dwellings (as at 30 September 2015). Given the current supply set out in the Housing Topic Paper as being at 11,189 dwellings (based on those commitments as at 30 September 2015) the Council remains unable to demonstrate a 5 year supply of housing land. However, the Council through the Housing Supply and Delivery Topic paper has proposed a mechanism to achieve a five year supply through the Development Plan process.

National Planning Policy Guidance (NPPG) indicates at 3-031 that deliverable sites for housing can include those that are allocated for housing in the development plan (unless there is clear evidence that schemes will not be implemented within five years).

Accordingly the Local Plan provides a means of delivering the 5 year supply with a spread of sites that better reflect the pattern of housing need however at the current time, the Council cannot demonstrate a 5 year supply of housing.

Open Countryside Policy

In the absence of a 5-year housing land supply the Local Planning Authority cannot rely on countryside protection policies to defend settlement boundaries and justify the refusal of development simply because it is outside of a settlement, but these policies can be used to help assess the impact of proposed development upon the countryside. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Therefore, this proposal remains contrary to Open Countryside policy regardless of the 5 year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be "flexed" in order to accommodate additional housing growth.

In order to assess the impact upon the overall impact upon the Open Countryside, a significant consideration is the impact the development would have upon the landscape which is considered below.

Locational Sustainability

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against

these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

Accessibility is a key factor of sustainability that can be measured. One methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

The criteria contained within the North West Sustainability Checklist are also being used during the Sustainability Appraisal of the Cheshire East Local Plan. With respect to accessibility, the toolkit advises on the desired distances to local facilities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

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The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time

to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

These roles should not be undertaken in isolation, because they are mutually dependent.

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The toolkit sets maximum distances between the development and local amenities. These comprise of everyday services that a future inhabitant would call upon on a regular basis, these are:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m), bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),
- child care facility (1000m),

- bus stop (500m)
- railway station (2000m).
- public right of way (500m)

The accessibility of the site shows that following facilities meet the minimum standard:

	Recommended	Actual
Any transport node	400m	630m – Chestnut Drive Bus Stop
Convenience store	500m	1300m – Tesco Express
Post box	500m	900m – Post Box
Playground	500m	1600m
Bus Stop	500m	630m – Chestnut Drive Bus Stop
Public right of way	500m	Adjacent to site
Amenity open space	500m	50m – Back Lane Playing Fields
Children’s Play space	500m	On site
Post Office	1000m	1200m
Bank/cash point	1000m	1400m – Tesco Cash Machine
Supermarket	1000m	1400m – Aldi
Pharmacy	1000m	1400m – West Heath Pharmacy
Primary School	1000m	1300m - Black Firs Primary School
Secondary School	1000m	1700m – Congleton High School
Medical centre	1000m	2100m – Readesmoor Medical Centre
Leisure centre or library	1000m	2800m – Congleton Leisure Centre
Local meeting place /community centre	1000m	1600m - Danesford Community Centre
Public house	1000m	1,400m - The Unicorn
Public park/village green	1000m	50m - Back Lane Playing Fields
Child care facility	1000m	1,400m - Honeybear Nursery
Railway station	2000m	4000m - Congleton

Presently the proposal fails to meet the standards in the main, however, as is common in many suburban situations, the facilities in question are still within a reasonable distance of those specified and are therefore accessible to the proposed development. The residential area near the site is served by public transport and the site will be served by footpaths linking it to the main road. It should also be recognised that the site has been determined to be sustainable as part of the development of the Local Plan Strategy and that this area is one where significant future development is going to occur and the facilities will become available as part of the normal pattern of growth on adjoining sites.

As such, whilst the site presently fails the checklist, the area is on the edge of the Congleton area and day to day facilities are available a short distance away. On this basis the site is considered to be generally locationally sustainable. As the area develops it is also expected that facilities will also develop and proximity to every day services will improve.

Environmental role

The site is a greenfield site and therefore not the first priority for development. However, it is acknowledged that the Council's Strategic Housing Land Availability Assessment (SHLAA) recognises that the land is capable of development for housing, and as noted above, the site is within the zone which is also a preferred site for housing/commercial development (site CS44 Back Lane/Radnor Park Congleton) within the Local Plan Strategy Consultation Version March 2016.

Paragraph 38 of the Framework states that for larger scale residential developments, policies should promote a mix of uses in order to provide opportunities to undertake day to day activities including work on site, thereby minimising the need to travel.

Paragraphs 96 and 97 of the Framework deal with decentralised and renewable energy supply. The aim is to secure a proportion of predicted energy requirements for new developments from decentralised and renewable or low carbon sources. This can be dealt with by condition in the interests of sustainable development.

Social Role

The final dimension to sustainable development is its social role. In this regard, the proposal will provide up to 140 new family homes, including a significant amount of affordable homes, on site public open space and financial contributions towards education provision.

In summary, in terms of its location, and accessibility the development is relatively unsustainable. However, Inspectors have determined that accessibility is but one element of sustainable development and it is not synonymous with it. There are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development, which this proposal will help to do.

Overall, the proposal is considered to be a sustainable form of development, for which there is a presumption in favour within the Framework. Whilst policies PS8 of the Local Plan restrict new development within the Open Countryside, the site is a preferred option in the emerging Local Plan Strategy and whilst the weight afforded to emerging policies is limited this clearly represents

an opportunity for planned development and growth. The development of the site is therefore considered to be acceptable in principle.

COUNTRYSIDE AND LANDSCAPE IMPACT

One of the Core Planning Principles of the NPPF is to “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it”.

The application site is located on the western edge of Congleton and covers an area of 5 hectares in a roughly triangular area of land.

The boundaries are characterised by hedgerows and mature trees.

Clearly, by virtue of the loss of an open field, the proposal will result in the loss of intrinsic countryside character, however, this has to be seen against the existing urban/commercial back drop of most viewpoints into the site. The scheme provides a central area of open space, which if appropriately landscaped, would minimise the impact. This could be ensured through appropriate conditions and the S106 agreement.

Trees

This site contains no trees located which are currently protected by a Tree Preservation Order.

The tree report submitted in support of the application identifies 6 individual trees, 7 Groups, part of Group G15 and part of a hedgerow H1) to be removed to facilitate the proposed Congleton Link Road and road widening improvements to Back Lane and roundabouts associated with it. A further four individual trees have been assessed as ‘U’ category (BS5837:2012) and are considered poor quality specimens which are not worthy of long term retention.

The Illustrative layout submitted in support of the application will require removal of one low (C) category early mature Oak (T16 of the assessment), two low category groups (G9 and G14) comprising of Pear, Apple and Hawthorn, a moderate category Hawthorn and Sycamore Hedge (H2), three trees within a low category group (Group G10 a remnant Hawthorn and Sycamore hedge), and one tree in a low category group (Group G12).

These removals are to facilitate the internal road layout and are not considered to present a significant impact upon the wider amenity and landscape character of the area.

The illustrative layout proposes the retention of a number of individual A and B category trees located within the vicinity of the existing Paddock Farm building (2 Sycamore) and low category trees along the eastern site boundary and a moderate category group will be incorporated within rear garden boundaries of proposed plots. At reserved matters stage the location of plots will need to be so designed as to provide for the successful retention of trees and adequate provision of private amenity space.

Two low/moderate category groups within the central section of the site will be retained within public open space. As part of any landscaping provision, these groups should be maintained and enhanced with additional planting to provide climate resilience/ additional canopy cover.

The largest tree loss is associated with the proposed Congleton Link Road and associated works including the widening and upgrading of Back Lane. The application proposes new planting along the new alignment of Back Lane as part of a landscape belt separating the residential development and internal access roads. Such planting must make provision for large canopy/ high forest trees to provide the maximum benefit to offset and mitigate the losses and contribute and enhance the landscape character of Back Lane.

The replacement tree planting to the Back Lane frontage submitted indicatively is welcomed by the tree officer, however, this is also considered within the design section given the cramped form of the indicative provision.

Design

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.”

This application is submitted in outline form and the supporting documentation submitted with the application does not provide any detailed information on sustainable design. This is not surprising as this is an outline application, with a masterplan that seeks to establish only broad development and design principles. However, it is suggested that a sustainable design strategy/plan be required (by condition). This should set out the approach to delivering sustainable design objectives including:

- passive environmental opportunities,
- performance of fabric and reduction in carbon production and water consumption,
- the use of renewable/low carbon energy,
- the scheme’s design response to climate change adaptation
- other soft environmental measures.

The Urban Designer is not convinced that the indicative layout can accommodate 140 units and still provide for an appropriate layout of quality and the mix of units may need to be refined at reserved matters stage. This could be achieved by increasing the numbers of smaller units. It is important to note that the indicative layout is just that; indicative; and there is no in principal acceptance of the site layout as submitted.

Likewise the tree belt and associated landscaping as indicated in the submitted parameters is considered to be of insufficient depth and a minimum of 8m depth of the tree belt is required. This is not indicated on the illustrative layout.

Highway Safety and Congestion

Within the emerging Local Plan Strategy (LPS) – proposed changes version, includes, at figure 15.25, the proposed route of the Congleton Link Road alongside the proposed sites to the north of Congleton, of which this site is one.

The Council's stated aims for the delivery of the sites to the north of Congleton are that they should be delivered on a comprehensive basis in line with the North Congleton Masterplan. The sites cannot be comprehensively delivered without additional highways capacity provided by the proposed Congleton Link Road.

In this case, the site can be accessed without requiring the Link road. However, if this site comes forward prior to the link road then the proposals as submitted within this application provide for the widening of Back Lane in a manner that satisfies the Strategic Highways Manager that the proposals will have an acceptable impact upon highway conditions locally.

Accordingly, the Strategic Highways Manager requires either the direct works of widening or a highways mitigation contribution of £638,695.34 (index linked) to be paid towards the widening and re-alignment of Back Lane in these circumstances. This is required as a direct consequence of the impact of this development.

Subject to S106 Agreement that provides for the developer to directly undertake the highway widening works or the highways mitigation payment the dedication of land to the Highway Authority and the highways mitigation payment, it is considered that the proposal would not create any significant highway safety concerns and would adhere with Policy GR9 of the Local Plan. Land is also provided within this site for the direct access to Radnor Park via a roundabout, in these circumstances the land needs to be dedicated to the Council. This matter can be resolved by S106 Agreement.

The Strategic Highways Manager, however, makes it clear that he is not commenting upon the internal indicative road layout in this case, which would be a matter for future reserved matters as part of the layout of the site.

Affordable Housing

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

This is a proposed development of up to 140 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 42 dwellings to be provided as affordable dwellings. Whilst the application form makes no reference to affordable housing

in terms of numbers the submitted Affordable Housing Statement confirms that there will be 30% provision of affordable housing. The Strategic Housing Manager would expect the tenure split of these units to be in line with the IPS.

The SHMA 2013 shows that the majority of the demand in Congleton is for 1 and 4 bedroom dwellings. However the majority of the demand on Cheshire Homechoice, which is a more up-to-date reflection of current housing need, is for 1 and 2 bedroom dwellings therefore the SHM would like to see a range of different property sizes which will include some 1 bed units. 27 units should be provided as Affordable rent and 15 units as Intermediate tenure to conform with the 65:35 split.

Flood Risk and Drainage

The application site is within Flood Risk Zone 1, however there are topographic low spots within this site as indicated by the Environmental Agency's (EA) mapping system. The risk of flooding from this source will need to be appropriately mitigated before development can commence on site and must ensure surface water flooding is not increased to existing developments .

The Council's Flood Risk Officer has reviewed the supporting information and advises that he has no objections, subject to conditions.

Ecology

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. Most of the boundary hedgerows appear to be retained on site but there will be some losses to facilitate the site access points and some losses from the interior of the site.

Great Crested Newts

Great Crested newts are not located on this site

Bats

Evidence of bat activity in the form of a minor roosts of two relatively common bat species has been recorded within the barns on site. The usage of the building by bats is may be limited to small-medium numbers of animals using the buildings for relatively short periods of time during the year however it is suspected that there is a minor maternity roost of one species present. The loss of the roosts on this site in the absence of mitigation is likely to have a medium impact upon on bats at the local level. The submitted report recommends the installation of bat boxes on the nearby trees and a replacement 'bat loft' as a means of compensating for the loss of the roost and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

Nesting Birds

If planning consent is granted standard conditions will be required to safeguard nesting birds.

Breeding Birds

The proposed development site is likely to support breeding birds including the more widespread Biodiversity Action Plan priority species which are a material consideration for planning. If planning consent is granted standard conditions will be required to safeguard breeding birds.

Hedgerows

Hedgerows are a UK BAP priority habitat and hence a material consideration. The proposed development will require the removal of a section of species poor defunct hedgerow to facilitate the site entrances. The Council's Nature Conservation Officer has recommended that if planning consent is granted it must be ensured that this loss is compensated for through the enhancement of the remaining hedgerows on site and the planting of additional hedgerows as part of the detailed landscaping of the site.

The development proposals however will result in the loss of an area of marshy grassland which falls just short of supporting a sufficient diversity of species to qualify as a Local Wildlife site. Consequently the proposed development would still result in an overall loss of biodiversity.

A financial contribution is therefore required to 'offset' the impacts of the development to enable the total ecological impacts of the development to be fully addressed in a robust and objective manner. Any commuted sum provided would be used to fund habitat creation/enhancement works locally. This needs to be calculated by the Applicant to be agreed with the Council's ecologist. An update will be provided to address the outstanding ecology matters.

Subject to satisfactorily resolving these issues, it is considered that the development would adhere with Policy NE5 of the Local Plan and Policy SE3 of the emerging Cheshire East Local Plan Strategy – Submission Version.

Environmental Conclusion

The proposed development would be of an acceptable form of development that would not create any significant issues in relation to; landscape, trees, highway safety, drainage or flooding and ecology subject to the suggested conditions and mitigation. As such, it is considered that the proposed development would be environmentally sustainable.

Other economic considerations

It is accepted that the construction of a housing development of this size would bring the usual economic benefit to the closest shops in the general area for the duration of the construction period, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would also be ongoing economic and social benefit by virtue of new residents spending money in the area and using local services after they start living in the up to 140 new houses proposed.

Other social considerations

Jodrell Bank

Jodrell Bank advise that they oppose this development. Their view is that the impact from the additional potential contribution to the existing level of interference coming from the direction of this site will be moderate. This is a general direction in which there is already significant development close to the telescope.

Jodrell Bank now opposes development across a significant part of the consultation zone as a matter of principle, in order to protect the efficiency of the Jodrell Bank radio telescope's ability to receive radio emissions from space with a minimum of interference from electrical equipment. This is the case here. This is a very important material consideration to which moderate weight can be attached within the planning balance.

Radio telescopes at Jodrell Bank carry out a wide range of astronomical observations as part of national and international research programmes, involving hundreds of researchers from the UK and around the world. The telescopes are equipped with state-of-the-art cryogenic low-noise receivers, designed to pick up extremely weak signals from space. The location of Jodrell Bank was chosen by Sir Bernard Lovell in 1945 as a radio-quiet rural area away from the interference on the main university campus in Manchester.

The Congleton Borough Local Plan states that development within the Jodrell Bank Radio Telescope consultation zone will not be permitted if it can be shown to impair the efficiency of the Jodrell Bank radio telescope in terms of its ability to receive radio emissions from space with a minimum of interference from electrical equipment.

Equipment commonly used at residential dwellings causes radio frequency interference that can impair the efficient operation of the radio telescopes at Jodrell Bank. This evaluation is based on the definition of the level of harmful interference to radio astronomy specified in ITU-R.769, the International Telecommunications Union 'Protection criteria used for radio astronomical measurements', which has been internationally adopted and is used by Ofcom and other bodies in the protection of parts of the spectrum for radio astronomy.

The social adverse impacts of the scheme would be the moderate impact the development would have upon the efficiency of the Jodrell Bank Radio Telescope, which is of international significance. It should be noted that, should members approve the application, the Council would have to notify Jodrell Bank of the intention to grant planning permission under the existing Jodrell Bank Direction for a period of 21 days prior to the issuing of a Decision Notice.

It should also be taken into account, that, whilst it cannot mitigate the impact or overcome the objection, the level of impact can be moderated by the use of electromagnetic screening measures with the development. It is considered that this impact should be given moderate weight against the scheme in the planning balance

Educational Impact

A development of 140 dwellings is expected to generate:

26 primary children (140 x 0.19) – 1 SEN

20 secondary children (140 x 0.15) – 1 SEN
2 SEN children (140 x 0.51 x 0.023%)

The development is expected to impact on primary, secondary and SEN places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at schools in the area as a result of agreed financial contributions.

The analysis undertaken by the Education department in respect of this proposal has identified that should this development gain permission that 15 of the primary school pupils and all of the secondary aged pupils cannot be accommodated in local schools.

Special Education provision within Cheshire East Council currently has a shortage of places; at present over 47% of pupils are educated outside of the Borough. The Service acknowledges that this is an existing concern, however the 2 children expected from the Land at Back Lane application will exasperate the shortfall. The 2 SEN children, who are thought to be of mainstream education age, have been removed from the calculations above to avoid double counting.

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

15 x £11,919 x 0.91 = £162,694.35 (Primary)
20 x £17,959 x 0.91 = £326,853.80 (secondary)
2 x £50,000 x 0.91 = £91,000 (SEN)
Total education contribution: £580,818.15.

The applicant has agreed this level of mitigation to be dealt with by S106 Agreement.

Amenity Greenspace

The Greenspace Manager advises that there would be a deficiency in the quantity of provision of Amenity Green Space as a result of 140 units

The amount of Public Open Space (POS) that would be expected in respect of the new population would equate to 3360, this is in accordance with Interim Policy Note on Public Open Space.

The indicative layout provides for this.

Children and Young Persons Play Provision

A NEAP standard play facility is required having a minimum area of 1000 sq m activity zone.

The NEAP should include at least 8 items/activities incorporating DDA inclusive equipment plus infrastructure and be in line with the standards set out by Fields In Trust Planning and Design for Outdoor Sport and Play. This should be in an open location and visible from

nearby dwellings. Ansa request that the final layout and choice of play equipment is agreed with CEC, the construction should be to BSEN standards.

Full plans showing the design must be submitted prior to the play area being installed and this must be approved, in writing prior to the commencement of any works. A buffer zone of a least 30m from residential properties facing the play area should be allowed for with low level planting to assist in the safety of the site.

Subject to this mitigation, it is considered that the proposal would be in compliance with Local Plan Policy GR22 and Policy IN1 of the Cheshire East Local Plan Strategy on the basis of a private management regime, which would need to be approved by the Council.

Residential Amenity

According to Policy GR6, planning permission for any development adjoining or near to residential property or sensitive uses will only be permitted where the proposal would not have an unduly detrimental effect on their amenity due to loss of privacy, loss of sunlight and daylight, visual intrusion, and noise.

Supplementary Planning Guidance Note 2 advises on the minimum separation distances between dwellings. The distance between main principal elevations (those containing main windows) should be 21.3 metres with this reducing to 13.8 metres between flanking and principal elevations. The general relationships within the site are considered to accord with the guidance.

The EPO has advised that due to the outline nature of the application and the proximity of this site to Radnor Park Industrial Estate, there is a need to protect the amenity of future residential properties with respect to noise

The Environmental Health Officer has considered the acoustic report submitted in support of the application which suggests that standard thermal glazing will be sufficient to provide adequate noise mitigation from the nearby industrial estate, and from the Congleton Link Road. It is however necessary to ensure that future occupants of the properties are able to enjoy trickle ventilation of bedrooms without compromising the acoustic performance of the glazing. As such acoustic trickle vents are specified for properties closest to the link road and Back Lane.

For garden areas the report estimates future noise levels in external main gardens (rear) and has confirmed that no additional mitigation is required over and above the 2.5m high fence that will be along the boundary of the proposed road.

The EHO advises that the advice is based on the indicative layout as submitted and if the layout is significantly altered it will be necessary to revisit the acoustic report and update as needed.

With regards to Air Quality the report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to local traffic flows in the area if this site becomes operational before the link road is built

There is potential for adverse air quality impacts to occur both on site and in the wider area due to;

- Construction phase of the development (Dust)
- On site impacts from nearby road traffic sources – Congleton Link Road
- Off site impacts due to extra vehicles on the road network due to the development.

An air quality impact assessment has been submitted considering the above. The assessment uses detailed dispersion modelling to predict the impact both on and off site of the development. The modelling used worst case assumptions for road traffic taking into account the cumulative impact of the emerging allocations from Strategic Location SL6 (emerging Local Plan) – now CS44 (this site)

The assessment concludes that there is no air quality basis for refusing the application, and the EHO concurs with this conclusion.

However there will inevitably be some negative impacts locally, particularly if this development is completed before the link road opens

Poor air quality is detrimental to the health and wellbeing of the public, and also has a negative impact on the quality of life for sensitive individuals. It is considered therefore that operational mitigation measures should be provided in the form of direct measures to reduce the impact of traffic associated with the development and its impact upon the AQMA's and within Congleton.

Mitigation to reduce the impact of the traffic pollution can range from hard measures to softer measures such as the provision of a low emission strategy for the development designed to support low carbon (and polluting) vehicles.

The accessibility of low or zero emission transport options has the potential to help mitigate the impacts of transport related emissions. To ensure the uptake of these options is maximised, it is considered appropriate to create infrastructure to allow home charging of electric vehicles in all new, modern properties. This can be controlled by condition.

With regard to land contamination, dust and noise it is considered that conditions can satisfactorily safeguard future living conditions. As such, subject to the above conditions, it is considered that the proposal would not create any significant amenity concerns.

In terms of social sustainability, it is considered that negative impacts of the proposal can on the whole be mitigated by condition. It is considered that the social benefits of the scheme, through the provision of housing as part of a planned development and as part of an allocated mixed use site within an emerging plan to which significant weight can be attached, outweighs the moderate impact upon the Jodrell Bank telescope in the planning balance. It is therefore considered that the proposal would be socially sustainable.

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 education contribution is necessary having regard to the oversubscription of local primary and secondary schools and the demand that this proposal would add to the local provision. This is considered to be necessary, fair and reasonable in relation to the development.

The highways contribution and dedication of land is necessary to mitigate for the impact of the development on the local highway network and in that regard is fair and reasonable.

The ecological contribution is necessary to off set the harm to marshy grassland on site which is of ecological value

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

Planning Balance

The application site lies entirely within the Open Countryside as determined by the Congleton Borough Local Plan First Review 2005.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policy H6. The proposed development does not fall within any of the listed categories and as such, there is a presumption against the proposal unless material considerations indicate otherwise.

Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide positive planning benefits such as; the provision of a market and affordable dwellings in a mixed use allocation close to employment opportunities, the knock-on local economic benefits such a development would bring. The proposal also mitigates for its impact upon education provision locally by virtue of commuted sum payments for education, sustaining education provision locally.

Balanced against these benefits must be the adverse impacts, which in this case would be the loss of open countryside and the impact upon the operation of Jodrell Bank.

The site also forms part of an allocated housing site within the emerging Local Plan Strategy, which allows for the planned release of a mixed use development associated with the link road,

to which the decision maker is entitled to afford significant weight, given the advanced stage the Plan has now achieved.

All other issues are considered to be mitigated against by the use of planning conditions or a S106 Agreement and as such, are considered to have a neutral impact.

In this instance, it is considered that the benefits of the scheme, particularly in the light of the allocation of the site would outweigh the adverse impacts in this case.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits

RECOMMENDATION

Subject to a 21 day notification period to the University of Manchester (Jodrell Bank) of the intention to grant planning permission.

Approve subject to conditions and the completion of a S106 Agreement to secure the following:

- 1. Detailed residential management agreement for the Open Space/Childrens play space be submitted and approved.**
- 2. Provision of 30% on-site affordable dwellings – 65% provided as affordable rent and 35% as Intermediate tenure. The affordable units should be tenure blind and be provided no later than occupation of 50% of the open market dwellings.**
- 3 Education contribution - £162,694.35 (Primary)**
- 4. Education contribution - £326,853.80 (secondary)**
- 5 Education contribution - £91,000 (SEN)**
- 6. Highways Dedication of land in accordance with plan**
- 7. Highways commuted sum for works to Back Lane of £638,695.34 to be paid upon commencement of development or the developer will directly undertake the highway widening as indicated on dwg SCP– 15116-FO2 Rev C**
- 8. Dedication of land on Back Lane to Highway Authority**
- 9. Biodiversity payment in lieu of loss of marshy grassland (amount to be confirmed)**

And conditions;

- 1. Standard Outline**
- 2. Submission of reserved matters**
- 3. Plans – inc parameters plan**
- 4. Reserved matters to incorporate a mix of units of all sizes for market sale including the provision of 1 and 2 bedroomed units and bungalows**
- 5. Design Coding to form part of reserved matters**
- 6. Reserved matters to include Arboricultural Impact Assessment**

7. **Construction and Environmental Management Plan, inc wheel washing – Prior submission/approval; piling, dust**
8. **Reserved matters to include details of NEAP including 8 pieces of equipment for all ages and comprise minimum area of 4360 m sq – of which 1000 m sq shall be for NEAP**
9. **Public Rights of Way scheme of management shall be submitted to and approved**
10. **Bat mitigation strategy to be submitted as part of any reserved matters application**
11. **Illustrative master plan to be amended to show the retention of enhancement of the existing pond as part of the open space associated with the development.**
12. **Public Parking area to laid out and drained in accordance with scheme to be submitted and approved**
13. **Surface water drainage scheme – Prior submission/approval**
14. **Drainage strategy/design in accordance with the appropriate method of surface water drainage**
15. **Boundary treatments – Prior submission/approval**
16. **Breeding birds and roosting bat features – Prior submission/approval**
17. **Contaminated Land Phase I**
18. **Residential travel plan**
19. **Car charging for each dwelling**
20. **Tree and hedgerow Protection scheme – Prior submission/approval**
21. **Himalayan Balsam management strategy**
22. **Scheme for the incorporation of electromagnetic screening measures (protection of Jodrell Bank telescope)**

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

Should the application be subject to an appeal approval is given to enter into a S106 Agreement to secure the Heads of Terms as detailed above.

