

Application No: 16/4558C

Location: Land off, Macclesfield Road, Congleton

Proposal: Proposal for the construction of 201 dwellings off Macclesfield Road Congleton

Applicant: Carl Jones, Redrow Homes North West

Expiry Date: 16-Dec-2016

SUMMARY

Whilst the majority of the site lies within Congleton, circa 26 proposed units lie within the former Macclesfield Borough. The planning policy designation is Open Countryside in the Congleton Borough Local Plan First Review 2005 and Countryside Beyond the Green Belt as defined by the Macclesfield Borough Local Plan 2004

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Congleton Local Plan Policy (CLP) H6 and Macclesfield Local Plan Policy (MLP) GC6. 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 CS17 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 an assessment as to whether the proposal constitutes "sustainable development" and 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 upon Jodrell Bank and the loss of open countryside.

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 application has been revised by the introduction of bungalows and a minor reduction in the overall numbers from 202, as originally submitted, to the current proposal for 201 dwellings and associated open space, landscape, access and associated open space and ecological areas. The density equates to 28 units per hectare on this 7.4 hectare site.

A single point of vehicular access is proposed via Macclesfield Road. There is a drainage ditch retained to the shared boundary with Galloway Green

As submitted, all dwellings except 2 bungalows are two-storey and are arranged in a series of cul-de-sacs through the site. Public Open space and ecological mitigation area comprising two existing ponds are located to the east of the site, adjoining the Moss Lane frontage. There are two blocks of 3 storey flats.

The mix is as follows:

Market (Total 141)

2-bed x 9

3-bed x 52

4-bed x 80

Affordable (Total 60)

1-bed apartment x 10

1-bed bungalow x 2

2-bed mews x 25

3-bed mews x 23

SITE DESCRIPTION

The application site comprises agricultural land located on the northern side of Macclesfield Road and adjoins Galloway Green to the west, Moss Farm to the north and Moss Lane to east and straddles the administrative boundaries of the former Congleton and Macclesfield Boroughs . The land slopes slightly, with the adjoining dwellings on Galloway Green at a slightly lower level. Cranberry Moss, a site of Biological Importance is located on the other side of Moss lane. Eaton Bank Academy is located on the other side of Macclesfield Road.

RELEVANT HISTORY

16/2643C - Proposal for the construction of 202 dwellings off Macclesfield Road Congleton (Appeal against Non-determination submitted to Planning Inspectorate) - Not determined

There are extant permissions on adjoining sites and to the south of Moss Farm which are of relevance:

13/0918C - Outline Application for Residential Development Comprising up to 45 Dwellings (All Matters Reserved) – Permission granted 13-Oct-2014

14/5386C - Reserved matters application for approval of details of access; relating to Phase 1 of outline consent reference 13/0918C comprising 1N° dwelling and construction of new road junction to Manchester Road – Permission granted 06-Feb-2015

Further to the south, and adjoining the site of the former Cattle Market, the following was approved:

13/0922C – Land Off Biggs Way, Congleton - Outline Application For Residential Development Comprising Up To 45 Dwellings (All Matters Reserved) Permission granted 05-Nov-2015

14/4451C – Land off Manchester Road - Full permission for the erection of 137 dwellings and associated infrastructure (Phase 1) – Permission granted 24 October 2016

14/4452C - Land off Manchester Road - Full permission for the erection of 99 dwellings and associated infrastructure (Phase 2). Resolved to Approve subject to S106 Agreement by Southern Planning Committee 28 April 2016 – awaiting completion of S106 Agreement

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

There are two Development Plans in force for this area. These are the Congleton Borough Local Plan First Review (2005) and the Macclesfield Borough Local Plan 2004. The relevant Saved Policies are:

Congleton Borough Local Plan (CBP)

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

Macclesfield Borough Local Plan (MBLP) 2004

NE11 (Nature Conservation)
NE12 (Sites of Biological Importance)
BE1 (Design Guidance)
GC1 (New Buildings)
GC5 (Countryside Beyond the Green Belt)
GC14 (Jodrell Bank)
H1 (Phasing Policy)
H2 (Environmental Quality in Housing Developments)
H5 (Windfall Housing Sites)
H8 (Provision of Affordable Housing)
T2 (Transport)
RT5 (Minimum open space standards)
RT7 (Cycleways, Bridleways and Footpaths)
DC1 (Design New Build)
DC3 (Amenity)
DC6 (Circulation and Access)
DC8 (Landscaping)
DC9 (Tree Protection)
DC35 (Materials and finishes)

DC36 (Road Layouts and Circulation)
DC37 (Landscaping)
DC38 (Space, Light and Privacy)
DC40 (Children's Play Provision and Amenity Space)

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
CS17 – Manchester Road to Macclesfield Road, Congleton
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 £469,478.20 to highways improvement, including £30,000 as part of a contribution for the provision of a pedestrian crossing on Macclesfield Road

Environmental Protection (Cheshire East Council) – No objections, subject to a number of conditions, however, consider insufficient information has been submitted in respect of Air Quality

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

Housing (Cheshire East Council) – No objections, subject to the submitted affordable housing provision being secured via a S106 Agreement in a 65:35 split. Supports the introduction of 2 no bungalows negotiated as part of the application.

ANSA Greenspaces (Cheshire East Council) – No objection subject to on site provision of POS and children's play space to be maintained in perpetuity by private residents management agreement and a commuted sum lieu of formal organised sport provision of £26000 (for that part of the site which falls within the Macclesfield planning policy area).

Natural England: Previously advised on application 16/2643C currently under appeal. Satisfied that based upon the information provided there will be no adverse impact upon the Madams Wood SSI

Ecology: No objection subject to conditions

Education (Cheshire East Council) – This development of 200 dwellings is expected to generate:

38 primary children (200 x 0.19)
30 secondary children (200 x 0.15)
2 SEN children (200 x 0.51 x 0.023%)

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

$37 \times £11,919 \times 0.91 = £401,312.73$ (primary) – 1 SEN
 $2 \times £50,000 \times 0.91 = £91,000$ (SEN)
Total education contribution: £492,312.73

Other developments in the area have been factored in to the assessment with regard to secondary provision and no requirement for secondary provision has been identified as a result of this development.

No objection provided the mitigation required for primary and Special Education Needs is provided

Congleton Town Council – No objection

Eaton Parish Council - Objection on grounds that the proposal will have an adverse impact upon local infrastructure and consider that the sustainability checklist provided by the

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 8 web based submissions have been received either making general comment or objecting to the proposal. The main areas of objection are:

- Principle of development
- Need by-pass before any new housing
- Ecology – Impact on wildlife
- Highway safety and congestion
- Access is on brow of hill, what other access points have been considered
- Density is too high and higher than existing area
- Impact upon schools and physical infrastructure
- Site is higher than Galloway Green and this could lead to flooding
- Loss of views and aspect for Galloway Green properties
- Development is too dense
- A wildlife corridor should be created to the Galloway Green boundary
- Detrimental to intrinsic character of the countryside
- Proposals provide no starter homes and no homes for the elderly
- Sustrans consider that Linkages should be in accordance with the North Congleton Masterplan
- Eaton Bank Academy raises concerns about additional traffic on Macclesfield Rd and how this will fetter their desire to create an access for the school via Macclesfield Road. Also want their future plans for floodlighting of 3G pitch to be taken into account as part of this application.

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 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.

Similarly for the small portion of the site which lies in Macclesfield, Policy GC5 of the Macclesfield Local Plan Policy GC5 states that only development which is essential for agriculture, forestry, outdoor recreation or other uses appropriate to a rural area will be allowed.

The proposed development would not fall within any of the categories of exception to the restrictive policies relating to development within the open countryside in either Plan. As a result it constitutes a “departure” from the development plans 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 a preferred site for housing and commercial development (retail to meet local needs) (site CS17: Manchester Road to Macclesfield Road) within the Cheshire East Local Plan Strategy – Submission Version. The strategy (inter alia) envisages:

‘The development of Manchester Road to Macclesfield Road over the Local Plan Strategy period will be achieved through:

- 1. The delivery of 450 new homes (at approximately 30 dwellings per hectare); and*
- 2. The provision of appropriate retail space to meet local needs.*

Site Specific Principles of Development

- a. Contributions towards the delivery of the Congleton Link Road.*
- b. Contributions towards complementary highway measures on the existing highway network.*
- c. Pedestrian and cycle links set in green infrastructure to be provided to new and existing employment, residential areas, shops, schools, health facilities the town centre. This should include the retention of existing Public Rights of Way into a landscaped corridor to provide enhanced pedestrian connectivity.*
- d. Contributions to education and health infrastructure.*
- e. The provision of a network of open spaces for nature conservation and recreation. Development should retain and enhance areas of landscape quality / sensitivity.*
- f. The timely provision of physical and social infrastructure to support development at this location.*
- g. The achievement of high quality design reflecting the prominent landscape location of the site and creating a vibrant destination and attractive public realm.*

- h. The site should be developed comprehensively consistent with the allocation of uses set out in Figure 15.25 and the principles of the North Congleton Masterplan. Development should integrate with the adjacent existing and proposed uses, particularly through sustainable transport, pedestrian and cycle links*
- i. The delivery of appropriate public transport links to connect with employment, housing and retail / leisure uses in the town.*
- j. The Local Plan Strategy Site will provide affordable housing in line with the policy requirements set out in Policy SC5 (Affordable Homes).*
- k. Future development –should consider the use of SUDs to manage surface run off from the site.*
- l. A desk-based archaeological assessment should be undertaken, with appropriate mitigation, if required.*
- m. Development proposals should positively address and mitigate any impacts on the adjacent Cranberry Moss.*
- 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 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.*
- p. 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.*

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 Council's expectation is the site is delivered on a comprehensive basis in the form of outline planning application(s), in line with the North Congleton Masterplan, to secure appropriate contributions towards the delivery of the Congleton Link Road and appropriate contributions to the infrastructure requirements of individual sites as set out in policy requirements and in line with Policy IN1 (Infrastructure) and IN2 (Developer Contributions). Whilst this is a full application (as were the large sites under 14/4451C and 14/4452C). This development, when considered alongside those permissions that have already been granted on adjoining sites in accordance with Policy CS17 of the emerging Plan, results in a total of 486 units being provided and will complete the allocation. Whilst, this is in excess of the 450 units indicated, the density of the developments has been either 30 units per hectare or slightly below. No retail provision has been secured on any scheme. Across the allocation, this increase in housing numbers is not significant in site planning terms and is a welcome benefit to the housing land supply position of the Council. Whilst the lack of any retail element is unfortunate, this site is relatively well located with respect to retail shopping, via the Tesco supermarket or the local shop in Lower Heath.

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 (CS7 in the Consultation Draft Version March 2016).

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

The Council cannot currently demonstrate a five year supply of deliverable housing land for the purposes of determining planning applications.

Previous application reports have noted the progress that is being made with the Local Plan Strategy and how, through that process, the Council is seeking to establish a 5 year housing land supply. Six weeks of examination hearings took place during September and October 2016 which included the consideration of both the overall housing supply across the remainder of the Plan period and 5 year housing supply. The Council's position at the examination hearings was that, through the Plan, a 5 year housing supply can be achieved. However, in the absence of any indication yet by the Inspector as to whether he supports the Council's position, this cannot be given material weight in application decision-making.

The Council's ability to argue that it has a five year supply in the context of the emerging Local Plan Strategy is predicated on two things which differentiates it from the approach towards calculating five year supply for the purposes of current application decision making. Firstly the Council contended, taking proper account of the Plan strategy, that the shortfall in housing delivery since the start of the Plan period should be met, and justifiably so, over an eight year period rather than the five year period, which national planning guidance advocates where possible and, secondly, that the Local Plan Strategy 5 year housing supply can also, justifiably, include a contribution from proposed housing allocations that will form part of the adopted plan. These include sites proposed to be removed from the Green Belt around towns in the north of the Borough.

Looking ahead, if the Inspector does find that a 5 year supply has been demonstrated through the Local Plan Strategy, this will be material to the determination of relevant applications. Any such change in material circumstances will be reflected in relevant application reports. However, until that point, it remains the case that the Council cannot demonstrate a five year housing supply. This means that paragraphs 49 and 14 of the Framework are engaged.

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, 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.

SUSTAINABILITY

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”

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.

Locational Sustainability

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.

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	Location
Any transport node	400m	240m	Macclesfield Road bus stop on site frontage
Convenience Store	500m	482m	McColls – Lower Heath
Post Box	500m	430m	Surrey Drive/Eaton Bank
Playground	500m	340m	Galloway Green & on site
Bus Stop	500m	240m	Macclesfield Road
Public right of way	500m	160m	Byway along Havannah Lane (Eaton BY9)
Amenity Open Space	500m	480m	River Walk & Playing fields near Havannah Mills
Children’s Play	500m	340m	Galloway Green & on site

Area			
Post Office	1000m	482m	McColls – Lower Heath
Bank/Cash Point	1000m	482m	McColls – Lower Heath
Supermarket	1000m	1500m	Tesco
Pharmacy	1000m	965m	Salus Pharmacy
Primary School	1000m	750m	Havannah School
Secondary School	1000m	580m	Eaton Bank School
Medical Centre	1000m	2600m	Meadowside Medical Centre
Leisure Centre or Library	1000m	2090m	Congleton Leisure Centre Worrall St
Community Centre	1000m	1500m	Scout Hut, Worrall Street
Public House	1000m	1287	The Plough Inn
Public Park/ Village Green	1000m	1600m	Congleton Park
Child Care Facility	1000m	2000m	Hilltop Nursery, Chapel Street
Railway Station	2000m	3200m	Congleton

The proposal fails to meet a number of standards, 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. Macclesfield Road 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.

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 SUSTAINABILITY

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 edge of Congleton and covers an area of 7.4 hectares in a roughly rectangular area of land. The boundaries are characterised by hedgerows with some trees interspersed within the hedgerow.

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 back drop of most viewpoints into the site and against a backdrop of the approvals of other sites that adjoin the boundary of the site with Moss Farm, which will be a residential development but yet to be implemented. The scheme provides a sizeable 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 which are currently protected by a Tree Preservation Order.

A Tree Report and Hedgerow Assessment has been submitted. The Assessment identifies 15 individual trees, 3 groups, and 4 hedgerows located across the site and categorises them in accordance with Table 1 of BS5837:2012 into High (A) category; Moderate (B) category; C (low) category and trees unsuitable for retention (U). Of the 15 Individual trees, 1 Oak is categorised as A (High quality), two trees as B (Moderate quality) and three trees categorised as C (low category). Two tree groups have been categorised as Category B (Moderate quality) and one group as Category C (Low quality). A small area of hedgerow is removed to form the site access on Macclesfield Road

The Tree Officer has no objection to the scheme in tree or hedgerow terms subject to conditions.

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.”

The houses are predominantly a mix of 2 storey mews and detached properties arranged off the central access route through the site. Two bungalows and 2 blocks of 3 storey flats are proposed.

The positive and externally orientated perimeter houses are welcomed with all areas of open space, footpaths and highways well overlooked by the proposed dwellings. The density of dwellings per hectare (28) is appropriate due to the urban fringe location of the site and the development framework is as indicated within the information submitted within the design and access statement submitted at outline stage. The palette and mix of materials comprises render as well as brick, with key focal point units being orientated to key streetscene points. Whilst the house types are part of this house builders standard portfolio, different design treatments are used throughout the area to create a different sense of place by well chosen design features. This use of different palettes such as hanging tiles, render or brick to the same bay within different street scenes is considered to be appropriate and will add interest in streetscenes.

In terms of the detailed design the proposed dwellings include canopies, bay windows, sill and lintel details. The design of the proposed dwellings, the palette of materials and their scale/distribution throughout the site is considered to be acceptable.

Highway Safety and Congestion

A new access junction is proposed onto Macclesfield Road to serve the development, this consists of a 5.5m wide access and two 2.0m footways on either side of the road. Additionally, a 3.0m wide ghost island right turn lane on Macclesfield Road is proposed to provide access to the site.

The applicant has identified a number of off site improvements, a footway is to be provided along the site frontage and will link with the existing footway just beyond the Galloway Green access.

The site access has been located on the brow of the hill on Macclesfield Road to ensure an adequate forward visibility, visibility splays at the access point has been indicated as 2.4m x 43m as this is a 30 mph speed limit although increased levels of visibility is actually available at the site access. The Strategic Highways Manager is of the opinion that there is no other point on Macclesfield road, other than the access as proposed, which could provide the adequate visibility as required for this scheme.

The proposed ghost island access to the site provides an acceptable standard of access for this site and also will operate within capacity levels.

In regards to the pedestrian accessibility of the site, a link is provided to the footway network to the south of the site to at Galloway Green. The location of the site is very close to Eaton Bank Academy Secondary School and is within easy walking distance from the site.

There are crossing points for pedestrians indicated as part of the ghost right turn access to the site, given that it is likely that vulnerable road users will need to cross Macclesfield Road to the school a formal pedestrian crossing is required rather than splitter traffic islands as proposed. This is will part funded as part of the highways mitigation payments required by other developments

The site can be accessed by cyclists using the road network and there other identified cycle routes, some off road that can be accessed from the site. The nearest bus services are located on Macclesfield Road with bus stops within walking distance of the site. The service frequency on Macclesfield Road that runs between Crewe and Macclesfield is hourly throughout the week but not on Sundays. In summary, the site can be accessed by sustainable modes and it is considered to be acceptable in regards to sustainability.

The internal road layout submitted has been designed to traditional highway standards using uniform road widths, whilst this design conforms to highway standard requirements there are areas where lower road widths can be used and also shared surface roads can be considered. The parking provision across the development conforms to current parking standards.

Within the emerging Local Plan Strategy (LPS) – proposed changes version, includes, at figure 15.25, the proposed route of the Congleton Link Road. Whilst this site is not conjoined to the route, it is one of the sites identified for development within the emerging strategy for residential development associated with the link road.

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.

The site can be accessed without the Link Road however, mitigations are required by the Strategic Highways Manager to the local highway network (on Macclesfield Road and the A34), in conjunction with agreed mitigation in respect of 14/445C and 14/4452C. Without such mitigation, the proposal would not be supported. The mitigation needs to be provided in full by the occupation of the 140th unit on site.

However, subject to the above mitigation requirements and conditions, the Strategic Highways Manager is of the view that the proposals will have an acceptable impact upon highway conditions locally.

The comments of Eaton Bank Academy are noted, however at this time the Strategic Highways Manager has seen no plans of the Schools intentions with regard to their potential access on to Macclesfield Road and therefore cannot offer comment. However, an update on this issue will be reported to Members if available at the time of decision.

Flood Risk and Drainage

The site is located in Flood Zone 1. There are two ponds within the proposed site to the north, which are retained as part of the POS and ecological area to the Moss Lane boundary of the site. The Council's Flood Risk Officer has reviewed the flood risk information and advises that he has no objections, subject to conditions.

Ecology

Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zone associated with Madams Wood.

Natural England were consulted on application 16/2643C (the application under appeal) at this site and advised that the proposals would not effect the interest features for which Madams Wood SSSI.

Non-statutory sites

The application site is located in close proximity to Cranberry Moss Local Wildlife Site. The proposed development is unlikely to have a significant impact upon the Local Wildlife Site.

Great Crested Newts

A medium sized great crested newt population was recorded on site. In the absence of mitigation the proposed development would result in the loss of an extensive area of low quality

terrestrial habitat and also pose the risk of killing or injuring any animals present within the footprint of the proposed scheme. The potential adverse impacts associated with the proposed development are likely to be 'moderate' in scale.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

With respect to these matters; the development site is allocated within the emerging plan and the benefits to the housing land supply position of the Council are considered to be of overriding public interest and that there are no suitable alternatives in the vicinity of the site which could be utilised to deliver the housing development

The proposed development retains the existing ponds on site and seeks to ensure that connectivity to better quality terrestrial habitats off site is maintained.

The risk of newts being killed or injured during the construction phase will be mitigating by removing and excluding newts from the footprint of the proposed development using standard best practice methodologies under the terms of a Natural England license.

The Ecologist has confirmed that he is satisfied that the favourable conservation status of the European Protected Species will be safeguarded by these proposals subject to the open space/ecological mitigation layout shown on the submitted plan 1110-02-02-001 shows a greater and more appropriately located area of rough grassland than is shown on the submitted detailed landscape plan (reference 4933.03). An updated detailed landscaping plan is therefore necessary.

To minimise the risk of fish etc. being introduced to the ponds post development the ecologist recommends that a fencing/hedgerow planting be incorporated around the ponds with a suitable access point provided for management. There appear to be hedgerows around the ponds shown on submitted plans. It must be ensured that this proposal is taken forward under any detailed landscape proposals for the site.

Provided these elements are incorporated into the proposed development the proposed mitigation and compensation is likely to be sufficient to maintain the favourable conservation status of the local great crested newt population.

Common Toad

This priority species was also recorded on site. The implementation of an appropriate great crested newt mitigation strategy would also be likely to safeguard this species.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The proposed development will result in the loss of a section of hedgerow to facilitate the site access. There appears to be sufficient space in the open space area to provide additional hedgerow planting to compensate for that lost and as discussed above, additional hedgerow planting is shown on submitted plan 1110-02-02-001 and this should be incorporated into the detailed landscaping scheme for the site.

Badgers

An updated badger survey has been submitted. The potential badger sett previously recorded on site is inactive, but there are signs of badger activity present, a condition should therefore be attached requiring an updated badger survey to be submitted prior to the commencement of development.

Roosting Bats

A revised assessment of the tree with bat roost potential to be removed as part of the development has been undertaken. The tree has been assessed as having low bat roost potential. The ecologist is satisfied

Nesting Birds

Standard conditions are recommended for nesting bird protection and the provision of bat and bird boxes

Hedgehog

Hedgehogs are a biodiversity action plan priority species and hence a material consideration. There are records of hedgehogs in the broad locality of the proposed development and so the species may occur on the site of the proposed development. Subject to gaps being provided to garden boundaries/hedges of 10cm by 15cm and located at least every 5m, the hedgehog will be satisfactorily accommodated.

Management plan

The submitted habitat management plan is broadly acceptable in terms of the proposed treatment for the rough/meadow grassland habitats on site. Minimal proposals have however been submitted relating to the on-site ponds. However, a condition can be attached requiring a further habitat management plan to be submitted prior to the commencement of development.

On this basis, it is considered that the development would adhere with Policy NE5 of the Congleton Local Plan, NE 11 of the Macclesfield Local Plan and Policy SE3 of the emerging Cheshire East Local Plan Strategy – Submission Version.

Environmental Health Issues

The Application is supported by an Air Quality report, Noise Assessment and Phase 1 Contamination Report. The Environmental Health Officer has considered the information and confirmed that matters of noise, contaminated land, air quality and general amenity of existing and future residents are considered acceptable subject to conditions.

Environmental Conclusion

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 CS17 Manchester Road to Macclesfield Road 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.

Overall, subject to the mitigation agreed and the conditions suggested, 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.

SOCIAL SUSTAINABILITY

Housing Mix

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing. In this case the development would provide the following mix:

This proposal provides for the following mix:

Market		Affordable	
2 bed	x 9	1 bed apartment	x 10
3 bed	x 52	1 bed bungalow	x 2
4 bed	x 80	2 bed mews	x 25
		3 bed mews	x 23
Total	x 141	Total	x 60

The scheme has been revised to increase the numbers of smaller family homes. Two bungalows for affordable rents have also been introduced as part of the application negotiations. The affordable units are pepper-potted through the site and are of the same design/palette of materials as the market units.

The mix of sizes, both for market sale and affordable units are therefore considered acceptable.

Affordable Housing

The Council's 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.

The SHMA 2013 identified a requirement for 119 new affordable dwellings per annum in Congleton. Broken down this is 27 x 1 bed, 10 x 3 bed, 46 x 4 bed and 37 x 1 bed older person dwellings. There was an evidenced oversupply of 2 bed accommodation.

There are 651 applicants on the Cheshire Homechoice housing waiting list who have selected Congleton as their first choice for rehousing. These applicants require 297 x 1 bed, 227 x 2 bed, 111 x 3 bed and 16 x 4 bed.

This is a proposed development of 201 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 60 dwellings to be provided as affordable dwellings. 39 units should be provided as Affordable rent and 21 units as Intermediate tenure. Following the introduction of 2 x 1 bed bungalows to the scheme and a change to the affordable housing mix the developer proposes to provide 60 affordable dwellings on the site, which is 30% and is therefore policy compliant.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings

The affordable housing should meet the HCA's housing quality indicator (HQI) standards.

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. The Macclesfield Plan also contains the same policy framework

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.

Educational Demand Impact

Children's Services have considered 6 other planning applications in Congleton into this assessment which are generating an additional 68 primary children and 53 secondary children.

The development of 200 (2 bed +) dwellings is expected to generate:

38 primary children (200 x 0.19)
30 secondary children (200 x 0.15)
2 SEN children (200 x 0.51 x 0.023%)

The development is expected to impact primary school places in the immediate locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at primary schools in the area as a result of agreed financial contributions have satisfactorily addressed Secondary school requirements. However, the analysis undertaken has identified that a shortfall of primary school places still remains.

Accordingly the following contributions are required:

$37 \times £11,919 \times 0.91 = £401,312.73$ (primary) – 1 SEN
 $2 \times £50,000 \times 0.91 = £91,000$ (SEN)
Total education contribution: £492,312.73

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

Amenity Greenspace

For 201 dwellings the amount of Amenity Greenspace required to comply with the adopted Congleton policy is 6460 sq. m. The proposals allow for circa 9000 sq m. This complies with the adopted policy.

Children and Young Persons Play Provision

The proposal comprises a NEAP as indicated on the layout plan, which is considered by the Leisure Services Manager to be acceptable in principle, subject to details of the design, layout and types of equipment to be utilised. This can be controlled by condition. On this basis, the proposal is considered to comply with the policy requirement.

Organised Sport Provision

Circa 26 of the proposed units fall within the boundary of the Macclesfield Plan. On this basis, there is a policy requirement for commuted sums in lieu of the proposed impact upon organised sport and recreation. This equates to £28000 which will form part of the S106 Agreement and is accepted by the Applicant.

The future management and maintenance of all amenity, play and habitat areas on site will be part of a residents management agreement which will require on going maintenance in perpetuity.

Subject to this mitigation, it is considered that the proposal would be in compliance with Congleton Local Plan Policy GR22, Macclesfield Plan Policy DC40 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 requirement of DC38 in the Macclesfield Plan is very similar, with the interface requirement of 21.5m for principal to principal elevation and 12.5 metres for principal to gable elevations.

Social Role - Conclusion

The proposal will provide 201 new homes, including a significant amount of affordable homes (total of 60), on site public open space and financial contributions towards education provision, organised recreation.

However, this has to be tempered against the objection from Jodrell Bank on grounds of the moderate impact the proposal will have upon the Jodrell Bank Telescope.

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. Jodrell Bank would then have the ability to cause a Public Inquiry to be held if they so wished.

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

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 market and 30% social housing as part of a planned development is a significant benefit to which significant weight can be attached. It is also considered that the development, which is part of an allocated site within an emerging plan to which significant weight can be attached given the stage it has reached in the adoption process, outweighs the moderate impact upon the Jodrell Bank telescope in the planning balance. It is therefore considered that the proposal would be socially sustainable.

Overall, the proposal is considered to be a socially sustainable form of development, for which there is a presumption within the Framework.

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

Part of the site falls within Macclesfield. The contribution (£28000) to organised sport is a policy requirement of the Macclesfield Plan. The residents of all the dwellings will have the ability to utilise formal sports provision and will therefore have an impact upon such facilities locally. The contribution is fair and reasonable in this respect.

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 mainly within the Open Countryside as determined by the Congleton Borough Local Plan First Review 2005 and approximately 26 units fall within an area of Countryside Beyond the Green Belt within the boundary of the Macclesfield Local Plan 2004

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 an assessment as to whether the proposal constitutes “sustainable development” and therefore 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 for which there is a known need, the knock-on local economic benefits such a development would bring in construction and the economic activity of future residents. 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 moderate 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.

In environmental terms, amenity, landscape, tree, ecological and drainage impacts are considered to be capable of being mitigated by the use of planning conditions or a S106 Agreement and as such the proposal is environmentally sustainable.

In this instance, 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. 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 - £ 401,312.73 (Primary)**
- 4 Education contribution - £91,000 (SEN)**
Both educations contributions to be provided in following phases
50% at the 1st occupation of the 30th unit and 50% at the 1st occupation of the 100th unit
- 5 Highways Contribution - £469,478.20 towards works on A34/A536 corridor, of which £30000 is to used as contribution to pedestrian crossing on Macclesfield Road -full contribution to be made by occupation of the 140th unit**
- 6 Private residents management company to maintain all areas of open space, childrens play space and habitat areas in perpetuity in accordance with management scheme**
- 7 Commuted sum payment of £28000 in lieu of organised sport provision – prior to 1st occupation of the site**

And conditions;

- 1. Commencement**
- 2. Plans**
- 3. Levels**
- 4. Materials to be submitted**
- 5. Development Phasing**
- 6. Landscaping scheme to be submitted/Implementation**
- 7. Construction and Environmental Management Plan, inc wheel washing – Prior submission/approval; piling, dust, phased occupation detail**
- 8. Development to be in accordance with Great Crested Newt Mitigation Strategy prepared by REC dated May 2016 unless varied by Natural England Licence**
- 9. Electromagnetic screening measures**
- 10. Surface water drainage scheme – Prior submission/approval**
- 11. Drainage strategy/design/ implementation, maintenance and management in accordance with the appropriate method of surface water drainage**
- 12. Boundary treatments – Prior submission/approval**
- 13. Breeding birds and roosting bat features – Prior submission/approval**
- 14. Residential travel plan/ Residents Travel Information Pack**
- 15. Ghost Island right turn lane access to be constructed prior to occupation of the development.**
- 16. Watching brief for land contamination/ scheme and results (submitted prior to any occupation)**
- 17. Materials**
- 18. Car charging for each dwelling/ communal charging points for flats**
- 19. Tree and hedgerow Protection scheme – Prior submission/approval**
- 20. Scheme for the incorporation of electromagnetic screening measures (protection of Jodrell Bank telescope)**

21. Land contamination scope of works
22. Scheme of glazing and trickle ventilation to all habitable rooms of plots overlooking Macclesfield Road susceptible to road traffic noise as specified in acoustic report. Any variation to be agreed by LPA
23. drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Flood Risk Assessment
24. Dust mitigation scheme to be submitted and approved. Implementation thereof
25. Updated badger survey to be submitted prior to the commencement of development.
26. Scheme to be submitted and approved for the incorporation of gaps (10-15 cm) for hedgehogs and located at least every 5m.Implementation
27. habitat management plan submission and implementation
28. Tree (T15) to be felled in accordance with the ecological survey detailed in in the submitted letter from REC dated 8th September 2016.
29. Scheme of signage for pedestrians and cyclists within the red-edge boundary of the application site, submitted, approved and implementation
30. Phasing of development to be agreed, including phasing of amenity/play and habitat creation. Implementation in accordance with phasing
31. Fabric First Approach to energy efficiency
32. Ponds management/ on going maintenance plan to be submitted, approved and implemented
33. Detailed scheme for the NEAP (including equipment) including provision of 2 m wide path, submission and implementation in accordance with scheme to be agreed
34. landscape management plan for all areas of amenity open space
35. Method statement (tree) for provision of 3m wide path to Macclesfield Road
36. Signage and entrance features for POS/NEAP with interpretation material across site.
37. Car charging point for each dwelling/communal points for flats – submission of scheme. implementation
38. Detailed Landscape Scheme for the smaller area of POS to the east of the site, submission, implementation /phasing
39. Footpath link to the adjoining site (14/4452c) to be completed in accordance with specification/method statement to be submitted and approved prior to 1st occupation of plot 66
40. Removal of permitted development rights – extensions on all mews/semi-detached and all means of enclosure to whole site which go beyond front building line

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (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.

