

Application No: 16/4811M

Location: Bollin Park, ADLINGTON ROAD, WILMSLOW

Proposal: Substitution of house types and amended layout to plots 125, 139-160, 194-195, & 200-204

Applicant: Mrs Kerren Phillips, Jones Homes (North West) Limited

Expiry Date: 02-Jan-2017

SUMMARY

The principle of developing this area of safeguarded land and substantial detail of the proposal has previously been accepted. Policy GC7 of the local plan has previously been identified to be out of date, and the Council cannot demonstrate a 5 year supply of deliverable housing sites. Therefore the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The proposed amendments relate to an area of the site comprising 34 dwellings. This number of dwellings is retained as part of the proposal, and will have a similar orientation to the road network and neighbouring properties to the extant permission.

The house types are all in keeping with those used elsewhere on the site and will therefore be in keeping with the wider development, and the character of the area, in accordance with policies BE1 and DC1 of the Local Plan.

No issues relating to the living conditions of neighbours, ecology, flood risk or nearby protected trees are raised by the proposed amendments to the previous scheme.

Highways have raised a query regarding the level of car parking proposed, and further details will be provided as an update.

Subject to this clarification, no significant adverse impacts are identified. The proposal is considered to be a sustainable form of development, and accordingly the application is recommended for approval.

RECOMMENDATION

Approve subject to conditions and variation to s106 agreement

REASON FOR REPORT

The application is a full planning application for over 20 dwellings, and as such requires a committee decision.

PROPOSAL

This application seeks full planning permission to substitute house types and amend the layout on plots 125, 139-160, 194-195, & 200-204 on permission 14/0007M, which was for the erection of 204 dwellings.

As originally submitted the application sought to reduce the number of affordable bungalows on the site, which was not acceptable as the bungalows formed an important part of the affordable housing provision. Revised plans have therefore been submitted.

The proposed changes now relate to 34 plots in total and include:

- Change of house type to plot 125 (now Connaught II) and plot 147 (now Knightsbridge II).
- Plots 147-149 relocated to southern group
- Change of house type to Plot 160 (now Birch)
- Footprint of 196 and 197 reduced – 197 moved further away from boundary with Browns Lane properties.
- Footprint of Plots 198-200 reduced and plot 201 attached to 200.
- Different grouping to Plots 202 to 160.

SITE DESCRIPTION

The application site comprises former agricultural land, currently being developed to provide 204 dwellings. The site is identified as safeguarded land within the Macclesfield Borough Local Plan.

The 204 dwellings are being constructed by David Wilson Homes (DWH) and Jones Homes. This application relates to the Jones Homes side of the site.

RELEVANT HISTORY

14/0007M - Erection of 204 dwellings including demolition of outbuildings, public open space, highways works, entry statement signs and associated infrastructure – Approved 09.10.14

15/0666M - Non Material Amendment – Alterations to approved garages (Jones Homes) – Approved 19 May 2015

15/0257M – Non material amendment - Relocation of Substation and Amendment to Garages Plots (Jones Homes) – Approved 20 May 2015

15/2247M – Non material amendment (DWH) – Approved 01.09.2015

15/3387M – Non material amendment (Jones Homes) – Approved 03.12.2015

15/4041M – Non material amendment (DWH) – Approved 26.11.2015

16/1012M – Non material amendment (DWH) – Approved 24.05.2016

16/2269M – Non material amendment (Jones Homes) – Approved 19.07.2016

16/2278M – Non material amendment (DWH) – Approved 02.08.2016

16/3624M - Substitution of house types on plots 168-171, 173-176 and 178-179 on approval number 14/0007M – Approved 13.10.2016

16/6119M – Non material amendment (Jones Homes) – Not yet determined

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.

50. Wide choice of quality homes

56-68. Requiring good design

69-78. Promoting healthy communities

Development Plan

The Development Plan for this area is the 2004 Macclesfield Borough Local Plan. The relevant Saved Policies are:

Macclesfield Borough Local Plan Policy

NE11 Nature conservation interests

NE17 Improvements to Nature conservation in the countryside

BE1 Design Guidance

GC7 Safeguarded Land

RT1 Areas of Open Space

RT7 Cycleways, Bridleways and Footpaths

H1 Housing requirement

H2 Environmental Quality in Housing Developments

H8 Provision of Affordable Housing

H13 Protecting Residential Areas;

T3 Pedestrians

T4 Access for people with restricted mobility

T5 Provision for Cyclists

T6 Highway improvements and traffic management

DC1 Design criteria for new build

DC3 Amenities of residential property

DC5 Design – natural surveillance

DC6 Circulation and Access

DC8 Landscaping
DC14 Noise mitigation
DC17 and DC18 Water Resources
DC35 Materials and Finishes
DC36 Road layouts and circulation
DC37 Landscaping in housing developments
DC38 Space, light and Privacy
DC40 Childrens Play Provision and Amenity Space
DC63 Contaminated land

Cheshire East Local Plan Strategy – Proposed Changes Version

Relevant policies of this document are:

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
SC1 Leisure and Recreation
SC2 Outdoor sports facilities
SC3 Health and Well-being
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

CONSULTATIONS

Head of Strategic Infrastructure – Clarification on parking provision required.

Wilmslow Town Council – No objections.

REPRESENTATIONS

4 letters of representation have been received objecting to the proposal on the following grounds:

- Loss of privacy

- 10th amendment to this site
- Proposal reduces number of affordable bungalows
- Affordable housing is clustered into two cramped areas
- Reduced parking provision to the rear of plot 147
- Removes a bungalow and inserts 2 higher mews properties next to a boundary.
- The approved site plan shows retained hedges along the frontage of the bungalows and the mews homes. In this application these are shown as removed
- How can mews homes possibly have space for cycle storage?
- Why should "affordable housing" mean "second class housing"?
- Reduction in height of trees in neighbouring property
- Lack of space between affordable dwellings
- Impact on stability of existing dwellings on Browns Lane
- Increased flooding

APPRAISAL

The key issues are:

- Impact upon character of the area
- Amenity of neighbouring property
- Impact upon trees of amenity value
- Affordable housing

Principle of development

The principle of housing development on this site has already been established following the approval of 14/0007M. The application site is allocated in the Macclesfield Borough Local Plan (2004) as Safeguarded Land. Safeguarded land is land that may be required to serve development needs well beyond the Local Plan period (2011). Policy GC7 of the Local Plan explains that the land is not allocated for development at the present time and policies relating to development in the countryside will apply. Furthermore, as noted at the time of 14/0007M the Macclesfield Borough Local Plan period ran for 7 years between January 2004 and 2011, and we are now therefore well beyond the plan period. Policy GC7 has previously been identified as being out of date, and as such paragraph 14 of the Framework is triggered where it states:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
- specific policies in the Framework indicate development should be restricted.”

ENVIRONMENTAL SUSTAINABILITY

Design / Character

Paragraph 56 of the NPPF notes that “the Government attach great importance to the design of the built environment. Good Design is a key aspect of sustainable development, indivisible from good planning”.

Policy BE1 of the local plan requires new development to achieve the following design principles:

- Reflect local character
- Respect form, layout, siting, scale and design of surrounding buildings and their setting
- Contribute to a rich environment and add to the vitality of the area
- Be human in scale and not normally exceed 3 storeys

The local area is characterised by a variety of buildings, which are predominantly two or three storeys. The proposed changes to the house types maintains a design and appearance that will be similar to the house types approved in more significant numbers across the wider residential site and will therefore be in keeping with the local area.

Overall, the proposal is not considered to have any significant impact upon the character of the area, and therefore complies with the requirements of policy BE1 of the local plan.

Trees

The Council's Forestry Officer has confirmed that there are no significant arboricultural implications associated with the proposed amendments.

Ecology

No ecological issues are raised beyond those identified at the time of granting the original permission 14/0007M.

Residential Amenity

Local Plan policies H13, DC3 and DC38 seek to protect the amenity of residential occupiers. Policy DC3 states that development should not significantly injure the amenities of adjoining or nearby residential property and sensitive uses due to matters such as loss of privacy, overbearing effect, loss of sunlight and daylight and traffic generation and car parking. Policy DC38 sets out guidelines for space between buildings.

The relationships with neighbouring properties remains very similar to those previously approved, given the relatively limited extent of the proposed changes. No significant amenity issues are therefore raised.

Accessibility

Wilmslow train station and leisure centre are less than 2km from the site, with the town centre a further 400m beyond these facilities. The town centre can be accessed on foot or cycle. The facilities at Dean Row are also an option for residents. No accessibility issues were raised at the time of the approval of the wider site. The site is therefore considered to be in a moderately accessible and sustainable location.

Highways

The general road and parking layout within the site remains very similar to that previously approved. However, the Head of Strategic Infrastructure has requested clarification on the proposed parking provision to ensure that it is in accordance with CEC minimum parking standards for residential dwellings. Further details will be provided as an update.

Flood Risk

No flood risk issues are raised beyond those identified at the time of granting the original permission 14/0007M.

SOCIAL SUSTAINABILITY

Housing land supply

No additional housing numbers are proposed as part of this application compared to the previous approval. Therefore, whilst the Council still cannot demonstrate a 5 year supply of housing, the proposed application for amendments will not make any material change to this situation.

Affordable Housing

As originally submitted the application sought to reduce the number of affordable bungalows on the site, which was not acceptable as the bungalows formed an important part of the affordable housing provision. Revised plans have therefore been submitted, which retain all 5 of the affordable bungalows in this part of the site.

The bungalows do now have a reduced footprint; however the minimum floorspace requirement for the bungalows is 45sqm, which is met in this case. The Strategic Housing Manager raises no objections.

The application site includes a substantial proportion of the affordable housing for the wider site. The s106 agreement will therefore need to reflect this provision and to relate to the proposed layout.

Open Space

As a stand alone full planning application, the proposal would trigger a requirement for public open space. However, it is proposed that this is provided as previously approved under application 14/0007M, and the s106 agreement will therefore be worded to reflect the requirements of the previous consent.

Education

As a stand alone full planning application, the proposal would trigger a requirement for education contributions. However, it is proposed that this is provided as previously approved under application 14/0007M, and the s106 agreement will therefore be worded to reflect the requirements of the previous consent.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Wilmslow Town Centre including additional trade for local shops and businesses (in closer proximity to the site than the town centre), jobs in construction and economic benefits to the construction industry supply chain.

HEADS OF TERMS

If the application is approved, a Section 106 Agreement will be required, which should secure:

- Education contributions in line with permission 14/0007M
- Public open space provision and contributions in line with permission 14/0007M
- Recreation and outdoor sport provision in line with permission 14/0007M
- Provision affordable housing in line with permission 14/0007M

Community Infrastructure Levy (CIL) Regulations

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

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

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

The development would result in increased demand for school places at the schools within the catchment area which have very limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards secondary school education is required based upon the number of units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

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

PLANNING BALANCE / CONCLUSION

The principle of developing this area of safeguarded land and substantial detail of the proposal has previously been accepted. Policy GC7 of the local plan has previously been identified to be out of date, and the Council cannot demonstrate a 5 year supply of deliverable housing sites. Therefore the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from

it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

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No issues relating to the living conditions of neighbours, ecology, flood risk or nearby protected trees are raised by the proposed amendments to the previous scheme.

Highways have raised a query regarding the level of car parking proposed, and further details will be provided as an update.

Subject to this clarification, no significant adverse impacts are identified. The proposal is considered to be a sustainable form of development, and accordingly the application is recommended for approval.

RECOMMENDATION

Approve subject to conditions and a s106 agreement

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Enforcement Manager has delegated authority to do so in consultation with the Chairman of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Application for Full Planning

RECOMMENDATION: Approve subject to a Section 106 Agreement and the following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as application
4. Implementation of landscaping scheme submitted with application
5. Construction method statement

6. Pile Driving
7. Hours of construction
8. Tree retention
9. Tree protection
10. Site shall be drained on a separate system
11. Development to proceed in accordance with the recommendation made by the submitted Bat Survey and Pond Scoping Survey Report
12. Incorporation of features into the scheme suitable for use by breeding birds
13. Residential travel plan
14. Implementation of noise mitigation measures
15. Bin storage facilities to be provided
16. Details of a minimum 10% reduction in energy use through a building fabric first approach to be submitted.
17. No gates

