

Application No: 16/3647M

Location: Ollerton Nursery, CHELFORD ROAD, OLLERTON, CHESHIRE, WA16 8TA

Proposal: Development of former garden centre to 26no. dwellings, community shop, public open spaces including associated landscape works.

Applicant: Brighthouse Homes (Mobberley) Ltd

Expiry Date: 04-Nov-2016

Summary

The application site is Ollerton Nursery which is located off Chelford Road, and proposes the redevelopment of the site for 26 dwellings, community shop and open space including local area of play.

The proposal is the redevelopment of previously developed land. However due to the size of the proposal it represents an inappropriate form of development within the Green Belt where there is a presumption against inappropriate development. The very special circumstances put forward do not justify the harm to the openness and permanence of the Green Belt and do not overcome the conflict with the purposes for including land within the Green Belt.

Furthermore the layout of the proposed development does not create a good relationship with the Oak trees on the site in respect of social proximity, and the layout does not create an inclusive community or links to the wider settlement, due to the separate clusters of gated cul-de-sac development.

Therefore for the reasons mentioned above the proposals do not accord with local or national policy and the application is recommended for refusal.

DESCRIPTION OF SITE AND CONTEXT

The application site is Ollerton Nursery which is located off Chelford Road. The site has a number of buildings on it, the majority of which are glasshouses and polytunnels, the site covers an area of 1.4ha in total there are a total of 10 buildings on site, the majority of the site is covered by hardstanding, with the front of the site being laid to grass and a number of individual trees and groups of trees exist on site. Ollerton Nursery has clearly operated from the site for many years, and part of the site is in a poor condition of upkeep towards the rear of the site.

There is a formal driveway access to the site with off road customer parking.

DETAILS OF PROPOSAL

The application proposes the redevelopment of Ollerton Nursery, the nursery was granted a certificate of lawfulness for retail use of the buildings and land in June 2016. Therefore the site is considered to be previously developed land. The proposed redevelopment would involve the demolition and clearance of all buildings on site save for the traditional redundant farm building to the front of the site and their replacement with 23 dwellings. The scheme has been amended following the initial submission, which reduced the number of dwellings from 31. The proposed dwellings follow a converted barn style concept with small clusters of dwellings and courtyards. The site will be split into 4 plots which are designated as A, B, C and D. The proposed plots with dwelling clusters would have their own parking provision and gated entrances. However no final boundary treatments have been submitted.

The proposal includes a community shop which will include the conversion of the existing barn to the front of the site. The front of the site will also include the Local Area of Play as onsite open space provision.

The application proposes 30% onsite affordable housing provision including shared ownership and shared ownership (senior living units). However the full detail relating to the affordable units has not been submitted. The access will be located off Chelford Road.

The plans submitted shows a mix of 26 units, 16x 3 bed units, 4x 4 bed units, 6 x 1 bed units. This includes 6x 1 bed shared ownership (over 55) units and 3x 3 bed ownership units.

Planning History

06982P - Garden centre and associated car parking - Refused - 08-01-1990

56711P - Garden centre and associated parking - Withdrawn 20-03-1989

72668P - Glasshouse and polytunnel (determination) - Approved 11-01-1993

77020P - Glasshouse and polytunnel - Approved - 03-03-1994

96/0448P - Glasshouse and polytunnel - Approved - 13-05-1996

98/1285P - Formation of new delivery access off Seven Sisters Lane - Refused - 12-08-1998

98/1287P - New glasshouse - Approved - 01-09-1998

03/0291P - Erection of two-storey detached dwellinghouse for agricultural worker with double garage and granny annexe and construction of two polytunnels - Approved - 19-04-2004

POLICIES

Para 215 of The Framework indicates that relevant policies in existing plans will be given weight according to their degree of consistency with The Framework.

NATIONAL & LOCAL POLICY

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

Macclesfield Borough Local Plan Policy:

Policy BE1: Design Guidance
Policy DC1: New Build
Policy DC3: Amenity
Policy DC5: Natural Surveillance
Policy DC6: Circulation and Access
Policy DC8: Landscaping
Policy DC9: Tree Protection
Policy DC35: Materials and Finishes
Policy DC36: Road Layouts and Circulation
Policy DC37: Landscaping
Policy DC38: Space Light and Privacy
Policy DC40: Children's Play Provision and Amenity Space
Policy DC63: Contaminated Land
Policy T1: Integrated transport policy
Policy T2: Provision of public transport
Policy T3: Improving conditions for pedestrians
Policy T4: Provision for people with restricted mobility
Policy T5: Development proposals making provision for cyclists
Policy T6: Highway improvements and traffic management
Policy NE11: Protection and enhancement of nature conservation interests
Policy NE14: Natural habitats
Policy NE17: Nature Conservation in Major Developments
Policy NE18: Accessible areas of nature conservation from residential properties
Policy H2: Environmental Quality in Housing Developments
Policy H5: Windfall Housing
Policy H8: Provision of Affordable Housing
Policy H9: Occupation of Affordable Housing
Policy H13: Protecting Residential Areas
Policy RT1: Recreational land and open space
Policy RT2: Open spaces/amenity areas in residential areas
Policy RT5: Standards for open space provision
Policy GC1: Green Belt boundaries
Policy IMP1: Development Sites
Policy IMP2: Transport Measures

Cheshire East Local Plan Strategy – Proposed Changes Version July 2016

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
EG1 Economic Prosperity
EG3 Existing and allocated employment sites
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

The National Planning Policy Framework

14. Presumption in favour of sustainable development
49. Housing supply policies
50 and 54. Wide choice of quality homes
56-68. Requiring good design
80, 81 and 89 Protecting Green Belt Land
109. Conserving and enhancing the natural environment
186-187. Decision taking
196-197 Determining applications
203-206 Planning conditions and obligations

Supporting Information

Design and access statement
Landscape and Visual Impact Assessment
Visual Impact Briefing Note
Planning Statement
Material Concept
Transport Statement
Tree Constraints Plan
Tree Survey Schedule
Floodcheck Report
Below Ground Drainage – outline strategy
Habitat Suitability Index Survey
Bat/Barn Owl Survey
Phase 1 Geo-environmental assessment

CONSULTATIONS (External to Planning)

Ollerton with Marthall Parish Council – Objection

- This development is in conflict with Green Belt policy.
 - No special circumstances have been demonstrated to outweigh the harm to the openness of space.
 - It is in conflict with policies set out in the Local Plan
- The proposal is outside the defined settlement and a disproportionate addition to the parish.
- It is distant from local services and at odds with the principles of sustainability
 - The site was assessed by Cheshire East Plan Strategic Housing Lane Availability Assessment (No.4234) and identified as not suitable for development.
 - The emerging Local Plan Strategy [LPS] which has objectively assessed housing need in the area has accepted 1000 houses to be built in the neighbour town of Knutsford. This assessment includes Ollerton, Toft and Tabley. There are also large housing developments proposed for Chelford, a town on the other side of Ollerton.
 - Ollerton recently accepted 14 affordable houses and currently 10 dwellings are under construction, development is not stagnant but happening at an appropriate rate.
 - The level of development proposed is still too high compared to the existing number of dwellings in the vicinity, the proposal is typically of a more urban scheme. Also the design does not meet the recommendations set out in Cheshire East Borough Design Guide. High density housing in a cul-de-sac does not contribute to protecting and enhancing the character of Ollerton.
 - This is a premature application, a situation where a development plan document (Ollerton Neighbourhood Plan) is being prepared or is under review, at the time of an application.
 - No housing need evidence has been established, the first steps of Cheshire East's 2016, 10 step guide toolkit.
 - The 2013 village survey undertaken by the Parish Council on behalf of this developed in regard to their proposal concluded that large scale developments are not appropriate for this size of Parish.
 - Ollerton Nursery has always functioned as a horticultural concern, not a retail garden centre, activity and traffic has been lower level. This will change drastically with this large development.
 - The certificate of lawful use, approved on 27 June 2016, was only sought to make the transition from agricultural to residential easier.
 - The premise of whether this site has been previously developed is based upon, if the non-permanent buildings polytunnels and greenhouses constitute previously developed land. These structures are non-permanent or substantial in their construction and should not form part of the impact assessment. Also the NPPF defines that not all the curtilage should be assumed developable.
 - The visual impact the three storey buildings will have on this site compared to the lower level temporary structures is clearly evident. There is also a lack of elevation drawings illustrating the comparison of new buildings to be the existing neighbouring cottages.
 - There are serious concerns with respect to the dangerous junction and increase traffic volume that would be created from this site. No practical scheme or financial contribution is evident to overcome the added issues caused, only minor alterations to the site lines.
 - The drainage concerns raised by residents have been overlooked. Existing residents already drain onto the nursery site. The addition of many more septic tanks on this flat land introduces further challenges and problems for existing residents.

Open Spaces – I am pleased to see the retention of much of the landscaping to the front of the site and key trees. I understand from the proposal that these will be 'community spaces'

with public access which is encouraging. They will provide a useful facility for the village, combined with the village shop.

The development clearly triggers the need for the provision of open space at a rate of 40sqm per family dwelling in accordance with existing policy. Subject to detail design, confirmation of size and management and maintenance arrangement, I'm happy to accept the on site space fulfils this requirement. However, the requirement is for amenity and children's play and given the nearest play facility is across a busy road and a walk away, that the site is proposing a good number of family homes and is providing on site amenity, a LAP should be included on site. This can be natural in style, with social/ imaginative pieces of play, sensitively designed and incorporated into the retained landscapes. This should incorporate some seating and art features to build on the sites sense of place and provide a place for new and existing communities to integrate. Given the inclusion of the shop in the proposal and its location to the front of the site, there is a clear opportunity here.

There is also a requirement for ROS and taking into account the affordable units and existing dwelling, a com sum of £27,000 would be required for offsite provision. This would be used to improve the playing field area [including pitch] at Oaklands Road facility.

The detailed design for the LAP and proposed management arrangements including Landscape Management Plan should be submitted and approved prior to commencement on site.

Flood Risk Team – No objections subject to conditions

United Utilities – No objections subject to conditions

Environmental Health – No objections subject to conditions

South Knutsford Residents Group - Members of the South Knutsford Residents Group [SKRG], wish to comment that an additional 34 houses in this location will increase traffic and lengthen queues at the Seven Sisters Lane/Chelford Rd A537 junction. Drivers are already increasingly using the alternative route through Goughs Lane, a housing access road only 5m wide in places. SKRG residents currently have to contend with long queues at either end in the morning and evening peak hours. The Community Speed Check Group regularly records speeds in sections of the road in excess of the 30MPH permitted maximum when drivers attempt to make up time. Additionally, the extent and density of the proposed development seems contrary to Macclesfield Borough Council saved Green Belt policies and the Green Belt policies under the emerging Local Plan Strategy [LPS]. Under the LPS, Knutsford, two miles away, is scheduled to accept 1000 new homes to meet objectively assessed housing needs in the area including Ollerton, Toft and Tabley. SKRG wishes to draw the LPA's attention to these matters in their consideration of this application.

REPRESENTATIONS

Neighbour and public comments –

39 letters of objection have been received on the following grounds:

- Conflicts with Green Belt policy
- The development is outside a defined settlement contrary to planning policy
- Is distant from local services
- Not a sustainable location
- Drainage issues
- No regard for the local community
- Already been assess as undevelopable by SHLAA
- No Very Special Circumstances
- Not permanent structures, not previously developed land
- Low current traffic levels quiet nursery
- Near to dangerous junction
- Disproportionate size of development compared to the village
- Village survey carried out in 2013 confirmed that residents did not want further development.
- Low level polytunnels and glasshouses cannot be compared to 3 storey brick structures.
- Not justified
- Decrease in numbers will not make any difference to the environmental harm.
- Contaminated land
- Additional development is not welcomed locally
- Noise pollution
- Air pollution
- Traffic generation would be higher due to limited business at nursery
- Will remove rural character of the area
- Used to be a local shop/post office which was closed due to lack of use
- Issues with trees and landscaping
- The site does not have good pedestrian or cycling links due to the high speed along the main road
- Negative impact on highway safety
- No footway along Chelford Road to Knutsford
- High density cul-de-sacs
- Different to temporary greenhouses
- Threatens the Green Belt and rural nature of Ollerton
- Shop would not be viable
- Residents should have more of a say in local decisions
- Only beneficial to land owner and developer

34 letters of support:

- Design and style of the scheme is excellent
- New planning rules support development of this type
- Farm/barn style is in keeping with village
- The barn character and design will inject new life into the plot
- Unobtrusive development set back from the road
- A shop on the site is welcomed reduce travelling to Knutsford
- Provides much needed affordable housing in the area
- Great opportunity for young people to stay in the area
- May assist in traffic calming
- New housing will inject life into the area
- Local person who had to move from the area, due to lack of housing options, new affordable scheme has given life to the area, this development would do the same.
- Didn't see the need to reduce the number of houses

- Will allow daylight and outdoor living
- Healthy living conditions
- Would allow people who have downsized and had to move out of the area to move back to Ollerton
- The current situation does not have an open feel to it
- Many nurseries have struggled and had to diversify to retail uses, new retail use welcomed with shop
- Will allow the community to prosper
- Will provide support for the bus route
- If the site is left to deteriorate it could become home to vermin
- The development will strengthen the heart of the village
- New shop would create employment
- Only reason the last shop didn't survive was because there was no parking in front of it
- Creative and well thought out scheme
- Attended community engagement event, very useful, welcomed development
- Brownfield site, development on brownfield sites should be encouraged
- Will help the future of the community in a sustainable way
- Help young families move into the area
- Opportunities for an ageing population
- Ollerton staying the same does not help it into the future
- Well screened

OFFICER APPRAISAL

Principle of development

The proposal is located within the Green Belt where there is a presumption against inappropriate development. There are certain types of development which are considered to be an exception and are not inappropriate by definition. These are set out in saved policy GC1 of the Macclesfield Borough Local Plan, and within paragraphs 89 and 90 of the National Planning Policy Framework (NPPF).

This application proposes the complete redevelopment of a brownfield or previously developed site.

Policy GC1 does not have allow provision for such development however, the NPPF sets out in paragraphs 89 and 90 what are not inappropriate forms of development. Where the development plan is silent, decision makers must defer to the NPPF for policy guidance.

Paragraph 89 allows for the following:

'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.'

This site received a certificate of lawfulness for a retail use in 2016, therefore the site is previously developed and is a brownfield site. However this does not automatically imply that any development would be acceptable. The proposed development must not have a greater

impact on the openness of the Green Belt and further must not conflict with the purposes for including land within the Green Belt.

In terms of openness, the application proposes the redevelopment of the site through the removal of low glasshouses and polytunnels with a very distinctive horticultural character, notwithstanding the certificate of lawfulness. The site has a mixture of sizes of structures within, the main glasshouse covers a very large area with a considerable footprint, however is low, measuring 4.1m to the ridge.

Openness is considered to be the absence of development, and whilst the buildings are constructed from glass and plastic predominantly along with a timber building, they are built development. However, due to the lightweight nature of the construction this along with significant increases in height across the site with brick buildings and associated boundary treatments and paraphernalia it is considered that the proposal represents a scheme that will have a greater impact on openness than the current albeit informal built development arrangement.

The impression the built development gives is important across a large development site, however the measure of openness is also tangible through measuring the amount of development.

Following amendments to condense the spread of development and reduce the number of units. Across the site, the amount of development results in a decrease in volume of built development of 14cu.m. In terms of floor area, which includes three storey units there will be an increase of 1136sq.m equalling a 41% increase in floor area. The footprint of built development across the site sees a reduction of 37.5%.

With regard to building heights, the existing buildings total around 4.1m in height, save for the redundant farm building which is proposed to be converted. The proposed dwellings across the site will have a ridge height of 7.7m. This represents a height increase of around 3.5m across the site, exceptions being the car port buildings which measure around 5.2m in height, which also show a height increase.

When considering the amount of development proposed, whilst the buildings will be arranged in courtyards so will give relief and will be set back from the highway, it is considered that there will be an increase in development across the site, the height increase coupled with the solid nature of the buildings proposed and the floor area increase of 41% it is considered that without doubt the proposal will have a greater impact on openness than the current built arrangement.

Paragraph 89 states that the proposal must not conflict with the purposes for including land within the Green Belt. The purposes for including land within the Green Belt are set out in paragraph 80 and below:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict

and other urban land.

With regard to the purposes for including land within the Green Belt, whilst the proposal would see the recycling of the land, it is not considered to be urban land as a garden centre, further the proposals through the amount of development and permanence of the development would result in encroachment where there are areas absent of development proposed to be developed.

With regard to the re-use of the traditional farm building for the village shop, the re-use of redundant buildings is an acceptable form of development, therefore alone this does not conflict with Green Belt policy at a local or national level.

It is considered that the amount of development proposed, which exceeds that in floor area and height across the site will result in a loss of openness and permanence of the Green Belt contrary to guidance set out in paragraph 89 of the NPPF.

The proposal therefore represents an inappropriate form of development within the Green Belt. The NPPF at paragraph 81 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Very Special Circumstances

A case for very special circumstances has been put forward by the applicants. This includes the following:

- The effective re-use of previously developed land
- Landscape and visual benefits
- Biodiversity benefits
- Highway improvements
- Delivery of sustainable development

Whilst the re-use of previously developed land is welcomed, especially for housing development in the absence of a 5 year housing land supply, this re-use must be of a scale to not harm the openness of the Green Belt and the purposes for including land within it. The re-use of brownfield sites is a clear priority as set out at a national level, however within the Green Belt further detail is provided through the NPPF, and whilst it can be not inappropriate in this instance it does not meet the requirements of paragraph 89. This is not considered to amount to very special circumstances.

With regard to landscaping and visual benefits, the current situation includes a series of horticultural buildings in an albeit piecemeal form of development, however the site is unassuming and comprises low buildings with a traditional farm gated access, the current situation is an acceptable form of development in this rural area, and whilst the proposals will tidy the site through redevelopment, it is not considered that this development would provide such visual benefits from public vantage points enough to amount to very special circumstances.

The proposed biodiversity benefits will be through the planting of a wildflower meadow at the site, any development must provide mitigation for losses in biodiversity, therefore whilst

biodiversity benefits are welcomed these do not amount to the very special circumstances required to outweigh the harm caused by the proposed development.

The highway improvements include the relocation of the access, along with other highway improvements, including the proposed reduction in speed limit. The highway improvements including a suitable footpath and better access are a benefit of the proposal, however are only required as a result of the proposal. The change in speed limit has not been supported as the current speed limit has been considered to be the most appropriate for the area. These measures are not considered to amount to very special circumstances.

The delivery of sustainable development has been put forward as a very special circumstance. However the NPPF places great importance on the delivery of sustainable development, however this is the benchmark that all new development should achieve as a minimum, and therefore is not considered to amount to very special circumstances.

Having considered the circumstances put forward, it is not considered that alone or in combination that these amount to the circumstances required to outweigh the automatic harm caused by inappropriate development.

It is considered therefore, that the proposed development is contrary to national Green Belt policy set out in paragraph 89 of the Framework.

SOCIAL SUSTAINABILITY

Housing

The proposed development would provide much needed housing within Cheshire East. The proposal provides a housing mix of units including 1, 3 and 4 bedroom units with 30% of the dwellings being a form of affordable housing in an intermediate product of shared ownership dwellings. These being all 1 bed and some 3 bed units. These will be in part for over 55s. The application forms state that these units will be social rented which is welcomed. However conflicting information within the plans shows that these units will be shared ownership. The provision of affordable housing is welcomed however detailed information would be required as part of heads of terms for a section 106 agreement to agree the precise mix.

5 year 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.

Local Area of Play

The proposed development provides an on-site Local Area of Play, which would give the children of the development an opportunity to play without having to cross Chelford Road, a main 'A' road running past the site. This accommodates the required on-site provision. However a further Recreation Open Space off site financial contribution would be required which could be secured through a s106 agreement.

Social Sustainability Conclusion

It is considered that the proposed development is on balance socially sustainable, this is subject to an acceptable mix of affordable housing combined with ROS off-site financial contribution along with the short term and limited long term employment, and the provision of much needed market housing in the absence of a 5 year housing land supply. However there are concerns over the layout of the site and how this could affect occupiers of the site as set out in the Design section below.

ENVIRONMENTAL SUSTAINABILITY

Accessibility

The proposal is within the settlement of Ollerton which is not defined in the Cheshire East Local Plan Strategy Settlement Hierarchy. Therefore is considered to be an other settlement and rural area. However it is within close proximity to Knutsford which is a Key Service Centre with many local services, such as retail, restaurants, bars, schools, leisure facilities, places of worship and greater public transport opportunities through the railway station. The site is located on the Chelford Road and has residential development within very close proximity. There is a regular bus service and the bus stops are located close to the site. It is considered to be a sustainable location in terms of accessibility.

Highways

A large number of objections relate to highways issues, the CEC highways officer has

commented on the proposals and the revised proposals. This is a revised application indicating a reduction in units from 34 to 26, all other highway details remain the same. Given that no highway objections were raised on the larger development and that this application would produce slightly less traffic impact, there are similarly no objections raised to this application.

For information, the comments made on the previous application are attached below.

The proposed access is being relocated further south along the site frontage to improve the visibility available at the access point.

The applicant has submitted a Transport Statement in support of the application and has proposed mitigation measures that involve a reduction in speed limit on Chelford Road and supporting traffic calming measures.

With regard to the proposed access siting, the main current visibility issue relates to non leading direction where visibility is limited and moving the access further south improves visibility. The applicant has undertaken speed surveys on Chelford Road and recorded 85%ile speeds of 40.5 westbound and 43.5 eastbound, these vehicle speeds would require visibility of 120m using DMRB standards.

The drawings submitted with the application indicate that 120m visibility is being provided on each approach although in the non leading direction this is being provided to the road centreline.

The level of peak hours traffic generation from the 34 dwellings is some 23 trips and this level of trips does not result in a capacity problem on the road network. Clearly, it also has to be recognised that there is a certain level of traffic using the site on a daily basis.

The internal road layout proposes a 5.5m carriageway with 2.0m footways on the adoptable areas within the site. There are a number of gated private drives that are proposed off the main carriageway. The design of internal road is of an acceptable standard and turning facilities for refuse vehicles are provided in the design, although there will be a requirement for separate bin stores for each of plots that are gated.

Considering the accessibility of the site, there is an existing footway that runs along the opposite side of Chelford Road but no footway on the development side. The access proposals will need to provide drop kerb facilities to cross to the adjacent footway. A frontage footway is proposed that links to the nearby bus stop to the south of the access. The A537 Chelford Road is a principal route running between Macclesfield and Knutsford and does have a relatively frequent bus service and the location of the bus stops are close to the site.

This site has a current use as a garden centre and therefore traffic is currently accessing the site. The current access has restricted visibility to the left and the proposed access will improve this situation by relocating it further south.

Although the applicant has suggested a change in speed limit this has been considered by CEC and it is considered that the current speed limit is the most appropriate for the existing average speed of vehicles and also the road environment and as such no speed limit change

is supported.

The level of development proposed will not produce capacity problems on the road network and could not be considered to result in a severe impact on the highway network and, subject to conditions, no objections are raised.

Trees

The proposed development is designed around the existing mature Oak trees within the site, the application was accompanied by an Arboricultural Impact Assessment, Tree protection Plan and Arboricultural Method Statement.

The solution for proposed NO DIG hard surfacing within the Root Protection Areas of Oaks T38 and T39 is not acceptable. BBS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, states at para 7.4.2.3 that new permanent hard surfacing should not exceed 20% of any existing unsurfaced ground. The root protection area of T37 is covered by 29% of existing unsurfaced ground and in respect of T39 existing unsurfaced ground is covered by 23% of proposed hard standing.

The default position cited in BS5837:2012 is that structures (including roads) should be located outside the root protection areas of trees to be retained unless there is an overriding justification for construction within the RPA. The design as submitted does not provide an overriding or compelling case for this.

The position of Plots north of T38 and T39 is 8 metres and 11 metres respectively. BS5837:2012 paras 5.2.2; 5.2.3 5.2.4 and 5.3.4 detail requirements of good design for the long term retention of large trees within new development. The position of these proposed plots with trees located to the south does not take into account issues of shading, availability of light and sunlight and social proximity of the proposed plots and adjacent open space provision. This relationship/conflict is likely to give rise to future requests for regular pruning and/or felling of the trees.

It is not considered that the layout of the proposed development makes the best use of the trees as a focal point. They are located within the centre of the site, it has been suggested that the dwellings face this feature and that the trees are not located within or adjacent to the back gardens of the dwellings, however amendments in respect of tree matters have not been explored. Unfortunately the relationship as the layout currently stands with the trees is not acceptable, and would not secure the future amenity of the trees due to the social proximity of the dwellings and the trees.

Ecology

The site is semi-rural in nature and involves the demolition of a number of buildings. Therefore the site has ecological potential and the application has been supported by protected species information. The Council's ecologist has commented on the proposals.

Hedgerows

Native species hedgerows are a priority habitat and a material consideration. The proposed development will result in the loss of sections of hedgerow from the interior of the site. The

submitted layout plan includes proposals for the provision of native species to compensate for this loss, and submission of a detailed specification for the proposed hedgerow planting can be secured by means of a condition.

Bats

No bat activity survey has been undertaken and the submitted survey consisted solely of an internal and external inspection of the buildings on site. The buildings on site however appear to have limited potential to support a bat roost and it is advised that roosting bats are unlikely to be affected by the proposed development.

Barn Owls

No evidence of this protected species was recorded during the submitted surveys. No further action in respect of barn owls is required.

Great Crested Newts

The ponds located in the vicinity of the application site appear unsuitable for great crested newts. It is advised that this protected species is not reasonably likely to be present or affected by the proposed development.

The proposals are acceptable in respect of protected species subject to conditions providing mitigation.

Landscape

The application site covers an area of approximately 1.43 hectares. The A537 Chelford Road forms the north eastern boundary, the south eastern boundary follows the back gardens of properties located along Seven Sisters Lane, the south western boundary links to the wider part of the garden centre and beyond the north west boundary is the wider open countryside. The wider landscape is agricultural, and the site itself is characterised by built development and hardstanding areas, with an open grassed area fronting onto Chelford Road.

The Landscape and Visual Impact Assessment indicates that the assessment has been undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition, 2013. The assessment refers to the National Character Area, Area 61 – Shropshire, Cheshire and Staffordshire Plain/Cheshire Sandstone Ridge, and also to the Cheshire Landscape Character Assessment 2009, which identifies the application as being located within Type 10 Lower Farms and Woods, specifically LFW1 – Marthall ; landscape type 9 Estate, Woodland and Mere –EWM5 Tabley, is located a short distance to the north of the application site.

The landscape and visual impact assessment identifies that this is a landscape of medium sensitivity, but offers no assessment of the magnitude of change, or the resulting significance of landscape effect. The visual assessment offers commentary on a number of viewpoints, but offers no indication of what the sensitivity of the receptors are or the magnitude of change that would be experienced, nor is the LVIA accompanied by a plan showing the locations of the viewpoints in relation to the application site, or any illustrated material to identify the viewpoints chosen. Reference is made in the LVIA to more information being submitted in a final report, although this does not appear to have been submitted.

Unfortunately the LVIA is not considered to be complete. However the Council's Landscape Officer considers that the proposals would not result in any significant landscape or visual impacts, and therefore raises no objections.

Flooding

A number of objections have been raised in relation to flooding and sewerage, however, the site is not within flood zones 2 or 3. United Utilities and the Council's Flood Risk Team who are the Lead Local Flood Authority have commented on the proposals and have raised no objections subject to conditions.

Contamination

Objections have been raised in relation to contaminated land; the Council's Environmental Protection team have commented on the proposals and raise no objections subject to conditions.

Design

The proposal has received support from members of the public with respect to its design especially the design of the buildings. The design concept follows that of traditional farm buildings with brick buildings in clusters with high pitched roofs. The proposed clusters will be separated by gated entrances. Whilst the farm building concept is appropriate in this rural area, the proposal for separated gated entrances and a cul-de-sac arrangement, along with houses backing onto the central area of the site and particularly the trees which are the main focal point, does not create an effective layout. The proposal includes large amounts of hardstanding to accommodate the amount of highway and parking required to service the design of layout. The gated entrances could create isolation rather than following the inclusive theme of the development, and the cul-de-sac arrangement does not create active frontages allowing for natural surveillance and connectivity.

It is considered that the proposed layout does not achieve the urban design principles required of a development of this size, and may create small pockets of separate development rather than integration with the wider development and further the settlement of Ollerton. Therefore is contrary to paragraph 57 of the NPPF which states that:

'It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.'

Therefore the proposed layout of the development is unacceptable contrary to policy BE1 of the MBLP.

Neighbour Amenities

Due to the juxtaposition of the proposed development sufficient boundary treatments, in relation to the proposed dwellings along with interface distances achieved, the minimum being 25m from the nearest property, it is not considered that the proposed development would have a detrimental impact by virtue of loss of light, overlooking or loss of privacy to neighbouring dwellings or future occupiers of the units. Therefore the proposal accords with

policies DC3 and DC38 of the MBLP.

Environmental Sustainability Conclusion

It is considered that the proposal is within a sustainable location, within close proximity to Knutsford a Local Service Centre, the proposed development is acceptable in terms of highways impact, landscape impact, ecological implications, neighbour amenity, flooding and contamination.

However the proposal will have a detrimental impact on the Oak trees which are a focal point of the development, further the layout of the site does not provide an integrated and connected development. Therefore it is not considered that the proposal is environmentally sustainable.

ECONOMIC SUSTAINABILITY

Employment

The development proposes the introduction of a village shop, this will generate an employment need within the locality. The submission does not provide employment details, however does specify opening hours. It is considered that employment would be generated as a result of the proposals, probably similar to the current level of employment at the site.

The proposal would generate jobs in the short term through the construction and landscaping of the proposed development along with associated contractors.

Economic Sustainability Conclusions

It is considered that the proposal will create employment opportunities, and will provide an economic boost by facilitating new development. Therefore the proposal is economically sustainable.

SUSTAINABILITY CONCLUSIONS

Paragraph 14 of the NPPF states that sustainable forms of development should be approved without delay, this however does exclude at footnote 9 areas of special interest where development is restricted, which includes Green Belt designation. This proposal does not constitute a sustainable form of development for the reasons mentioned above as it is not environmentally sustainable, for development to be truly sustainable it must be acceptable in terms of social, environmental and economic sustainability.

Other Matters

A number of matters have been raised through the consultation process, a number relating to the planning history of the site and the fact that the dwelling to the rear of the site, occupied by the operators of Ollerton Nursery was granted with an agricultural occupancy condition. However through the passage of time, a new lawful development has occurred at the site, therefore this point is not relevant in the determination of this application.

The proposals have been subject to amendments, further amendments have been recommended by officers, as the site is a previously developed site therefore could potentially accommodate a form of development of an appropriate scale and layout, however, it has been agreed to end discussions at this point and proceed to a conclusion.

Representations

A large number of representations have been received in respect of this application many in support and in objection to the proposals. Only the material planning considerations have been addressed in the report.

CIL

The application proposes in excess of 10 dwellings, therefore requires on-site and off site planning obligations. The application proposes affordable housing provision, 30% on-site provision is required through the Interim Affordable Housing Statement. Further on site POS and off-site ROS contributions are required which include improvements to the local play facility in Ollerton. Education contributions have not been calculated at this point, however should the application be approved by members, an education contribution would be sought based on the number of dwellings as set out in the amended scheme.

Conclusions and Recommendation

The proposal represents an inappropriate form of development within the Green Belt where there is a presumption against inappropriate development. The very special circumstances put forward do not justify the harm to the openness and permanence of the Green Belt and do not overcome the conflict with the purposes for including land within the Green Belt.

Furthermore the layout of the proposed development does not create a good relationship with the Oak trees on the site in respect of social proximity, and the layout does not create an inclusive community, due to the separate clusters of gated cul-de-sac development.

Therefore for the reasons mentioned above the proposals do not accord with local or national policy and the application is recommended for refusal.

Recommendation – Refusal

1. The proposal represents an inappropriate form of development within the Green Belt, the proposed redevelopment of the previously developed site would have a greater impact on openness of the Green Belt and the purposes for including land within the Green Belt through encroachment. The proposal is therefore contrary to paragraph 89 of the National Planning Policy Framework.
2. The proposed development is environmentally unsustainable, the layout of the proposed development does not create a good relationship with the Oak trees on the site in respect of social proximity and could lead to pressure for removal in the future contrary to saved policy DC9 of the Macclesfield Borough Local Plan. Furthermore, the layout does not create a vibrant and healthy community by creating a high quality inclusive built environment due to gated and cul-de-sac clusters of development.

Therefore the proposal is contrary to saved policy BE1 of the Macclesfield Borough Local Plan and paragraph 57 of the NPPF which encourages inclusive development.

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 Head of Planning Regulation 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.

