

Application No: 17/3894M

Location: Land Between Clay Lane and Sagars Road, Handforth SK9 3HF

Proposal: Outline planning application (access to be considered) for erection of up to 250 dwellings with associated works including the demolition of 15 Hampson Crescent

Applicant: ., HIMOR (Land) Ltd

Expiry Date: 08-Nov-2017

## **SUMMARY**

The site is allocated within the Local Plan for residential use and consists of the entire LPS34 allocation. The development accords with the Local Plan policy relating to its allocation by providing housing.

The applicant is providing financial contributions required in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future. It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

As the application is in outline many matters are left unresolved at this stage and will be fully addressed as part of any future reserved matters application.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It has been demonstrated the development will not have a detrimental impact on the local highway network, the trees on and around the site or to local ecology. Although some matters must be dealt with by way of conditions at this stage.

It is considered that the proposal represents sustainable development and accords with the development plan policies outlined in the report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

**SUMMARY RECOMMENDATION**  
**Approve subject to Section 106 Agreement**

## **PROPOSAL**

The application is for outline planning permission for the erection of up to 250 dwellings with associated works including the demolition of 15 Hampson Crescent to allow vehicular access into the site.

Access is for approval as part of this application whilst all other matters are reserved for future approval.

## **SITE DESCRIPTION**

The application site consists of agricultural land that is enclosed by Sagars Road to the south, Clay Lane to the west, residential properties on Windermere Road and Ullswater Road to the north and Hampson Crescent to the east. Much of the site boundary consists of mature trees and hedgerows with the hedgerows also in use to divide the fields on the site. A small wooded area to the north east of the site separates the application site from the open space adjoining Meriton Park. Dobbin Brook runs along the rear of the existing properties. The site is generally level.

Included with the application site boundary is 15 Hampson Crescent and this is where the site will be accessed. This is a two-storey detached dwelling.

## **RELEVANT HISTORY**

The site has been subject to applications in the past; however they are not relevant to the consideration of this application.

## **NATIONAL & LOCAL POLICY**

### **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

### **Cheshire East Local Plan Strategy**

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

- MP1 Presumption in favour of sustainable development
- PG1 Overall Development Strategy
- PG2 Settlement Hierarchy
- PG7 Spatial Distribution of Development
- SD1 Sustainable Development in Cheshire East
- SD2 Sustainable Development Principles
- SE1 Design
- SE2 Efficient use of land
- SE 3 Biodiversity and Geodiversity
- SE 4 The Landscape
- SE 5 Trees, Hedgerows and Woodland

SE 6 Green Infrastructure  
SE 13 Flood Risk and Water Management  
CO 1 Sustainable Travel and Transport  
CO 4 Travel Plans and Transport Assessments  
SC 1 Leisure and Recreation  
SC 2 Outdoor Sports Facilities  
SC 3 Health and Well Being  
SC 4 Residential Mix  
SC 5 Affordable Homes  
IN 1 Infrastructure  
IN 2 Developer Contributions

Directly relevant to this site is the following allocation for the entire site:

- Site LPS 34 Land Between Clay Lane and Sagars Road, Handforth

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27<sup>th</sup> July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

NE3 – Protection of Local Landscapes  
NE11 – Protection and enhancement of nature conservation interests  
NE17 – Nature Conservation in Major Developments  
RT5 – Open Space Standards  
DC3 – Amenity  
DC6 – Circulation and Access  
DC8 – Landscaping  
DC9 – Tree Protection  
DC15 – Provision of Facilities  
DC17 – Water Resources  
DC35 – Materials and Finishes  
DC36 – Road Layouts and Circulation  
DC37 – Landscaping  
DC38 – Space Light and Privacy  
DC40 – Children’s Play Provision and Amenity Space  
DC41 – Infill Housing Development

**Other Material Considerations:**

National Planning Practice Guidance (NPPG)

**CONSULTATIONS (External to Planning)**

**Environmental Health** – No objection. Conditions have been requested relating to noise, air quality electric vehicle charging points and contamination. These will be included on the decision notice.

**United Utilities** – No objections. Conditions have been requested in respect of surface water drainage from the site and that the site shall be drained on separate systems.

**Highways** – No objection. The comments made by the highway engineer and all highway matters are addressed in full later in this report.

**Environment Agency** – No objection. Conditions have been requested relating to details of the bridges crossing Dobbin Brook and details of the management of the 8 metre buffer zone from the top of the bank of Dobbin Brook.

**Housing Strategy** – No objection. The development triggers an affordable housing requirement and this matter is addressed in detail later in this report.

**Flood Risk** - A response is awaited and will be reported in an update report.

**Education** – No objection. This is based upon the applicant committing to pay a financial contribution for the provision of additional school places generated by the development. This is addressed in detail later in this report.

**ANSA** – No objection. This is subject to a financial contribution being agreed in respect of recreation open space, indoor recreation provision and the detailed layout going forward providing a LEAP and the required amount of open space within the site based on the number of units proposed. This matter is addressed later in this report.

**Countryside Rights of Way** – No objection. Financial contributions are sought for the improvement to Clay Lane and other footpath links in the area. This is addressed in detail later in the report.

## **VIEWS OF THE PARISH / TOWN COUNCIL**

**Handforth Parish Council** – Object to the development on the following grounds;

- Inadequate access is proposed.
- The development results in a significant increase in traffic.
- The submitted Transport Assessment is deficient.
- Local schools and doctors surgeries are over subscribed.
- Proximity of three storey properties to existing houses.
- Unacceptable impact on trees
- Impact on the ecology of Dobbin Brook
- Increased risk of flooding

The Parish Council have submitted a report in response to the Transport Assessment submitted by the applicant. This is addressed in detail later in this report.

**Styal Parish Council** – Object to the development on the following grounds;

- The site was part of the Green Belt and alternative sites should have been considered for development.
- Inappropriate access to the site.
- Doubts of the meaning of affordable housing and when it will be delivered.
- Ecology and flooding issues around Dobbin Brook.

- No vehicular access should be taken from Clay lane or Sagars Road.

## **OTHER REPRESENTATIONS**

397 letters of objection/comments have been received raising the following comments;

- Schools are already oversubscribed.
- Agricultural land will be lost and farm jobs will be lost
- Detrimental to village community
- Detrimental to health and well being of current residents
- Loss of open space used by members of the public
- Irreversible harm to the green belt
- Brownfield sites should be redevelopment before green belt
- Overdevelopment of the site
- The area is already over populated
- Handforth Medical Centre is overwhelmed with patients
- Handforth infrastructure is already saturated
- Water pressure for the village is already very low
- Houses will be too expensive for local people
- The traffic information in the application is incorrect
- The development will result in more congestion and highway safety issues
- Increased air pollution
- Unacceptable level of disruption through the construction works
- Unsympathetic development
- Various internet deliveries to dwellings will harm the centre of the village
- Will exacerbate existing drainage issues
- Additional 250 houses would result in additional sewage problems
- Existing street lighting is poor
- Loss of trees unacceptable
- Cars are already parked on the highway
- The surrounding roads will not be able to cope with the increased traffic
- Emergency services will not be able to access the new estate
- Bin collections will halt the traffic
- Insufficient parking in the village already
- Impact on outlook
- Impact on privacy
- Dust pollution to dwellings to the west
- Light pollution
- Two villages will merge
- Beech trees have already been removed
- Houses should allocated be through application to a housing association
- The removal of this land from the green belt allocation could be illegal
- Access is unsuitable on Meriton Road, widen and resurface Clay Lane, there should also be traffic free sections of Sagars Road and Clay Lane.
- Meriton Road is not capable of taking the volume of construction traffic required
- Very limited bus service and rail service available in the village
- Out of character with the area

- Detrimental impact on wildlife and open green space
- Great crested newts have been seen on the site
- Japanese Knotweed is present on the site which could spread to other areas
- Clear case of opportunistic house building
- Over development of the Cheshire Garden Village
- Cheshire East Council should not be making money off green belt land
- Building on Green Belt should be a criminal offence
- No concern regarding safe pedestrian, cycle or disabled users of the highway
- Handforth's share of property development is disproportionate to its needs.
- Loss of amenity for the area
- Intrudes into the countryside
- As the site is within Styal not Handforth the access should be through Styal
- Other smaller developments have been rejected for similar reasons raised in these objections
- Proposals for houses have been rejected on this site 3 times already
- If approved conditions addressing all concerns raised should be included
- Some of the plots are too close to Dobbin Brook
- The housing density is twice that of the surrounding area
- Dobbin Brook will become polluted
- Existing residents should be compensated
- Insufficient leisure facilities/clubs for youths
- Increased car crime and burglary
- The need for the site is not exceptional circumstances
- Drastic change to the character and historic leisure provision of the area
- 3 storey buildings are out of character with neighbouring dwellings
- Trees should not be removed on Hampson Crescent
- Harm to house values in the area
- Has the use of SUDs been considered to address flooding?
- The proposal is not sound and it is not consistent with national policy
- Existing utilities already stretched.
- Local residents views are being overlooked and disregarded
- Human rights will be affected by noise and impact on green space

## **APPRAISAL**

### **Key Issues**

- Principle of development
- Sustainability
- Affordable Housing and Housing Mix
- Education
- Open Space and Recreation
- Health Provision
- Residential Amenity
- Impact on Local Highway Network / Access
- Ecology
- Trees

- Flood Risk
- Economic Sustainability
- Section 106 agreement
- CIL
- Representations
- Conclusions
- Recommendation

## **PRINCIPLE OF DEVELOPMENT**

On 27th July the Council adopted the Cheshire East Local Plan Strategy. Accordingly the new Local Plan now forms part of the statutory development plan. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.” This is the test that legislation prescribes should be employed on planning decision making.

The ‘presumption in favour of sustainable development’ at paragraph 14 of the NPPF means: *“approving development proposals that accord with the development plan without delay”*

As a consequence where development accords with the adopted Local Plan Strategy the starting point should normally be that it should be approved – and approved promptly.

The Inspector’s Report on the Local Plan was published on 20 June 2017 and signalled the Inspector’s agreement to the plans and policies of the Local Plan Strategy. The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

*“I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years”*

The Council have recently released the Annual Housing Monitoring Update and this has shown that the Council now has a supply of 5.45 years.

The application site consists of the entirety of the LPS 34 allocation that was a site released from the Green Belt in order to assist the Council in achieving a five year supply of housing. Therefore the principle of residential development is acceptable in this location and subject to all other matters being satisfied the application should be determined without delay.

In addition to around 250 dwellings the development is expected to deliver the following;

- Cycle links to the west
- A link to the open space to the east.
- Retention of trees and hedges along site boundaries.
- High quality design that respects residential amenity.
- A comprehensive landscape scheme.
- Improve pedestrian and cycling links in the area.
- Provision for public open space.
- Respect any ecological constraints.

- Provide health and education contributions.
- Provide affordable housing in line with SC5.

## **SUSTAINABILITY**

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

## **SOCIAL SUSTAINABILITY**

### **AFFORDABLE HOUSING**

The Cheshire East Local Plan Policy SC 5 states in Settlements with a population of 3,000 or more the 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. A ratio of 65/35 between social rented and intermediate housing is required.

The SHMA 2013 shows the majority of the demand in the Sub Area of Handforth and Wilmslow Per Year until 2018, is for 49x 3 and 5x 4 bedroom General Needs dwellings. The SHMA also shows a need for 13x 1 bedroom and 3 x 2 bedroom dwellings for Older Persons. This can be via bungalows, lifetime homes, cottage style flats and flats.

The majority of the demand on Cheshire Homechoice is for 71x 1 bedroom, 108x 2 bedroom, 31x 3 bedroom and 6x 4 bedroom dwellings. Therefore a mix of 1, 2, and 3 bedroom dwellings on this site would be acceptable and this should include provision for older persons and those with access issues.

This is a proposed development of 250 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 75 dwellings to be provided as affordable dwellings. 49 units should be provided as Affordable rent and 26 units as Intermediate tenure.

The applicant has confirmed their acceptance to provide the required 49 Rented and 26 Intermediate dwelling on site. They are also stated an intention to provide the 1 bedroom dwellings as required.

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. This issue will be addressed through the reserved matters application.

The affordable housing should be provided no later than occupation of 50% of the open market dwellings and this will be addressed within the s106 agreement. The s106 agreement also ensures the following;

- requires the affordable units to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

Given the above the proposal complies with the requirements of Local Plan Policy SC5.

## **EDUCATION PROVISION**

The Local Plan is expected to deliver 36,000 houses in Cheshire East; which is expected to create an additional 6,840 primary aged children and 5,400 secondary aged children. 422 children within this forecast are expected to have a special educational need. This development of 250 dwellings is expected to generate the following need:

47 primary children (250 x 0.19) – 1 SEN child  
 37 secondary children (250 x 0.15) – 1 SEN child  
 3 SEN children (250 x 0.51 x 0.023%)

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

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. This is an existing concern, however the 3 children expected from this development will exacerbate the shortfall. The 2 SEN children who are thought to be of mainstream education age have been removed from the calculations above to avoid double counting. The remaining 1 SEN child is expected to be 1 EYFS child. The Service does not claim for EYFS or Sixth Form at present therefore those children cannot be removed from the calculation above.

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

$37 \times £17,959 \times 0.91 = £604,680.00$  (secondary)  
 $3 \times £50,000 \times 0.91 = £136,500.00$  (SEN)

Total education contribution: £741,180.00.

The contribution has been agreed by the applicant and is subject to change when the final form of development is known and will be delivered through the s106 agreement.

## **PUBLIC OPEN SPACE AND RECREATION**

Until the housing schedule is finalised it is not possible to accurately calculate the Public Open Space (POS) requirements. However, in line with the Policy SE6 of the CEC Local Plan, there is a public open space requirement of 65m<sup>2</sup> per family dwelling. On a development of this size it would expect to see all of this space on site.

The proposed site is directly adjacent to Meriton Road Park, a key local outdoor leisure facility and a Cheshire East formal park. A requirement arising from the impact of the development would be access from the development to Handforth schools, shops, library and other infrastructure via the park. This traffic free connectivity is essential to build community cohesion and to link routes to the other local recreational opportunities as highlighted by other consultation responses. Therefore, a new linking route through the park, to include an appropriate crossing over Dobbin Brook and a hard surfaced path to connect to the existing path network would be required in the form of a commuted sum. The developer is expected to deliver the bridge across Dobbin Brook.

Meriton Road Park provides a good range of play equipment and older children from the new development would be able to travel there independently, especially with the addition of an access bridge over Dobbin Brook. However, younger children - toddlers to young juniors - need to be accommodated on site with a LEAP play area in a location that is easily accessible from all households and well overlooked, preferably within a wider network of high quality amenity greenspace. Play equipment should be creative, durable and maintainable and details of the proposed play equipment will be submitted as part of the reserved matters application. Its future maintenance will be delivered through the submission of a management plan that will cover all on-site POS, the play equipment and the bridge.

Amenity greenspace should be functional and flexible space, adaptable over time and should reflect local heritage/culture/wildlife to create distinctive, high quality spaces that compliment and strengthen the identity of the overall development and wider community as well and encouraging community cohesion. They should be large enough to accommodate informal recreation activities without disturbing residents of neighbouring properties. Therefore narrow buffers around the perimeter will not be considered amenity green space.

There is a requirement to provide Recreation and Outdoor Sport (ROS) in line with Policy SC2 of the Local Plan and the playing Pitch Strategy. In this instance the developer has opted to make a contribution rather than on-site provision. This contribution will equate to £1,000 per dwelling (excluding the affordable properties) with the final contribution determined upon the final number of properties on site.

Policies SC1 and SC2 of the Local Plan Strategy provide a clear development plan policy basis to require developments to provide or contribute towards both outdoor and indoor recreation

The Indoor Built Facility Strategy has identified that any existing shortfalls for Handforth should look to focus on improvement of provision at Wilmslow Leisure Centre. Whilst new developments should not be required to address an existing shortfall of provision, they should ensure that this situation is not worsened by ensuring that it fully addresses its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand is not sufficient to require substantial indoor facility investment through capital build there is currently a need to

improve the quality and number of health and fitness stations at Wilmslow Leisure Centre to accommodate localised demand for indoor physical activity.

The requirement is calculated as follows;

- 250 houses at 1.61 people per residence = a population increase of 402
- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 172 additional “active population” due to the new development in Handforth
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional seven (7) stations. Requirement for - x3 running machines (£6,500 per treadmill) , x 2 spin bikes (£4,500 per bike) x 2 resistance / weight pieces (£3,000 per piece). Total £34,500

The applicant has accepted the need for this contribution although the level of contribution may change based on the number of houses eventually approved on site. The contribution will be delivered through the s106 agreement.

## **ACCESS TO HEALTH FACILITIES**

Eastern Cheshire has the fastest growing over 65 and over 85 populations in the North West with more than one in five people being over 65 which will become nearer to one in four people by 2021. The number of very elderly people is growing even more rapidly, with a higher estimated average annual growth rate when compared to England (2.7% vs. 2.3%). The overall population is forecast to grow by 28,000 (14%) by 2035. Although deprivation levels in Eastern Cheshire are lower than the national average people living in these more deprived local areas experience worse health outcomes than those living in areas identified locally as least deprived.

The Handforth Health Centre GP practice is a 1970’s single storey building in need of some improvements if the predicted patient growth over the next 10 years (37% increase) is to be accommodated. Space utilisation analysis has demonstrated that the Handforth Health Centre currently has a 44% shortfall in required space in order to adequately provide primary care services to the existing patient population. Additional growth in patient numbers will add further pressures to the GP practice, with an increase in clinical and non-clinical staff required in order to meet these future patient needs. Such an increase in clinical and non-clinical staffing numbers will require expansion or redevelopment of the Handforth Health Centre site.

It is suggested that the Section 106 funding for the planning application under consideration is based on a calculation consisting of occupancy x number of units in the development x £360. This is based on guidance provided to other CCG areas by NHS Property Services.

<b>Size of Unit</b>	<b>Occupancy Assumptions Based on Size of Unit</b>	<b>Health Need/Sum Requested per unit</b>
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1008 per 3 bed unit

4 bed unit	3.5 persons	£1260 per 4 bed unit
5 bed unit	4.8 persons	£1728 per 5 bed unit

Allocated Section 106 funding would be used to contribute towards the improvement of the Handforth Health Centre premises in order to facilitate a greater level of capacity for the delivery of Primary Care services to the local population. It is envisaged that multiple Section 106 funding allocations obtained from the various local housing developments planned in the Handforth area will be pooled to maximize the potential scope of the development of the Handforth Health Centre.

The applicant has agreed to a financial contribution in respect of this issue and this will be based on the number and size of dwellings that come forward as part of the reserved matters application.

## **RESIDENTIAL AMENITY**

In order for the proposals to be acceptable, it is important that they do not have a detrimental impact on the amenities of existing residents. Local Plan policies DC3, DC38 and H13 seek to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property.

Many of the issues relating to overlooking, impact on privacy, and overshadowing will be addressed as part of any reserved matters application. Highway matters are addressed separately in this report.

Environmental Health has commented on the application and has raised no objections with regard to contaminated land, air quality or noise and vibration subject to conditions. It is inevitable that some disturbance will occur as part of the construction process. However this will be for a temporary period only and separate legislation is in place to ensure this does not occur.

## **Social Sustainability Conclusion**

The proposals for the residential development will make an affordable housing contribution through the provision of 75 units of the correct tenure. The scheme does make a valuable contribution towards affordable housing which will be secured through a Section 106 agreement.

The proposed development will make a full education contribution, health contribution and will make a contribution towards open space, indoor recreation and outdoor sport. The affordable housing provision will meet the requirements

Overall the provision of a reasonable mix of housing for the community as part of a large strategic allocation along with on site affordable housing and education and open space and outdoor recreation contributions which can be provided by the development are considered to be socially sustainable.

## **ENVIRONMENTAL SUSTAINABILITY**

### **IMPACT ON HIGHWAY NETWORK/ACCESS**

The site is allocated within the Cheshire East Council Local Plan Strategy for development of around 250 dwellings, hence, the principle of development from a strategic highway and transport perspective has been assessed and accepted subject to meeting certain policy criteria in relation to sustainable links and the detail of site access arrangements.

A direct access route to facilities in the centre of Handforth centre is available via Meriton Road. Meriton Road has good standard footway provision and the residential character of the street allows a suitable environment for cyclists. The walking distance from the centre of the proposed site to the principal shopping area on Wilmslow Road immediately north of Meriton Road is 750m. A pelican crossing is available on Wilmslow Road just to the north of the Meriton Road junction.

Wilmslow Road is the main bus corridor within Handforth. Bus stops are available on Wilmslow Road to the north of Meriton Road with further stops available to the north of Sagars Road. Handforth Rail Station is located approximately 1km from the centre of the proposal site and offers frequent direct services into Manchester, Crewe and local destinations such as Wilmslow, Stockport and Sandbach.

The site provides direct foot and cycle access to the unadopted part of Sagars Road and Clay Lane providing access to Styal to the west which benefits from a rail station.

A travel plan has been submitted with the application and while acceptable in principle it does require amendment to incorporate cycle and bus vouchers within the resident welcome pack.

The above points demonstrate that the site is acceptable from a sustainable transport perspective.

The development is proposed to be served by one permanent access from Hampton Crescent with emergency access available from Sagars Road.

The access as initially proposed was a priority arrangement with Hampson Crescent however to aid development traffic flow a change in priority to give priority to Meriton Road is beneficial and the access plan has been amended to reflect this.

Vehicular traffic accessing the site will predominately use Meriton Road which is around 6.0m in width thus suitable to accommodate the additional traffic associated with the development; in addition, an alternative route is available via Sagars Road. The majority of properties along Meriton Road have curtilage parking and while some on street parking takes place waiting restrictions are in place to prevent this notably at the junction with the Wilmslow Road. The Meriton Road/Wilmslow Road access is a simple priority junction benefiting from good visibility.

Future year capacity assessments have been undertaken at key junctions along the Wilmslow Road corridor incorporating development traffic and building in the assumption of the

completion of the A6 MARR scheme which results in a small reduction in north-south movements along this corridor south of the A555 junction.

These assessments have shown that even with the addition of development traffic they operate to a satisfactory level in future years set against policy guidance contained within the National Planning Policy Framework.

The transport impact of the proposal, detailed in the submitted transport assessment, has been audited and is considered acceptable subject to conditions requiring submission of a Travel Plan and a construction management plan. A financial contribution of £5,000 is required to ensure the Travel Plan is suitably implemented.

In addition to the above, the proposals have been considered in respect of the site's accessibility on foot and cycle and the associated impacts on the local path network.

The development is adjacent to the Public Right of Way. The proposed layout plan includes a linking path from the development onto the Public Right of Way along Clay Lane. This will increase the permeability of the site for non-motorised users. It should be noted that a Restricted Byway may be used by pedestrians, horse riders, cyclists and horse-drawn carriages. It would be pertinent, therefore, if the linking path from the site were designed and constructed to support use by both pedestrians and cyclists in order that journeys of either a utilitarian or leisure purpose can be undertaken directly from the proposed dwellings.

The proposed development would result in an increase in the use of the Public Right of Way. In order to accommodate this, a contribution to improve the surface of the route is to be included within any s106 agreement. A Hop Path type of surface would be appropriate to accommodate legitimate users, from where the tarmac ends on Clay Lane to the concrete section approaching Spurs Loge at Sagars Road; a distance of approximately 250 metres and a width of approximately 3 metres. It would be estimated that this would cost in the region of £18,000.

The Bollin Valley Partnership manage informal paths on land in the ownership of Cheshire East Council running south from Sagars Road along the eastern bank of Dobbin Brook, and linking to the Dean Valley. This Council has aspirations to improve the recreational and ecological value of this area. Residents from the proposed estate would use these paths which do not currently have a sufficient carrying capacity as they are formed with a natural surface. Contributions would therefore be required from the developer in order to improve the paths to a sealed surface specification, in order to accommodate the increased footfall arising from the development. This route would then connect into the proposed pedestrian and cyclist routes within the protected green infrastructure corridors of the proposed Stanneylands development area, offering circular routes and connectivity towards Handforth Station. This contribution is £85,000 and will be delivered through the s106 agreement.

## **ECOLOGY**

The application is accompanied by a comprehensive ecological assessment that addresses the following issues;

Great Crested Newts

A number of ponds are located within 250m of the proposed development and a small population of great crested newts has been identified at a pond some distance from the boundary of the site. The application site offers some suitable habitat for great crested newts, but the proposed development would not result in the fragmentation or isolation of great crested newt habitat or the loss of any identified breeding ponds.

The potential impacts of the proposed development are limited to the low risk of any newts that venture onto the site being killed or injured during the construction process. In order to address this risk the applicant's ecological consultant has recommended a suite of 'reasonable avoidance measures' designed to mitigate the risk posed to great crested newts.

Provided these measures are implemented the development would be unlikely to result in a breach of the Habitat Regulations in respect of Great Crested Newts. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

A condition will be included on the decision notice to ensure that the proposed mitigation measures are implemented.

#### Ponds and Common Toad

Three ponds are present within the application site (ponds P1, P2 and P3). These are described in the submitted phase one habitat plan as being Inundation Vegetation rather than ponds. One of these ponds (pond 3) supports Common Toad a priority species. Such ponds are considered a priority for nature conservation and are a material consideration.

The submitted illustrative layout plan has been amended to show Pond 3 being retained as part of the proposed development and two new ponds have been included on the illustrative layout plan to compensate for those ponds lost.

A condition be attached requiring detailed designs of the ponds to be submitted in support of any future reserved matters application.

#### Hedgerows

Hedgerows are a priority habitat and hence a material consideration. A number of such hedgerows are present on the application site. Three of these (H1, H3 and H5) have been identified as being Important under the hedgerow regulations. The emergency access shown on the submitted illustrative layout plan would result in the loss of a section of Important Hedgerow 1 and Hedgerows 2,4 and 9 located in the interior of the site would be lost if the development were to proceed in accordance with the submitted parameters plan. However the hedges are shown as being retained on the illustrative masterplan.

A condition will be included on the decision notice requiring hedgerows to be retained where possible and should any require removal adequate replacement hedgerows are provided.

#### Bats

The trees on site have been subject to a preliminary assessment and only trees of low suitability to support roosting bats have been recorded on site. Therefore roosting bats are unlikely to be present or affected by the proposed development. A resurvey of these trees may however be required at the detailed design stage if a long period of time passes prior to

a reserved matters application being submitted and this will be required through a condition on the decision notice.

To avoid any adverse impacts on bats resulting from any lighting associated with the development a condition will be attached requiring any additional lighting to be agreed through condition on the decision notice. Any proposed lighting should be low level and directional and the design of the lighting scheme informed by the advice in *Bats and lighting in the UK-bats and the built environment series*, (Bat Conservation Trust, 2009).

#### 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. A condition will be attached to the decision notice requiring opportunities for hedgehogs to move around the site.

#### Badgers

No evidence of badgers was recorded during the submitted survey. Based on the current status of this species, the proposed development is unlikely to have an adverse impact upon this species. As badgers are a widespread species and the habitats on this site are suitable for badgers therefore a condition will be included on the decision notice which requires an updated badger survey to be submitted in support of any future reserved matters application.

#### Otters

An old Otter spraint was recorded during the submitted survey which indicates that Otters may occasionally occur on Dobbin Brook. There is no evidence however of recent activity. Based upon the current status of Otters on site, the proposed development is not likely to result in an offence under the habitat Regulations in respect of this species. However, as the status of this species may change over time and therefore a condition should be attached which requires an updated otter survey to be submitted in support of any future reserved matters application. To ensure the culvert crossing Dobbin Brook remains permeable to Wildlife it should be designed in accordance with the recommendations made in the submitted Ecological Assessment.

#### Barn owls and nesting Birds

No trees suitable for barn owls were identified during the recent survey. Therefore roosting barn owls are unlikely to be affected by the proposed development. A number of breeding bird species were recorded on site, including a small number of birds of species considered to be a priority for nature conservation. The retention of the existing woodland and hedgerows would reduce the potential impacts of the proposed development upon many breeding bird species. Provision of features for house sparrow should be included with the ecological enhancement detailed below.

#### Management Plan and Ecological Enhancement Strategy

A condition be attached to the decision notice which requires the submission of an ecological enhancement strategy and a 10 year landscape and habitat management plan.

#### Ecology Conclusion

Subject to the inclusion of the condition listed below the proposal will not have a detrimental impact on any protected species and therefore complies with all relevant policies.

- Updated badger and otter survey.
- Gaps for hedgehogs
- Implementation of Great Crested Newt Reasonable Avoidance measures.
- Details of proposed culvert to be submitted with relevant reserved matters application. The design to be informed by the recommendations detailed in the submitted Otter survey.
- Submission of Construction and Environmental Management Plan including proposals to limit pollution of Dobbin Brook.
- Bat friendly lighting scheme.
- Submission of ecological enhancement strategy including proposals for the provision of features for house sparrow, roosting bats, native species planting and detailed designs for new wildlife ponds.
- Submission of a Landscape and Habitat management plan in support of any future reserved matters application.
- The relevant reserved matters application to be supported by proposals for the provision and safeguarding of an undeveloped 10m buffer zone adjacent to Dobbin Brook, unless it is agreed development can stray into this area where it can be demonstrated no ecological harm will be caused.

## **IMPACT ON TREES/HEDGEROWS**

Policy LPS 34 of the Local Plan Strategy allocates the site as a housing site. Retention of trees and woodlands on the edges of the site, with new planting to re-enforce important landscape features and to properly define a new Green Belt Boundary is cited as one of the site specific principles to achieve the development.

The site is defined by tree lined field boundaries which comprise mainly of Horse Chestnut and Lime with the occasional Oak and Ash along Clay Lane and Sagars Road. The trees are visually prominent and contribute collectively as groups and as individuals within the immediate area and the wider landscape as a whole. In the light of this a Tree Preservation Order was served on 18<sup>th</sup> September 2017 to retain and protect trees those trees that the Local Authority consider contribute significantly to the amenity of the area.

The application is supported by an Arboricultural Impact Assessment (Tyler Grange (Report Number: 2400\_R07\_JJ\_JW dated 26<sup>th</sup> July 2017). The Assessment has identified that sections of hedgerows considered to be of low arboricultural value will be required to be removed to accommodate internal access roads and footpath links. One low (C) category tree (T12 Goat Willow) is also proposed for removal to accommodate a dwelling. The tree is not protected by the recently served TPO and its loss is not considered significant in terms of the impact upon the wider amenity.

The Assessment makes reference to encroachment and potential conflicts within the Root Protection Areas (RPA) of retained trees and suggests that these can be mitigated by sensitive working methods in accordance with BS5837:2012. It should be noted that the design methodology of BS5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations* require that the default position should be that structures

should be located outside the RPA of trees to be retained unless there is an overriding justification for construction with the RPA. In this regard the Assessment has not demonstrated the viability or otherwise of any alternatives to construction within the RPA of retained trees or demonstrating that there is overriding justification for construction within the RPA of trees. However this is an issue that can only be fully addressed as part of any reserved matters application.

In common with many Arboricultural Impact Assessments no realistic assessment has been carried out on design factors referred to in para 5.3.4 of BS5837:2012). This paragraph refers specifically to issues of shading of buildings and open spaces by trees, light levels, privacy and screening and the relationship of buildings to large trees. This will have to be carried out at reserved matters stage if necessary.

The problems related to buildings and spaces around them having low daylight and sunlight levels is well known and has been the subject of specific guidance in; government circulars; Chartered Institute of Building Services Engineers (CIBSE), British Standards Institute (BSI) and Building Research Establishment (BRE) guidance. All the guidance as a whole points to the need to have sufficient daylight and sunlight both within and around buildings and that this should be part of the site planning for development.

It is apparent from the initial site layout, particularly to the southern boundary of the site that these design issues need to be addressed further at Reserved matters to prevent future residential conflict and potential loss of trees.

To conclude it is considered the proposal will be acceptable in principle in respect of its impact on trees and hedgerows. This is subject to a condition on the decision notice requiring the reserved matters being accompanied by an Arboricultural Impact Assessment.

## **FLOOD RISK**

The site is classified as Very Low Risk (former EA Flood Zone 1), which is land that has a less than 0.1% chance of flooding (less than 1:1000). Dobbin Brook is a designated Main River, this is controlled and maintained by the Environment Agency. The Environment Agency have considered the submitted Flood Risk Assessment and further submitted information and have raised no objections to the proposals. Conditions have been requested that require submission of details of the bridges required and details of the management of the buffer zone along Dobbin Brook.

The applicant has submitted additional information in respect of the surface water drainage principles based on the initial comments of the Council's Flood Risk team. Responses are awaited in respect of this additional information and will form the basis of an update report.

United Utilities has commented on the application and raised no objections to the proposals. No objections have been raised in relation to flooding and drainage subject to suitably worded conditions.

## **Environmental sustainability conclusion**

It is considered that the proposed development is environmentally sustainable. The proposed design of the site is acceptable, there are conditions required in respect environmental matters raised above.

## **ECONOMIC SUSTAINABILITY**

### **EMPLOYMENT**

The proposed development will provide employment in the short term during the clearance and construction of the development in the area.

### **ECONOMY OF THE WIDER AREA**

The addition of 250 units within the town will undoubtedly boost the economy in the local area through the increased use of shops and services making them more sustainable, which is especially important in Handforth Town Centre to be sustainable into the future. Additional population can create more demand for local services, increasing the likelihood that they will be retained into the future and improvements and investment made.

### **Economic sustainability conclusions**

The proposals will result in additional employment in the sort term through the construction of the site along with an economic boost locally through the increase in population to this area of the town. It is considered that the proposals will make efficient use of the site which is part of a wider strategic allocation.

## **SECTION 106**

A section 106 agreement will accompany the application and is required to secure the following:

- Provision of 30% affordable units.
- Educational contribution towards secondary and SEN provision.
- Contribution towards ROS £1,000 per open market house.
- Contribution towards health provision
- Contribution for a path from the site to Meriton Park
- Management Plan for the on-site public open space and LEAP
- Contribution towards improvements on Clay Lane £18,000
- Contribution towards footpath improvements in the Dean Valley £85,000
- Delivery of the bridge over Dobbin Brook to access Meriton Park
- Contribution for monitoring of Travel Plan £5,000

## **CIL REGULATIONS**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is 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; a) Directly related to the development; and b) Fair and

reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

## **COMMENT ON REPRESENTATIONS**

The majority of the points of objection have been addressed in the main body of the report or are issues that will be considered as part of the future reserved matters application.

A number of representations objected on the grounds the site is within the Green Belt and therefore should not be developed. However, on adoption of the Local Plan the site was removed from the Green Belt and is now allocated for residential use.

## **CONCLUSION AND PLANNING BALANCE**

The site forms the entire allocated site LPS34. The proposed development accords with the Local Plan policy relating to its allocation by providing housing and all the other policy requirements. Shortfalls in health and education provision are mitigated through financial contributions to improve existing facilities. The applicant is providing further financial contributions in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future. It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It is considered that the proposal represents sustainable development and accords with the development plan policies mentioned in the policies section of this report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

## **RECOMMENDATION**

The application is recommended for **approval subject to the conditions** listed below and the completion of the s106 agreement for the measures outlined in the report.

*In the event of any changes being needed to the wording of the Board'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) delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Board's decision.*

## Application for Outline Planning

### RECOMMENDATION:

1. STANDARD CONTAMINATED LAND CONDITION
2. IMPORTATION OF SOIL
3. UNEXPECTED CONTAMINATION
4. Time period to implement permission.
5. Approve reserved matters details
6. Plans
7. details of surface water drainage
8. Pedestrian and cycle signage
9. Submission and implementation of Travel Plan
10. Pedestrian cycle routes through the site
11. Provision for hedgehogs through the site
12. Newts
13. Details of proposed culvert with RM application
14. Construction environment management plan
15. bat friendly lighting scheme
16. Ecological enhancement strategy
17. Landscape and habitat management plan
18. 10 metre ecological buffer
19. Dust control
20. Provision of Electric Vehicle Charging Points
21. updated otter and badger survey
22. Implement noise recommendations
23. implement landscaping scheme
24. Details and implementation of bridges
25. details of materials
26. details of play area
27. retention of hedgerows
28. boundary details
29. submit arboricultural impact assessment
30. implement access

