

Application No: 17/3896M

Location: Land at Chester Road, Poynton

Proposal: Outline planning application for the demolition of buildings forming no. 199 Chester Road and residential development including associated infrastructure, open space and landscaping with all matters reserved for future approval with the exception of access.

Applicant: John Brooks, Ainscough Strategic Land

Expiry Date: 31-Oct-2017

### **SUMMARY**

The proposal seeks to provide around 120 dwellings on a site allocated within the Cheshire East Local Plan Strategy (CELPS) for around 150 dwellings. The application is an outline submission with all matters reserved except for the main access to the site from Chester Road. No highway safety issues are raised by the proposed access. The comments received in representation are acknowledged. However, subject to the satisfactory resolution of the s106 negotiations, the proposal complies with all relevant policies of the development plan and is therefore a sustainable form of development. In accordance with Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 14 of the Framework, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made subject to conditions and the prior completion of a s106 agreement.

### **SUMMARY RECOMMENDATION**

Approve subject to conditions and s106 agreement.

### **DESCRIPTION OF SITE AND CONTEXT**

This application relates to a greenfield site lying on the north-western edge of Poynton. The site measures approximately 4.4 hectares in size and is positioned directly to the rear of properties fronting Chester Road. A number of residential properties back onto the northern and eastern boundaries of the site. Public Footpath 75 Poynton-with-Worth follows the length of the western boundary. The site is allocated for housing development under Policy LPS 50 in the Cheshire East Local Plan Strategy.

### **DETAILS OF PROPOSAL**

This application seeks outline planning permission with all matters reserved except for means of access for the demolition of buildings forming no. 199 Chester Road and residential development including associated infrastructure, open space and landscaping. The illustrative layout shows a development of around 120 residential units.

## **RELEVANT HISTORY**

None

## **POLICIES**

### **Development Plan**

#### Cheshire East Local Plan 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

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

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

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

CO3 Digital connections

CO4 Travel plans and transport assessments

LPS 50 Land south of Chester Road, Poynton

#### Macclesfield Borough Local Plan (saved policies)

NE11 Nature conservation

NE17 Nature conservation in major developments

NE18 Accessibility to nature conservation

RT5 Open space standards

H9 Occupation of affordable housing

DC3 Residential Amenity

DC6 Circulation and Access

DC8 Landscaping  
DC9 Tree Protection  
DC14 Noise  
DC17 Water resources  
DC35 Materials and finishes  
DC36 Road layouts and circulation  
DC37 Landscaping  
DC38 Space, light and privacy  
DC40 Children's play / amenity space  
DC63 Contaminated land

### **Other Material Considerations**

National Planning Policy Framework (The Framework)  
National Planning Practice Guidance  
Cheshire East Design Guide

### Poynton Neighbourhood Plan

The Poynton Neighbourhood Plan has reached Regulation 14 (the pre-submission consultation) stage, so a Draft Plan has been produced and went out to consultation in October / November 2016.

Relevant policies of the draft plan include:

HOU 1B Amount of Housing Development  
HOU 1C Criteria for assessing the suitability of potential housing sites  
HOU 1D Phasing of development  
HOU 2 Proposed Housing Site Allocations  
HOU 3A Housing mix  
HOU 3B Density of development  
HOU 3C Environmental considerations  
HOU 4A Affordable housing  
HOU 5 Design  
TAC 1 Walking  
TAC 2 Cycling  
TAC 3 Cycle Parking  
TAC 4 Disabled facilities  
TAC 7 Traffic volumes  
HEWL1 Encouraging a healthy lifestyle

### **CONSULTATIONS (External to Planning)**

**ANSA and CEC Leisure** – Comments awaited

**Education** – No objection subject to a financial contribution of £578,286 towards primary, secondary and SEN school places.

**Environmental Health** – No objections subject to conditions relating to noise mitigation, an environmental management plan, electric vehicle infrastructure, dust control and contaminated land.

**Flood Risk Manager** – No objection subject to conditions requiring accordance with the submitted Flood Risk Assessment (FRA) and drainage. Although the site is in flood zone one and not at any significant risk of flooding from a fluvial source, there is a substantial volume of surface water gathering in the western corner of the site where the proposed pumping station is to be situated. Efforts should be made to ensure that the surface water in this location is controlled and stored safely on site without blocking off access to the pumping station in the event of the pumping station malfunctioning.

**Housing Strategy & Needs Manager** – No objection. The Housing Strategy and Needs Manager initially objected to the scheme on the basis that the applicant would not be providing the required tenure split of affordable housing. The applicant has since confirmed that tenure split will be as required (65% Affordable/Social Rent and 35% Intermediate Tenure).

**Head of Strategic Infrastructure** – No objections subject to financial contribution of £5.555 per dwelling towards Poynton Relief Road.

**Manchester Airport** – No comments received.

**NHS Eastern Cheshire Clinical Commissioning Group** – Request financial contribution of £120,986 to support the development of the two GP practices in Poynton.

**Public Rights of Way** – No objections subject to conditions relating to the PROW and access.

**Stockport Metropolitan Borough Council** – No comments received.

**United Utilities** – No objection subject to drainage conditions.

## **VIEWS OF THE TOWN COUNCIL**

**Poynton Town Council** – Recommend refusal on the following grounds:

- Contrary to LPS 50 – fails to address key matters of infrastructure, impact on local and site amenities and affordable housing
- Unacceptable increase in traffic at the junction where the proposed access would meet with Chester Road (A5149)
- Proposed access is situated dangerously close to the new junction with the A6 Manchester Airport Relief Road and access to the Oil Storage Depot
- Site should not be considered for development until A6 MARR and Poynton Relief Road are open to traffic, and future traffic patterns established
- Contrary to SD1 – unsustainable development lacking public transport
- Unsustainable development lacking public transport with the only bus service proposed to be removed from the area
- Contrary to SE1 - unneighbourly as site access road will have a detrimental impact on adjacent residential properties
- Contrary to SE3, SE4 and SE5 (bio and geo diversity, landscape, trees, hedgerows and woodland – unacceptable loss of trees, hedgerows and woodland.

- Contrary to IN1 and IN2 - application makes no attempt to assess the physical, green and social and community infrastructure needs generated by this development
- On-site physical delivery of infrastructure is not addressed – how will utilities, water, gas, electricity, telecoms and sewage enter and leave the site (any services should be placed under footways and not the carriageway)
- Contrary to SE 12 – pollution, land contamination and land instability and runoff of surface water
- Proposed development would lead to an urban sprawl and fails to satisfy one of the main purposes of the Green Belt (i.e. prevent Poynton and Woodford from merging)
- Proposal fails to comply with the Statement of Community Involvement
- Application provides both insufficient and contradictory information – how transport, connectivity and sustainability issues have been taken into account
- Contrary to SE4 and SE 5 – concerning residential mix and affordable homes

The Town Council also highlight the following planning considerations for current and future planning applications for the site:

- 120 dwellings appropriate and should include mix of house types and sizes (including elderly accommodation)
- Open space areas should be provided and well related to residential properties
- Development should create a balanced community with a mix of property types and tenures distributed across the site
- 30% affordable with variety of tenures should be provided
- Density should not exceed 30 dwellings per hectare
- Highways improvements required
- Impact on existing residents should be given particular attention
- Arrangements for health and other community and social services need to be addressed
- Improvements are needed to facilitate non-car borne movement within the town for a variety of purposes
- Developers will be expected to address the provision of public transport services to and from the site and the High School
- Careful consideration to site layout will be required to minimise woodland / tree / hedgerow losses with consideration given to a new Green Belt boundary along adjacent footpath
- Should explain how infrastructure to serve the physical, green, social and community services are to be provided for future residents and their homes and open areas.

## **OTHER REPRESENTATIONS**

Representations have been received from in excess of 38 addresses objecting to the development on the following grounds:

- Loss of Green Belt and buffer with adjoining Stockport and Manchester Authorities
- The site selection process lacks independence and clear evidence base / justification which bring into question the legitimacy of the Local Plan
- Other sites area available for development and should be considered before this one
- Proposal does not comply with the LPS Site Specific Principles

- Proposal does not comply with Local Plan Policies or the NPPF
- Impact on highway safety and close proximity of access to new junctions serving the SEMMMS Road and 4 filter lanes on Chester Road
- Increase in traffic and congestion on local highway network
- Increase in access and egress onto Chester Road
- Traffic surveys inadequate to measure future traffic once road schemes are complete
- Proposed access is inadequate and conflicts with nearby oil terminal access
- Proposal should link in with planned cycle routes
- Site is not sustainable with local amenities over 1 mile away
- People will be car dependant
- Poynton is already overcrowded
- With the development of the Garden Village at Woodford Aerodrome, there will be limited demand for houses
- Would be more difficult for residents to sell their properties
- Increase in noise, air, traffic and light pollution which will impact on health and wellbeing
- Levels of air quality already high in the area and have been miss-calculated by CEC
- Local infrastructure will not be able to cope alongside all the other developments in the area (local doctors / dentists/ clinics / schools etc)
- Should be a joined up approach with Stockport MBC and GMC Councils
- The Bird Estate does not need to be extended
- Loss of countryside and green spaces
- Loss of trees and woodland
- Loss of wildlife and impact on protected species and Biodiversity
- Submitted ecological surveys out of date
- Proposed highway layout does not meet standards (emergency service and vehicle refuse collection)
- Local shops will close as people will avoid Poynton
- Stress and trauma caused by construction of recent developments in the area will continue
- Dust during construction
- Removal of hedge and trees would compromise security of adjoining properties
- Proposed houses very small and poorly designed
- Overlooking of adjoining properties
- Impact of access on adjoining properties
- Loss of privacy / loss of outlook
- Poor open space within scheme
- Two-bedroomed houses do not suite the demographic of the area
- Poor local public transport in the area
- Plenty of brownfield sites which should be developed first
- The Local Planning Authority should demand a higher quality and less dense housing scheme in exchange for releasing Green belt
- Lack of consultation on the application
- Footpaths in the area are poor quality and badly maintained
- Heavy traffic and large vehicles makes pedestrian movement in the area dangerous
- CEC's Housing Strategy has objected
- Properties not truly affordable

- Lack of landscape buffer with existing properties
- Route of access road should be reconsidered
- Will lead to further pressure for further housing and Green Belt land release
- The land suffers from poor drainage and flooding which will be made worse for existing properties
- Submitted Flood Report is inaccurate
- Tree information inadequate
- Existing pond will become isolated and could be better integrated in the proposed development
- Proposal could be better integrated with the adjoining Bird Housing Estate
- The proposal will lead to the demise of local shops and will impact negatively on the local economy
- Application should be suspended until further survey work is carried out
- Damage caused to properties from construction
- There is potential for land contamination as there are some pig sheds on the site with asbestos roofs
- Proposal does not accord with Building for Life 12

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site is allocated as a Strategic Site for housing under Policy LPS 50 of the Cheshire East Local Plan Strategy (CELPS). Site LPS 50 states that the development of Land at Chester Road, Poynton will be achieved over the Local Plan Strategy period through:

1. The delivery of around 150 new homes;
2. Incorporation of green infrastructure, including:
  - i. an appropriate level of amenity open space and children's play space;
  - ii. pedestrian and cycle links to new and existing residential areas, employment areas, shops, schools and health facilities, including improved pedestrian links to the town
3. Open space provision to accommodate the need for enhanced or new indoor and outdoor sports facilities to accommodate the additional demand from the housing. Provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy.

Additionally, the following site specific principles of development apply:

- a. Contributions to existing, and the provision of new, public transport links to the town centre.
- b. Contributions to education and health infrastructure.
- c. Contributions towards the delivery of the Poynton Relief Road.
- d. Any application would need to be supported by a full ecological appraisal.
- e. Mitigation would be required to address any impacts on protected species.
- f. Any woodland, priority habitats or habitats of Local Wildlife Site quality on the site should be retained and buffered by areas of open space/habitat creation.
- g. The Local Plan Strategy site is expected to provide affordable housing in line with the policy requirements set out in Policy SC 5 'Affordable Homes'.

- h. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the site is, or could be made, suitable for use should it be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the site.
- i. Appropriate boundary treatments should be implemented to provide a clearly defined Green Belt boundary that is likely to endure.

Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*". In light of LPS 50, which allocates this site for housing development, the principle of developing the site for around 120 dwellings is acceptable.

Also of relevance is the draft Poynton Neighbourhood Plan (PNP). The PNP was published in September 2016 and therefore pre-dates the adoption of the Cheshire East Local Plan. Policy HOU 1B of the PNP states that development of no more than 100 units on any one site will be considered during the plan period (2016-2030). However, this conflicts with the adopted local plan which allocates the site for around 150 dwellings. As an application for up to 120 dwellings, the proposal is therefore contrary to this draft policy in the PNP. However, given that the PNP is a draft document, and the CELPS is a recently adopted document, greater weight must be afforded to the CELPS.

As per para 14 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable development (economic, social and environmental) and compliance with the Development Plan.

## **SOCIAL SUSTAINABILITY**

### **Affordable Housing**

Policy SC 5 of the CELPS states that "in developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres of the Borough, at least 30% of all units are to be affordable". As this is an outline application for around 120 dwellings, 36 of the units will be required to be affordable, depending on the final number of dwellings on the site. The application proposes the provision of 30% affordable housing in accordance with policy SC 5.

The SHMA 2013 shows the majority of the demand in Poynton per year until 2018 is for 24 x 1 bedroom, 45 x 2 bedroom, 19 x 3 bedroom and 4 x 4 bedroom dwellings. Also the SHMA 2013 identifies a need per year of 35 x 2 bedroom older person's dwellings. These could be provided as bungalows, flats or cottage style flats.

The majority of the demand on Cheshire Homechoice is for 52 x 1 bedroom, 42 x 2 bedroom, 30 x 3 bedroom and 6 x 4 bedroom dwellings. Therefore a mix of 1, 2 and 3 bedroom dwellings on this site would be acceptable. 23 units should be provided as Affordable/Social rent and 13 units as Intermediate tenure.

The Housing Strategy and Needs Manager initially objected to the scheme as the applicant had indicated that all of the affordable units would be intermediate tenure. However, they



have since confirmed that 65% of the units will be provided as affordable/social rent and 35% of the units as intermediate tenure. On this basis, the Housing Strategy and Needs Manager is satisfied and has now offered no objection. In terms of the mix of house-types and size, this detail can be dealt with at the Reserved Matters stage. At this stage, the scheme is found to be in compliance with Local Plan Policy SC 5 and criterion g of LPS 50.

## **Public Open Space**

### Outdoor

The local plan allocation for this site requires “*an appropriate level of amenity open space and children's play space*” to be provided.

Policy SE 6 of the CELPS sets out the open space requirements for housing development are (per dwelling):

- Children's play space – 20sqm
- Amenity Green Space – 20sqm
- Allotments – 5sqm
- Green Infrastructure connectivity 20sqm

This policy states that it is likely that the total amount of 65sqm per home (plus developer contributions for outdoor sports) would be required on major Greenfield and brownfield development sites. The indicative site plan shows areas for some on site open space. At 65sqm per dwelling, the total amount of open space required could be up to 7,800sqm on site. The necessary outdoor sports facilities would be provided by way of a financial contribution towards off site provision. Comments from ANSA are awaited and therefore the specific open space requirements for the site will be reported as an update. This is also the case for indoor provision.

## **Education**

One of the site specific principles of the site allocation under LPS 50 is that the development of the site will require “contributions to education and health infrastructure”.

In the case of the current proposal for 120 dwellings, the Council's Children's Services have advised that a development of this size this would generate:

- 22 primary children (120 x 0.19)
- 18 secondary children (120 x 0.15)
- 1 SEN children (120 x 0.51 x 0.023%)

	PAN Sep 17	PAN Sep 18	NET CAP May-17	any Known Changes	PUPIL FORECASTS based on October 2016 School Census						Comments
					2017	2018	2019	2020	2021		
<b>Primary Schools</b>											
Lostock Hall Primary School	21	21	147	147	130	134	136	140	145		
Lower Park School	40	40	280	280	275	273	269	261	259		
St Paul's Catholic Primary School	17	17	119	119	116	119	118	114	118		
Vernon Primary School	50	50	367	367	374	384	399	406	415		
Worth Primary School	30	30	210	210	209	206	204	202	201		
Total School Capacity				1,123							
Developments with S106 funded and pupil yield included in the forecasts				0							
Developments pupil yield not included in the forecasts									0		
Pupil Yield expected from this development									22		
OVERALL TOTAL	158	158	1,123	1,123	1,104	1,116	1,126	1,123	1,160		
OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP					19	7	-3	0	-37		
	PAN Sep 17	PAN Sep 18	NET CAP May-17	any Known Changes	PUPIL FORECASTS based on October 2016 School Census						Comments
					2017	2018	2019	2020	2021	2022	
<b>Secondary Schools</b>											
Poynton High	246	246	1,230	1,230	1,165	1,164	1,166	1,180	1,202	1,235	1,249
Total School Capacity				1,230							
Developments with S106 funded and pupil yield included in the forecasts				6	Please Note: All figures quoted exclude any allowance for 6th Form Pupils						
Developments pupil yield not funded and not included in the forecasts											0
Pupil Yield expected from this development											18
OVERALL TOTAL	246	246	1,230	1,236	1,165	1,164	1,166	1,180	1,202	1,235	1,267
OVERALL SURPLUS PLACES PROJECTIONS					71	72	70	56	34	1	-31

**Table 1 – Pupil forecasts and school capacity for Poynton**

The development is expected to impact on both primary school and secondary places in the immediate locality. Any contributions which have been negotiated on other developments are factored into the forecasts shown in Table 1 above 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 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. Whilst it is acknowledged that this is an existing issue, the 1 child with special educational needs (SEN) expected from this development will exacerbate the shortfall.

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

- 22 x £11,919 x 0.91 = £238,618 (primary)
- 18 x £17,959 x 0.91 = £294,168 (secondary)
- 1 x £50,000 x 0.91 = £45,500 (SEN)
- Total education contribution: £578,286

Without a secured contribution of £578,286, Children's Services would raise an objection to this application. This position is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 22 primary children, 18 secondary children and 1 SEN child would not have a school place in Poynton and would not comply with LPS 50 in the CELPS. The

applicant has confirmed acceptance of this requirement and therefore this application is compliant with criterion b of LPS 50 in this regard.

## **Healthcare**

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented on the application. The NHS has noted that there are two NHS GP practices within Poynton - Priorsleigh Medical Centre and McIlvrde Medical Practice. Both GP practices are in need of development and/or expansion if the predicted patient growth over the next 10 years is to be accommodated, together 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 Priorsleigh site and internal structural changes at the McIlvrde site. Priorsleigh Medical Centre has put forward a bid into the NHS Estates and Technology Transformation Fund (ETTF) however it is acknowledged that this NHS funding will not cover the total costs of the planned future developments.

It is likely therefore that a financial contribution will be required as part of this application, which 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.

Where a planning application has not provided a breakdown of the dwelling unit sizes in the proposed development (as is the case with this outline application), it is proposed that the average occupancy of 2.8 persons is used in the initial health calculation until such time as the size of the dwelling units are confirmed, at which point a revised and more accurate calculation can be confirmed.

For the planning application in question it is likely that the CCG will request a contribution to health infrastructure via Section 106 of £120, 960 based on a calculation of 2.8 persons x 120 dwelling units x £360. This provides an indication of the contribution required to comply with criterion b of LPS 50 of the CELPS. However, a formula based approach could be utilised in the s106 in order to secure the appropriate contribution once the details of the dwellings / occupancy has been fully detailed at the reserved matters stage.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Residential Amenity**

Saved policy DC38 of the Macclesfield Borough Local Plan (MBLP) states that new residential developments should generally achieve a distance of between 21 metres and 25 metres between principal windows and 14 metres between a principal window and a blank / flank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties, unless the design and layout of the scheme and its relationship to the site and its characteristics provide a commensurate degree of light and privacy between buildings.

The nearest existing residential properties are located to the north, east and south of the site. The properties to the north are those fronting Chester Road, namely 217-199 (inclusive) and

already benefit from long gardens allowing decent separation with the site boundary (a minimum of c18 metres). The properties to the east are those forming a housing estate with various cul-de-sacs adjoining the eastern site boundary along West park Avenue, Bittern Close and Heron Drive. Some properties 'side onto' the site with the remaining backing onto it. There is a single dwelling to the south of the site (referred to as Long Furrow), which enjoys a separation of 20 metres with southern site boundary.

It is important to note that the detailed layout and appearance of the scheme are reserved matters for consideration at a later stage. However, having regard to the indicative layout, it is considered that a scheme of this size could be accommodated on the site, whilst maintaining the required separation distances between neighbouring properties and the proposed dwellings, and between the new dwellings within the development itself. Sufficient private amenity space for each new dwelling could be secured at reserved matters stage. No significant amenity issues are raised at this stage.

## **Air Quality**

Policy SE 12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

The air quality impacts of the proposal have been considered within the air quality assessment submitted in support of the application. The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows.

The air quality report states that a detailed assessment into the impacts of NO<sub>2</sub> and PM<sub>10</sub> during the operational phase is not required in accordance with EPUK and IAQM criteria based on the predicted development flows. The report also concludes that the potential dust impacts during construction will not be significant subject to appropriate dust mitigation measures. That being said, there is still a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. This can be achieved by conditions relating to travel planning, dust control and the provision of electric vehicle infrastructure, which are accordingly recommended. The implementation of this travel plan is also recommended. Subject to these conditions, the proposal will comply with policy SE 12 of the CELPS.

## **Noise**

The application is supported by a noise impact assessment which details potential noise mitigation measures in order to ensure that occupants of the proposed dwellings are not adversely affected by current and future traffic noise in the vicinity of the site. Provided that the noise mitigation measures as detailed in the supporting noise impact assessment are

applied in order to meet BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and / the Guidance Document Calculation of Road Traffic Noise; it is considered that there should be no adverse impacts on health and quality of life resulting from road traffic at this location affecting future occupants.

As the detailed design and final layout of the site, has not yet been confirmed; in order to ensure that future occupants of the development do not suffer a substantial loss of amenity due to noise, a noise impact assessment report will be required at the Reserved Matters stage, demonstrating that all the residential properties can achieve appropriate standards. Subject to this requirement it is considered that the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing.

### **Public Rights of Way**

Policy LPS 50 of the CELPS requires the creation of links within the site to connect with existing public rights of adjoining the site. Public Footpath No. 75 in the parish of Poynton with Worth runs near to the western boundary of the site. The Council's Public Rights of Way Unit (PROW) has confirmed that it is unlikely that the proposal will directly affect the footpath and have therefore offered no objection. Further details as to the permeability of the site for pedestrians and cyclists, and future adjoining sites, will be required at the reserved matters stage.

### **Highways**

The application is outline with means of access to be determined. There is one point of access proposed that is a priority junction measuring 5.5 metres wide and has a 2 metre wide footway on each side which is an appropriate width of carriageway to serve the development. The proposed visibility splays at the access are consistent with the existing speed limit. There is a ghost island right turn lane provided on the A5149. The detailed internal layout and levels of car parking will be dealt with at the reserved matters stage.

Poynton has for some time had significant traffic congestion problems particularly in the town centre at the A523 London Road/A5149 Chester Road junction. There are two major infrastructure schemes that affect the levels of traffic travelling through Poynton, the A6 MARR (Manchester Airport Relief Road) that is currently under construction and scheduled to open in 2018 and the PRR (Poynton Relief Road) that has received planning approval. With these infrastructure schemes in place significant reductions in through traffic in Poynton have been predicted resulting in less congestion in the town centre.

As part of the A6 MARR scheme Chester Road has been realigned to form a new signalised junction around 80m to the west of the site access junction. The A6 MARR and PRR are both accessed by turning right at this junction and Chester Road is a left turn. This signalised junction is not the responsibility of CEC and is located within Stockport.

The applicant has derived the traffic generation of the development from The Trics database, the peak hour generation (two way) is 56 trips am and 57 trips pm. This level of traffic generation is considered lower than would be expected in CEC, although using CEC trip rates to determine the generation the number of trips would only increase trips to 70 two way trips which would make little difference in regard to the assessments undertaken.

The applicant has submitted a distribution of the traffic on the road network generated by the development and this is based upon the existing directional flows of traffic on Chester Road and not with the A6MARR and PRR being in place. The SEMMMs model outputs indicate there are substantial reductions in traffic flows using routes in Poynton as a result of the new infrastructure schemes and it is likely that significant changes in journey pattern would occur especially if the schemes provided significant journey time savings.

In regard to the capacity assessments undertaken, the applicant has provided a capacity assessment of the proposed site access junction but they have not modelled the capacity of the nearby signal junction. The results indicate that the site access works well within capacity and although there are no figures supplied for the A6MARR link road/realigned A5149 Chester Road junction the SEMMMs assessment indicated that the junction would operate within capacity in 2017.

In summary, the existing road network in Poynton is congested and the development proposals and traffic generated would only increase the congestion levels in the absence of the major road schemes the A6MARR and PRR. These schemes will help significantly in reducing traffic levels on many routes in the Poynton area and it is important that these schemes are delivered. The A6MARR is under construction and although the PRR has received planning approval it is not a committed scheme. The Local Plan policy LPS 50 reflects the benefits of the PRR in reducing congestion and requires the development to contribute to the delivery of the PRR. The Head of Strategic Infrastructure has calculated that this development would be expected to contribute £5,555 per dwelling / unit towards the construction of PRR. Subject to this, the proposal raises no significant highway safety or traffic generation issues, in accordance with policy DC6 of the MBLP and criterion c of LPS 50.

## **Accessibility**

The site access will connect with the existing footway network on Chester Road that connects with Poynton and Woodford. As this is an outline application, the internal footways and cycle path connections are not to be determined at this stage and will be dealt with at reserved matters.

There are existing bus stops on Chester Road that provide a bus service between Hazel Grove and Poynton and currently operates as an hourly service. In addition to the bus stop, a number of facilities including schools, open space and general amenities are all within relatively close proximity of the site. Poynton Town Centre is approximately 1.77km from the site where the majority of shops, services and facilities are located, and are within walking distance. Poynton Railway Station is also located just 1.2km from the site. Accordingly, the location of the site is highly sustainable and accessible.

Whilst criterion a of LPS 50 states that 'contributions to existing and the provision of new public transport links to the town centre will be expected', as already stated, the access onto Chester Road will connect well with the existing footway network and the future cycle network brought by nearby developments (including the delivery of the Poynton Relief Road and the A6MARR). The Head of Strategic Infrastructure has not identified the need to upgrade

existing provision and as discussed above, the proposal will be contributing towards the delivery of the PRR.

With regard to the pedestrian and cycle connections with the adjoining residential areas, there is scope at the detailed reserved matters stage to ensure integration and connectivity with the existing housing development to the east and connections to the existing public footpath 75 to the west. The indicative layout supports this concept and as such, whilst no contributions towards public transport have been identified in line with criterion a of LPS 50, the proposal at this stage is found to adhere to the justification to LPS 50 which states that "it is important that cycle and pedestrian links between the site and the surrounding residential areas and countryside are provided to improve connectivity within and around the town". Subject to this, it is not considered that the proposal conflicts with criterion a of LPS 50.

## **Trees**

The application is supported by a baseline tree survey and preliminary Arboricultural Impact Assessment and supplementary details supplied in response to concerns raised by the Council's Arboriculturist. The residential aspect of the site comprises of a rectangular shaped level area of agricultural land, and an abandoned area of ground which contains early mature and semi-mature trees. The site is bordered to the South by a lapsed Hornbeam hedge and residential gardens to the North and East; a row of Lombardy Poplars run along the centre of the site, with the boundary to the West relatively open

Clearly trees are a material consideration beyond this application with the proposed access road route initially restricted by the constraints associated with 199 Chester Road in terms of where ingress and egress into the site can be accommodated. The original Arboricultural detail identified the area immediately to the rear of the proposed access as G14, an area of established trees and regenerative tree growth with a dense under-storey of brambles and shrubs, with part of the area unable to be accessed because of ground condition. The whole area including a limited number of individual trees within G14 had been assessed as Category C low value specimens.

The absence of any formative management within this group has allowed the establishment of very closely spaced trees with a collective etiolated form, and extensive dieback within the upper and lower canopies; many of the Ash located on the North Eastern boundary present a poor and unsustainable social proximity and relationship with the adjacent private residential dwellings. Following a request from the Councils Arboricultural Officer this area has been re-assessed, with a small number of moderate value Category B trees identified. There is an indication that these trees can be accommodated within the areas of proposed open space, should the site proceed to reserved matters.

The Lombardy Poplars identified as G5 within the Arboricultural Survey are visually significant within the landscape setting but the row has increasingly become fragmented over time with many of the trees exhibiting advanced signs of reduced vigour and vitality. The trees clearly have a limited useful safe life expectancy and are considered inappropriate for the long term retention, especially within a residential development. The establishing young and semi-mature Oaks identified as T2, 3, 4, 5, 6, and G6 are of moderate value arboricultural significance, and have some collective value. Some of the trees present a poor long term

social proximity to existing residential dwellings that is likely to worsen as the trees mature. Retention within the POS is considered a suitable way forward.

The Council's Senior Arboricultural Officer has confirmed that the outline application as presented is acceptable. Any future reserved matters application should be accompanied by a detailed Arboricultural Impact Assessment which reflects the discussions which have taken place in terms of accommodating the identified moderate value trees within areas of POS with adequate space available to accommodate their predicted dimensions.

## **Landscape**

As part of the application a Landscape and Visual Appraisal (LVA) has been submitted, based upon the recommendations and methodology in Guidelines for Landscape and Visual Impact Assessment 3<sup>rd</sup> Edition published by The Landscape Institute and the Institute of Environmental Management & Assessment in April 2013 (GLVIA3). The LVA identifies that there are a number of trees and some hedgerow vegetation along the site boundaries, some trees towards the north east of the site as well as a row of Lombardy Poplars and a pond towards the north eastern boundary.

The LVA identifies the baseline landscape character at the national, regional and county and district level, in this case Landscape Type 16: Higher Farms and Woods, and specifically the Poynton Character area (HFW3), and also identifies the settlement pattern, as identified in the Cheshire East Design Guide, which identifies the settlement pattern as North Cheshire Fringe. The site itself consists of a single pastoral field, with existing development along the northern and eastern boundaries, Long Furrow to the south and some development along the western boundary. Footpath 75 Poynton-with-Worth follows the length of the western boundary. The visual context of the site includes a field verified Visual Envelope (VE), as well as 10 photo viewpoint locations. The appraisal identifies that adjoining residents to the north along Chester Road, those to the east along West park Avenue, Bittern Close and Heron Drive, along with those at Long Furrow to the south and users of Footpath 75 Poynton-with-Worth will experience a change in view if development takes place.

The LVA includes a number of recommendations including, the incorporation of a development offset along the western boundary and along the southern boundary, that the western and southern edges should be designed according to the guidelines in the Cheshire East Design Guide, that the Chester Road frontage should be designed to respect and complement the existing development along Chester Road, that existing vegetation along boundaries and within the site to be retained, but with the probable removal of Lombardy Poplars within the site.

The Council's Principal Landscape Architect has confirmed that if the design recommendations are followed, he is in broad agreement with the LVA. The retention of existing vegetation, inclusion of meaningful offsets along the boundaries and their enhancement will be of prime importance in this proposed development, and it will be the creation of the nodal points, green corridors and retention of existing vegetation that will help create distinctive character and sense of place, as well as creating well defined streets and spaces. These are matters that will need to be secured at the detailed reserved matters stage.



Nonetheless, the indicative layout does show a green buffer along the western edge of the development where a footpath network and green corridor would be created enabling a softer transition with the Green Belt to the west. This would enable compliance with the site specific principle (criteria i) of LPS 50 which requires “appropriate boundary treatments should be implemented to provide a clearly defined Green Belt boundary that is likely to endure”

## **Ecology**

An ecological appraisal, Great Crested Newt survey and Bat survey have been submitted with the application in accordance with criterion d of LPS 50.

### Great Crested Newts

The Council's Nature Conservation Officer (NCO) has confirmed that there is a low risk that the proposed development will have an adverse impact upon Great Crested Newts which may occur in the surrounding habitat. The risks will be adequately mitigated against by the implementation of the reasonable avoidance measures detailed within the Ecological Assessment.

### Bats

Evidence of bat activity in the form of several minor roosts of relatively common bat species has been recorded within the property to be demolished at 199 Chester Road. The usage of the building by bats is likely to be limited to small-medium numbers of animals using the building for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The loss of the building on this site in the absence of mitigation is likely to have a medium impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report recommends the installation of bat tubes and boxes on the new buildings as a means of compensating for the loss of the roosts and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed. The NCO has confirmed that the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned. Future reserved matters applications should be accompanied by an updated bat survey. This can be secured by condition.

### Badger

Some signs of badger activity were recorded on site during the ecology surveys. As such any future reserved matters applications should be accompanied by an updated badger survey.

### Habitat corridors

The submitted ecology report includes details of wildlife enhancement and habitat corridors. These suggestions are broadly acceptable. In addition, based on the submitted layout plan it appears feasible that as well as the retention of trees, native species hedgerow planting could be incorporated into the development. Plans illustrating the planting of boundary hedgerows which link the central area of the site currently containing poplars to the retained pond and proposed habitat corridor linking to the southern site boundary should be submitted to and approved in writing by the Local Planning Authority.

### Invasive Species

Within the scrubbed area to the north and east of the site is a large area of variegated archangel (*Lamiastrum galeobdolon ssp argentatum*). The applicant should be aware that under the terms of the Wildlife and Countryside act 1981 it is an offence to cause this species to grow in the wild and an appropriate management strategy should be incorporated into the development. This could be attached as a informative to any decision.

### **Habitat Regulations**

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

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

The principle of developing this site for residential purposes has been deemed to be acceptable through the adoption of the Local Plan Strategy. The allocation of the site under LPS 50 will enable a sustainable and planned housing land release which will facilitate and assist in the delivery of a 5 year housing land supply in the Borough. It is a requirement of NPPF the LPAs maintain a 5 year housing land supply and therefore in this particular case, thi is deemed to be of overriding public interest. There are no suitable alternatives to providing the development on the site and the Council's NCO has confirmed that that if planning consent were to be granted, the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned. On this basis, it is considered that the proposal meets with test outlined in the Habitat Regs.

### Other Ecology Matters

Conditions relating to lighting and enhancements for bat and bird species through the creation of artificial bat roosts and bird boxes should be incorporated into the design of the site. Subject to this and mitigation measures, the scheme is found to be acceptable in terms of its ecological impact and accords with criterion e and f of LPS 50.

### **Design**

As this is an outline application with matters relating to layout and appearance reserved for approval at a later stage, there is an indicative plan to show how a development of 120 houses could be accommodated on the site. The proposal would be served by a new access point taken from Chester Road in the grounds of the existing dwelling no. 199, which would be demolished to make way for the access. This would feed a primary access road running from north to south which would then meet with a number of tertiary roads throughout the development.

The dwellings would be arranged around the internal road network with pockets of public open space within the central core of the site and towards the eastern and western boundaries. Towards the western boundary of the site, it would appear that the properties would be arranged to front out over a proposed green corridor with footpaths which would connect in with the existing public right of way. The general principles and parameters shown on the illustrative plans shows a decent spread of development with well overlooked spaces. Provided that the parameters and principles are carried through to the reserved matters stage, the proposal would achieve a well designed residential development which would accord with LPS 50.

## **Flooding**

In support of this application, a Flood Risk Assessment has been submitted in support of the application. The site is located within Flood Zone 1 as defined by the Environment Agency indicative flood maps and as a result the chance of flooding from rivers or sea is 0.1% (1 in 1000) or less.

The FRA identifies that it will be feasible to drain the proposed development and manage surface water runoff using attenuation and/or SuDS features. The FRA also demonstrates that the proposed development can address the residual risk of flooding of surface water and will not increase the risk of flooding to neighbouring properties. It is noted that there is a substantial volume of surface water gathering in the western corner of the site where the proposed pumping station is to be situated. Efforts should be made to ensure that the surface water in this location is controlled and stored safely.

The Council's Flood Risk Manager and United Utilities have been consulted on this application and have raised no objection to the development on flood risk or drainage grounds subject to conditions. Therefore the development is considered to be acceptable in terms of its flood risk and drainage impact and will comply with policy SE 12 of the CELPS.

## **Contaminated Land**

The submitted Phase I Preliminary Risk Assessment has been assessed by the Council's Environmental Protection Unit, who have offered no objection. Any risk from further contamination not already identified can be dealt with by appropriate conditions. Consequently the proposal complies with policy DC63 of the MBLP, CELPS Policy SE12 and criterion h of LPS 50.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Poynton including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

## **S106 HEADS OF TERMS**

As noted above, comments are awaited from ANSA and discussions regarding the potential contribution towards the Open Space are ongoing. Therefore, a s106 agreement is currently being negotiated to secure:

- Education contributions
- Indoor sports contribution
- Healthcare contribution
- Open space provision and management
- 30% affordable housing
- Poynton Relief Road contribution

## **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;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

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

A financial contribution towards the Poynton Relief Road is necessary to make the development acceptable in planning terms in order to mitigate for its impact on the highway network.

The development would result in increased demand for school places at the primary and secondary schools within the catchment area which currently have no projected spare capacity. In order to increase the capacity of the schools which would support the proposed development, a contribution towards primary, secondary and SEN school education is required based upon the number of units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

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

## **CONCLUSIONS**

The proposal seeks to provide around 120 dwellings on a site allocated within the CELPS for around 150 dwellings. The comments received in representation have been given due consideration in the preceding text, however, subject to the satisfactory resolution of the s106 negotiations, the proposal complies with all relevant policies of the development plan and is therefore a sustainable form of development. In accordance with Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 14 of the Framework, the proposals

should therefore be approved without delay. Accordingly a recommendation of approval is made subject to conditions and the prior completion of a s106 agreement.

## **RECOMMENDATION**

**APPROVE** subject to conditions and a S106 Agreement making provision for:

- **Affordable Housing comprising 30% (65% of which will be for social / affordable rent and 35% for shared ownership / intermediate tenure)**
- **Education contributions of £238,618 (primary) £294,168 (secondary) and £45,500 (Special Educational Needs) = total of £578,286**
- **Highways contributions of £5,555 per dwelling towards the Poynton Relief Road**
- **Public Open Space (TBC)**
- **NHS contributions of £120,986 towards 2 GP Practices in Poynton**

**And the following conditions:**

1. **Standard Outline Time limit – 3 years**
2. **Submission of Reserved Matters**
3. **Accordance with Approved Plans**
4. **Access to constructed in accordance with approved plan prior to first occupation**
5. **Submission of an Environmental Management Plan (incl dust control)**
6. **Noise mitigation to be carried out in accordance with Acoustic Report**
7. **Submission of a travel plan**
8. **Provision of electric vehicle infrastructure (charging points)**
9. **Submission of contaminated land survey**
10. **Details of drainage strategy to be submitted**
11. **Development to be carried out in accordance with submitted Flood Risk Assessment**
12. **Scheme of foul and surface water drainage to be submitted**
13. **Reserved matters application to be supported by updated Bat Survey**
14. **Reserved matters application to be supported by updated Badger Survey**
15. **Reserved matters application to be supported by a method statement for the management of invasive non-native plant species**
16. **Development to be carried out in accordance with in accordance with the recommendations of the submitted Ecological Report**
17. **Nesting Birds Survey to be carried if works are to be carried out during the bird breeding season**
18. **Proposals for the incorporation of features into the scheme suitable for use by roosting bats and nesting birds to be submitted**
19. **Details of pile driving operations to be submitted**
20. **Reserved matters application to be supported by an Arboricultural Impact Assessment**
21. **Detailed lighting scheme to be submitted in support any future reserved matters application.**

**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) has 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.**

**Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.**

