

Application No: 17/4521M

Location: Land at Stanneylands Road, Wilmslow,, SK9 4ER

Proposal: Full planning application for the erection of 174 residential dwellings, new roundabout onto Stanneylands Road, public open space, pedestrian/cycleway connection between Linneys Bridge and the River Dean, a new bridge crossing of the River Dean, and associated works.

Applicant: Andrew Taylor, Barratt & David Wilson Homes North West

Expiry Date: 22-Dec-2017

## **SUMMARY**

The site is allocated within the Local Plan for residential use and consists of the entire LPS56 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.

Cheshire East is currently able to demonstrate a 5 year supply of housing however this site is included within the 5 year supply and as a result this proposal will make a valuable contribution in maintaining this position.

The design and layout of the development are in accordance with the Cheshire East Design Guide and no issues have been identified in respect of overlooking or other amenity impacts.

It has been demonstrated the development will not have a detrimental impact on the local highway network, the trees on and around the site, 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**

## REASONS FOR DEFERRAL

The application was deferred at the meeting of the Strategic Planning Board on 22 November 2017 for the following reasons;

- For the provision of visibility splays in respect of the private drives accessed from Stanneylands Road.
- Details of the proposed roundabout.
- Provision of a pedestrian crossing on Stanneylands Road.
- Details of the route from the footbridge to Sagars Road.
- Distances to local services.
- Lack of information on ecology

Additional information has been submitted following the deferral at the previous meeting and this is assessed below.

### For the provision of visibility splays serving the private drives accessed from Stanneylands Road.

Plans have been submitted that show visibility splays of 2.4m x 43m on each of the private drives. The plans also show the creation of a 3 metre wide footpath along Stanneylands Road from the roundabout to the south. This plan has been assessed by the Council's highway engineer and no issues have been identified with what is proposed.

### Details of the proposed roundabout.

Plans have been submitted that show the lines of visibility for vehicles entering the roundabout. This plan has been assessed by the Council's highway engineer and the levels of visibility are considered to be acceptable and not result in any highway safety issues.

### Provision of a pedestrian crossing on Stanneylands Road.

A plan has been submitted showing a signalised crossing on Stanneylands Road. This is considered a suitable location for a crossing at the end of the newly created footpath and whilst a signalised crossing is shown on the plan when this is properly audited it may be considered this is not an appropriate form of crossing and a Zebra crossing will suffice.

The site of this pedestrian crossing is within the red line of the application site. Therefore an additional condition to those listed at the end of this report will require details of a pedestrian crossing at the location shown to be implemented before the first occupation of any dwellings on the site.

### Details of the route from the footbridge to Sagars Road.

This route will be along existing paths and the contributions secured through the development on Sagars Road will improve the condition of this path. The topography of the land is such that this path will not be accessible for people with mobility issues and cyclists are likely to need to dismount. A plan of the route will be included in the officer's presentation and demonstrates it is the most direct available route without utilising the garden centre land.

### Distances to local services.

The table below outlines the distances from the site to the services set as set out in Policy SD2 of the Cheshire East Local Plan.

Service	Rec distance	Location of service	Distance
Bus Stop	500m	Manchester Ro / Highfield Cres	650m
Public Right of Way	500m	FP19 (Linneys Bridge – Styal Green)	290m
Railway Station	2km	Handforth railway station	900m via Wilmslow Garden Centre 1.3km via River Dean / Sagars Road 1.7km via Stanneylands Road
Outdoor Sports	500m	The Carrs Park	1.4km
		Handforth Hall Tennis Club	1.4km via Wilmslow Garden Centre 1.8km via River Dean / Sagars Road 2.2km via Stanneylands Road
		Wilmslow Rugby Club	2.3km
Public Park and Village Green	1km	Lacey Green Park	850m
Convenience Store	500m	Lacey Green Newsagent / Retail Base, Twinnies Road	1km
Supermarket	1km	Lidl, Dean Row Road	1.1km
Post Box	500m	Corner of Stanneylands Road / Stanneylands Drive	210m
Post Office	1km	Post Office, Wilmslow Road, Handforth	980m via Wilmslow Garden Centre 1.2km via River Dean / Sagars Road 1.8km via Stanneylands Road
Bank or Cash Machine	1km	Lacey Green Newsagent / Retail Base, Twinnies Road	1km
Pharmacy	1km	Well Pharmacy, Handforth Health Centre	900m via Wilmslow Garden Centre 1.1km via River Dean / Sagars Road 1.7km via Stanneylands Road
		Lloyds Pharmacy, Summerfield Village	1.1km
Primary School	1km	Lacey Green Primary Academy	1.2km
Secondary School	1km	Wilmslow High School	2.7km
Medical Centre	1km	Handforth Health Centre	900m via Wilmslow Garden Centre 1.1km via River Dean / Sagars Road 1.7km via Stanneylands Road
Leisure Facilities	1km	Wilmslow Leisure Centre	2km
Local Meeting Place / Community Centre	1km	Wilmslow Parish Hall, The Carrs	1.4km
		Honford Hall Community Centre	750m via Garden Centre 1.3km via River Dean / Sagars Road 1.5km via Stanneylands Road
Public House	1km	Bulls Head	600m via Garden Centre 1.2km via River Dean / Sagars Road 1.4km via Stanneylands Road
		Wilmslow Tavern	1.1km
Child Care Facility (nursery or crèche)	1km	Fun Frogs Day Nursery	1.2km
		Bright Horizons Summerfield Day Nursery & Pre-School	1.2km

The site meets the standards of the majority of the distance with or without the pedestrian/cycle link across the garden centre site. In any event the sustainability of the site was considered through the site selection process for the Local Plan and deemed a sustainable site suitable for development. The site is therefore considered to be sustainable.

#### Lack of information on Ecology

The previous report to members outlined the position on ecology. Sufficient information has been submitted to allow the Council's Ecologist to make his assessment and the conditions requested in respect of ecology issues have come from the comments made by the Ecologist. Therefore no further information has been submitted at this time and it is reasonable that additional information be submitted by condition.

### **Update on Other Matters**

#### Footpath across the Garden Centre

Whilst not a specific reason for deferral the option of a pedestrian/cycle route from the site to Manchester Road across the Wilmslow Garden Centre has continued to be explored. The garden centre has now indicated they remain 'open to entering discussions with the Council or developer regarding use of part of the car park subject to agreement on terms'.

The applicant has agreed a financial contribution of up to £150,000 to provide this pedestrian/cycle link. The funding should now enable the Council to work more closely with the garden centre to create this link. Should it become clear the link cannot be provided the money will be put towards other schemes to improve connectivity between the site and Manchester Road.

#### Future of the Open Space

Discussions have been on-going over the future of the public open space and should the land be passed to the Council a commuted sum of £488,293 will be required to allow the management of the land over the next 15 years.

As the amount of open space well exceeds the level of open space that would normally be required it has been agreed with the applicant the financial contribution of £122,000 for recreation open space (earmarked for the Jim Evison playing fields in Wilmslow) would be waived should the applicant decide to pass the land to the Council. Should the applicant decide to retain the land and manage it through a management company the £122,000 contribution will require to be paid.

#### Amended Section 106 requirements

The amended list of requirements has been updated as follows;

- Provision of 30% affordable units.
- Educational contribution of towards secondary and SEN provision of £499,567
- Contribution towards ROS of £122,000 if the public open space is to be maintained through a management company.
- Contribution to Indoor Recreation of £25,500

- Contribution towards health provision of £185,679
- Management Plan for the on-site public open space and LEAP or transfer of this to the Council to maintain with a commuted sum of £488,293
- Contribution for monitoring of Travel Plan £5,000
- Provision of the bridge across the River Dean
- A financial contribution to be agreed for the provision of a direct pedestrian / cycle route to Manchester Road or improvements to the local cycle and footpath network between the site and Manchester Road of £150,000.
- A financial contribution to the provision of MOVA on the junction of Manchester Road and Stanneylands Road of £80,000.

## **CONCLUSION ON MATTERS OF DEFERRAL**

The matters for which the application was deferred have been fully addressed. It has been demonstrated that adequate visibility can be achieved for vehicles leaving the site from the private driveways and the roundabout. The position of the pedestrian crossing is considered acceptable and the details of the type of crossing will be agreed through an additional condition on the decision notice. The site is a sustainable site and the proposals are acceptable from an ecological perspective. The application continues to be recommended for approval in accordance with the heads of terms above and the conditions listed in the main report.

## **PREVIOUS REPORT TO STRATEGIC PLANNING BOARD**

### **PROPOSAL**

The application is for full planning permission for the erection of 174 residential dwellings, a new roundabout onto Stanneylands Road, public open space, pedestrian/cycleway connection between Linneys Bridge and the River Dean, a new bridge crossing of the River Dean, and associated works.

The following levels of accommodation are proposed;

8 properties – 1 Bedroom  
 19 properties – 2 bedrooms  
 35 properties – 3 bedrooms  
 112 properties – 4 bedrooms

The properties are made up of 24 apartment and 150 dwellings with each property having access to 2 off road parking spaces.

### **SITE DESCRIPTION**

The application site consists mainly of grazing and paddock land in association with stables located on adjoining land. The part of the site to be developed for housing is generally flat and

is located alongside Stanneylands Road. Mature trees are located both within the site and along its boundaries, In the north eastern part of the site the levels change significantly down the valley of the River Dean. Much of the along the Dean Valley and paddocks in the north western of the site are included within the application site but remain in the Green Belt and are not proposed to be built upon.

Stanneylands Road forms the boundary of the site to the west with the Stanneylands Hotel being located opposite the proposed access into the site. The River Dean forms the northern boundary of the site whilst Wilmslow Garden Centre and existing residential properties on Carlton Avenue form the boundary of the site to the east. The remaining small paddock and stables associated with Little Stanneylands are located at the southernmost point of the site.

## **RELEVANT HISTORY**

No relevant applications.

## **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 56 Land at Little Stanneylands, Wilmslow

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, electric vehicle charging points and contamination. These will be included on the decision notice. An Air Quality Assessment has been submitted and subject to conditions is acceptable.

**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 and access matters are addressed in full later in this report.

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

**Flood Risk** – No objection. Conditions have been requested relating to surface water drainage and the development being carried out in full accordance with the Flood Risk Assessment.

**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 contributions being agreed in respect of recreation open space, indoor recreation provision, details of the play area, and details of how the open space will be managed in the future. This is addressed later in this report.

**Countryside Rights of Way** – No objection. No public rights of way cross the site.

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

*Wilmslow Town Council - Wilmslow Town Council's Planning Committee recommend refusal of this application on the grounds of the inadequate access onto Stanneylands Road both towards Styal and Dean Row, the primary access for the development should be directly from Manchester Road. In addition, this application should be refused in order to comply with Section 10 of the recently adopted Local Plan due to the lack of a sound infrastructure plan. The application should be refused until Cheshire East Council undertakes an up-to-date independent traffic assessment which challenges the published SEMMMS data which indicates that Stanneylands Road will experience a reduction of circa 60% in traffic movements which is a substantially greater reduction than the predicted impact on neighbouring routes.*

## **OTHER REPRESENTATIONS**

Approximately 815 representations of objection/comments have been received raising the following comments;

- Inadequate access into the site
- Increase in traffic and impact on highway safety
- Stanneylands Road is already congested
- The proposed roundabout will not ease congestion
- Access should be taken from Manchester Road
- Stanneylands Road is unsuitable for construction traffic.
- The bridge on Styal Road is too narrow
- Schools are already beyond capacity in the area.
- Capacity issues at local doctors.
- Impact on drainage in the area.
- Increase in flood risk as the site is prone to flooding
- Loss of trees
- Loss of Green Belt
- Removal of the site from the green belt is not legally compliant
- Loss of countryside
- Too many houses being built in the area.
- The development will have a detrimental impact on ecology
- Over-development of the site
- Inappropriate design that is out of character with the area.
- Not enough affordable housing
- Impact on privacy/overlooking



- The affordable housing will not be genuine affordable housing.
- Impact on local air quality
- A legal challenge has been made to the Local Plan.
- The footpath and cycle links should not cross local farmland.
- The footpath will be used as a 'rat run' for vehicles.
- Existing footpaths should be used.

## **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
- Design and Layout
- Ecology
- Trees
- Flood Risk
- Economic Sustainability
- Section 106 agreement
- CIL
- Representations
- Conclusions
- Recommendation

### **PRINCIPLE OF DEVELOPMENT**

On 27th July 2017 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.

On 8 November 2017 the White Moss Quarry (WMQ) appeal was dismissed due to conflict with the LPS settlement hierarchy and spatial distribution of development. The appeal related to an outline application for up to 400 homes as a second phase to the existing White Moss Quarry development.

However, the Inspector did not come to a clear conclusion whether Cheshire East has a five year housing land supply. His view was that there was a deliverable housing land supply of between 5.07 years (a headroom of 200 dwellings) and 4.96 years (a deficit of 130 dwellings). He concluded that on the evidence before him and the risk of the housing supply falling slightly below the 5-year requirement, he could not be confident that there is a sufficiently robust deliverable supply: *"I conclude that it would be both cautious and prudent in the circumstances of this case to regard policies for the supply of housing to be considered not up-to-date, thus engaging the tilted balance of paragraph 14 of the Framework."*

As the Council won the appeal, the decision will not be challenged by the Council. However, having reviewed it, there are serious concerns about the inspector's findings that are material to your deliberation and which will form the basis for the Council's case in relation to other appeals:

- the Council disagrees with the WMQ Inspector's findings on the five year housing land supply;
- in several cases, the WMQ Inspector, reached incorrect conclusions on the evidence before him;
- the Council's housing supply witness at the Park Road Inquiry was able to demonstrate a robust 5 year housing land supply;
- development lead-in time assumptions agreed by the Local Plan Inspector through the more extensive and inclusive Local Plan examination process should be followed, particularly so soon after the publication of the Local Plan Inspector's report (June 2017);
- the Council's approach on the *deliverability* of housing is consistent with the judgement of the Court of Appeal in St Modwen (20/10/17) which post-dated the White Moss Inquiry. This judgement confirmed that 'deliverability' in the context of NPPF paragraph 47 means a realistic prospect of the site being delivered. There is no need to demonstrate that every home in the five year supply will be built;
- updated information is now available to further support the Council's judgements as to the contribution that particular sites will make towards the five year supply.

The Council has submitted to the Park Road Inspector that he should find that the Council can demonstrate a 5 year supply of deliverable housing land. There are material differences between the evidence that was before the WMQ Inspector and the evidence that is before the Park Road Inspector to warrant the Park Road Inspector reaching a different conclusion.

For the purpose of determining current planning applications it is therefore the

Council's position that there is a five year supply of deliverable housing land.

The application site consists of the entirety of the LPS 56 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 200 dwellings the development is expected to deliver the following;

- Provision of a direct cycle and pedestrian link from the site to Manchester Road, linking the site to Handforth Railway Station and centre;
- Provision of a new pedestrian and cycle bridge across the River Dean and improvement of public access along the river valley to include a footpath link from Linneys Bridge to Manchester Road.
- Retention of trees and woodlands at the edges of the site, with new planting to re-enforce landscape features - to properly define a new Green Belt boundary and to maintain the setting of existing properties and protect the amenities of those occupiers.

### **Site Specific Principles of Development**

- a. The development must be a high quality design which reflects and respects the character of the area and the amenities of neighbouring properties.
- b. Provide a comprehensive landscaping scheme which retains existing mature trees and hedgerows where possible.
- c. Creation of a new vehicular access to Stanneylands Road, or as an alternative to Manchester Road.
- d. Improve the connectivity and accessibility into and out of the site to Handforth centre and the wider local area with the provision of cycle paths and pedestrian linkages.
- e. Provision must be made for public open space to the north and west of the site utilising the river valley. Any new development will be expected to make contributions to playing fields and children's play facilities where these cannot be provided on site.
- f. New development will be expected to respect any existing ecological constraints on site and where necessary provide appropriate mitigation.
- g. Provide contributions to health and education infrastructure.
- h. 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'.
- i. Provide for a long-term management strategy for land along the Dean Valley shown as Protected Open Space.
- j. Respect for the setting of listed buildings adjacent to the site.
- k. 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.

### **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**

Cheshire East Local Plan Policy SC5 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 174 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 52 dwellings to be provided as affordable dwellings.

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 80% 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 and point h of Policy LPS 56.

### **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 174 dwellings is expected to generate the following need:

33 primary children  
26 secondary children  
2 SEN children

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:

$25 \times £17,959 \times 0.91 = £408,567$  (secondary)  
 $2 \times £50,000 \times 0.91 = £91,000$  (SEN)  
Total education contribution: £499,567

The contribution has been agreed by the applicant and will be delivered through the s106 agreement. The proposal therefore complies with point h of Policy LPS56.

## **PUBLIC OPEN SPACE AND RECREATION**

The application site includes a large area of land identified as protected open space within the Local Plan allocation. This area will not be developed with some of the land retained by the current landowner and used for his horses with the remainder of the land forming the open space serving this development. The area is more than sufficient to meet the POS requirements.

Currently the application does not detail the management of the open space area or play area. Proposals about management of the site are essential to its future development and value as amenity and recreational spaces. The POS area provides an attractive walking, cycling and leisure environment that links in with wider areas of open space in the Wilmslow/Handforth area. Given the importance of this area and the associated footpath links provided through it the s106 will allow for either a management company to manage the site or for the site to be controlled by the Council following the receipt of a commuted sum to maintain the land.

The general location of the toddler/junior play area is acceptable, however the submitted details of the play area are not deemed acceptable at this moment. This matter is one that is reasonably addressed through a condition on the decision notice and its future maintenance will be dealt with in the same way as the open 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 is £122,000 and will be put towards the improvements to the sports facilities at Jim Everson playing fields.

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;

- 174 houses at 1.61 people per residence = a population increase of 280
- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 119 additional “active population” due to the new development in Wilmslow
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional five (5) stations. Requirement for - x3 running machines (£6,500 per treadmill) , x 2 resistance / weight pieces (£3,000 per piece). Total £25,500

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. The proposal therefore complies with points e and i of Policy LPS56.

## **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

For the planning application in question the CCG requests a contribution to health infrastructure via Section 106 of £185,796 based on the above calculation and the details provided within the planning application, i.e. 26 x 1 bed units, 19 x 2 bed units, 14 x 3 bed units, 115 x 4 bed units.

Allocated Section 106 funding will 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 area will be pooled to maximize the potential scope of the development of the Handforth Health Centre.

## **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.

The separation distances between the existing properties on Carlton Drive and those proposed is a minimum of 33 metres and is up to 46 metres in places. The required distance set out in Policy DC38 is 25 metres and as such the proposals will not cause an unacceptable level of overlooking or have an unacceptable adverse impact on privacy. The vast majority of the trees along the site boundary with the existing properties are retained and they will effectively screen the development from neighbouring properties.

Environmental Health has commented on the application and has raised no objections with regard to contaminated land 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 52 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**

Discussions regarding the location of the access to the site have taken place and the applicant is unable to provide vehicular access to Manchester Road but has submitted the application for access off Stanneylands Road. This is fully consistent with the Local Plan Policy (Point c of LPS56) that states the site can be served either from Manchester Road or from Stanneylands Road.

The roundabout access into the site is a compact roundabout design and will be delivered via a Section 278 Agreement in which the technical design will be assessed. It is agreed that in principle a roundabout is a satisfactory access to the site. In addition to the roundabout there are two other small private drive accesses onto Stanneylands, these are to serve no more than five units and visibility has been provided at each of the access points.

### **Internal Road Layout**

The main spine road is 5.5m wide with 2m wide footways and the minor roads and shared surfaces being a minimum of 4.8m wide. There are a number of junction tables indicated on the layout plan these are acceptable but they should not be raised as the speeds internally would be low. There is a road narrowing between plots 154 and 169 where the road crosses the footway, this is acceptable as the narrowing is for a short distance only. The level of parking provision for the units is 200% and is either driveway or garage parking, the number of spaces provided for each unit accords with the parking standards in the Local Plan.

### **Traffic Impact**

Stanneylands road provides a connection with Styal Road and Manchester Road and is a rural road in parts with it serving residential development at its eastern end towards Manchester Road. It currently has problems with additional traffic using the road due to its connectivity with Styal Road and Manchester Road although there is likely to be a marked



reduction in vehicles using Stanneylands Road following the opening of the A6 MARR (Manchester Airport Relief Road). The applicant has assessed the impact of the development with the A6 MARR in place and undertaken capacity assessments using the predicted flows from the SEMMMs model on Manchester Road and Stanneylands.

The level of traffic generation submitted is considered low and is not representative of traffic generation levels in Wilmslow although using CEC trip generation data the likely traffic generation for the site is 115 peak hour trips as opposed to the 90 peak hour trips in the applicants assessment. Overall, the additional trips is not considered to have a significant impact on the assessments undertaken as the capacity assessments of the site access and the signal junction at Manchester Road/Stanneylands Road have sufficient spare capacity to accommodate the additional flows.

#### Accessibility

The site will have a pedestrian/cycle footway fronting the site and is to be connected to the existing footways network by a uncontrolled crossing south of the proposed new roundabout access. The provision of a shared pedestrian/cycleway between Linneys Bridge and the River Dean is also proposed, a new bridge link over the river is being provided.

#### Summary

The site has been identified in the Local Plan as a strategic site, consideration has been given to the points of access to serve the site. Both Manchester Road and Stanneylands Road were identified as possible access point to the site, given land ownership constraints to gaining access to Manchester Road the Stanneylands road access has been proposed in the application.

The proposed new roundabout complies with highway design standards and is accepted as an appropriate form of access, internally the road layout is an acceptable design with suitable road widths for the level of development served.

The traffic impact resulting from the development on Stanneylands Road has been assessed and although the peak hour traffic generation arising from the development would not have led to a link capacity problem on Stanneylands Road, the introduction of the A6 MARR is forecast to reduce traffic flows even with the development in place.

The existing signal junction of Manchester Road/Stanneylands Road is currently operating over capacity, it is with the reduction in traffic from the A6 MARR scheme that it is predicted to operate within capacity. Although reduction in flows on Manchester Road are predicted, there are existing congestion issues at the signal junction, the developer has agreed to contribute to providing MOVA at the junction to optimise the cycle times and thereby improving capacity. Therefore not taking into account the anticipated reduction of traffic on Stanneylands Road it is not considered the proposal will have an unacceptable impact on the capacity of the local highway network on the basis of the contribution for the MOVA installation.

In summary, the site design is acceptable and does provide linkages to the pedestrian and cycle network, the traffic impact is not considered severe although a financial contribution of £80,000 is required, and has been agreed, for the introduction of MOVA at the signal junction of Manchester Road with Stanneylands Road.

### Pedestrian / Cycle Access

Policy LPS56 of the newly adopted Local Plan has the following requirements;

- Provision of a direct cycle and pedestrian link from the site to Manchester Road, linking the site to Handforth Railway Station and centre;
- Provision of a new pedestrian and cycle bridge across the River Dean and improvement of public access along the river valley to include a footpath link from Linneys Bridge to Manchester Road.

Whilst the above policy requirements are listed separately the bridge over the River Dean could perform both functions. Following the public consultation exercise carried out in respect of this application the bridge has been re-located to reduce any impact on the farmer currently tenanted the Council owned land on the opposite side of the River Dean. It is now proposed to site the bridge to the west of the initial position and the path leading from the bridge will tie into the improved footpath network secured as part of the Sagars Road application.

Two pedestrian access points will be available from Stanneylands Road into the site. One being by Linneys Bridge, and one taking advantage of the existing tree lined path already in place on the site. Both of these footpaths will join at the location of the children's play area and continue to the bridge over the River Dean. This will complete a formal footpath network from The Cars up to Sagars Road and beyond. Once on Sagars Road easy pedestrian access is available to the shops and services in the centre of Handforth and provides pedestrian access to Handforth Station.

In respect of the direct pedestrian and cycle link it is clear that the most direct route to Manchester Road is through the site of Wilmslow Garden Centre, this being the shortest most direct route. The applicant has approached the garden centre but the owners of the garden centre are unwilling to allow any form of access over their site. The Council have also approached the garden centre separately and received the same response. Therefore as it currently stands this option is not available.

To ensure this issue could be revisited in the future the proposed layout of the site allows for a path that will be built up to the boundary between the site and the garden centre. Additionally the applicant has agreed a financial contribution to provide this footpath link in the future should the garden decide different. Alternatively the contribution will be spent on measures to further improve the pedestrian and cycle conditions between the site and Manchester Road.

The provision of the pedestrian and cycling links across the site and the provision of a bridge over the River Dean, in the revised position now shown on the plans, comply with the requirements to improve footpath links in the area. Given the preferred access across the garden centre site to Manchester Road is not possible the alternative using footpaths up to Sagars Road is considered to be appropriate pedestrian access to Handforth Station. This access is just 150 metres longer than the alternative route through the garden centre to Handforth Station does provide the most direct currently available link.

The difficulties encountered with the garden centre have led to a financial contribution from the applicant to continue to explore a more direct future cycle and pedestrian link. The

linkages provided, along with the commuted sum, ensure compliance with points 2 and 3 and point d of Policy LPS56.

## **DESIGN & LAYOUT**

The importance of securing high quality design is specified within the Framework. Paragraph 61 states that:

*“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”*

This approach is fully consistent with CELPS policy SE1 and the recently adopted Cheshire East Design Guide.

The local area comprises a variety of house types including modern and more traditional semi-detached and detached housing.

The site is contained within the landscape, and other than the access point into the site and it would not be prominent from public vantage points. Following discussions the proposals have been amended during the application process and various improvements have been made to the layout to create a greater sense of place and to take advantage of the mature woodland setting of the site,

The layout benefits from a consistent approach through the site to ensure that most streets enjoy views of the woodland and the sensible grouping of buildings around the site. The Buildings enclose spaces well, having been designed turn corners with active frontages. Additional detailing on house types has providing increased visual interest. The layout employs a number of methods to accommodate the required off-street car parking and this ensures parked cars will not dominate the character of the site. The highways design has been agreed with the Highways Officer and is designed to an adoptable standard.

The application has been assessed using the criteria set out in the Cheshire East Design Guide and overall is scored green, The development did have some yellows but these are generally relating to issues of detail that will be agreed through conditions on the decision notice whilst others refer to the house types not being specific to the site. Whilst the house types are of a good standard and include features that reflect the character of the area they are not bespoke to this site. The Council's Design Officer has assessed the proposal and following amendments has no objections to the proposal.

A landscape masterplan has been agreed that takes advantages of views through the site and the mature landscape setting of the site. The entrance of the site will be tree lined to frame the site and provide mitigation for trees that are lost on Stanneylands Road. A detailed landscape scheme will be submitted as part of the conditions on the decision notice.

The proposal provides a mix of 1, 2, 3, 4 and 5 bedroom properties and this is considered to comply with Policy SC4 of the Cheshire East Local Plan Strategy.

It is considered that the amended scheme is of an acceptable design/layout has been achieved it is considered that the proposed development accords with the principles of the Cheshire East Design Guide, Policy SE1 and points a, b and J of the adopted Local Plan Strategy .

## **ECOLOGY**

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

### Grassland Habitats

An area of grassland habitat (TN24) has been identified on site which is of Local Wildlife Site/Priority habitat value. Such habitats are a material consideration for planning and this habitat would be lost as a result of the proposed development.

In order to compensate for the loss of this area of grassland the applicant is proposing to translocate the soils from the grassland in order to establish more species rich grassland within the open space area of the proposed development. A detailed method statement for the translocation of the existing soils is required and will agreed by condition on the decision notice

### Badgers

A number of badger setts have been recorded on site including a main sett and a number of supporting setts. In the absence of mitigation the proposed development would be likely to result in the disturbance of badgers as a result of the loss of two supporting setts and a partial loss of the established main sett. In order to mitigate the impacts of the proposed works it is likely that a number of sett entrances will require temporary or permanent closure under the terms of a Natural England license. The applicant's are also proposing the creation of an artificial sett as compensation for the loss of the existing setts.

The submitted badger mitigation method statement is acceptable to mitigate the impacts of the proposed development upon badgers. However, the precise impacts of the development and the detailed specification of the mitigation required would depend on the status of badgers on site that time that development commenced. Therefore a condition will be attached which requires an updated badger survey and mitigation strategy to be submitted prior to the commencement of development.

### Bats

A number of trees have been identified on site that have Moderate to High potential to support roosting bats and the submitted Ecological Assessment states that these trees would be retained as part of the proposed development. A condition will be included on the decision notice requiring all trees with bat roost potential to be retained as part of the development.

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. 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).

### Water Voles

A population of water voles recorded has been recorded within marshy grassland, this habitat must be safeguarded in order to avoid any impacts on this species declining protected species. The landscape plan and illustrative drainage scheme have been amended to ensure that no works take place in this area of the site.

The submitted ecological assessment states that the water vole population may be vulnerable to increased disturbance once the development is completed and recommends that proposals be developed for the creation of additional wetland habitat to allow the population to relocate in the face of increased pressure. Therefore a condition will be attached to the decision notice requiring the submission of a water vole mitigation and compensation strategy.

### Otter

An Otter spraint was recorded during the submitted survey which indicates that Otters may occasionally occur on the River Dean at this location, the proposed development is not reasonable 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 a condition will be attached which requires an updated otter survey to be submitted prior to the commencement of works on the proposed bridge crossing. The bridge crossing itself should also be designed to ensure that it does not result in any impediment to the movement of Otters.

### Barn Owls

This protected species is known to occur in the locality of the proposed development. A detailed survey has been submitted in support of this application and no evidence of barn owls was recorded on site. Therefore this species is unlikely to be significantly affected by the proposed development.

### Priority Woodland

An area of Priority Woodland is present towards the north of the proposed housing. Habitats of this type are a material consideration for planning. An acceptable buffer zone has been provided between the proposed development and the woodland.

### Hedgerows

Hedgerows are a priority species and hence a material consideration. The proposed site access will result the loss of a section of hedgerow. However, sufficient replacement native planting is proposed to compensate for this loss.

### Nesting Birds

A number of priority bird species were recorded on site. These species were all associated with woodland, scrub and riverside habitats. There would be a loss of some scrub as a result of the proposed development, but the retention of retention of the woodland and riverside habitats and the proposed additional planting would help to reduce the impacts of the proposed development upon these species. Conditions are required to safeguard nesting birds and to ensure some additional provision is made for nesting birds and roosting bats as part of the proposed development:

### Pond

The landscape masterplan has been amended to show the retention of all ponds. The submitted bat survey recommends pond and wetland creation within 40m of linear habitat features to provide increased foraging habitat for bats. A new wetland is proposed as part of the surface water drainage scheme.

#### Moths

A number of Priority moth species have been recorded adjacent to the application site by a local naturalist. These species are mostly associated with woodland edge habitats and so their habitat would be retained as part of the proposed development. However some species present are associated with grassland habitats and so may be affected by the loss of grassland habitat to the proposed development. The grassland moth species are however fairly common throughout Britain and the loss of better quality habitat on the site would be compensated for as described above.

#### Polecat

This priority species has been recorded within 1km of the application site. The retention of the hedgerows, woodland habits would help to reduce the potential impacts of the proposed development upon this species.

#### 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 included on the decision notice requiring details of how Boundary treatments on the site will allow for the free movement of hedgehogs.

#### Ecology Conclusion

The applicant has provided the requested ecology buffers and this has had a significant influence over the layout of the site. Subject to the inclusion of the conditions referred to above the proposal will not have a detrimental impact on any protected species and therefore complies with all relevant policies in respect of nature conservation and point f of Policy LPS 56.

### **IMPACT ON TREES/HEDGEROWS**

Policy LPS 56 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 importance landscape features are cited as some of the site specific principles to achieve the development.

The trees to the south and east of the site are protected by the (Macclesfield Borough Council [Wilmslow Little Stanneylands] TPO 1979, and [Wilmslow - Land North of Carlton Avenue] TPO 2000) and the application is supported by an Arboriculture Impact Assessment (TEP dated August 2017).

#### Trees protected by the Tree Preservation Order

Existing protected trees to the south and east of the site, including the group of Pines to the North West of Carleton Avenue and Little Stanneylands. are shown for retention as part of the

submitted proposals. A number of (U) category trees have been identified which have been identified for removal by virtue of their deteriorating condition.

The key requirements outlined in Section 5.3.4 of BS5837:2012 relating to buildings and spaces around them having low daylight and sunlight levels and the impact of dense shading from retained trees have largely been resolved and are considered broadly acceptable in design terms, and it is accepted that the blocks of unmanaged protected Pine may require some sensitive low impact thinning in the long term.

Special mitigation measures have been identified where proposed footpaths, an internal access road and a small area of car parking slightly encroach onto root protection areas of retained trees. It is accepted that these matters can be satisfactorily be addressed by an Arboricultural Method Statement that will be agreed as part of the conditions on the decision notice.

#### Proposed Access/roundabout – Stanneylands Road improvements

Detailed discussions have taken place over a period of time on the proposed Stanneylands Road realignment. To accommodate the proposed improvements and ground level changes it will be necessary to undertake the removal of two established moderate (B) category Silver Birch and two low (C) category groups, comprised of Holly, Sycamore, Pine and Larch. Whilst it is recognised that cumulatively these trees contribute to the sylvan character of Stanneylands Road, some, in particular a group of Larch within Group G34 are structurally compromised.

Discussions with the applicant have sought to offset this loss by the provision of space for large canopy species, particularly at the new access to Stanneylands Road which has been incorporated in the design by incorporating wide grass verges with properties set back at the junction with Stanneylands Road.

#### Existing Lime Avenue

Discussions with the developer have sought to retain a distinctive avenue of Lime either side of an existing track located opposite the Stanneylands Hotel. These trees present a significant contribution to the landscape and sylvan character of the area and the proposed layout retains the integrity of avenue save for the provision of an internal access to the western section of the site which will require the removal of one moderate category tree. The internal access is located where there is minimal tree loss and impact upon the collective value of the group and with provision for additional compensatory planting of high canopy species to the northern end will provide the appropriate mitigation.

A low category group of small mixed broadleaves to the north of the site will require removal for flood attenuation measures and a two early mature Oak adjacent to the river will require removal to accommodate new footpaths and a new bridge across the River Dean. It is agreed that the loss of these trees are not considered to present a significant impact upon the wider amenity of the area and that they can be adequately compensated elsewhere within the application site.

Subject to appropriate conditions the proposals will not have detrimental impact on the health of the retained trees and protection of those remaining. The layout of the site has retained all the trees located on edges of the site with the only tree loss being to create the access to the

site and this will be mitigated against. The proposal complies with point 4 and b of Policy LPS56.

## **FLOOD RISK**

The site of the proposed houses 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). The River Dean 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. A condition has been requested for a landscape management plan, however this will not be included on the decision notice as the information required is covered by other conditions. The Council's Flood Risk team have raised no objections to the proposal.

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 174 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 and Wilmslow Town Centres 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 (*see update following deferral*)**

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



- Provision of 30% affordable units.
- Educational contribution of towards secondary and SEN provision of £499,567
- Contribution towards ROS of £122,000
- Contribution to Indoor Recreation of £25,500
- Contribution towards health provision of £185,679
- Management Plan for the on-site public open space and LEAP or transfer of this to the Council to maintain with a commuted sum to be determined.
- Contribution for monitoring of Travel Plan £5,000
- Provision of the bridge across the River Dean
- A financial contribution to be agreed for the provision of a direct pedestrian / cycle route to Manchester Road or improvements to the local cycle and footpath network between the site and Manchester Road.
- A financial contribution to be agreed for footpath improvements to the north of the River Dean.
- A financial contribution of £80,000 for the installation of MOVA at the traffic signals on the junction

## **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.

The Local Plan is subject to a Legal Challenge. However this is disputed by the Council and previous case law has already established that Local Plans continue to carry full weight whilst subject to challenge.

## **CONCLUSION AND PLANNING BALANCE**

The site forms the entire allocated site LPS56. 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. There are no material considerations that justify a decision other than that in accordance with the Development Plan. In accordance with section 38(6) of the Planning & Compulsory Purchase Act 2004 planning permission should be granted. 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 Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) 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 Committee's decision.*

Application for Full Planning

## RECOMMENDATION:

1. CONTAMINATED LAND CONDITION
2. IMPORTATION OF SOIL
3. UNEXPECTED CONTAMINATION
4. Tree retention
5. Tree protection
6. Arboricultural method statement
7. Landscaping - submission of details

8. Landscaping (implementation)
9. Time period to implement permission.
10. Plans
11. Implement in accordance with FRA
12. Levels details
13. Pedestrian and cycle signage
14. Submission and implementation of Travel Plan
15. Pedestrian cycle routes through the site
16. Implement noise recommendations
17. Construction environment management plan
18. Provision of Electric Vehicle Charging Points
19. Details and implementation of bridge
20. details of play area
21. proposals to incorporate features for breeding birds.
22. Landscape and habitat management plan
23. Bird nesting season
24. Provision for hedgehogs through the site
25. updated badger survey
26. bat friendly lighting scheme
27. retention of trees
28. Water vole mitigation
29. Updated Otter Survey
30. method statement - gressland relocation
31. surface water details
32. materials as submitted
33. cycle facilities for apartments
34. refuse storage for apartments

