

Application No: 17/3916C

Location: LAND SOUTH OF MIDDLEWICH ROAD AND EAST OF, ABBEY ROAD,
SANDBACH

Proposal: Erection of 25 two storey detached dwellings, landscaping, open space,
parking and associated works.

Applicant: Mr Chris Dobson, Redrow Homes Ltd & Anwyl Homes

Expiry Date: 12-Jan-2018

SUMMARY

The letters of objection from local residents and the Town Council have been noted. However the principle of development is considered to be acceptable as the site lies within the settlement boundary as defined by the SNP. The principle of the proposed development would also comply with the CELPS and the CBLP.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION

APPROVE subject to a S106 Agreement and conditions

PROPOSAL

Planning permission 12/1463C gave approval for the erection of 280 homes together with associated public open space, and highway improvements.

Reserved matters approval was given under application 15/0446C for a total of 154 dwellings.

17/3915C seeks Reserved Matters approval for the details of appearance, landscaping, layout and scale for 126 dwellings.

This application seeks full planning permission for an additional 25 dwellings on the site which was subject to the original outline approval (12/1463C).

SITE DESCRIPTION

The application site is part of a larger development which measures approximately 15.6ha of land, situated on the southern side of Middlewich Road, west of Park Lane and east of Abbey Road. The site included two residential properties 170 and 172 Middlewich Road which have now been demolished. The site is bordered by residential properties to its north, western and eastern boundaries, with open fields to the south.

The site measures 1.57 hectares and is relatively flat although the land level drops slightly to the east of the site. There are a number of hedgerows running along the existing field boundaries. There are a number of trees within the residential curtilages of the properties surrounding the site with a number of mature trees within the grass verges along Abbey Road and Park Lane.

At the time of the case officers site visit the approved development was under construction and some of the approved dwellings are now occupied

RELEVANT HISTORY

17/5107C - Non material amendment to 16/2728C; Substitution of House types to plots 76 & 77 - Plot 76 from a PENRHOS to a GLYN, Plot 77 from a DOLWEN to a PENRHOS – Approved 26th October 2017

17/3915C - Approval of reserved matters (appearance, landscaping, layout and scale) following outline approval 12/1463C - Erection of 126 two storey detached, semi detached and mews dwellings, landscaping, open space, parking and associated works – No decision made at the time of writing this report

17/0702C - Non-material amendment to approval 16/2728C – Approved 28th February 2017

16/6068C - Variation of condition 1 (plot 08 house type substitution) on approved application 16/0223C – Application undetermined

16/2728C - Variation of conditions 2 (housetypes on Plots A26 and A56) and 10 (landscaping) on application 15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 14th September 2016

16/2260C - Changes to Section 106 agreement: Affordable housing – Application undetermined

16/1550C - Non material amendment to approval 12/1463C – Refused 22nd April 2016

16/0223C - Variation of Condition 2 on application 15/0446C to change the roof design to 5no house types as approved under the approval and as such, submit replacement planning layout and the house type elevations – Approved 11th March 2016

15/0446C - Erection of 154 two storey detached, semi detached and mews dwellings landscaping, formation of community park, open space, parking and associated works – Approved 10th September 2015

14/1189C – Land off Abbey Road, Sandbach - Proposed residential development of up to 165 dwellings, including 'affordable housing', highway and associated works, public open space and green infrastructure – Refused 3rd June 2015 – Appeal Allowed by Secretary of State – 31st October 2016

12/1463C - Demolition of 170 and 172 Middlewich Road, Sandbach, Formation of New Access to Serve Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Approved 7th October 2014

14/0191C - Removal of Condition 14 (25% of Housing with no more than 2 bedrooms) on approval 10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works – Withdrawn

11/0440C - Demolition of 170 and 172 Middlewich Road, Sandbach and Formation of New Access to Serve Residential Development – Approved subject to the completion of a Unilateral Undertaking 18th October 2012

10/3471C - Proposed Residential Development of up to 280 Dwellings, Landscaping, Open Space, Highways and Associated Works - Refused 18th November 2010 – Appeal lodged – Appeal dismissed – High Court challenge – Decision quashed, Appeal to the Court of Appeal – Appeal Dismissed. Appeal Allowed by Secretary of State

22739/1 – 18 hole golf course, club house, open space, residential development and associated supporting infrastructure – Refused 2nd January 1991

17611/1 – Residential Development – Refused 10th June 1986

NATIONAL & LOCAL POLICY

Cheshire East Local Plan Strategy (CELPS)

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG7 - Spatial Distribution of Development

SC4 – Residential Mix

CO1 - Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land

SE 3 - Biodiversity and Geodiversity

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 6 – Green Infrastructure
SE 8 – Renewable and Low Carbon Energy
SE 9 – Energy Efficient Development
SE 13 - Flood Risk and Water Management
IN1 – Infrastructure
IN2 – Developer Contributions

Congleton Borough Local Plan First Review

The relevant Saved Policies are:

PS8 - Open Countryside
NR4 - Non-statutory sites
GR6 - Amenity and Health
GR7 - Amenity and Health
GR9 - Accessibility, servicing and provision of parking
GR14 - Cycling Measures
GR15 - Pedestrian Measures
GR16 - Footpaths Bridleway and Cycleway Networks
GR17 - Car parking
GR18 - Traffic Generation
NR3 - Habitats
NR5 - Habitats

Sandbach Neighbourhood Plan

PC2 – Landscape Character
PC3 – Policy Boundary for Sandbach
PC4 – Biodiversity and Geodiversity
PC5 – Footpaths and Cycleways
HC1 – Historic Environment
H1 – Housing Growth
H2 – Housing Layout
H3 – Housing Mix and Type
H4 – Housing and an Ageing Population
H5 – Preferred Locations
IFT1 – Sustainable Transport, Safety and Accessibility
CW1 – Amenity, Play, Recreation and Outdoor Sports
CW3 – Health
CC1 – Adapting to Climate Change

National Policy

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

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.
50. Wide choice of quality homes
56-68. Requiring good design

Supplementary Planning Documents

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land
Cheshire East Design Guide

CONSULTATIONS

CEC Strategic Housing Manager: Concerns have been raised by the Councils Housing Officer who has confirmed that he would have no issue with the application subject to a Deed of Variation to the original S106 Agreement and the completion of a S106 Agreement for this application as long as the total amount is not less than 30% and the 30% is then split to 65% Affordable/Social Rent and 35% Intermediate Tenure

CEC Flood Risk Manager: Conditions suggested

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

5 x £11,919 x 0.91 = £54,231.00 (primary)
4 x £17,959 x 0.91 = £65,371.00 (secondary)
Total education contribution: £119,602.00

Natural England: Statutory sites – no objection. For advice on protected species refer to the Natural England standing advice.

CEC Strategic Highways Manager: No objection.

United Utilities: No objection subject to the imposition of planning conditions.

CEC Environmental Health: Conditions suggested in relation to a Piling Method Statement, Noise Mitigation Dust Control, Environment Management Plan, Travel Plan and Electric Vehicle Infrastructure and an informative has been suggested in relation to hours of construction and contaminated land. has been suggested in relation to hours of construction and contaminated land.

Ansa (Public Open Space): No formal comments received at the time of writing this report.

Environment Agency: No comments received.

Cheshire Wildlife Trust: No comments received.

Cheshire Gardens Trust: No comments received.

Ramblers Association: No comments received.

Cheshire Brine Subsidence Board: The Board concurs with the foundation design philosophy presented with this application but wishes to emphasise the importance associated with agreeing the specific foundation designs and zoning with the Board at the building control consultation process stage.

CEC PROW: The development does not appear to affect a PROW.

CEC Countryside Access: The proposed accesses onto Abbey Road are variously described in the application documents as 'pedestrian', 'emergency' and 'pedestrian/cyclist' access routes. It is understood that these are not proposed as vehicular routes, but should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site. Further, it is not clear from the application plans that linking paths connect between the southern access onto Abbey Road and the Full application development estate roads.

Local user groups are particularly keen to see the delivery of the 'potential link to the Wheelock Rail Trail and future sports pitches'. The application documents do not clearly or consistently propose this link. The developer should be tasked to make provision for this route.

VIEWS OF THE PARISH COUNCIL

Sandbach Town Council: Sandbach Town Council object to this application due to the following reasons:

- The proposed properties do not reflect the range of requirements of the aging population of Sandbach.
- Members are in full support of Mr Whitworth's comments on Air Quality which have been submitted for this application. This development would impose unacceptably on air quality levels. In view of the Air Quality numbers being revisited for the adjacent Middlewich Road, the amount of housing on this site should be substantially reduced.
- Members are in full support of Sandbach Footpath Group's comments and agree that there should be a prepared footpath link from this site as outlined in the response by the Sandbach Footpath group on this application.

As a result of the above, this application is in contravention of policies H2, H3, H4 of the Sandbach Neighbourhood Development Plan and policy SD2 of the Cheshire East Local Plan.

REPRESENTATIONS

Letters of objection have been received from 26 local households raising the following points:

Principal of development

- The provision of new housing is not providing any benefit to existing residents in Sandbach
- The Local Plan states that Sandbach will provide 2000 new homes and the Town is on track to meet its commitment
- Sandbach has adequate affordable housing
- Further housing will detract from the semi-rural character of the area
- The development is little more than profiteering by a large corporation
- The development will erode the gap between Sandbach and Elworth and undermines the Neighbourhood Plan
- Sandbach has taken its fair share of housing development already
- No justification for additional housing now that the local plan is adopted
- Sandbach is becoming over-developed
- Loss of green open space
- There is a large number of new builds in Sandbach already
- The development will have no benefits for Sandbach

- The developers are having difficulty in selling their new builds
- Sandbach is already over developed

Highways

- The development will increase traffic on Middlewich Road and Abbey Road which are both very busy
- The submitted traffic survey is now out of date
- Cumulative highways impact from other approved developments
- Bus cuts are now being proposed by Cheshire East which will reduce the sustainability credentials of the site
- Traffic congestion in the area when the M6 is closed
- Increased traffic will pose a risk to children crossing Abbey Road
- Further traffic congestion in Sandbach
- Difficulty leaving driveway onto Middlewich Road
- Pedestrian safety
- The road network within the vicinity of the site is already at capacity
- It is difficult to exit private driveways on Abbey Road/Middlewich Road
- Car-parking is limited in Sandbach
- Problems along Middlewich Road during the school run
- There have been 8 sets of road works along Middlewich Road in the last 12 months
- Inefficiency of utility providers in undertaking numerous road works along Middlewich Road
- Concern that the developer will install vehicular access points onto Abbey Road

Green Issues

- Loss of landscape
- Loss of wildlife

Infrastructure

- With all the approved developments there have been no extensions to schools, parking or medical infrastructure
- Schools are overcrowded
- Dentists and Doctors are full

Design Issues

- The development will create a soulless housing development with no community feel

Amenity Issues

- Dirt, dust, noise and fumes during the construction phase of the development
- Negative visual impact of the proposed development
- Loss of privacy – overlooking of rear gardens

Air Quality

- The submitted Air Quality Report is out of date
- Further pollution and impact upon local air quality
- Increase in traffic will impact upon air quality
- It is widely known that false air quality figures have been used in the assessment of some planning applications
- A new Air Quality Assessment should be undertaken with the correct data

- Can residents be sure that the development will be assessed using accurate air quality data
- Health impact from increased air pollution

Other Issues

- Loss of agricultural land

A representation has been received from Sandbach Woodland and Wildlife Group which raises the following points;

- The SWWG supports the comments made by the Sandbach Footpath Group and Cycling UK (Sandbach)
- The SWWG considers that serious account should be made of the SANDBACH Neighbourhood Plan – particularly PC5 (Footpaths and Cycleways) and Appendix 2 (Footpaths – Action Plan)
- Policy PC5 of the SNP requires that developments will be expected to establish publicly accessible links from development sites to the wider footpath and cycleways network and green spaces wherever possible. Initiatives for improvement and enhancement to public footpaths and cycleways will be strongly supported. Proposals which lead to the loss or degradation of any public right of way or cycleway will not be permitted other than in very special circumstances.
- The Footpaths Action Plan identifies that developments will extend the footpath network in and around Sandbach to provide more continuity of the footpath system and to eliminate, as far as possible, having to resort to road walking between sections of footpath, ensure that wherever developments take place, these are supported by the creation of suitable landscaped dedicated footpaths and ensure that all replacement or new footpaths are genuine dedicated footpaths, of an adequate width to act as a green corridor and suitably planted with appropriate species.
- The following new footpaths are required – Link from Congleton Road to the Wheelock Rail Trail (Abbeyfields)

A representation has been received from UK Cycling Sandbach which raises the following points;

- Would like to see access for cyclists from the site to Abbey Road. This link would extend across the wide grass verge on Abbey Road to reach the road itself
- It would be useful to secure the pedestrian links to Middlewich Road and Abbey Road
- The potential link to the Wheelock Rail Trail and Sports Pitches should be secured
- Should developer funding be available then a pedestrian crossing should be provided at Middlewich Road/Abbey Road/The Co-op Food Store

A representation has been received from Fiona Bruce MP which raises the following points;

- Sandbach has no immediate need for future housing in light of consent already in the pipeline and the new builds being constructed.
- The additional pressure of more housing will add to the current pressure on resources.

A representation has been received from Sandbach Footpath Group which raises the following points;

- SFG considers that the following items of special interest should be given to the following; Community park through the centre of the site linking Abbeyfields and the sports pitches to the south; potential link to Wheelock Rail Trail and future sports pitches, potential pedestrian/cycle links to Middlewich and Abbey Road
- SFG would agree if that if all of the above are realised then access to footpaths will benefit. However it is not clear from the current application that all will be provided.

- It would be a great benefit if residents could walk and have access through the football pitches to the Wheelock Rail Trail without a long route through the perimeter of the estate

APPRAISAL

Principle of Development

A large number of the letters of representation refer to the principle of residential development on this site. However the principle of residential development on this site and the point of access has already been accepted following the approval of the outline application 12/1463C. However it is accepted that this development would provide an additional 25 units.

The site is located within the Open Countryside as defined by Policy PS8 (Open Countryside) but the site has now been removed from this designation as part of Policy PC3 (Policy Boundary for Sandbach) of the SNP which identifies that the site is now located within the Settlement Zone Line.

Policy PC3 of the SNP states that new housing development will be supported in principle within the settlement boundary for Sandbach, whilst Policy H1 states that future housing growth in Sandbach will be delivered through amongst other things windfall sites. On this basis the addition of 25 additional dwellings within the settlement boundary for Sandbach would comply with policies PC3 and H1 and the development is considered to be acceptable in principle.

Housing Mix

Paragraph 50 of the Framework sets out that Council's should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (however this does not specify a mix). This is echoed within the SNP Policies H3 (Housing Mix and Type) which states that housing should be designed to provide a mix of houses to meet identified need (e.g. affordable housing, starter homes and provision for housing an ageing population) and Policy H4 (Housing and an Ageing Population) which states that developments will be supported that provide suitable, accessible houses

For application 17/3916C (full application for 25 dwellings) the development would provide;

- 3 x two bed units
- 4 x three bed units
- 17 x four bed units
- 1 x five bed units

For application 17/3915C (reserved matters application for 126 dwellings) the development would provide;

- 4 x one bed units
- 21 x two bed units
- 26 x three bed units
- 74 x four bed units
- 1 x five bed units

Clearly there are a larger number of four bedroom units proposed as part of this application. In relation to this issue the applicant has stated that the four bed units vary in size and consequently they vary in price (c.£264k – c.£475K based the sales as part of the earlier phases).

In terms of house prices within Sandbach information from Rightmove dated December 2017 states that;

‘Last year most property sales in Sandbach involved detached properties which sold for on average £300,439. Semi-detached properties sold for an average price of £182,169, while terraced properties fetched £145,929.

Sandbach, with an overall average price of £230,828, was similar in terms of sold prices to nearby Alsager (£230,016), but was more expensive than Haslington (£208,816) and cheaper than Holmes Chapel (£255,708)’

The wording of Policy SC4 states that *‘New residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities’* and it is clear that the development meets this requirement as it would provide housing ranging from 1-5 bed units.

Affordable Housing

This is a full application for 25 dwellings and there is a requirement for 30% of dwellings to be provided as affordable dwellings. In this case the developer is providing just 5 affordable units as part of this application (all rented).

The site falls within the Sandbach sub area for the purposes of the Strategic Housing Market Assessment (SHMA) Update 2013. This identified a net requirement for 94 affordable units per annum for the period 2013/14 – 2017/18. Broken down this is a requirement for 18 x 1 bed, 33 x 2 bed, 18 x 3 bed, 9 x 4+ bed general needs units and 11 x 1 bed and 5 x 2 bed older persons accommodation.

In addition to this, information taken from Cheshire Homechoice shows that there are currently 400 applicants who have selected one of the Sandbach lettings areas (Sandbach and Sandbach Rural) as their first choice. These applicants require 137 x 1 bed, 145 x 2 bed, 92 x 3 bed and 26 x 4+ bed units.

In this case the applicant has stated that they are intending on providing 30% affordable housing across both this application and application 17/3915C (reserved matters application for 126 dwellings) and that the percentage of affordable housing will vary on each site. In order to address this issue the applicant is proposing to amend the S106 Agreement to the original outline consent to secure a higher level of affordable housing on the reserved matters application (17/3915C) and negotiations on this matter will continue and an update will be provided.

Public Open Space

The majority of the open space requirement for this site would be provided within the proposed community park (2.39 hectares) which would benefit residents for the whole of Sandbach and is located within an earlier phase which is now under construction.

A condition attached to the earlier outline consent (12/1463C) requires the provision of a NEAP within the Community Park area.

In this case condition 4 attached to the outline consent states that;

'The development hereby permitted shall follow the general parameters of the illustrative Development Framework (Drwg No 4333-P-02 Rev D), the Masterplan (Drwg No 4333-P-03 Rev E), and the Design and Access Statement'

The Design and Access Statement and the Development Framework Plan state that the developer should provide Equipped Play Areas = 0.4 Ha (2no. NEAPS @ 0.2 Ha each) and that *'A minimum of two equipped children's play areas will be provided, offering toddler, child and teenage play provision. Each play space will be set within an area of green space and distributed evenly within the development to ensure that all parts of the site are within easy walking distance of them'*

In this case the developer will not provide a second NEAP in the area identified on the plans approved as part of application 12/1463C and is instead proposing a LEAP (5 pieces of equipment). To compensate for the shortfall in playing equipment as part of the development the developer has also proposed to provide an additional 4 pieces of equipment within the Community Park on Phase 1. This is considered to be a reasonable compromise and a condition will be attached to ensure that the 4 pieces of additional play equipment within the Community Park are provided before any dwellings are first occupied on this phase.

Education

An application of 25 dwellings is expected to generate 5 primary aged children and 4 secondary aged children.

In terms of primary school education, the proposed development would be served by six local primary schools.

From the table below which it can be seen that by 2021 there will be a shortfall of 17 spaces within the local primary schools and on this basis a contribution of £54,231 will be required to mitigate the impact of this development upon local primary provision.

	PAN Sep 17	PAN Sep 18	NET CAP May-17	any Known Change s	PUPIL FORECASTS based on October 2016 School Census					Comments
					2017	2018	2019	2020	2021	
Primary Schools										
Elworth CE	45	45	315	315	334	366	391	415	431	
Elworth Hall	30	30	210	210	175	178	185	184	186	
Offley Primary	60	60	420	420	375	385	383	378	376	
Sandbach Primary Academy	15	15	105	105	103	111	117	117	118	
St John's CE	25	25	175	175	154	166	171	170	169	
Wheelock	45	45	315	315	303	325	328	332	334	
Total Schools Capacity				1,540						
Developments with S106 funded and pupil yield included in the forecasts				195						
Developments pupil yield not included in the forecasts									133	
Pupil Yield expected from this development									5	
OVERALL TOTAL	220	220	1,540	1,735	1,444	1,531	1,575	1,596	1,752	
OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP					291	204	160	139	-17	

In terms of secondary schools, the development would be served by Sandbach High and Sandbach School and the proposed development would generate 4 new secondary places which cannot be accommodated (see table below). As there are capacity issues at these local schools the education department has requested a contribution of £65,371.

	PAN Sep 17	PAN Sep 18	NET CAP May-17	any Known Change s	PUPIL FORECASTS based on October 2016 School Census						
					2017	2018	2019	2020	2021	2022	2023
Secondary Schools											
Sandbach High	210	210	1,074	1,074	1,169	1,236	1,329	1,390	1,418	1,420	1,452
Sandbach School	210	210	1,050	1,050	1,028	1,045	1,095	1,139	1,153	1,137	1,132
Total Schools Capacity				2,124							
Developments with S106 funded and pupil yield included in the forecasts				237	Please Note: All figures quoted exclude any allowance for 6th Form Pupils						
Developments pupil yield not funded and not included in the forecasts											46
Pupil Yield expected from this development											4
OVERALL TOTAL	420	420	2,124	2,361	2,197	2,281	2,424	2,529	2,571	2,557	2,634
OVERALL SURPLUS PLACES PROJECTIONS					164	80	-63	-168	-210	-196	-273

Both education contributions will be secured via a S106 Agreement should the application be approved.

Health

A number of the letters of objection raise concerns about the impact upon health provision in this area. In this case there has been no request for a contribution and a search using the NHS Choices website shows that they are still accepting patients at the Doctors Surgery in Sandbach indicating that there is capacity.

Residential Amenity

In this case the Congleton Borough SPG requires the following separation distances:

21.3 metres between principal elevations

13.8 metres between a non-principal and principal elevations

In this case the separation distances proposed to the adjacent dwellings fronting Abbey Road all exceed those set out within the SPG. The separation distances between principal elevations range between 37 metres and 38 metres. The separation distance between non-principal and principal elevations range between 25 metres and 27 metres. As such it is not considered that the proposed development would have a detrimental impact upon adjacent residential amenity through loss of light, privacy or overbearing impact.

As the non-principal elevation on Plot R145 includes a first floor window in close proximity to the shared boundary it will be necessary to attach an obscure glazing condition and to remove permitted development rights for new windows.

Light pollution

The concerns raised regarding light pollution have been noted and a condition could be attached to ensure that external lighting details are submitted to the Council for approval.

Noise

In terms of the impact upon the adjacent dwellings it is not considered that the proposed development would result in levels of noise from future occupiers which would harm residential amenity.

The applicant has submitted an acoustic report in support of the application. The impact of the noise from road traffic and industrial noise on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and BS4142:2014 Methods for rating and assessing industrial and commercial sound. This is an agreed methodology for assessing noise of this nature.

The report recommends mitigation (in the form of glazing and ventilation) designed to ensure that occupants of the properties are not adversely affected by noise from road traffic and industrial noise. The conclusions of the report and methodology used are acceptable. As such, and in accordance with the acoustic report, a condition will be attached to ensure that the proposed mitigation measures are implemented as part of the proposed development.

Disturbance during the construction phase of the development

In this case a Construction Method Statement could be secured by condition to protect residential amenity.

Contaminated Land

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site. The Contaminated Land Report submitted in support of the application states that no remediation is required. However, a review of available information shows there were former buildings on the southern boundary which have not been investigated and this requires further assessment. As such, and in accordance with the NPPF, the Environmental Health Officer recommends that a contaminated land condition is attached to any approval.

Air Quality

Policy SE12 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 whilst Policy H2 of the SNP states that development should not cause unacceptable air pollution. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

This proposal is for the erection of 25 new dwellings as part of a larger development comprising up to 280 dwellings. Whilst this scheme itself is of a small scale, an air quality impact assessment has been submitted in relation to the overall development of 280 dwellings. This assessment concludes that the overall development will have a negligible effect on the NO₂ levels and a negligible to slightly adverse impact on levels of particulate matter. However, there is 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.

Air Quality Monitoring undertaken in Sandbach indicates that the annual mean nitrogen dioxide limit value has been exceeded for the years 2014 – 2015 in the area around Middlewich Road. The Council is currently undertaking a verification process in accordance with the Local Air Quality Management regime including the need to declare an Air Quality Management Area and the due process involved in that decision. Sandbach also already has one Air Quality Management Area, and as such the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

The Environmental Health Officer has requested the following conditions in relation to air quality;

- Dust Control
- Travel Plan
- Electric Vehicle Infrastructure

Subject to these conditions, the impacts on air quality will be adequately mitigated and the development will be in accordance with policies SE12 and H2.

Public Rights of Way

There are no public footpaths crossing the site.

The proposed provision of new cycle infrastructure on Middlewich Road and Abbey Road would increase the permeability of the site for non-motorised users.

However, the proposed access onto Abbey Road would be an 'emergency' and 'pedestrian/cyclist' access route. These should be designed and constructed to best practice standards for the use of pedestrians and cyclists in order to increase the permeability of the site.

Highways

The letters of objection refer to the highway safety and traffic generation implications of this proposed development. The proposed 25 dwellings would be accessed via the approved access at Middlewich Road approved as part of application 12/1463C whilst there would also be a link to the development site to the south which is accessed off Abbey Road (14/1189C – 165 dwellings – outline consent only).

The proposal for an additional 25 dwellings will have a minimal impact upon the wider highway network and the Councils Highway Officer considers that the development will generate an additional 15-20 vehicular two-way movements during the peak hour. This would be via the existing access onto Middlewich Road but when the development to the south is built out it would be split with the Abbey Road access point.

The internal highways design is to adoptable standards and parking provision is in line with CEC requirements. As a result the proposal complies with Policies IFT1 (Sustainable Transport, Safety and Accessibility) of the SNP, GR15 (Pedestrian Measures), GR16 (Footpaths Bridleway and Cycleway Networks), GR17 (Car parking), GR18 (Traffic Generation) of the CBLP and SD2 (Sustainable Development Principles) and SE 1 (Design) of the CELPS.

Trees and Hedgerows

The Arboricultural Impact Assessment Report identifies that for this site the impacts would involve the loss of 4 trees individual trees and a group of trees to accommodate the main vehicular access from Abbey Road (this loss was accepted as part of the approval of application 14/1189C), one tree from Group G9 and 42 metres of hedgerow to the south of the site.

Tree protection measures are proposed for retained trees however the measures do not extend to protect all the lengths of retained hedgerow, or to trees retained either side of the new access between 83 and 93 Abbey Road. An amended plan could be sought by condition.

Recommendations are made for planting to help to mitigate losses although planting on Abbey Road would have to be agreed with the landowner.

Design

The importance of securing high quality design is specified within the NPPF and 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.”

Connections

Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones; whilst also respecting existing buildings and land uses along the boundaries of the development site?

The consented scheme only has a single point of vehicular access to the north off Middlewich Road whilst there is the potential for a second access point via Abbey Road between numbers 83 and 93 which is shown on the submitted plans for application 14/1189C. It is intended that that the development layout approved as part of application 14/1189C will connect through Phase 1 and that both Phases will be able to take access via either access point to the wider highway network. The submitted plans show the proposed link but the final details will only be secured when a Reserved Matters application is received for the outline approval 14/1189C.

Internally within the site the highway network has been improved through a more prominent loop road and a hierarchy of street design with varied road widths, shared services and a varied use of surfacing materials.

Pedestrian connectivity has also been improved to provide a connection to the central Avenue Greenway through the centre of the site and provision of a link along the southern boundary of the site. This ensures that the development ties into the approved pedestrian connections approved as part of the earlier phases.

Facilities and services

Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?

This issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Public transport

Does the scheme have good access to public transport to help reduce car dependency?

Again this issue was considered as part of the outline application. The application site is highly sustainable and is within easy walking distance of the Town Centre, schools, employment, the train station, bus routes and leisure facilities.

Meeting local housing requirements

Does the development have a mix of housing types and tenures that suit local requirements?

In terms of the affordable housing on site and as discussed above the development would provide a mix of affordable housing and the developer intends to provide 30% affordable housing across both this application and application 17/3915C.

In terms of the open market housing this is discussed above and is considered to be acceptable on balance given the scale of this application.

Character

Does the scheme create a place with a locally inspired or otherwise distinctive character?

The design guide identifies that Sandbach to the east is located within the Silk, Cotton & Market Towns area of the Design Guide and Elworth to the west is located within the Salt & Engineering Towns area of the design guide. This site is split between the two areas but given the surrounding residential development to Middlewich Road, Abbey Road and Park Lane it is considered that the site is more closely related to Sandbach. Sandbach is identified as an example settlement within the Design SPD and the design cues for this area include the following;

- Tudor, Georgian, Victorian and Edwardian architecture are all found within the town.
- A fine grain of residential lanes/secondary streets lie immediately adjacent to the main streets.
- Streets are well overlooked.
- Streets and lanes curve up the hills into the town centre creating unfolding views.
- Strong well enclosed urban spaces.
- Town centre is surrounded by rows of terraces, beyond which is a mix of 20th Century housing suburbs and estates.
- Mature 'Garden Suburb' style housing (i.e. Park Lane)

There is a variation of house-types adjoining the site. The majority are two-storey in height although there are some single-storey units in the area (to the north along Middlewich Road). The age of the surrounding dwellings also varies. To all sides and specifically to Park Lane and Abbey Road the residential areas are characterised by wide grass verges with mature trees planted within them. The dwellings surrounding the site vary from detached to semi-detached.

The surrounding dwellings have largely hipped roofs but there are some properties with pitched roofs located around the site. As a general rule the dwellings further west which are along Park Lane (specifically referred to within the Design Guide as 'Garden Suburb' style housing) are more detailed, with a greater mix of dwellings along Middlewich Road and simpler designed semi-detached units located along Abbey Road. The dwellings in the locality of the site include a number of design features such as projecting gables (some with timber infill details but the majority in brick, render or with hanging tiles), bay windows (single and two-storey), window header and sill details (brick, arched and flat-topped) and chimneys. The materials in the locality are largely red brick with some render properties and hanging tile detailing. The roofs are largely tiled (relatively even split of blue and red).

The proposed dwellings would all be two-storeys in height. The proposed dwellings would have a mixed roof design and there appears to be an even split between hipped and pitched roofs. The roof heights vary across the development which would add some interest. The height variation across the proposed development is consistent with the wider locality in this part of Sandbach and is considered to be acceptable.

Largely it is considered that the proposed development respects this character of the area. Many of the design cues within this location are incorporated into the development with a modern design. The development includes projecting gables (some with a timber and render infill), window design includes bay windows, brick cill and header details, brick banding, hanging tiles to two-storey bay windows (the design guide refers to single and full height bay windows) and finial detailing.

The perimeter block type layout is at an appropriate density (15.9 dwellings per hectare) with corner turning houses providing active frontages and removing the requirement for prominent blank gables within the street-scene. However it is considered that further work could be done to improve the side elevations to certain plots; R152, A57 and A44. An update will be provided in relation to this matter.

The proposed materials would match the first phase of the development and complies with the Cheshire East Design Guide.

Working with the site and its context

Does the scheme take advantage of existing topography, landscape features (including watercourses), wildlife habitats, existing buildings, site orientation and microclimates?

The site is currently open former farmland with no existing buildings with the retention of the majority of existing hedgerows to the southern and south-east edge of the site.

The only concern was the relationship to the existing dwellings and the lack of buffer. However the amended plans now show that this would be provided.

Creating well defined streets and spaces

Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?

The proposed dwellings are generally positioned well in a loose perimeter block layout, front doors face the street, blocks turn corners effectively in a variety of ways creating good passive surveillance and they do define the streets and spaces. However it is considered that further work could be done to improve the side elevations to certain plots; R152, A57 and A44. An update will be provided in relation to this matter.

Easy to find your way around

Is the scheme designed to make it easy to find your way around?

The layout is legible with a wide variety of house types and a varied and interesting layout including corner turning blocks and properly terminated views all of this will aid navigation around the proposed development. The proposal now provides pedestrian/cycle linkages with the earlier phase of development and Abbey Road.

Streets for all

Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?

There is a clear hierarchy of streets with variations in materials and shared-space mews turnings. It can be seen that all streets are designed in such a way as to reduce vehicle speeds. There is a real potential for the streets to be used as social/play spaces, specifically the shared-space areas. Overall the streets are pedestrian and cycle friendly as well as being safe for vehicles.

Car parking

Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?

The level of off street parking is suitable and complies with the Councils standards. This is provided predominantly in curtilage on driveways to the front and side of homes and in small parking courts serving the terraces of smaller two and three-bed houses. These parking courts are landscaped with short runs of adjacent bays which are located close to properties and are well overlooked.

Public and private spaces

Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?

All areas of public open space are well overlooked and would feel safe. With regard to private space, every house has a private but independently accessible rear garden that is clearly defined and most homes also have gardens to the front.

External storage and amenity space

Is there adequate external storage space for bins and recycling as well as vehicles and cycles?

All houses have adequately sized rear gardens with external access that are suitable for the storage of refuse and recycling bins as well as potentially cycles.

Design Conclusion

On the basis of the above assessment it is considered that the proposed development does score well and on this basis it is considered that the design of the development is acceptable and would comply with the Cheshire East Design guide.

Land Levels

The applicant has provided a plan which shows the land levels of the proposed development. There would be some minor changes to the levels on the site which are considered to be acceptable.

Landscape

The applicant has now provided a landscaping scheme for the site. This includes tree planting to form a buffer to the dwellings which surround the site and follows on from that approved on the earlier phase. The detailed landscaping scheme has been considered by the Councils Landscape Architect and the details are considered to be acceptable.

Ecology

Other Protected Species

Evidence of other protected species activity was previously recorded on this site during surveys completed in support of previous planning applications.

No evidence of other protected species was recorded during the updated survey and so the proposed development is unlikely to have an impact upon this species.

In the event that planning permission is granted a condition could be imposed which requires the submission of an updated badger survey to be undertaken prior to the commencement of development.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The existing hedgerows occur on the sites western, northern and southern boundaries. The hedgerows on the northern and western boundaries are not shown as being retained on the submitted landscape masterplan and a condition to ensure the protection of all hedgerows on the site is proposed.

Ecological Enhancements

The open space areas towards the site eastern edge provide an opportunity to secure an enhancement for biodiversity in accordance with the NPPF. The detailed landscaping scheme shows the provision of meadow grassland in this area as well as the use of native tree planting.

Nesting Birds

If planning consent is granted the conditions are required to safeguard nesting birds and ensure some additional provision is made for roosting bats and nesting birds as part of the proposed development.

Flood Risk/Drainage

The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps.

The development of the wider site has been approved previously and it is not considered that the additional 25 dwellings would cause any flood risk/drainage implications. The Councils Flood Risk Management Team have raised no objection to this application subject to the imposition of planning conditions.

Archaeology

This application covers only the western extent of the proposed development area where no significant archaeological deposits were encountered and therefore the Cheshire Archaeology Planning Advisory Service (APAS) advise that no further archaeological mitigation is required within this area.

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 Sandbach including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

CIL Compliance

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations 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.

As explained within the main report, the area of open space/LEAP is identified on the submitted plans. It is necessary to secure these works and a scheme of management. This is directly related to the development and is fair and reasonable.

The development would result in increased demand for primary and secondary school places in the area and there is very limited spare capacity. In order to increase capacity of the primary and secondary schools which would support the proposed development, a contribution towards primary and secondary education is required. This is considered to be necessary and fair and reasonable in relation to the development.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010 and a Deed of Variation will be required to the original S106 Agreement.

PLANNING BALANCE

The letters of objection from local residents and the Town Council have been noted. However the principle of development is considered to be acceptable as the site lies within the settlement boundary as defined by the SNP. The principle of the proposed development would also comply with the CELPS and the CBLP.

Despite the concerns raised in the letters of objection the development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply. The development would comply with Policy GR6 (Amenity and Health) of the CLP.

In terms of the POS and play space provision this is considered to be acceptable and would be a benefit to this scheme.

The proposed landscaping scheme is acceptable and the development is acceptable in terms of its impact upon ecology and trees/woodlands and would comply with Policies SE1 (Design), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland) and SE6 (Green Infrastructure) of the CELPS and PC2 (Landscape Character) and PC4 (Biodiversity and Geodiversity) of the SNP.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout and parking provision is considered to be acceptable.

The design/layout of the development is considered to be acceptable and has been subject to negotiation with the developer. The design/layout is considered to comply with the Design Guide SPD and Policies SE1 (Design) of the CLP and H2 (Housing Layout) of the SNP.

RECOMMENDATION:

APPROVE subject to the completion of a S106 Agreement with the following Heads of Terms

1. A scheme for the provision of affordable housing % to be agreed – Tenure split to be confirmed The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision**
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing**
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved**
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**

- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 2. Provision of a LEAP/Public Open Space to be maintained by a private management company
- 3. Education Contribution of £54,231 for Primary Education and £65,371 for Secondary Education

AND the following conditions;

1. Standard time – 3 years
2. Approved Plans
3. Obscure glazing first floor window to the side of plot R145
4. External Lighting Details to be submitted and approved
5. Construction Method Statement to be submitted and approved
6. Contaminated Land Report to be submitted and approved
7. Dust Control measures to be submitted and approved
8. Travel Plan to be submitted and approved
9. Electric Vehicle Infrastructure to be submitted and approved
10. Noise mitigation measures to be implemented as part of the proposed development
11. Prior to the first occupation of the development a scheme to provide an additional 4 pieces of play equipment within the Community Park on phase 1 in accordance with the submitted plans
12. Tree Retention
13. Updated scheme of Tree and hedge protection
14. Updated Arboricultural Management strategy with addition of an auditable programme of arboricultural supervision and reporting to the LPA
15. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment
16. The development hereby permitted shall not commence until a drainage strategy detailing on and off site drainage works along with flood water exceedance routes, both on and off site has been submitted to and approved in writing by the LPA.
17. No development should commence on site until such time as detailed calculations to support the chosen method of surface water drainage have been submitted to and agreed in writing with the LPA
18. Updated survey for other protected species
19. Nesting birds timing of works
20. Scheme of nesting bird/roosting bat mitigation
21. A scheme of boundary treatment to be submitted and approved
22. Materials in accordance with the approved plans

In order to give proper effect to the Board`s/Committee`s intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

