

Application No: 17/5637M

Location: LAND AT HEATHFIELD FARM, DEAN ROW ROAD, WILMSLOW, CHESHIRE

Proposal: The erection of 161 dwellings, associated access, drainage, and the provision of public open space and landscaping.

Applicant: Taylor Wimpey UK Limited

Expiry Date: 28-Feb-2018

## **SUMMARY**

The proposal seeks to provide 161 dwellings on a site allocated within the CELPS for around 150 dwellings.

There are a number of minor updates in respect of the outstanding information in respect of design, noise impact, landscaping and ecology however, it is considered that subject to the satisfactory receipt the proposal complies with all relevant policies of the development plan and is therefore a sustainable form of development.

In accordance with paragraph 14 of the Framework, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made subject to conditions and the prior completion of an s106 agreement.

## **RECOMMENADTION**

Approve subject to conditions and a legal agreement

## **DESCRIPTION OF SITE AND CONTEXT**

The site is a 6.38 hectare greenfield site lying to the north west of Wilmslow. The site is located on the southern side of Dean Row Road. A number of residential properties on the opposite side of Dean Row Road front onto the site, and there are further residential properties along Browns Lane to the west of the site. The majority of the site is allocated for housing development under policy LPS 57 in the CELPS, with a section of the site to the south being allocated as safeguarded land in the CELPS.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission for the erection of 161 dwellings, associated access, drainage, and the provision of public open space and landscaping.

## **RELEVANT HISTORY**

19037P - ERECTION OF 1 DWELLING HOUSE (OUTLINE) – Refused 06.09.1979

25937P - PROPOSED RESIDENTIAL DEVELOPMENT (OUTLINE) – Refused 21.04.1981

31987P - PROPOSED DISTRICT CENTRE INCLUDING SUPERSTORE; SIX SHOP UNITS; PUBLIC HOUSE COMMUNITY FACILITIES AND ASSOCIATED CAR PARKING – Refused 10.01.1983

34536P - ERECTION OF 6 NO SHOP UNITS WITH FLATS OVER TOGETHER WITH RESIDENTIAL DEVELOPMENT – Refused 07.09.1983

98/0609P - DWELLING AND ASSOCIATED OUTBUILDINGS (OUTLINE APPLICATION) – Refused 29.04.1998

## **POLICIES**

### **Development Plan**

Cheshire East Local Plan Strategy

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG4 Safeguarded Land

PG6 Open Countryside

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

CO3 Digital connections

CO4 Travel plans and transport assessments

LPS 57 Heathfield Farm, Wilmslow  
Safeguarded Land LPS 58: Land at Heathfield Farm, Wilmslow

Macclesfield Borough Local Plan saved policies

NE9 Protection of River Corridors  
NE11 Nature conservation  
NE17 Nature conservation in major developments  
NE18 Accessibility to nature conservation  
RT5 Open space standards  
H9 Occupation of affordable housing  
DC3 Residential Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC14 Noise  
DC17 Water resources  
DC35 Materials and finishes  
DC36 Road layouts and circulation  
DC37 Landscaping  
DC38 Space, light and privacy  
DC40 Children's play / amenity space  
DC63 Contaminated land

**Other Material Considerations**

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

Wilmslow Neighbourhood Plan

The Wilmslow Neighbourhood Plan has not reached Regulation 14 (the pre-submission consultation) stage to date. An emerging policies report went out to consultation in July – September 2017.

**CONSULTATIONS (External to Planning)**

**Environment Agency** – No comments

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

**Housing Strategy & Needs Manager** – No objection

**Flood Risk Manager** – No objections subject to conditions relating to accordance with the submitted FRA and drainage

**Environmental Health** – Insufficient noise information

**Education** – No objection subject to a financial contribution of £466,882.00 towards secondary and SEN school places

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

**Head of Strategic Infrastructure** – No objections subject to conditions relating to a revised travel plan and a construction management plan, and a £5,000 travel plan monitoring fee to be secured through the s106.

**ANSA** – No objections subject to provision of on site open space and contributions towards outdoor sport / recreation.

**CEC Leisure** – No objection subject to a financial contribution of £22,500 for health & fitness equipment

**Cheshire Archaeology Planning Advisory Service** – No objection subject to a condition requiring a programme of archaeological work.

**NHS Eastern Cheshire Clinical Commissioning Group** – Request financial contribution of £162,288 to support the development of the two GP practices in Wilmslow.

**Wilmslow Town Council** – Recommend refusal due to the use of the safeguarded land, and raise concerns regarding the delivery of infrastructure.

## **OTHER REPRESENTATIONS**

23 letters of representation have been received objecting to / commenting on the development on the following grounds:

- Lack of infrastructure – schools, healthcare, public transport etc
- Impact on wildlife
- Loss of view to Peak District
- Increased traffic added to existing congestion
- Loss of green space
- Improvements to connectivity of footpaths should be provided
- Contributions to local parks, public transport, local sports facilities and access and parking at Handforth Station should be provided
- Mix of house types should be provided
- New buildings should be a maximum of two-storeys
- Construction management details should be conditioned
- Viability should not be an issue on this site
- Safety of roundabout access
- Impact on drainage
- Increased pollution / reduction in air quality
- Noise assessments do not include impact of additional access to safeguarded land
- Main spine road should be a continuous green avenue
- Consideration should be given to subsidiary access off Browns Lane
- Lighter red facing brick, and a single roof tile colour should be used
- Drainage issues should be dealt with inside the allocated site
- Loss of Green Belt
- Apartment buildings will dominate the street scene

- Tree group G3 affected by pathway through open space
- Development should be screened from existing residents
- Boundary of the site different to that shown at public consultation events
- “around 150 dwellings” is 161
- Dwellings very close to roads
- Loss of trees
- Site is not broken up by green infrastructure
- Green or black window frames do not reflect character of the area
- Prejudice the potential for future development of the adjacent safeguarded land
- Too much on street parking
- Development of this site not required at this time
- Road and traffic modelling does not appear to take into account approved developments
- Developments of this size should have more than one entrance
- The emerging Wilmslow Neighbourhood Plan (WNP) is opposed to what is referred to as cul-de- sac developments of this size
- Adverse impact upon existing properties on the other side of Dean Row Road
- Insufficient landscaping along south east boundary
- Further detail on pedestrian and cycle access required
- The proposed access should be satisfactory for the potential additional development on site LPS58, in order to not prejudice potential future development

## **OFFICER APPRAISAL**

### **PRINCIPLE OF DEVELOPMENT**

The majority of the application site is an allocated Strategic Site for housing in the CELPS. Site LPS 57 states that the development of Land at Heathfield Farm over the Local Plan Strategy period will be achieved through:

1. The delivery of around 150 dwellings;
2. Provision of direct cycle and pedestrian links from the site to the west, to improve links to the Summerfields local centre and Wilmslow town centre / railway station; and
3. The retention of the public footpath crossing the site;

The proposal for up to 161 is considered to meet the definition of “around 150 dwellings” and is therefore considered to be acceptable in principle. The delivery of the site for residential development will contribute towards the Council’s housing land supply and assist in meeting the development requirements of Wilmslow and the wider Borough. The further requirements of policy LPS 57 are considered further below.

A 4000sqm area of the application site is located within safeguarded land allocated under policy Safeguarded Land LPS 58 in the CELPS. Safeguarded land is not allocated for development at the present time, and LPS 58 notes that the Heathfield Farm (safeguarded) site offers the potential for a future phase of development at Heathfield Farm if required in the future.

Policy PG4 of the CELPS relates specifically to safeguarded land and states that policies relating to development in the open countryside will apply, and that any development that would prejudice the future comprehensive development of safeguarded land will not be permitted.

Policy PG6, which relates to open countryside, stipulates that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The provision of a pond and areas of open space for outdoor recreation complies with policy PG6 and is therefore an appropriate use on the safeguarded land. Added to this, the allocation of safeguarded land at Heathfield Farm extends to 9 hectares, and the current application affects only 0.4 hectares, which leaves the majority unaffected. The proposed housing layout also provides for links through for potential future connections to the safeguarded land. It is therefore considered that the development will not prejudice the future comprehensive development of the safeguarded land, and is therefore acceptable.

## **SOCIAL SUSTAINABILITY**

### **Housing**

#### Affordable Housing

Policy SC5 of the CELPS states that “in developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable.” As a full application for 161 dwellings, in order to meet the Council’s Policy on Affordable Housing there is a requirement for 48 dwellings to be provided as affordable units. 31 units should be provided as Affordable rent and 17 units as Intermediate tenure.

The SHMA 2013 showed the majority of the demand in Handforth and Wilmslow Per Year until 2018 is for 27x 3 bedroom and 1x 4 bedroom dwellings for General needs and 1x 1 bedroom dwelling for Older Persons. This can be via Bungalows, Flats or Cottage Style Flats. The SHMA shows an oversupply of 1 and 2 bedroom General Needs and 2 bedroom Older Person’s accommodation.

The current number on the Cheshire Homechoice waiting list with Wilmslow as their first choice is 123. This can be broken down to 53x 1 bedroom, 44x 2 bedroom, 19x 3 bedroom and 7x4 bedroom dwellings, therefore a mix of 1, 2 and 3 bedroom dwellings for General needs and 1 bedroom Older Person’s dwellings on this site would be acceptable.

The proposal will provide:

- 12 x 1 bed apartment
- 12 x 2 bed apartment
- 14 x 2 bed semi-detached dwellings
- 10 x 3 bed semi-detached dwellings

The Housing Strategy and Needs Manager raises no objections to the proposal noting that the submitted Affordable Housing Statement and the Affordable Housing Plan are meeting the

identified housing need. The units are adequately pepper potted across the site, and as such the proposal is in accordance with policy SC5 of the Local Plan.

### Residential Mix

Policy SC4 of the CELPS 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.

The proposed development comprises:

- 14 x 5 bed units
- 35 x 4 bed units
- 74 x 3 bed units
- 26 x 2 bed units
- 12 x 1 bed units

Taken together with the affordable provision outlined above, the proposed residential mix is considered to meet the requirements of this policy.

### **Open Space**

#### Outdoor

The local plan allocation for this site states that *“Provision should be made for public open space within the site, supplementing existing green infrastructure as well as improving linkages with the existing area of public open space to the south of Browns Lane. New development will be expected to make contributions to playing fields and children’s play facilities where these cannot be provided on site.*

Policy SE6 of the CELPS sets out the open space requirements for housing development which are (per dwelling):

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

This policy states that it is likely that the total amount of 65sqm per home (plus developer contributions for outdoor sports) would be required on major greenfield and brownfield development sites.

The play area within the original submission of this application was inadequate. However during the course of the application the play area has been amended and enlarged. In line with the Fields in Trust Guidance, a LAP and a LEAP play area are required within this development. Given its proximity to the Browns Lane open space ANSA have recommended that the LAP and LEAP are combined in one play area location with a minimum of 8 pieces of equipment aimed at toddlers and juniors (1- 11 yrs), which have been provided. An appropriate buffer zone of 20m between the activity area and the habitable façade of the nearest dwelling has also been provided.

At 65sqm per dwelling the total amount of open space required for this site equates to 1.05 hectares. In this case a total of 1.7 hectares of children’s play space, amenity green space and green infrastructure is being provided on site.

The indicative development framework shows areas for some on site open space including a LEAP. At 65sqm per dwelling, the total amount of open space required could be up to 9,750sqm on site. The design and access statement identifies 1.7ha of green infrastructure within the development. No allotments are being provided, however given the excess of open space being provided on site, including the provision of a community orchard, this is considered to outweigh the requirement for allotment provision in this case.

As noted above, necessary outdoor sports facilities would be provided by way of a financial contribution towards off site provision. In this case, the adopted Playing Pitch Strategy (PPS) identifies shortfalls in football provision and specifically a need to locate two additional 3G Artificial Grass Pitches within the Wilmslow area, upgrades to pitches and increased capacity at the changing pavilion at the Jim Evison Playing Fields. A financial contribution towards off site provision of outdoor sports facilities will be required at a rate of £1,000 per market family dwelling or £500 per two bed space apartment. The contribution will be directed to Jim Evison Playing fields to address the issues highlighted in the PPS. CEC is currently working with the Football Association and Football Foundation on plans to develop this site as a Key Centre, a hub site for Wilmslow and at the top of outdoor sports provision in the Wilmslow area.

### Indoor

Policies SC1 and SC2 of the Local Plan Strategy require developments to provide or contribute towards both outdoor and indoor recreation where the development will increase demand and / or there is a recognised shortage. In this case the development will increase the demand / need for local indoor leisure provision and as such a financial contribution should be sought towards Wilmslow Leisure Centre , which is the nearest provision (1.3 miles distance) to the site.

The Indoor Built Facility Strategy has identified that any existing shortfalls for Wilmslow 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.

A contribution of £22,500 is therefore sought to address this increased demand. This has been calculated as follows:

161 houses at 1.61 people per residence = a population increase of 259

The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 111 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 four (4) stations. Requirement for - x3 running machines (£6,500 per treadmill), x 1 resistance / weight pieces (£3,000 per piece). Total £22,500

### **Education**

One of the site specific principles of LPS 57 in the CELPS is “contributions to education and health infrastructure”.

In the case of the current proposal for 161 dwellings, this is expected to generate:

30 primary children (161 x 0.19) – 1 SEN

23 secondary children (161 x 0.15) – 1 SEN

2 SEN children (161 x 0.51 x 0.023%)

The development is expected to impact on 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 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. The Service acknowledges that this is an existing concern, however the 2 children expected from the application 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.

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

$23 \times £17,959 \times 0.91 = £375,882.00$  (secondary)

$2 \times £50,000 \times 0.91 = £91,000.00$  (SEN)

Total education contribution: £466,882.00

Without a secured contribution of £466,882 Children’s Services would raise an objection to this application. This position is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 23 secondary children and 2 SEN children would not have a school place in Wilmslow, and would not comply with LPS 57 in the CELPS.

### **Healthcare**

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented on the application noting that Wilmslow is serviced by two GP practices with a combined patient population of 25,039. As a Key Service Area (as identified in Cheshire East Council Local Plan), there are a number of areas identified for housing development within Wilmslow and surrounding geographical areas. Additional growth in patient numbers will add pressures to the GP practices, with an increase in clinical and non-clinical staff required in order to meet these future patient needs.

Kenmore Medical Centre operates from GP owned premises near the centre of Wilmslow. The building was extended during 2012-13 enabling the GP practice to continue to meet local demands based on organic growth of the population. Further future internal redesigns have been identified in order to further expand the usability of the building but no projects are underway at the current time.

Wilmslow Health Centre operates from GP owned premises near the centre of Wilmslow. The building has been extended in phases over the last five years enabling the GP practice to continue to meet local demands based on organic growth of the population. Further future internal and external redesigns have been identified in order to further expand the usability of the building, i.e. the development of a large first floor void space into usable clinical space, and the construction of a raised parking structure in order to meet the increased demand for car parking spaces in the Wilmslow Health Centre car park.

Both GP practices are therefore actively engaged with the CCG in investigating potential primary care estates development opportunities. Both GP practices have identified estates development work which, if funding can be sourced, would allow for further expansion and greater utilisation of the buildings.

A financial contribution is therefore sought as part of this application, which is based on a calculation consisting of occupancy x number of units in the development x £360. This is based on guidance provided to other CCG areas by NHS Property Services.

<b>Size of Unit</b>	<b>Occupancy Assumptions Based on Size of Unit</b>	<b>Health Need/Sum Requested per unit</b>
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1008 per 3 bed unit
4 bed unit	3.5 persons	£1260 per 4 bed unit
5 bed unit	4.8 persons	£1728 per 5 bed unit

The proposed development comprises:

- 14 x 5 bed units
- 35 x 4 bed units
- 74 x 3 bed units
- 26 x 2 bed units
- 12 x 1 bed units

As such the CCG requests a contribution to health infrastructure via Section 106 of £167,652 based on the occupancy stated above. This would comply with policy LPS 57 of the CELPS.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Residential Amenity**

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

However the CE Design Guide states separation distances should be seen as guide rather than a hard and fast rule. The Design Guide does however acknowledge that the distance between rear facing habitable room windows should not drop below 21m. 18m front to front will also provide a good level of privacy, but if this applied too rigidly it will lead to uniformity

and limit the potential to create strong streetscenes and variety, and so this distance could go down as low as 12m in some cases.

The nearest existing residential properties are located along Browns Lane and a 28 metre separation distance is achieved between these existing dwellings and the proposed development. Properties on Tudor Green to the north are 34 metres from the proposed dwellings, and properties on the opposite side of Dean Row Road are between 33 metres (near plots 78-82) and 38 metres (opposite the apartments). These relationships with the surrounding existing dwellings are all considered to result in acceptable standards of amenity for existing and proposed residents having regard to the distance guidelines set out above.

Similarly the layout within the site ensures the relationships between the new dwellings result in acceptable standards of space, light and privacy for future occupants.

### **Noise**

The applicant has submitted a Noise Impact Assessment (NIA) to identify existing levels of noise across the site due to road traffic noise associated with Dean Row Road and determine what mitigation is required to ensure that external and internal noise levels do not exceed relevant noise standards.

Environmental Health has confirmed that the NIA demonstrates that it is possible for the Internal noise climate of the proposed residential properties to be acoustically designed and mitigated to acceptable standards. However, concern has been raised as the NIA noise modelling software has not been calibrated with the current planning layout, and only one noise measurement location point (at the junction of Browns Lane and Dean Row Road) has been used, which does not account for road traffic noise arising from the B5358 Dean Row/ Handforth Road roundabout.

The applicant has been advised of these concerns and revised noise impact details are awaited and will be reported as an update. Subject to this matter being satisfactorily addressed, the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing.

### **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. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

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

The assessment concludes that the overall impact of the future development will not be significant on the chosen 27 receptors with regard to both Nitrogen Dioxide and particulate matter concentrations. Only two receptors experienced a slightly adverse effect for Nitrogen Dioxide.

There is still a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on local air quality. Taking into account the uncertainties with modelling, the impacts of the development could be significantly worse than predicted.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. This can be achieved by conditions relating to dust control and the provision of electric vehicle infrastructure, which are accordingly recommended. The developer has also submitted a travel plan as a form of mitigation, and a condition requiring the implementation of this travel plan is also recommended. Subject to these conditions, the proposal will comply with policy SE12 of the CELPS.

### **Public Rights of Way**

Policy LPS 57 of the CELPS requires the retention of the public footpath (Public Footpath Wilmslow No.73) crossing the site. The right of way is shown to be retained on the plans, but there will be some inevitable changes to it in the context of the development as a whole, such as to the surfacing, etc. The Public Rights of Way team has noted that the development will have a direct and significant effect on the Public Right of Way. As such a condition is recommended to require further details to be submitted regarding any changes to the PRoW.

### **Accessibility**

The site access will connect with the existing footway/cycleway network on Dean Row Road, which leads all the way to the Summerfields Local Centre, and links onto the route which runs alongside MacClean Way, which leads to Wilmslow. There are also footpath links shown on the layout plan onto Dean Row Road and Browns Lane, however as noted by the Countryside Access Officer it is important that these are for cyclists too in order to maximise the permeability of the site for pedestrians and cyclists, as they will inevitably serve as key desire lines for both groups. Given the presence of these existing cycle and pedestrian links and routes, no further off site links are considered to be necessary.

There is an existing bus stop outside the site on Dean Row Road that provides a bus service between Macclesfield and Manchester and currently operates as an hourly service.

In addition to the bus stop, a number of facilities at Summerfields Local Centre as well as a local primary school are all within relatively close proximity of the site. Wilmslow Town Centre is approximately 2km from the site where the majority of shops, services and facilities are located, and are within walking distance.

### **Highways**

#### Traffic Impact

The development is proposed to be served by one permanent access from an existing roundabout on Dean Row Road. The Head of Strategic Infrastructure advises that it is acceptable for one access point to serve a development consisting of 161 dwellings.

Future year capacity assessments have been undertaken at key junctions along the Dean Row Road corridor incorporating development traffic and future year base flows in 2022. On

completion of the A6 MARR scheme future base traffic flows are forecast to change on key routes on the surrounding network including some reductions.

These traffic assessments have shown that even with the addition of development traffic they operate to a satisfactory level in future years. The exception is the Woodford Road/Adlington Road/Lees Lane roundabout which is forecast to continue to operate over capacity with the addition of the development traffic. However given the relatively small impact of this traffic and the potential reduction in base flows resultant of the A6 MARR scheme, the Head of Strategic Infrastructure advises that this is acceptable.

### Internal Layout

The internal layout of the proposal is also considered to be acceptable in Highways terms as the proposed road geometry / alignment is in compliance with Manual for Streets and the materials are consistent with the Cheshire East Design Guide. Parking levels are in accordance with Cheshire East Council's parking standards.

The proposal therefore raises no significant highway safety or traffic generation issues, in accordance with policy DC6 of the MBLP. Conditions relating to provision of a travel plan and a construction management plan are recommended.

### **Trees / Landscape**

#### Trees

Selected individual and groups of trees within the application site are protected by the Macclesfield Borough Council (Dean Row) Tree Preservation Order 1974.

The submitted Arboricultural Impact Assessment has identified that 3 protected trees will require removal to accommodate the development. These are identified as two mature low (C) category Oak (T8 and T9 of the survey) which form part of Group G21 and G22 of the TPO and a mature Ash (T15) forming part of Group G12 of the TPO. The Council's Forestry Officer confirms that these trees are in physiological decline and have a limited future life expectancy. Their removal is acceptable subject to appropriate replacement planting in mitigation.

Two trees are also proposed for removal to accommodate the main access (part of G1 (within the hedge to the south of the existing roundabout)). These two trees, a semi mature Beech and Oak formed part of the landscaping mitigation for the Dean Row Road roundabout Improvement scheme in 1992/93 stand outside the TPO group (G6) to the east and are therefore not protected by the Order.

The proposal will require the removal of a number unprotected trees and groups of trees including 4 individual trees, 4 groups, part of 3 groups and part of 2 hedges to accommodate the development. The majority are low (C) category specimens which present only limited contribution to the wider amenity and landscape character of the area. The removal of moderate (B) category trees comprise of a semi mature Beech and Oak (part of G1) for the access off the Dean Row Road roundabout (referred to above), and a Group of early mature Ash, Hawthorn and Sycamore (G5) to allow for the position of an internal access and development of Plots within the central northern section of the site. Whilst the group presents a modest contribution to the locale, their contribution is not considered to be significant to the wider amenity of the area. Accordingly it is considered that the removal of this group can be

adequately mitigated elsewhere on the site. A moderate (B) category mixed group of trees (G9) located on a raised bank to the south west of the site and forming a dense screen to Browns Lane will be reduced in depth to accommodate an internal access, footpath link and proposed dwellings. The Assessment states that the extent of loss will not be significant on its screening potential. The majority of trees to be removed appear to be relatively young specimens, nevertheless it is likely that screening will be affected in this area and therefore provision for enhancing the remaining tree group requires addressing as part of any landscaping scheme for the site.

The development should be carried out in accordance with the submitted arboricultural impact assessment and a method statement will be required for the construction of access driveways adjacent to hedgerows. Appropriate conditions are therefore recommended to address these matters.

### Landscape

The site comprises strong boundary planting along Dean Row Road from the roundabout, along its Browns Lane boundary and back into the site up to the point where the site extends out into the safeguarded land, which is all largely retained and / or supplemented. The south eastern area of the site currently does not have a physical boundary, and the proposals are not clear for this area. Clarification has been sought from the applicant regarding the boundary in this area. Comments from the Landscape Officer are also awaited and will be reported as an update.

### **Ecology**

An ecology report has been submitted with the application, and the following matters are relevant to the proposal:

#### Breeding Birds

A nesting birds condition and a condition is recommended to safeguard breeding birds. Furthermore the incorporation of features for use by breeding birds into the development will secure an enhancement for biodiversity in accordance with local and national policies, and this can also be secured by condition.

#### 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 itself. To safeguard biodiversity, a condition is recommended requiring proposals for the provision of brash/wood piles or hedgehog domes and the incorporation of gaps for hedgehogs into garden or boundary fencing.

#### Badger

A badger survey has been carried out and found no evidence of current occupation by badgers. An updated badger survey should be conducted prior to commencement of works, which can be conditioned.

#### Hedgerow

Hedgerow are a priority habitat and hence a material consideration. The layout plans have been updated during the course of the application to include additional native hedgerow planting.

### Great Crested Newts

Great Crested Newts are not considered to be a constraint to this development. Local ponds were surveyed and no conclusive evidence of the presence of newts was recorded.

### Bats and trees

Trees on site were deemed to be largely unsuitable for roosting bats in the submitted Ecology Report. One tree (T6) was given moderate suitability status. This tree is shown as being retained on the proposed plans therefore poses concerns are raised.

### Enhancement for Bats

Bats are either known to occur in this locality or the habitat is very suitable for them. Therefore in order to enhance the value of the development site for bats, and hence lead to a biodiversity gain from this development as required by local and national policies, artificial bat roosts should be incorporated into the design of any new buildings, which again can be conditioned.

### Habitat Pond

The submitted plans illustrating the proposed attenuation ponds are acceptable. The nature conservation officer was keen to secure another small pond to the north of the pond shown on the plans. This is not considered to be necessary to make the development acceptable in planning terms and would also result in a reduction of the useable open space.

### Residual ecological impacts

The nature conservation officer is undertaking an assessment using the Defra biodiversity offsetting 'metric' methodology to quantify the residual ecological impacts of the development, and to determine whether any further ecological enhancement is required. The outcome of this will be reported as an update.

### **Layout / Design**

The site is accessed from a single point of access from the Dean Row Road roundabout, and provides for vehicle connections to the adjacent safeguarded land. The existing public footpath that crosses the site from Dean Row Road to the north to the safeguarded land to the south is retained within the proposals. Additional pedestrian and cycle access will be secured with access points onto Dean Row Road and Browns Lane, which will connect onto the existing footway / cycleway on Dean Row Road. The bus stop outside of the site provides good access to public transport.

The overall layout of the proposal is good and largely reflects the requirements of the Design Guide. The proposals have largely worked with the existing features of the site, with trees and hedgerows largely retained. The proposal comprises a good amount of public open space, which is centrally positioned and accessible to all occupants of the development. The layout is predominantly outward facing and provides good natural surveillance of public areas.

The scheme provides a clear hierarchy of streets and spaces. The site is served by a main/primary street which enters the site in the north-east corner and which forms a central spine road through the development. A series of secondary streets and private drives extend off this main route to serve development parcels to the north and south. Several sections of

the streets are designed as shared surface spaces with the use of block paving and flush kerbs.

The proposed house types are relatively traditional in appearance and in keeping with the character of the local area. The plans have been amended during the course of the application primarily to reduce the scale, and alter the design, of the apartments that front onto Dean Row Road, and to pull them further away from the Dean Row Road boundary. A number of other relatively minor amendments have been requested by the design officer relating to dual facing properties, chimneys, landscaping and the rear of the apartment buildings.

Revised plans are awaited for these minor details and these will be reported as an update. However, subject to the satisfactory receipt of these amendments the proposal will comply with policies SE1 and SD2 of the CELPS and the Cheshire East Design Guide.

### **Archaeology**

The application is supported by a Cultural Heritage and Archaeological Desk-Based Assessment, which has revealed that the proposed development site contained a farmstead, Yews Farm (later Heathfield Farm), which existed within the north-west part of the site. The farmstead is first depicted on the 1841 Tithe map of Bollin Fee, which records the site as being a Homestead, owned by the Earl of Stamford and occupied by Issac Faulkner. Although none of the farm buildings survive, the farmstead is recorded as a non-designated heritage asset on the Cheshire Historic Environment Record (CHER: 7874), and is therefore considered to be of local significance and of archaeological interest.

Although the archaeological potential of the site is not sufficient to justify an objection to the development on archaeological grounds, or to generate a requirement for any further predetermination work, it is considered to be reasonable to secure some further mitigation on the features described above. This is accepted in Section 5.2 of the applicant's assessment report and should take the form of a strip and record investigation over the footprint of the two buildings at Yews/Heathfield Farm, which are shown on the Tithe Map of 1841. A report on the work will need to be produced and the work should be secured via a condition.

Subject to this condition, the proposal is considered to comply with policy SE7 of the CELPS.

### **Flooding**

The site is located within flood zone 1 however there are some notable areas of surface water risk on site that would need to be incorporated within the drainage strategy on site.

It is noted within the submitted Flood Risk Assessment that a 225mm culverted watercourse runs through the site. The culvert runs south to north. The culvert ultimately discharges to a watercourse located to the north of the site and the condition and exact location of the outfall from the site should be investigated to ensure that the culvert is fit for purpose as part of the drainage strategy.

The Flood Risk manager raises no objections to the proposal subject to the drainage strategy for the site being carried out in strict accordance with the information presented within the submitted FRA, and a condition relating to the submission of details for surface water

drainage. Subject to these conditions the proposal will comply with policy SE12 of the CELPS.

### **Contaminated Land**

A Phase 1 Preliminary Risk Assessment, a Site Investigation Report and a Build Phase Remediation Strategy have been submitted with the application. The assessments to date have identified some contamination within infilled areas and recommended it be removed. Furthermore recommendations have been made for the burial of organic gas producing material at depth in public open space, greater than 15m from the nearest plots. It is acknowledged within the report that site investigation work of the southern proposed area of public open space is outstanding.

The Contaminated Land Officer has raised a number of queries relating to these existing reports and as such recommends conditions requiring a Phase II ground investigation and risk assessment; a verification report; the testing of imported soil, and; a condition relating to any unforeseen contamination.

Subject to these conditions the proposal will comply with policy DC63 of the MBLP and policy SE12 of the CELPS.

### **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 Wilmslow / Summerfields (Dean Row) including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

### **S106 HEADS OF TERMS**

Further to the comments above, a s106 agreement will be required to secure:

- Education contributions of £466,882
- Indoor sports contribution of £22,500
- Recreation and outdoor sports contribution of £1,000 per market family dwelling and £500 per two bed space market apartment
- Healthcare contribution of £167,652
- 30% affordable housing

### **CIL regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of affordable housing, indoor and outdoor sport (financial) mitigation, and healthcare (financial) mitigation are necessary, fair and reasonable to provide a sustainable

form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

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

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

## **REPRESENTATIONS**

The comments received in representation have been given due consideration within the main report above.

## **CONCLUSIONS**

The proposal seeks to provide 161 dwellings on a site allocated within the CELPS for around 150 dwellings.

There are a number of minor updates in respect of the outstanding information indicated above however, it is considered that subject to the satisfactory receipt the proposal complies with all relevant policies of the development plan and is therefore a sustainable form of development.

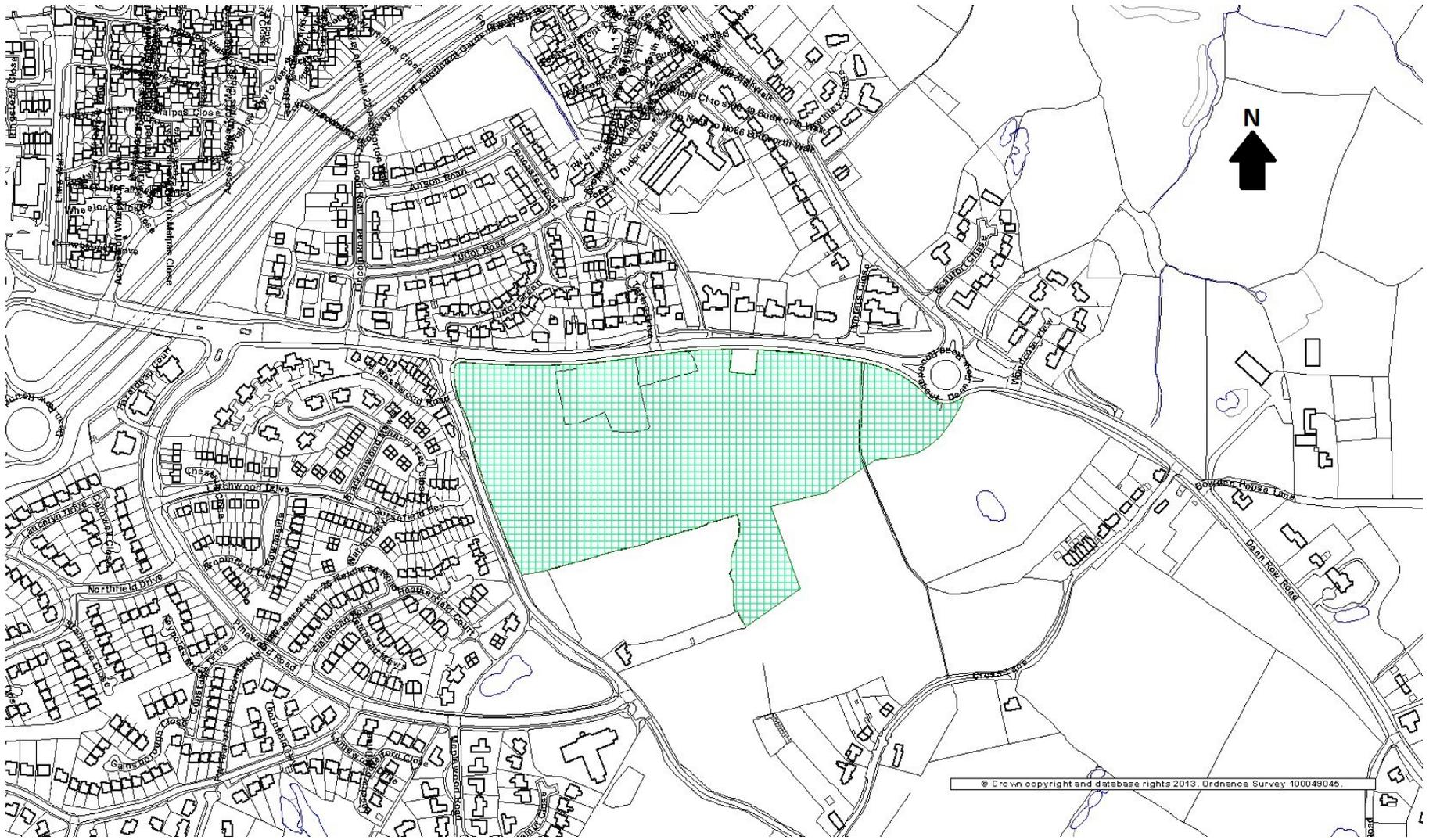
In accordance with paragraph 14 of the Framework, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made subject to conditions and the prior completion of a s106 agreement.

Application for Full Planning

**RECOMMENDATION:** Approve subject to a Section 106 Agreement and the following conditions

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Details of materials to be submitted
4. Construction specification/method statement (trees)
5. Obscure glazing requirement
6. Development to be carried out in accordance with Arboricultural Impact Assessment

7. Written scheme of archaeological investigation to be submitted
8. Nesting bird survey to be submitted
9. Incorporation of features into the scheme suitable for use by breeding birds and roosting bats - details to be submitted
10. Proposals for the the provision of brash/wood piles or hedgehog domes and the incorporation of gaps for hedgehogs in garden or boundary fencing to be submitted
11. Badger survey to be submitted
12. Details of Electric Vehicle Infrastructure to be submitted
13. Scheme to minimise dust emissions to be submitted
14. Phase II ground investigation and risk assessment to be submitted
15. Verification Report to be submitted
16. Imported soil to be tested for contamination
17. Unforeseen contamination
18. Revised travel plan to be submitted
19. Construction management plan to be submitted
20. Development to be carried out in accordance with FRA
21. Detailed design and associated management and maintenance plan of surface water drainage to be submitted
22. Public Right of way details to be submitted
23. Links through to Dean Row Road and Browns Lane to be for pedestrians and cyclists
24. Foul and surface water shall be drained on separate systems.
25. Management details for all areas of public open space to be submitted



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