

Application No: 17/4277M

Location: Land Between Chelford Road And Whirley Road, CHELFORD ROAD,  
HENBURY

Proposal: Outline application for the erection of up to 135 dwellings with access  
from Chelford Road and Whirley Road and associated open space

Applicant: Frederic Robinson Ltd

Expiry Date: 28-Nov-2017

## **SUMMARY**

Macclesfield is one of the principal towns and growth areas of the Borough where national and local plan policies support sustainable development. The proposal seeks to provide up to 135 dwellings on part of a site allocated for around 150 dwellings under Policy LPS 18 within the Cheshire East Local Plan Strategy (CELPS). Through the adoption of the CELPS, the site has been removed from the Green Belt and the principle of developing the site for housing has been deemed to be acceptable. This proposal would bring economic and social benefits through the delivery of 135 no. residential units in a sustainable location.

The proposal would provide the requisite level of affordable housing for a development of this size and the impact on local infrastructure including education and healthcare provision would be mitigated for by financial contributions.

The development will not have a detrimental impact on the local highway network subject to financial contributions towards highway improvement works at Broken Cross roundabout / junction. Subject to appropriate mitigation, the impact on local air quality (including cumulative impacts) will be acceptable also.

It is acknowledged that the site is currently susceptible to surface water flooding, however, a comprehensive scheme of surface water attenuation is proposed, ensuring that there will be no increase in surface water runoff. This position has been agreed with the Council's Flood Risk Manager, and as such, the proposed development will adequately mitigate the residual risk of flooding from surface water and will not increase the risk of flooding to neighbouring properties.

Subject to the submission of appropriate reserved matters, and based on the principles shown on the indicative layout, the proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for the new occupants. Subject to negotiations, the application would offset the impact on outdoor and indoor sports and recreation provision through financial contributions. The applicants have demonstrated general compliance with national and local guidance in a range of areas including ecology, trees, landscape impact and noise.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy, the saved policies of the Macclesfield Borough Local Plan and advice contained within the NPPF. In accordance with Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 14 of the Framework, the proposals should therefore be approved without delay.

## **SUMMARY RECOMMENDATION**

**Approve subject to conditions and a s106 agreement.**

## **DETAILS OF PROPOSAL**

This application seeks outline planning permission with all matters reserved except for means of access for the erection of up to 135 dwellings with vehicular access from Chelford Road and pedestrian / cycle access from Whirley Road and associated open space

## **DESCRIPTION OF SITE AND CONTEXT**

This application relates to a greenfield site lying to the west of Macclesfield to the north of Chelford Road and to the South-West of Whirley Road and stretches between Macclesfield and Henbury. Surrounding uses include mainly residential and agricultural land. Whirley Primary School lies to the north-west. The site measures approximately 5.37 hectares in size and is positioned directly to the rear of properties fronting Chelford Road and Whirley Road. The site forms part of an allocated site for housing development under Policy LPS 18 of the Cheshire East Local Plan Strategy (CELPS).

## **RELEVANT HISTORY**

None

## **POLICIES**

### **Development Plan**

#### Cheshire East Local Plan Strategy

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 The Historic Environment

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

CO1 Sustainable travel and transport

CO3 Digital connections

CO4 Travel plans and transport assessments  
LPS 18 Land between Chelford Road and Whirley Road, Macclesfield

Macclesfield Borough Local Plan (saved policies)

NE3 Protection of Local Landscapes  
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  
DC15 Provision of Facilities  
DC17 Water resources  
DC35 Materials and finishes  
DC36 Road layouts and circulation  
DC37 Landscaping  
DC38 Space, light and privacy  
DC40 Children's Play Provision and Amenity Space  
DC63 Contaminated land

**Other Material Considerations**

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

**CONSULTATIONS**

**ANSA (Greenspaces and CEC Leisure)** – No objection subject to onsite provision of Public Open Space (POS) and a Local Area of Play (LEAP) standard play area. There is a requirement to provide a financial contribution towards Recreation and Outdoor Sport (ROS) and Indoor Sport, but this will depend on the final housing numbers.

**Cheshire Wildlife Trust** – No objection provided that the marshy grassland in south eastern area of the site is respected and buffered or, any losses mitigated or compensated for. Himalayan Balsam should be removed. Measures to reduce indirect impact on wildlife should be used such as bat sensitive lighting and fencing to discourage pets.

**Education** – No objection subject to a financial contribution of £672,668 towards primary, secondary and SEN school places.

**Environmental Protection** – No objection subject to conditions / informatives relating to noise mitigation, electric vehicle infrastructure, dust control, contaminated land and construction hours.

**Flood Risk Manager** – Comments awaited

**Head of Strategic Infrastructure** – No objection subject to financial contributions of £129,000 towards a highway improvement scheme at Broken Cross.

**Housing Strategy & Needs Manager** – No objection subject to 30% of the units being provide as affordable with a tenure split of 65% / 35% between intermediate tenure and social rent.

**Manchester Airport** – No objection.

**Natural England** – No objection - the proposal is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.

**NHS Eastern Cheshire Clinical Commissioning Group** – Request financial contribution of £136,080 to support the merger of two GP practices in Waters Green Medical Centre, Macclesfield.

**Public Rights of Way** – No objection subject to a condition requiring a signage scheme directing users to local cycle and footpath routes.

**United Utilities (UU)** – No objection subject to foul and surface water drainage being connected on separate systems and submission of a surface water drainage scheme. UU have also stated that there is a public sewer crossing the site which they will not permit building over unless the applicant diverts it at their own expense.

## **VIEWS OF THE TOWN AND PARISH COUNCILS**

**Macclesfield Town Council** - Object on the grounds of:

- Site is Green Belt and exceptional circumstances haven't been demonstrated
- Significant impact on traffic congestion requiring in depth traffic management assessment
- Impact on air quality

**Henbury Parish Council** – Detailed objections have been received from the Parish. This has included detailed traffic surveys and air quality reports submitted on behalf of the Parish which have been commented on by respective consultees. The main concerns are summarised below:

- The DustScanAQ report advises that the submitted air quality assessment did not consider the cumulative air quality impacts of proposed residential development. It recommends that further consideration be given to the application to allow for different AQ assessment methodology.
- Any applications are premature before any AQMA mitigation measures are known. Travel plan is based on soft initiatives and the ability to reduce flows is limited.

- Traffic counts – without an agreed survey base the assessments cannot be relied upon. Unless the surveys are considered reliable and representative of the existing situation, any assessment is also inaccurate.
- The applicants transport report draws incorrect conclusions and is based on flawed data. Queue lengths and vehicle flow counts are much higher than reported in applicant's TA.
- There is oversubscription at area schools with no spare places at – Fallibroome Academy and Macclesfield Academy. Proposed development would have detrimental impact on education provision. These schools are academies so the LEA cannot arrange their expansion. Approval without addressing this situation would be negligent.
- Proposed Green Belt boundary would be very weak, vulnerable to being merged into Macclesfield. Density of houses would allow for eventual development of more than the 150 allocated.
- Opposition to allocation during local plan production had little influence on inclusion of this site.
- Cumulative impact of other developments should be considered.
- Site is more environmentally valuable than surrounding farmland, it hosts/supports waterfowl, migratory birds, wildflowers, birds of prey, bats, great crested newts, and rare species as noted in Ecological Assessment.
- Site lies in a critical drainage area, is susceptible to surface water flooding. FRA does not note presence of peat in area as noted in geo-environmental site assessment.
- No consideration of capacity of physical infrastructure or medical services.

## **OTHER REPRESENTATIONS**

128 representations have been received objecting to the development. The key points are summarised below:

- The scheme is a poor quality design with insufficient space.
- It should reflect the character of the area
- Dwellings fronting onto Whirley Road should be in line and in keeping with existing properties, not off-set as proposed
- Overwhelming majority of proposed homes are not affordable
- Chelford Road and Whirley Road are already very congested, which the development would worsen.
- The development will add to the congestion in the area and should not be considered in isolation.

- The traffic survey doesn't reflect queueing experienced at Broken Cross Roundabout or other local roads, it will be gridlock
- Whirley Road is particularly dangerous to pedestrians and difficult for two cars to pass
- Major review of traffic in Macclesfield should be undertaken first.
- No need for emergency access off Whirley Road
- Increasing traffic and congestion would further worsen existing air pollution in the area, including at nearby schools.
- Air Quality would not meet national or local standards and harm health of local residents
- Air Quality Assessment is based on flawed traffic statement. Air Quality report is misleading, based on outputs from a model using speculative input data.
- Impact of development on Broken Cross roundabout which is already busy will lead to more queueing on the highway and resultant negative impacts on nitrogen dioxide levels.
- Substantial landscaped boundaries between the site and neighbours are required, but have not been proposed.
- Damage/removal of historic hedgerows are unacceptable.
- Open space for recreation area to the western edge hardly qualifies as such due to path running through and tree barrier, should be used as a nature corridor.
- Site should be retained as Green Belt and not released for development. Contradicts purpose of Green Belt, preventing merging settlements and urban sprawl.
- Developing Green Belt will destroy character of Macclesfield
- The land is peat-based and subject to major flooding across the site.
- CE Preliminary Flood Risk Assessment notes that the site is a deep flooding risk.
- Major flooding occurs on the site so housing should not be built on it.
- Sewer system would not manage the increased loading from this and the other nearby housing sites being developed from the Prestbury Plant.
- No plans to mitigate impact of additional development, attenuation ponds will not be sufficient
- Surface water run off may result in contamination of the Ecology Area,
- TPO removals are unfounded and hedgerows will need to be removed.
- Trees planted by locals in 2013 are scheduled for removal which is worrying as they form a landscape feature of the site.
- Woodland should be retained in the development.
- Site should be removed from Local Plan allocation and placed into Green Belt.
- Brownfield land and derelict buildings and mills should be considered first.
- Impact on the nearby Cock Wood Local Wildlife Site
- Application will impact on newts, badgers and other wildlife

- Site is a useful buffer to and the watercourse alongside its south-eastern section feeds Cock Wood as Bag Brook.
- What ecological enhancement will the development bring?
- Local schools are full and at capacity
- Children will have to travel further leading to increased traffic
- Education places already in demand due to recently approved housing nearby this site.
- The impact on existing GP, dentist and other medical service levels
- Medical services oversubscribed.
- Loss of open space and green spaces, gardens are insufficient size
- Concerns about condition and capacity of drainage, water, electricity and broadband infrastructure.
- Comments raised in the application consultation have not be included or addressed

## **OFFICER APPRAISAL**

### **Principle of Development**

Macclesfield is identified as one of the principal towns in Cheshire East where CELPS Policy PG 2 seeks to direct 'significant development' to the towns in order to 'support their revitalisation', recognising their roles as the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport'.

The application site is allocated as a Strategic Site for housing under Policy LPS 18 of the Cheshire East Local Plan Strategy (CELPS). When the Council adopted the Cheshire East Local Plan Strategy on 27th July 2017, the site was removed from the Green Belt and is therefore no longer allocated as such.

Site LPS 18 states that the development of Land between Chelford Road and Whirley Road will be achieved over the Local Plan Strategy period through:

1. The delivery of around 150 new dwellings;
2. Provision of public open space and green linkages to existing footpaths and rights of way;
3. The incorporation of natural features such as trees, the existing pond and landform features into any development proposal;
4. Creating a readily recognisable Green Belt boundary, that will endure in the long term, along the western edge by tree planting and landscaping along the existing hedge line extending north-eastwards to the existing pond;
5. Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities; and
6. On site provision, or where appropriate, relevant contributions towards highways and transport, education, health, open space and community facilities.

Additionally, the following site specific principles of development apply:

- a. The development would be expected to contribute towards off-site road infrastructure improvements in the central, western and southern/south western Macclesfield area.
- b. The Local Plan Strategy site is expected to provide affordable housing in line with the policy requirements set out in Policy SC 5 'Affordable Homes'.
- c. The line of the existing sewer should be protected.
- d. The site should be developed so as to facilitate any junction improvements that may be necessary for a future road link between Chelford Road and Congleton Road.

Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*". In light of LPS 18, which allocates this site for housing development, the principle of developing the site for around 150 dwellings is acceptable. Whilst this proposal does not include all of the land allocated under LPS 18, it is not a requirement that any applications submitted on allocated sites are done so in a single application. The important thing to note is that this proposal would not preclude the remaining part of the site allocation from being brought forward. In this regard, there is an application currently being considered on land to the south under planning ref; 18/0294M for another part of this allocated site. Each application needs to be considered on their merits.

As per para 14 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable development (social, economic and environmental) and compliance with the Development Plan in accordance with Sec.38 (6).

## **SOCIAL SUSTAINABILITY**

### **Housing Land Supply**

On 27 July 2017, the Council adopted the Cheshire East Local Plan Strategy. This followed an extensive public examination led by an independent and senior Planning Inspector.

The Inspector's Report on the Local Plan was published on 20 June 2017 and signalled the Inspector's agreement to the Plans policies and proposals. The Local Plan Inspector confirmed that, on adoption, the Council was able to demonstrate a 5 year supply of housing land. In his Report he concluded:

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

The Inspector's conclusion that the Council had a 5 year supply of deliverable housing land was based on the housing land supply position as at 31 March 2016.

Following the adoption of the Local Plan Strategy, the Council released its annual Housing Monitoring Update, in August 2017. It sets out the housing land supply as at 31 March 2017 and identified a deliverable housing land supply of 5.45 years.

On 8 November 2017, an appeal against the decision of the Council to refuse outline planning permission for up to 400 homes at White Moss Quarry, Alsager (WMQ) was dismissed due to the scheme's conflict with the Local Plan settlement hierarchy and its spatial distribution of development.

However, in his decision letter, the WMQ Inspector did not come to a clear conclusion whether Cheshire East had a five year supply of deliverable housing land. His view was that it was either slightly above or slightly below the required 5 years (4.96 to 5.07 years). In this context, the Inspector engaged the 'tilted balance' set out in the 4<sup>th</sup> Bullet point of paragraph 14 of the National Planning Policy Framework (NPPF). This introduces a presumption that planning permission is granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

On 4 January 2018, an appeal against the non-determination of an outline planning permission for up to 100 homes at Park Road, Willaston was dismissed due to conflict with Local Plan policies that sought to protect designated Green Gap, open countryside and rural character. The Inspector also took the view that the housing land supply was either marginally above or below the required 5 years (4.93 to 5.01 years). On this basis, he adopted a 'precautionary approach' and assumed a worst case position in similarly engaging the 'tilted balance' under paragraph 14 of the Framework.

The Council is continuing to update its evidence regarding housing land supply to ensure that decisions are taken in the light of the most robust evidence available and taking account of recent case law. The Council believes it can demonstrate a five year supply and will accordingly be presenting further updated evidence at the forthcoming Stapeley Inquiry.

For the purpose of determining current planning applications, it is therefore the Council's position that there is a five year supply of deliverable housing land.

Whilst the Council can now demonstrate a 5 year supply of land for housing, it is important to note that this proposal would deliver 135 no dwellings on an allocated site within the adopted Local Plan within one of the Principal Towns in the Borough. The Council needs to keep the supply rolling and proposals that bring forward the Council's strategic vision through the development of the allocated sites such as this one will assist in relieving pressure on other edge of settlement sites and the countryside. As such, this is a key benefit of the scheme.

### **Affordable Housing**

Policy SC 5 of the CELPS and the Councils Interim Planning Statement on Affordable Housing (IPS) states that in Settlements with a population of 3,000 or more, the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment (SHMA) carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

As this is an outline application for around 135 dwellings, 40.5 of the units will be required to be affordable, depending on the final number of dwellings on the site. To satisfy the required tenure split, 88 of the units would need to be provided as social rented accommodation and 47 of the units as intermediate tenure.

The SHMA 2013 shows the majority of the annual need in Macclesfield up to 2018 is for 103 x 2 bedroom and 116 x 3 bedroom General Needs dwellings and 80 x 1 bedroom dwellings for Older Persons accommodation which could comprise of Flats, Bungalows, Cottage Flats or Lifetime Homes.

The current number of those on the Cheshire Homechoice waiting list that have expressed Macclesfield as their first choice is 1349. This can be broken down to 528 x 1 bedroom accommodation, 546 x 2 bedroom, 237 x 3 bedroom, 38 x 4+ bedroom dwellings, therefore a mix of 1, 2, 3 and 4+ bedroom general needs dwellings, and 1 bedroom Older Persons dwellings on this site would be acceptable.

The applicant has confirmed that the proposal will provide 30% of the site as Affordable Housing with the required tenure split. The precise number, size, location and type of units will be secured under the detailed housing types at Reserved Matters stage. On this basis, the Council's Housing Strategy and Needs Manager has offered no objection and therefore at this stage, the scheme is found to be in compliance with Local Plan Policy SC 5 and criterion b of LPS 18.

## **Education**

One of the site specific principles of the site allocation under LPS 18 is that the development of the site will require "contributions to education and health facilities".

In the case of the current proposal for 135 dwellings, the Council's Children's Services have advised that a development of this size this would generate:

- 25 primary children (135 x 0.19)
- 19 secondary children (135 x 0.15)
- 2 SEN children (135 x 0.51 x 0.023%)

The development is expected to impact on both primary school and secondary places in the immediate locality. Any contributions which have been negotiated on other developments are factored into the forecasts undertaken by the Council's Children's Services 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 there remains a shortfall in school places.

Special education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. Whilst it is acknowledged that this is an existing issue, the 2 children with special educational needs (SEN) expected from this development will exacerbate the shortfall.

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

- $25 \times £11,919 \times 0.91 = £271,157$  (primary)
- $19 \times £17,959 \times 0.91 = £310,511$  (secondary)
- $2 \times £50,000 \times 0.91 = £91,000$  (SEN)
- Total education contribution: £672,668.00

Without a secured contribution of £672,668, 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, 25 primary children, 19 secondary children and 2 SEN children would not have a school place in Macclesfield and would not comply with LPS 18 in the CELPS. The applicant has confirmed acceptance of this requirement and therefore this application is compliant with criterion 6 of LPS 18 in this regard.

## **Healthcare**

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented on the application. The NHS has noted that there are six NHS GP practices within Macclesfield, all located within one building at the Waters Green Medical Centre.

Based on the current local population, the Waters Green Medical Centre has sufficient capacity to manage currently registered patients. However, with the known planned housing developments, the local population is predicted to increase by approximately 19% over the next 10 years. In order to be able to continue to provide the current high level of primary care services to the local population, the six GP practices will be required to review their current model of working. A model of 'working at scale' will be required, in which the six GP practices work much more closely together to remove duplication and inefficiencies from the primary care system. This will result in at least two of the six GP practices physically merging, with the associated building costs of merging the two (or more) GP practice footprints into one.

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

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

For this planning application, the CCG has requested a financial contribution towards health infrastructure via Section 106 of £136,080 based on a calculation of 2.8 persons x 135 dwelling units x £360. This provides an indication of the contribution required to comply with criterion 6 of LPS 18 of the CELPS. However, a formula based approach could be utilised in the s106 in order to secure the appropriate contribution once the details of the dwellings / occupancy has been fully detailed at the reserved matters stage.

## **Public Open Space and Recreation**

The local plan allocation for this site and Policy SE 6 of the CELPS sets out that the open space requirements for housing development are (per dwelling):

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

This policy states that it is likely that the total amount of 65sqm per home (plus developer contributions for outdoor and indoor sports) would be required on major Greenfield and brownfield development sites. The indicative site plan shows areas for some on site open space. At 65sqm per dwelling, the total amount of open space required could be up to 8,775sqm on site. The necessary outdoor sports and indoor sports facilities would be provided by way of a financial contribution towards off site provision. Comments from CEC Leisure are awaited and therefore the specific sports and recreation requirements for the site will be reported as an update.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Air Quality**

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

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

The submitted assessment uses a pollution model called ADMS Roads to model NO<sub>2</sub> and PM<sub>10</sub> impacts from additional traffic associated with the proposed development and the cumulative impact of committed development within the area. A number of modelled scenarios have been considered within the assessment. These were:

- Scenario 1: 2016 Base Year
- Scenario 2: 2019 Opening Year 'without development'
- Scenario 3: 2019 Opening Year 'with development'
- Scenario 4: 2024 Completion Year 'without development'
- Scenario 5: 2024 Completion Year 'with development'

The report states that two receptors (R15 and R17 - Broken Cross) are predicted to be above the air quality objective in Scenario 4 and Scenario 5 with a 'moderate adverse' effect being experienced as a result of the development. Whilst the concentrations are predicted to be above the objective even without this development, any increase in concentrations within an Air Quality Management Area (AQMA) is considered significant as it is directly converse to local air quality management objectives, the NPPF and the Council's Air Quality Action Plan.

Taking into account the uncertainties with modelling, the impacts of the development could be worse than predicted.

The report makes reference to potential mitigation measures such as a robust travel plan (which has already been submitted), a dust management plan and electric vehicle charging points on all of the dwellings. It should be noted that the list of proposed mitigation measures is not exhaustive and others may be applied to further reduce the impact on the AQMA. The applicant's consultant who carried out the initial air quality impact assessment has since submitted a further technical note which adequately addresses initial concerns raised by the Council's Environment Protection Unit (EPU).

Further reports have been received from Henbury Parish Council in respect of air quality and these have also been reviewed by the EPU. Looking at the new assessment provided by third parties, there are several results in the different scenarios which would call into question the initial conclusions of the EPU with several receptors seeing moderately adverse impacts and even predicting new breaches in the air quality objective. However, the key aspect of this assessment is scenario 7 which covers the 'do-everything' option, i.e. both developments take place and the Broken Cross highway junction improvements take place. The comparison of these results shows an overall improvement in air quality with many receptors seeing a decrease in the nitrogen dioxide concentrations and no new breaches in the air quality objective. Taking this into account, the Council's EPU has offered no objection to the proposals.

Concerns have also been raised over public health when walking to and from places such as shops and schools etc. These scenarios would be of concern if the short term hourly objective was being breached, which stands at 200 µg/m<sup>3</sup>. However, the annual average results do not indicate that this is the case so this would not sustain a refusal.

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. In this case, this will be achieved by conditions relating to travel planning, dust control and the provision of electric vehicle infrastructure, which are accordingly recommended. The implementation of this travel plan is also recommended. Subject to these conditions, the proposal will comply with policy SE 12 of the CELPS.

### **Residential Amenity**

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

The nearest existing residential properties are located to the north, east and south of the site. The properties to the south are those fronting Chelford Road, namely 93-105 (inclusive) and already benefit from long gardens allowing decent separation with the site boundary (a

minimum of c25 metres). The properties to the north and east are those fronting Whirley Road. The indicative layout shows part of the development fronting Whirley Road and would sit alongside the existing properties (i.e. side to side). As such, the amenity afforded to existing properties would be respected by the proposed indicative layout.

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

## **Noise**

The application is supported by a noise impact assessment which details potential noise mitigation measures in order to ensure that occupants of the proposed dwellings are not adversely affected by current and future traffic noise in the vicinity of the site. Provided that the noise mitigation measures as detailed in the supporting noise impact assessment are applied in order to meet 'BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and / the Guidance Document Calculation of Road Traffic Noise', it is considered that there should be no adverse impacts on health and quality of life resulting from road traffic at this location affecting future occupants.

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

## **Highways**

The highways infrastructure requirements were considered during the allocation of this site under the Local Plan process and its subsequent adoption where the expectations for accessing the site were set out. It was envisaged that this site would provide a joint access with other Local Plan sites in the northwest of Macclesfield to form a link road between Chelford Road and Congleton Road. This submission does not conform to these requirements and has the principal access being from Chelford Road.

The principal access from Chelford Road would have a 5.5 metres wide carriageway and two 2.0 metre footways either side. It is also proposed to provide a ghost island right turn lane on Chelford Road. In regard to the visibility provided at the junction, the applicant has provided visibility splays consistent with the 30mph speed limit now in place on this section of Chelford Road although the Council's Head of Strategic Infrastructure (HSI \_ Highways) notes that the actual visibility available from the access point is well in excess of the splays that are to be provided.

Initially, the application also proposed a secondary vehicular access proposed from Whirley Road to serve up to 31 units with no link internally between the two access points to allow through traffic. However, following discussions with the applicant, the application has been revised to remove the access from Whirley Road and instead place a number of dwellings on the frontage of Whirley Road.

Whilst the expected access for this site was a new roundabout on Chelford Road that served this site as well as LPS 16, this application includes an alternative priority junction access from Chelford Road near to The Cock Public House. Whilst this proposal differs from the access strategy originally envisaged, the HSI has confirmed that the proposed access strategy meets the necessary technical standards and is therefore acceptable.

With regard to the traffic impact of this proposal, the scope of the traffic impact has been agreed with the HSI and the main junctions to be assessed were identified as the Chelford Road site access, the Whirley Road/Chelford Road junction and the roundabout at Broken Cross. The level of traffic generation predicted has been submitted by the applicant and in the peak hours the sites is forecast to generate around 64 trips. This information has been taken from TRICS, the database used to quantify the trip generation of new developments.

The applicant has also undertaken traffic counts, which were undertaken in June 2017 to determine the base flows at the junctions and then added growth to provide the flows to undertake the junction capacity tests in 2019 and 2024.

The results of the capacity tests indicate that the site accesses as priority junctions work well within capacity, which would be expected given the relatively low traffic flows using the junctions. The Chelford Road/Whirley Road junction is forecast to operate in excess of capacity in both 2019 and 2024 with development added and given that the layout of the junction is an existing poor design, further increases in traffic flow using this junction should be resisted hence the removal of the secondary access onto Whirley Road.

The modelling of Broken Cross roundabout has been undertaken using 'Arcady' (a junction and signal design software model) and adjusted to reflect queue length surveys. The result of the capacity assessment indicates that the junction operates over capacity in the base case and with development added in both 2019 and 2024. Whilst it is the case that the results indicate that Broken Cross roundabout operates over capacity, information submitted on behalf of Henbury Parish Council indicate that existing queue lengths at the Broken Cross roundabout is more extensive than assessed in the Transport Assessment.

As the development generated has a direct impact at the Broken Cross junction, the application can only be acceptable if suitable mitigation is provided at the junction. The applicant originally submitted a scheme to improve the eastbound approach to the Broken Cross roundabout and it was considered that the scheme would add little or no improvement to the congestion problems being experienced at the Broken Cross roundabout and is not accepted as mitigation for the development.

It is important that suitable mitigation measures are secured at Broken Cross if this Local Plan site as well as others in the local vicinity are brought forward as they will directly impact and exacerbate existing issues at the Broken Cross roundabout. Therefore, a scheme to improve the junction has been developed and tested by the applicant that demonstrates the traffic

impact of this allocated site as well as that being considered to the south of Chelford Road (under LPS 16) can be accommodated on the highway network within acceptable limits. It is proposed that the improvement scheme would be fully funded jointly by the Local Plan sites and it is proposed to remove Broken Cross roundabout and introduce a signal controlled scheme at the junction and re-provide existing pedestrian facilities.

To summarise, the primary highway concern is the operation of the Broken Cross roundabout that experiences congestion problems particularly in the peak hours with long queues being formed. The improvement of the Broken Cross roundabout is a priority for the Highway Authority as it is an important node in the highway network and it will also need to accommodate the additional traffic from all of the planned LP sites in the local vicinity. An improvement scheme for this junction has been developed that will reduce congestion to below 'Do Minimum' levels for this site (LPS 18) and also accommodate the traffic generation of the adjacent LPS site 16 within acceptable levels.

Policy LPS 18 does indicate that this site would be expected to contribute to off-site infrastructure and in this case, there would be a requirement for a financial contribution towards the improvement scheme at Broken Cross. The level of contribution has been based upon the number of units proposed in the planning application and this equates to £129,000. The applicant has confirmed acceptance of this and therefore, the proposals are considered to be acceptable subject to a S106 Agreement to secure the contribution towards the off-site mitigation works. Subject to this, the scheme is found to be compliant with criterion 6 and criterion of LPS 18.

### **Accessibility and Public Rights of Way**

Policy LPS 18 of the CELPS requires the creation of pedestrian and cycle links within the site to connect with existing residential areas and facilities. The proposal would provide cycle and pedestrian access directly off Chelford Road and Whirley Road which would connect with the existing residential areas to the north, south and east. Whilst the proposals will not directly affect a public right of way, the Council's Public Rights of Way Unit (PROW) has commented that the submission makes no comment on the *quality* of cycle linkages including off-road provision. However, further details as to the permeability of the site for pedestrians and cyclists, and future adjoining sites, can be appropriately secured by condition and at the reserved matters stage.

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

There are existing bus stops on Chelford Road and Whirley Road that provide bus services to the local area. In addition to the bus stop, a number of facilities including schools, open space and general amenities are all within relatively close proximity of the site. Macclesfield Town Centre is approximately 2.4km from the site where the majority of shops, services and facilities are located, and are within walking distance. Accordingly, the location of the site is sustainable and accessible.

With regard to the pedestrian and cycle connections with the adjoining residential areas, there is scope at the detailed reserved matters stage to ensure integration and connectivity with the existing housing development to the north and east. The indicative layout supports this concept and as such, the proposal at this stage is found to adhere to the justification to LPS 18.

## **Trees**

LPS 18 states that the development of the site will be achieved through; *'The incorporation of natural features such as trees, the existing pond and landform features into any development, and the creation of a readily recognisable green belt boundary, that will endure in the long term along the western edge by tree planting and landscaping along the existing hedge line'*.

The application is supported by an Arboricultural Impact Assessment and has identified 22 individual trees, 11 Groups of trees and 6 hedges of which 2 are High (A) category trees, 14 Moderate (B) category trees, 13 Low (C) category trees and 4 Poor (U) category. There are currently no specimens subject of Tree Preservation Orders within the application site.

The majority of tree cover within the site comprises of mainly hawthorn and elder and a community plantation of young native trees (G3) which includes a mature Oak (T7) in declining condition.

Representations from residents and a Parish Tree Warden have been received requesting that trees on the site be protected by a Tree Preservation Order (TPO) with specific focus on the community plantation. An Amenity Evaluation was undertaken in October 2017 to consider whether trees within the site were suitable for protection by a TPO. The evaluation concluded that whilst the mature trees on the site are clearly visible from a number of public vantage points, trees within the plantation were not significantly visible nor defined the landscape character. Two mature trees Oak (T8) and Ash (T14) are noted as significant landscape features, however, both contain arboricultural defects that preclude their protection by a TPO. Trees along the southern boundary of the site provide some degree of screening to the rear of properties on Chester Road, however, none are considered to be of significant arboricultural merit to justify protection.

Notwithstanding the above, the final layout design will need to take account of both above and below ground constraints of those trees identified for retention within and immediately offsite. In this regard, the final layout will need to have due regard to the shading and social proximity of retained trees and their relationship to development particularly along the southern boundary of the site and along the northern site boundary adjacent to no. 50 Whirley Road.

The Arboricultural Assessment identifies approximately 0.17ha of new Community Woodland shown on the Masterplan which is to be planted along the western boundary of the site as mitigation for the loss of the young planting. Further planting of large canopy species to mitigate the loss of the poor quality/dying Oak trees is also referred to in the Assessment. Subject to further details being provided in the landscape proposals in any subsequent reserved matters application, The Council's Senior Arboricultural Officer has confirmed that this would provide the mitigation and sustainable tree cover as stipulated by criterion 3 and 4 of the site allocation.

Any future reserved matters application shall be supported by an Arboricultural Impact Assessment and Tree Protection Plan which could be secured by condition.

## **Landscape**

As part of the application a Landscape and Visual Appraisal (LVA) has been submitted, based upon the recommendations and methodology in national guidelines for landscape and visual impact assessment. The LVA identifies that the landscape character as identified in the Cheshire Landscape Character Assessment is Type 17: Higher Farms and Woods, and specifically the Gawsworth Character area (HFW1) for the western part of the site and Urban for the eastern part. Whilst it is the case that the Cheshire Landscape Character Assessment does not offer descriptions of urban areas, the Cheshire East Design Guide does, and in this case identifies that the settlement pattern for this part of Cheshire are the Silk, Cotton and Market Towns.

The LVA indicates that the development will involve the removal of the agricultural grassland that currently covers the site and that the sensitivity of the site is medium, that the magnitude of change will be high and that the level of landscape effects for the agricultural land will be moderate to major; that the effects for hedgerows/trees will be moderate to major; that the effects on the site will be major. The visual appraisal identifies the effects as being major from some viewpoints

A group of trees (G3) forms a belt across the central part of the site and is identified as being species rich and in good condition as well as exhibiting potential to form a valuable landscape and ecological feature within the site. The applicant has submitted a revised indicative layout / masterplan to show how 1.5 dwellings could be accommodated on the site whilst respecting existing landscape features such as hedgerows and trees.

The submission states that there are hedgerows and trees present on site and on the surrounding boundaries and that these will be predominantly retained, and that character areas will be created with a number of design proposals including a fragmented edge to the western edge, partly through the provision of a Public Open Space and Landscape Buffer and Ecology Enhancement Area. These also form part of the Landscape Vision for the scheme. Subject to this coming forward through to the reserved matters application/s, the landscape impact of the proposals is deemed to be acceptable.

## **Ecology**

The application has been supported by an ecological assessment dealing with the following species:

Great Crested Newts - The Council's Nature Conservation Officer (NCO) has confirmed that a small population of Great Crested Newts (GCN) has been recorded at two ponds adjacent to the proposed development. In the absence of mitigation, the Council's Nature Conservation Officer (NCO) has advised that the proposed development will result in a medium magnitude adverse impact on this population due to the loss of terrestrial habitat located in close proximity to the identified ponds and the risk of animals being injured or killed during the construction process.

To mitigate and compensate for the impacts of the proposed development, the applicant is proposing to enhance the retained on-site pond for amphibians, which would be set within an area of suitable terrestrial habitat. To mitigate the risk of newts being killed or injured, animals would be removed and excluded from the footprint of the proposed development using standard best practice methodologies under the terms of a Natural England licence. The NCO has advised that the proposed mitigation and compensation measures are acceptable and are likely to maintain the favourable conservation status of the GCN population affected by the proposed works. This is subject to a condition requiring any future reserved matters application to be supported by a detailed great crested newt mitigation strategy.

Ponds - The proposed development will result in the loss of an existing pond (not used by Great Crested Newts). The applicant is proposing to deepen and enhance the other retained pond on site and suggests that this be considered suitable compensation for the loss of the other pond. The NCO has advised that this is acceptable subject to a condition which requires the submission and implementation of a detailed design for the new pond and a detailed specification for the deepening and enhancement of the retained pond in support of any future reserved matters application.

Hedgerows - Hedgerows are a priority habitat and hence a material consideration. The proposed development is likely to result in the loss of defunct hedgerows from the interior of the site and also the loss of sections of hedgerow to facilitate the site access to the south and along the Whirley Road frontage. In order to minimise the loss of hedgerows associated with the proposed development, it is recommended that the hedgerow along Whirley Road be retained as far as is practicable. Detailed planting proposals should be provided at the reserved matters stage to compensate for any hedgerows losses.

Brown Hare and Polecat - These two priority species have been recorded within 1km of the application site. The proposed development may result in some localised impacts on these two species, but the habitats on site do not appear to be significantly important for them.

Hedgehog - Hedgehogs are a biodiversity action plan priority species. There are records of hedgehogs in the broad locality of the proposed development and so the species may occur on the site of the proposed development. As such, the reserved matters should ensure that there are *gaps for hedgehogs to incorporated into any garden or boundary fencing proposed to facilitate movement.*

Bats - A tree that would be lost as a result of the proposed development has the potential to support roosting bats. The said tree has been subject to a further bat survey. No evidence of roosting bats was recorded and therefore roosting bats are not likely to be affected by the proposed development. A condition should be attached which requires an updated survey to be undertaken in support of any future reserved matters application that would result in the loss of this tree. Also, to avoid any adverse impacts on bats resulting from any lighting associated with the development, a condition should be attached requiring any additional lighting to be agreed with the LPA.

Nesting Birds - House sparrow occurs in this locality. The provision of features suitable for this species as part of the development provides an opportunity to secure an enhancement for this species. This could be secured by condition.

## Habitat Regulations

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

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

The principle of developing this site for residential purposes has been deemed to be acceptable through the adoption of the Local Plan Strategy. The allocation of the site under LPS 18 will enable a sustainable and planned housing land release which will facilitate and assist the delivery of the Council's 5 year housing land supply. It is a requirement of NPPF the LPAs maintain a 5 year housing land supply and therefore in this particular case, this is deemed to be of overriding public interest.

There are no suitable alternatives to providing the development on the site and the Council's NCO has confirmed that if planning consent were to be granted, the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the Great Crested Newt species. On this basis, it is considered that the proposal meets with test outlined in the Habitat Regulations. Subject to the proposed mitigation measures, the scheme is found to be acceptable in terms of its ecological impact and accords with MBLP Policies NE11, NE17 and CELPS Policy SE 3.

## Design

As this is an outline application with matters relating to layout, scale and appearance reserved for approval at a later stage, there is an indicative plan to show how a development of 135 houses could be accommodated on the site. The proposal would be served by a new access point taken from Chelford Road situated in between no.s 103 and 105. This would feed a primary access road running north to south which would then meet with a number of tertiary roads throughout the development.

The dwellings would be arranged around the internal road network with pockets of public open space to the south-east corner of the site and towards the northern and western boundaries. Towards the western boundary of the site, it would appear that the majority of properties would be arranged to front out over a proposed green corridor with footpaths. This green corridor would serve as a natural green buffer to the Green Belt to the west. Properties would likely back onto the southern boundary with the properties fronting Chelford Road. The access road would be overlooked by properties running parallel with the road with 2 units fronting Chelford Road itself. The indicative layout shows a general mix in the size of units.

The general principles and parameters shown on the illustrative plans shows a decent spread of development with well overlooked spaces. Provided that the parameters and principles are carried through to the reserved matters stage, the proposal would achieve a well designed residential development which would accord with LPS 18.

## **Flooding and Drainage**

In support of this application, a Flood Risk Assessment has been submitted. The site is located within Flood Zone 1 as defined by the Environment Agency indicative flood maps and as a result the chance of flooding from rivers or sea is 0.1% (1 in 1000) or less. However, it is important to note that the site does suffer from critical drainage issues and this is identified within the FRA and has also been highlighted by the Parish Council and residents.

The Environment Agency Long Term Flood Risk Map shows that isolated parts of the site exhibit a High Risk of surface water flooding. This means that

Annually, parts of the site has a chance of flooding of greater than 3.3%. The maximum depth of flooding modelled on site during this return period from surface water is between 300-900mm. The flooding shown to the north of the site corresponds with a marshy area. This flooding has no discernible flow and is effectively shallow ponding at a low point of the site due to the impermeable nature of the superficial geology. Surface water flooding occurs to the southern part of the site which would appear to be an overland route for a culvert surcharging.

In response to earlier concerns raised further information and an updated FRA have been submitted by the applicant. The updated FRA acknowledges that “the site is currently susceptible to surface water flooding as there is no/limited surface water management on the site. A comprehensive scheme of surface water attenuation is proposed as part of the development, ensuring that there will be no increase in surface water runoff. In fact the proper management of surface water will eliminate the current issues reported by local residents”.

Final formal comments from the Council’s Flood Risk Manager are awaited; however it is expected that this will be acceptable subject to mitigation and the proposed development will adequately mitigate the residual risk of flooding of surface water and will not increase the risk of flooding to neighbouring properties.

Also of note is the presence of a sewer within the site which runs close to the northern boundary of the site. Criterion c of LPS 18 requires that the development respects the line of the existing sewer. It is confirmed that the proposed indicative layout would respect the line of the existing sewer with no buildings situated over it. United Utilities have offered no objection to the application provided that the final layout does not include building over the sewer, or the sewer is diverted at the applicant’s expense.

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

## **Contaminated Land**

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

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

## **S106 HEADS OF TERMS**

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

- Education contributions
- Outdoor and Indoor sports contribution
- Healthcare contribution
- Open space provision and management on site
- 30% affordable housing
- Highways contribution towards Broken Cross

## **CIL Regulations**

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

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

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

A financial contribution towards the highway improvement works at Broken Cross roundabout is necessary to make the development acceptable in planning terms in order to mitigate for its impact on the highway network and will assist in air quality matters also.

The development would result in increased demand for school places at the primary and secondary schools within the catchment area which currently have a shortfall of school places. In order to increase the capacity of the schools which would support the proposed development, a contribution towards primary, secondary and SEN school education is required based upon the number of units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

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

## **CONCLUSIONS**

The proposal seeks to provide around 135 dwellings on part of a site allocated within the CELPS for around 150 dwellings. The comments received in representations have been given due consideration in the preceding text, however, subject to the satisfactory resolution of the s106 negotiations, the proposal complies with all relevant policies of the development plan and is therefore a sustainable form of development.

In accordance with Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 14 of the Framework, the proposals should therefore be approved without delay. Accordingly a recommendation of approval is made subject to conditions and the prior completion of a s106 agreement.

## **RECOMMENDATION**

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

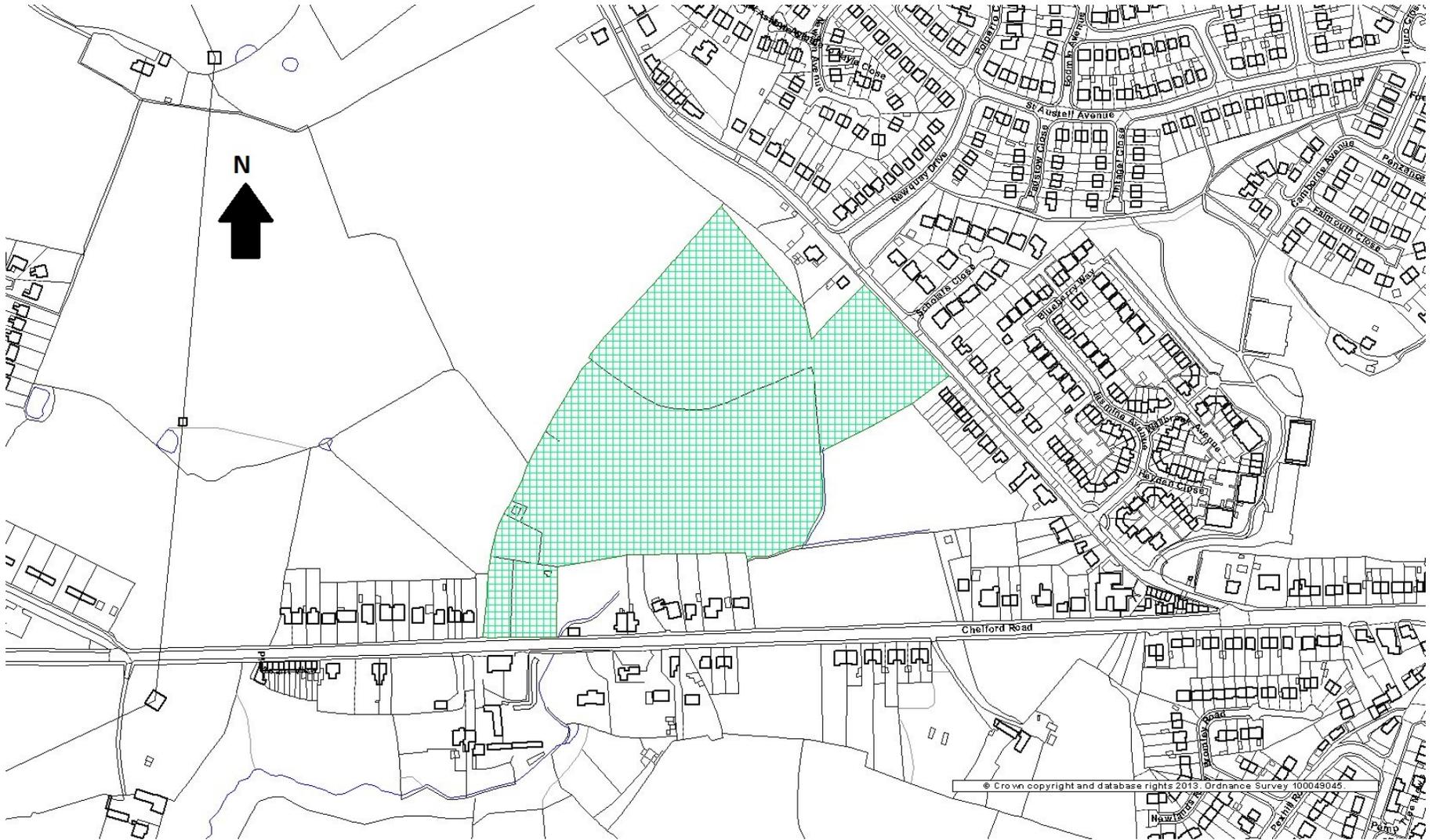
- **Affordable Housing comprising 30% (65% of which will be for social / affordable rent and 35% for shared ownership / intermediate tenure)**
- **Education contributions of £271,157 (primary) £310,511 (secondary) and £91,000 (Special Educational Needs) = total of £672,668**
- **Highways contribution of £129,000 towards highway improvement scheme at Broken Cross**
- **NHS contributions of £136,080 towards merger of Practices in at Waters Green Medical Centre**
- **Public Open Space on site including provision of LEAP**
- **Management Plan for the on-site public open space and LEAP**
- **Contribution towards Recreation Open Space (TBC)**
- **Contribution towards indoor recreation (TBC)**

**And the following conditions:**

- 1. Standard Outline Time limit – 3 years**
- 2. Submission of Reserved Matters**
- 3. Accordance with Approved Plans**
- 4. Access to be constructed in accordance with approved plan prior to first occupation**
- 5. Scheme of Piling works to be submitted, approved and implemented**
- 6. Dust control scheme to be submitted, approved and implemented**
- 7. Noise mitigation scheme to be submitted with reserved matters and to accord with submitted Acoustic Report**
- 8. Travel Plan to be submitted, approved and implemented**
- 9. Provision of electric vehicle infrastructure (charging points) at each property prior to first occupation**
- 10. Submission of contaminated land survey**
- 11. Remediation of contaminate land**
- 12. Details of drainage strategy to be submitted**

13. **Development to be carried out in accordance with submitted Flood Risk Assessment**
14. **Scheme of foul and surface water drainage to be submitted**
15. **Reserved matters application to be supported by updated Bat Survey**
16. **Reserved matters application to be supported by a method statement for the management of invasive non-native plant species**
17. **Development to be carried out in accordance with in accordance with the recommendations of the submitted Ecological Report**
18. **Reserved matters application to be supported by a detailed great crested newt mitigation strategy**
19. **Reserved matters application to be supported a detailed design for the new pond and a detailed specification for the deepening and enhancement of the retained pond**
20. **Nesting Birds Survey to be carried if works are to be carried out during the bird breeding season**
21. **Proposals for the incorporation of features into the scheme suitable for use by roosting bats and nesting birds to be submitted**
22. **Reserved matters application to be supported by an Arboricultural Impact Assessment and Tree Protection Plan**
23. **Detailed lighting scheme to be submitted in support any future reserved matters application.**
24. **Reserved matters to include a signage scheme directing users to local cycle and footpath routes**

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.*



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