

Application No: 18/0171M

Location: Land At Former Chelford Agricultural Centre, DIXON DRIVE, CHELFORD
SK11 9AX

Proposal: Demolition of all existing structures and buildings, remediation of the site and the erection of a residential led mixed use development comprising 89 no residential dwellings (use class C3) and 140 sq m (1,500 sq ft) of business floorspace (use class B1) together with landscaping, access points from Dixon Drive, car parking, an acoustic fence and associated infrastructure.

Applicant: Mr Andrew Taylor, David Wilson Homes North West

Expiry Date: 13-Apr-2018

SUMMARY

Chelford Village is Local Service Centre where local plan policies support sustainable development appropriate to the scale and context of the village. The proposal will provide market and affordable housing adjoining an existing settlement where there is existing infrastructure and amenities. This proposal would bring economic, environmental and social benefits through the delivery of 89 no. residential units with some small employment floor-space in a sustainable location, investment in the area and by bringing a vacant brownfield site into viable use.

The principle of developing the site (which is allocated for employment purposes and a public car park for Chelford Cattle Market) is acceptable given that housing and office floor-space will have a more positive impact on the local area than industrial type development and car parking is no longer required for the market.

National Planning Guidance encourages the redevelopment of brownfield land such as this, by offering a Vacant Building Credit, which is offset against affordable housing. Using the calculation guidance from the Ministry of Housing, Communities & Local Government, it is confirmed that this proposal would allocate 5 dwellings to be affordable, which is acceptable.

In highways terms, the impact from a residential / office scheme would be less than that of the previous use or potential industrial uses and local junctions have been shown to be suitable to accommodate the likely traffic movements generated by the proposal. Adequate parking would be provided.

The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for the new occupants. The application would offset the impact on public open space, healthcare and subject to satisfactory negotiations, education through the provision of financial contributions. The applicants have demonstrated general compliance with national and local guidance in a range of areas including ecology, flood risk, noise and air quality.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy and the saved policies of the Macclesfield Borough Local Plan and advice contained within the NPPF. The application is therefore recommended for approval subject to the imposition of appropriate conditions and the necessary Section 106 obligation.

SUMMARY RECOMMENDATION

Approve subject to conditions and S106 Agreement

DESCRIPTION OF SITE AND CONTEXT

The site is located in the village of Chelford. The site is bounded by the A537 (Knutsford Road) to the south, the Manchester to Crewe main railway line to the east, and residential development (on Dixon Drive and Chapel Croft) to the west and north. The site excludes a rectangular parcel situated midway along the site frontage which is currently owned by Cheshire East Council.

The site formerly hosted a livestock, horticultural and machinery auctioneering business. The previous occupiers vacated the site in April of 2017 and the site has remained vacant since then.

The site measures approximately 2.7 hectares in size, is generally flat in terms of its topography and is broadly rectangular in shape save for the council owned parcel of land which the site envelopes. The southern (Knutsford Road) part of the site accommodates some large portal style buildings. The former Chelford Agricultural Centre administration building is located to the west of the site (off Dixon Drive). To the north and east of this building there are large sheds, constructed from concrete block and corrugated iron with sheet metal and fibre cement roofs. The northern portion of the site comprises a large area of hardstanding which was used as car parking for visitors to the markets and traders. This area is accessed from two points on Dixon Drive. There are a number of trees around the perimeter of the site.

Within the Macclesfield Borough Local Plan (2004), the northern most part of the site is allocated under MBLP Policy T13 as a public car park and the southern most portion of the site is allocated as an 'existing employment area'.

DETAILS OF PROPOSAL

This application seeks full planning permission for the demolition of all existing structures and buildings, remediation of the site and the erection of a residential led mixed use development comprising 89 no residential dwellings (use class C3) and 140 sq m (1,500 sq ft) of business floorspace (use class B1) together with landscaping, access points from Dixon Drive, car parking, an acoustic fence and associated infrastructure.

RELEVANT HISTORY

There is an extensive history for the site relating to the former use of the site as an auctioneers market, which are not relevant to this application. The only application of relevance is:

10/3448M - OUTLINE PLANNING APPLICATION FOR THE ERECTION OF A MIXED USE DEVELOPMENT COMPRISING RESIDENTIAL, COMMUNITY AND EMPLOYMENT USES SET IN HIGH QUALITY LANDSCAPING AND ATTRACTIVE NEW PUBLIC REALM – Resolved to approve but decision never issued

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
EG3 Employment Land
CO1 Sustainable travel and transport
CO3 Digital connections
CO4 Travel plans and transport assessments

Macclesfield Borough Local Plan (saved policies)

RT5 (Open Space Standards)
RT6 (Recreation/Open Space Provision)
H9 (Occupation of Affordable Housing)
E1 (Retention of Employment Land)
DC3 (Amenity)
DC6 (Circulation and Access)
DC8 (Landscape)
DC9 (Tree Protection)
DC17 (Water Resources)
DC20 (Contamination of Watercourses)
DC35 (Materials)
DC36 (Road Layouts and Circulation)
DC37 (Landscaping)
DC38 (Space, Light and Privacy),
DC40 (Children's Play Provision and Amenity Space)
DC63 (Contaminated Land)
NE17 (Nature Conservation in Major Developments)
T13 (Existing Public Car Parks)

Other Material Considerations

National Planning Policy Framework (The Framework)

National Planning Practice Guidance

Cheshire East Design Guide

CONSULTATIONS (External to Planning)

ANSA and CEC Leisure – No objection subject to financial contributions of:

- £267,000 and £1194 towards off site open space
- £84,000 and £1194 towards Recreation and Outdoor Sport (ROS)
- £13,000 towards indoor sport and recreation

Cheshire Archaeology Planning Advisory Service - No objection subject to a condition requiring the submission of a programme of archaeological mitigation.

Education – Object in the absence of a financial contribution of £431,496 towards primary, secondary and SEN school places.

Environmental Protection – No objections subject to conditions and informatives relating to electric vehicle infrastructure, a travel plan, dust control and contaminated land.

Flood Risk Manager – No objection subject to conditions requiring the submission of a scheme of surface water drainage.

Housing Strategy & Needs Manager – No objection

Head of Strategic Infrastructure (Highways) – No objection.

Network Rail – No objection subject to access being maintained for the operation of the adjoining railway lines.

NHS Eastern Cheshire Clinical Commissioning Group – Request financial contribution of £10,000 to re-tarmac the Chelford Surgery car park.

Public Rights of Way – No objections – the proposal does not directly affect a definitive public right of way.

United Utilities – No objection subject to foul and surface water drainage being connected on separate systems and submission of a surface water drainage scheme.

VIEWS OF THE CHEFLORD PARISH COUNCIL

The Parish Council make the following observations:

Infrastructure, Access and Parking:

- While Transport Survey concludes that the development would not seriously impact on infrastructure, they are unconvinced that the junction with Knutsford Road will not require improvement.
- Hopeful that other traffic mitigation measure will be included for the emerging junction on Dixon Drive.
- Mini Roundabout would serve to alleviate problems as well as acting as a traffic calming measure to reduce the dangers of fast moving traffic through the village.

Design:

- Poorly designed proposed new buildings with little creative thinking and little real distinction in both design and materials.
- Whole design and layout is unimaginative and lacking character and would not blend in with the surroundings
- Apartment and office building containing Chichester and Cherwell, building looks out of place in terms of scale and design.
- Office block unlikely to be filled and in terms of design looks like it will be converted into residential use.
- They previously sought a two storey block rather than three storeys which appears large and out of place.
- Coal House, unclear whether this will be saved.

S106:

- Statement provided needs clarification.
- Monies fall short of those expected based on contributions made elsewhere.
- Confused at destination for monies to be directed to indoor sports?
- Parish Council should be consulted before decision on s106 is made.

Landscaping and Open Space:

- Removal of large, old barns and buildings will remove poor vista, but proposed building facades are very dull and do not reflect the range of existing buildings in the Parish.
- Unclear arrangements in regards to maintenance of brick wall and acoustic fencing.

Affordable Housing Contribution:

- Further reflection required on number of dwellings proposed, which they feel is too low.

Other:

- Many typographical and spelling errors and inaccuracies in the Design and Access Statement. There is no village shop or bank in the village and there hasn't been for 2 years. Generally poorly presented.
- Dimensions lacking on drawings provided.
- Unclear disposal of Cheshire East land in association with the site.

OTHER REPRESENTATIONS

Local Residents – 9 Wheat Moss, 31 Elmstead Road, 2 and 3 Station Road , 18 Astle Court, 31 Elmstead Road, - object to the proposals on the following grounds:

Infrastructure, Access and Parking

- Previous plans included alterations to the road layout where access is gained to A537 Knutsford Road. This application does not include this, meaning access has to be from Elmstead Road and Dixon Drive. Improved access is required by means of something like mini roundabout on Knutsford Road.
- Elmstead Road access is unsuitable as it would increase traffic.
- Increase in parked cars on highway where yellow lines have recently been removed.
- Increase vehicles will effect existing levels of highway safety.
- Negative impact on the Station Road, Dixon Drive, Cricketers Green and main road junction, which is already complicated with no mitigation proposed.
- Recently installed pedestrian crossing has not helped road safety for pedestrians particularly those most vulnerable and increased traffic flow from the development would not help this.
- Bollards that stopped flow into old market should be removed as they prevent access particularly for the emergency services.

Land Contamination, pollution and air quality

- Increase in homes and vehicles in the area will negatively effect land contamination, pollution and air quality.

Affordable dwellings

- Only 5 affordable dwellings is a disgrace.
- Affordable housing should only be 2/3 bedroom houses or apartments.
- Area already has houses with high prices and this development would exclude those most vulnerable.
- Affordable dwellings are not spread across the development.

B1 Employment space

- Is there a need for office space in this immediate area?
- Office space looks like it would just end up as apartments.

S106

- Agreement seems very low in amounts contributed with no neighbour consultation about local needs.

Landscaping and Open Space

- Lack of green space and landscaping within the master plan
- Landscaping not in keeping with main Dixon Drive estate.

Trees

- Unclear which trees will be removed as a result of the development and which do not appear to have any replacements.

Design

- 3 storey industrial building looks out of keeping.

Damage to property and disturbance from development:

- Neighbours on Station Road may have properties damaged and suffer from noise and vibration disturbance as a result of demolition of the sheds on site, pile foundations and general construction of dwellings etc.

Local Residents – 122 Dixon Drive, 57 Orme Crescent and 29 Chapel Croft – Made the following observations:

- Foul water and drainage issues exist on one end of Dixon Drive.
- Speeds of traffic survey only refer to Market side of Dixon Drive while other end regularly has speeding drivers.
- May be issues for those turning right at a particularly difficult junction.
- Issues for cyclists due to bends in roads.
- Concerned about lack of affordable housing.
- Vacant building credit is no more than a device to avoid making a positive contribution to meeting affordable housing needs in rural Cheshire East.
- Spatial arrangement of building plots is poor and unattractive for future residents.
- First and second floors of houses backing onto railway will be overlooked by train passengers.
- Streetscape to Dixon Drive is unclear and lack of detailed landscaping plans

OFFICER APPRAISAL

Principle of Development

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*".

Chelford is identified as a Local Service Centre in Cheshire East where CELPS Policy PG 2 states that 'small scale development will be supported to meet the needs and priorities of such settlements where they contribute to the creation and maintenance of sustainable communities'. In this case, the provision of 89 no. units would be of an acceptable scale relative to the existing settlement of Chelford. And would deliver housing within a relative sustainable location.

In terms of other designations, the southern part of the site falls within an existing employment area in the Local Plan, where MBLP Policy E1 and CELPS Policy EG 3 are relevant.

CELPS Policy EG 3 seeks to retain employment land for employment purposes. However, EG 3 also accepts that it may not be possible to retain land for employment purposes where they are causing 'significant nuisance or environmental problems or are no longer suitable or viable for employment uses'. This aligns with Paragraph 22 of The Framework states that:

“Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.”

The site is of poor environmental quality and heavy employment uses are not ideal in this location given the current access and parking arrangements, the predominantly residential nature of the area and the fact that the site previously provided a low level of employment for the size of the site. The following serve as significant constraints to the future use as an employment site for heavy industrial uses:

- The site is located within Chelford Village and is adjacent to a residential area.
- The existing buildings on site are largely designed for the previous market business and are generally in poor condition and unlikely to be suitable for modern business requirements.
- The previous use attracted a large number of visitors causing congestion and parking problems when the market was operating.
- Although the site is classified as an existing employment site, it is noted that the existing use does not fall into the B1, B2 or B8 use classes and is in fact a Sui Generis use. The previous use supported only 25 full-time equivalent jobs. The proposal is a predominantly residential scheme, but it does also include provision 140 sq. m of B1 offices. The employment element of the proposals would be able to support similar level of full-time equivalent jobs.
- The small scale offices are considered to be appropriate in a rural location such as Chelford and are likely to provide future employment opportunities for local people.

In this case, the site has already been accepted as being suitable for residential purposes owing to a previous resolution to grant planning permission for residential development on the site (albeit an element of employment floorspace was included much like this application). It is considered that the site is unsuited to industrial uses. The site has remained vacant for a year and therefore its redevelopment would serve as an efficient use of brownfield land within a sustainable location. This proposal will bring direct and indirect benefits to both the local economy, the village and the community through the delivery of housing.

The northern part of the site is allocated as a public car park (which served the previous market business) and therefore, policy T13 is relevant. A proposal for a residential-led mixed use scheme on this site therefore constitutes a departure from the Development Plan. However, although Policy T13 requires that existing public car parks *“will normally be retained for car parking”*, in this case, the car park existed to serve the former market business which no longer occupies the site. The need for the parking is therefore now redundant and therefore there its retention is not justified.

Having regard to the above, the general principle of the development is found to be acceptable. As per para 14 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable

development (economic, social and environmental) and compliance with the Development Plan.

SOCIAL SUSTAINABILITY

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 4th 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.

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 89 no. dwellings within one of the Borough's Local Service Centres. It is important to keep the supply rolling and proposals to redevelop redundant brownfield 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

The Interim Planning Statement on Affordable Housing (IPS) and Policy SC5 in the Local Plan Strategy outline that in this location the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all sites of 15 dwellings or more or than 0.4 hectare in size. Thus, a scheme of 89 units would normally be expected to provide 27 no. affordable units. The IPS also states the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives.

The Strategic Housing Market Assessment (SHMA) 2013 shows that the majority of the demand in the Sub Area of Mobberley, Chelford and Alderley Edge per year until and including 2018 is for 16 x 1 bedroom, 17 x 2 bedroom, 11 x 3 bedroom and 13 x 4 bedroom dwellings for general needs. The SHMA is also showing for 9 x 1 bedroom and 22 x 2 bedroom dwellings for older persons. These can be via Flats, Cottage Style Flats and Bungalows.

The current number of those on the Cheshire Homechoice waiting list with Chelford as their first choice is 16. This can be broken down to 9 x 1 bedroom, 4 x 2 bedroom and 3 x 3 bedroom dwellings. On this site a mix of 1, 2, 3 and 4 bedroom general needs dwellings with 1 and 2 bedroom older person's dwellings would be acceptable.

This application is the subject of Vacant Building Credit, which is national policy to bring brownfield sites with vacant buildings back into lawful use. The NPPG provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.

Using the calculation guidance from the Ministry of Housing, Communities & Local Government, it is confirmed that this proposal would allocate only 5 dwellings to be affordable. These Affordable dwellings are all to be 2 bedroom dwellings. The evidenced need for affordable housing is showing a need for 1, 2, 3 and 4 dwellings. As this proposal

would be providing 5 x 2 bed affordable units, this would satisfy some of the evidenced need. On this basis, the Council's Head of Strategic Housing has offered no objection to the proposals.

As such, the scheme is found to be acceptable in this regard and is supported by the Council's Strategic Housing Section.

Education

In the case of the current proposal for 89 dwellings, the Council's Children's Services have advised that a development of this size this would generate:

- 16 primary children (89 x 0.19)
- 13 secondary children (98 x 0.15)
- 1 SEN children (89 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.

Due to recently approved development in the locality, Children's Services is currently in the process of implementing an expansion project at Chelford Primary. The project is for 1 additional class-base, therefore the remainder of the funds required for this project will be supported by the request of a primary contribution.

With respect to secondary school places, there is no available secondary school provision within 3 miles of the proposed development. In such cases, the criterion then falls to the catchment / closest school. On this basis Holmes Chapel and Wilmslow High have been assessed. Holmes Chapel is the historical catchment school. In line with The Council's admission oversubscription criteria, the nearest school on straight distance is Wilmslow High. The assessment shows that both schools combined creates a shortfall of -289 pupils for 2023, and the 13 pupils expected from the proposed development further exacerbate this shortfall. Children's Services are currently liaising with Wilmslow High School in regard to expansion proposals and it would be likely this scheme would need to contribute towards this.

Special education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. Whilst it is acknowledged that this is an existing issue, the 1 child with special educational needs (SEN) expected from this development will exacerbate the shortfall.

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

- $16 \times \text{£}11,919 \times 0.91 = \text{£}173,541$ (primary)
- $13 \times \text{£}17,959 \times 0.91 = \text{£}212,455$ (secondary)
- $5 \times \text{£}50,000 \times 0.91 = \text{£}45,500$ (SEN)
- Total education contribution: $\text{£}431,496$

Without a secured contribution of £431,496, 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, 16 primary children, 13 secondary children and 1 SEN child would not have a school place. Whilst the applicant has confirmed acceptance of the primary school provision, they have disputed the secondary and SEN requirement and this is the subject of ongoing discussions. The outcome of these discussions will be reported by way of an update.

Healthcare

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented that Chelford Surgery operates from leased premises in the centre of the village of Chelford, with medical services having been provided from this location since 1983. In 2016 the building was extended to facilitate future growth. The one need identified for the GP practice is work on the surgery car park (re-tarmacking is required).

Normally, the Section 106 funding for planning applications under consideration in Eastern Cheshire 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. For the planning application in question, this would equate to a maximum contribution to health infrastructure of £91,072 based on the above calculation and the details provided within the planning application, i.e. 6 x 2 bed units, 46 x 3 bed units, 32 x 4 bed units. However, the only need identified for the local health facility is the re-tarmacking of the Chelford Surgery car park and the NHS has confirmed that this would cost significantly less than the above calculated funding. Accordingly, the CCG has requested a financial contribution towards health infrastructure of £10,000 to carry out the resurfacing of the car park. Subject to this, the scheme is found to be acceptable in terms of its impact on health infrastructure.

Public Open Space

Policies RT5 and DC40 of the MBLP set out the amenity open space requirements for housing development (per dwelling). The proposals would place a greater burden on open space and recreational facilities in the area and accordingly, the applicants would be expected to make a financial contribution towards the Borough Council's sports, recreational and open space facilities in lieu of on-site provision. The Macclesfield S106 Supplementary Planning Guidance on S106 Agreements provides the formulae for calculating off site financial contributions.

A commuted sum for the provision of off site open space based on 89 residential units would be £267,000. Based on 139.3m² of B1 business floor space the commuted sum is £1194.

There is a requirement for outdoor and indoor sport in Line with CELPS Policies SC 1 and SC 2. A contribution of £84,000 (total reduction of £15,000) for off site Recreation and Outdoor Sport (ROS) is required. Based on 139.3m² class B1 business floor space the sum is £1194.

The POS contribution will be directed towards improvements, enhancements and additions at Mere Court play area and open space, Chelford Village Hall site and Dixon Drive amenity green spaces.

Mere Court – improvements including (but not restricted to) play opportunities, path works, interpretation, pond enhancement, tree planting, restoration of historical features, creation of informal activity areas and better connectivity with the school.

Dixon Drive – improved accessibility and linkage to other open spaces including footpaths, seating, interpretation and signage

Chelford Village Hall – Substantial improvements to formal and informal play facilities and improved amenity spaces

Footpath link from the Village Hall to Chelford's centre – to improve access to the Village Hall site via a traffic free route.

The ROS contribution will be directed to the Village Hall site including (but not restricted to) the provision of sports facilities and supporting changing and pavilion facilities.

Although Chelford Village Hall does not have a designated indoor fitness facility, based on an industry average of 25 users per piece of health and fitness equipment the number of new active residents equates to an additional two stations (6,500 per station). A request is therefore made for a contribution to indoor sport and recreation to the value of £13,000

Subject to the above being secured by way of a legal agreement, the scheme is found to accord with MBLP Policies RT5 and DC40 and CELPS Policies SC 1 and SC2.

ENVIRONMENTAL SUSTAINABILITY

Design, Character and Appearance

Whilst the redevelopment of this vacant site, comprising the demolition of existing buildings would be an immediate betterment on the wider views to the development from existing built form and nearby infrastructure, the buildings that replace them need to be high quality with an architectural design style, material palette, layout and landscaping treatments that are reflective of local area characteristics to strengthen and raise the standard of design and character in the area.

Between them, the NPPF and Local Plan Policies SD1, SD2, SC4, SC5, SE1, SE4 and CO1 from the CELPS and DC8, DC35, DC36 and DC37 of the MBLP seek that all development should be: locally distinctive; high quality; sustainable; well-designed and durable responding to the heights, scale, form and grouping, materials, massing, green infrastructure and relationship to existing built form in the immediate as well as wider areas. Good connections through infrastructure and access from the site into the wider area and landscaping/topographical themes through street hierarchy and landscaping is also expected from new development.

The Cheshire East Residential Design Guide Volume 1 2017 considers Chelford to be a larger nucleated village that has undergone modern expansion within the North Cheshire Fringe area. In this area built form is typically set back from the highway/access by front gardens with strong landscaping to soften built form when viewed from surrounding areas and streetscene. Where off road parking is provided it is integrated sensitively into front garden areas. The predominant external facing material type in the immediate area is brick, typically Cheshire red/farm brick or where varied on the red orange colour scale. Where this varies white or off cream render would form part of the external material palette.

Following pre-application discussions as well as feedback during the course of the application, the applicant has worked with the LPA to address officer concerns and those have been raised by residents and the Parish Council also. This has resulted in the submission of amended plans.

As amended the development provides a variety of differing size and scale dwellings with a mixture of bedrooms and types in line with SC 4 of CELPS. The majority of properties would be two storeys, reflective of the surrounding residential area and where taller would be 2 1/2 storey. Only the apartment/office block would be three storeys to lend itself as a focal building on site in relation to key vistas from the train station and Knutsford Road. The materials proposed consist predominantly of external facing brick with contrasting smooth red brick and art stone to window treatments with each dwelling having grey roof tile. Fenestration will be in white with the exact materials unconfirmed.

The amendments have also resulted in better transitions and focal buildings within the development which would help foster better identity, focal buildings comprising housing types with differing materials and architectural detailing. On these buildings, render and brick coursing would form the aesthetical difference. This has helped the wider visual and transition of the site as you would see it travelling through on foot or by vehicle, assisting orientation. Material details will form a condition of any planning approval for the proposals to ensure suitability in regards to area character. Frontages on the whole meet design guide standards. End houses in cul-de-sacs are orientated so that the area would benefit from having passive surveillance assisting security by design.

The apartment block is proposed over the upper two storeys of the three storey block, the ground floor comprising B1 employment space. Over the course of the application concern has been raised by the LPA, neighbours and Parish Council regarding the basic and uninspiring design and its general scale in relationship to focal views from Knutsford Road, Chelford railway station and the wider development. The applicant has taken this on board introducing architectural detailing to window heads and cills and a broken up brick and render façade. While the building is three storeys the overall height would not appear overbearing in contrast to the houses proposed. Its height and orientation with parking bays and access to front and rear help to secure it as a landmark building with associated landscaping.

Each unit has parking provided either from bays to the frontage or side elevations and garaging. While areas of parking bays exist to the frontages these are proposed to be broken up by planting and other low key landscaping serving to prevent a heavy hard surface aesthetic within the streetscene. This should mitigate against parked cars being a dominant characteristic of feature of the site which would serve to cheapen the streetscene. Where cul-de-sacs lead into parking forecourts block paving is proposed to address highway hierarchy

and to assist in the reading of the streetscene language by residents and visitors. For dwellings proposed fronting Dixon Drive to the north and down the vehicular access roads proposed to the east and west replacement/new hedgerow planting is proposed. It is considered this will assist in softening the appearance of the development in a similar way to that within other areas of Chelford.

To rear and side gardens a variety of close board timber and acoustic fencing and walls are proposed. Seasonal planting has also been proposed for the pedestrian and green space areas between the pedestrianised centre of the site. Whilst some of the rear garden sizes are modest, within the 15m the plot sizes for houses and density in particular are comparative with that of the existing residential areas to the north and as such no concern is raised. Should the application be approved the submission of a detailed landscaping and boundary treatments scheme will be attached as a condition to ensure they are of appropriate type with respect to area themes and for continuity.

Having regard to the above, the design is found to be acceptable and in accordance with Policies SE 1 and SD 2 of the CELPS.

Archaeology and Heritage Assets

The application area contains two non-designated heritage assets. These assets include the now demolished buildings associated with the original Chelford Railway Station and the surviving Old Coal Masters Building, which is also a locally Listed Building. Both assets were constructed circa 1842 and were built for the Manchester to Birmingham Railway.

During the mid-20th century, the buildings associated with the original Chelford Station were cleared and since this time the site has been subject to some resurfacing and re building. As a result it is unlikely that the proposed development would disturb any significant below ground archaeological remains associated with these station structures. With regards to the Old Coal Masters Building, this has now been show to be retained and would be used as an ancillary building for cycle or refuse storage.

The Cheshire Archaeology Planning Advisory Service (APAS) has therefore recommended that that an appropriate programme of archaeological mitigation be undertaken and secured by condition. Subject to this, the proposal is found to be acceptable in this regard and compliant with Macclesfield Borough Local Plan Polices BE23, BE24 and SE 7 of the Cheshire East Local Plan.

Trees and Landscaping

The application is supported by a detailed Arboricultural Impact Assessment (AIA). The MBC (Chelford – Chelford Village North) Tree Preservation Order 1984 protects an individual mature Oak (T2) located within the central car park. The linear group of protected hybrid poplars extending east to west across the site have historically been removed, replacement planting has not been instigated.

The main impact on the tree stock associated with this site as a result of the development proposals would be the loss of the trees located within the existing central car park area and selected specimens along Dixon Drive. The trees within the car parking area including the

protected Oak identified as T49 within the AIA all exhibit significant signs of reduced vigour and vitality as a result of the hostile rooting conditions and ground compaction associated with the car park and as such their loss is acceptable.

Tree losses associated with the linear group of early mature trees extending along Dixon Drive which appear to have been planted to screen the former Cattle Market in relation to the private dwelling associated with the adjacent Dixon Drive estate are attributed to facilitation of new access points, and proposed houses on the western boundary of the site. There appears to have been an absence of maintenance since the inception of the planting scheme, which has resulted in closely spaced trees with inter-locking canopies. The proposed tree removals relate to one Category A tree (T16), eight Category B (T15, 17, 19, 40, 41, 43, G2, & part of G7), and a single unclassified specimen T42.

The loss of the trees associated with the northern access is accepted, with a number of structural faults identified within their respective tree forms. The new point of access to the south requires the removal of three category B trees (T40, 41, &43). Utilisation of the existing access would be preferable or retain both T40 and T43 with any new access bisecting their respective root protection areas. However, the applicant has confirmed that it is not possible to retain these 2 tree specimens as they would likely limit visibility. It is considered that the loss of these 2 specimens could be mitigated for through replacement planting along the site boundary with Dixon Drive.

There are issues of social proximity and dominance associated with the large mature off site Oak T45 in respect of the adjacent dwellings and their respective garden areas. T45 has been categorised as a category A high value specimen, but the tree is clearly in decline with evidence of reduced vigour and vitality noted. Retaining the tree in a reduced form would benefit the adjacent properties and may stimulate regeneration of the crown.

The social proximity of the remaining layout in relation to retained trees is considered acceptable in respect of the linear groups located on both the northern and eastern boundaries of the site. The long term retention of G8 is questionable as a result of their position in relation to the west coast main line. The group have been subject to extensive branch removal leaving them un-balanced with decayed stumps noted. Additional works to the trees by the railtrack is highly likely. Subject to a scheme of replacement planting, which could be secured by an appropriate landscaping condition, the scheme is found to be acceptable in terms of tree and landscape impacts.

Highways and Parking

The proposed development would be served by two vehicular access points taken directly off Dixon Drive. The Head of Strategic Infrastructure (HSI - Highways) has confirmed that the design of the access and visibility provided are acceptable having regard to the 30mph speed limit which is currently in force. The proposed accesses are therefore found to be acceptable.

Following negotiations with the applicant, the internal carriageway widths have been reduced as they were previously over engineered. Further, some shared surfacing has been incorporated to improve the character of the street as well as serving to naturally reduce vehicle speeds. Owing to the reduced road widths, further parking spaces have been provided within the layout. The Head of Strategic Infrastructure has confirmed that the

proposal parking provision accords with the parking standards set out at Appendix C of the CELPS.

With regard to traffic impact, the applicant has submitted a traffic assessment based on the new trips generated by the proposal. As it has been assumed that all development will use the Dixon Drive/Knutsford Road junction that is closest to the site, this is the junction that has been assessed in capacity terms, which also takes into account the committed Jones Homes development which is currently being constructed on the southern side of Knutsford Road. The results of the capacity tests indicate that this junction would operate well within capacity in 2022 with the development traffic added to the highway network. Also, it is important to note that the former use of the site as a market generated traffic that included HGV vehicles and there was also a resolution to grant planning permission for a similarly sized residential scheme. The proposed development is relatively modest in size and as such, does not represent a significant impact on the road network.

There have been previous discussions regarding the provision of a roundabout at the Dixons Drive /Knutsford Road. Whilst the submitted scheme does not include a roundabout and the junction would remain as existing, given that it has been shown to operate well within its capacity there can be no technical objection on traffic grounds raised to the development. The Head of Strategic Infrastructure (HSI - Highways) has assessed the application and has offered no objection to the application on highways or parking grounds. Accordingly, the application is found to be acceptable in this regard.

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 neighbouring properties to the proposed site are those on the opposite side of Dixon Drive, those near to Station Road to the southwest corner of the site and properties to north found on Chapel Croft. There would be shortfall in some places, but the shortfall would be marginal and there would not be a significant failure to comply with the advised standards. Elsewhere, the proposal would meet with the separation standards and the amenity afforded to future residents (in terms of light and outlook) of the proposed scheme would be acceptable having regard to the character of the area and subject to further considerations relating to noise.

Noise

The application is supported by a noise impact assessment which details noise mitigation measures in order to ensure that occupants of the proposed dwellings are not adversely affected by the adjoining railway line and current and future traffic noise on Knutsford Road. Provided that the noise mitigation measures as detailed in the noise impact assessment are implemented, it is considered that there should be no adverse impacts on health and quality

of life of the future residents resulting from rail or road traffic noise in the area. Subject to conditions, it is considered that the proposal complies with Policy SE12 of the CELPS and DC14 of the MBLP relating to noise and soundproofing.

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. When assessing the impact of a development on Local Air Quality, regard is had to the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality May 2015).

The application is supported by an Air Quality Assessment which has been reviewed by the Council's Environmental Protection Unit. The assessment 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 uses ADMS (pollution modelling software) Roads to model NO₂ and PM₁₀ impacts from additional traffic associated with this development and the cumulative impact of committed development within the area. A number of modelled scenarios have been considered within the assessment. These were:

- 2016 Verification;
- Opening year do-minimum (DM) (predicted traffic flows in 2023 should the proposals not proceed); and
- Opening year do-something (DS) (predicted traffic flows in 2023 should the proposals be completed, with the addition of traffic generated by the proposed development)

The assessment concludes that the impact of the future development on the chosen receptors will be **negligible** with regards to NO₂, PM₁₀ and PM_{2.5} concentrations, with none of the receptors experiencing greater than a 1% increase relative to the AQAL (Air Quality Assessment Level). However, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality. 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. The applicant has already submitted a Travel Plan which is acceptable and would assist greener traffic modes. However, further robust mitigation measures are required to reduce the impact on sensitive receptors in the area. Accordingly, it is considered appropriate that further 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. Subject to these conditions, the proposal will comply with policy SE 12 of the CELPS.

Ecology

Macclesfield Borough Local Plan Policy NE11 and CELPS Policy SE 3 seek to protect nature conservation interests and indicate that where development would adversely affect such interests, permission should be refused. The application has been supported by an ecological assessment dealing with the following species:

Bats – Some of the buildings on site were observed to contain some features suitable for roosting bats during the building assessment. However, they were considered to be unfavourable and were found to be absent of roosting bats during previous activity surveys. These buildings/sections should be subject to an updated survey prior to commencement of works to confirm continued absence. This could be secured by condition.

Invasive Species - The applicant should be aware that Montbretia and Cotoneaster species are present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause these species to grow in the wild. Disturbance of soil on the site may result in increased growth of the plants on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with the species in question must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste. The applicant could be made aware of this via an informative

Other Species – Subject to conditions requiring the submission of a lighting scheme, the carrying out of a bird nesting survey (if works are to be carried out during the bird nesting season), the retention of existing hedgerows where possible and the incorporation of features to increase the biodiversity value through submission of an ecological enhancement strategy, the scheme. The Council's Nature Conservation Officer has reviewed the submitted survey and agrees with its findings. Subject to conditions to safeguard breeding birds, the proposal is considered to comply with policy NE11 of the MBLP and SE3 of the CELPS.

Flood Risk and Drainage

The site is located within Flood Zone 1 where flooding from rivers and the sea is very unlikely with less than a 0.1 per cent (1 in 1000) chance of flooding occurring each year. Whilst the site does not have a high risk of flooding, it is noted that within the vicinity of the existing car parking area of the proposed site, there is an area of high surface water risk potentially caused by a topographical low spot/natural drainage flow path. This volume must be quantified and accounted for within the drainage strategy for the site. Subject to conditions (including a surface water drainage strategy), the Council's Flood Risk Team have assessed the proposals and are satisfied the proposal would not give rise to flooding or drainage issues. Therefore the development is considered to comply with policy SE 12 of the CELPS.

Contaminated Land

The submitted Phase I and II contaminated land 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 picked up by further monitoring and secured 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 Chelford and the nearby settlements of Macclesfield, Knutsford and Wilmslow including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

S106 HEADS OF TERMS

A s106 agreement is currently being negotiated to secure the requisite Affordable Housing, Public Open Space and Sports and Recreation provision in lieu of on-site provision and a NHS contribution. As noted above, discussions regarding the potential contribution towards the Education are ongoing.

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 is necessary, fair and reasonable to provide sufficient affordable housing in the area, and to comply with Local and National Planning Policies.

The commuted sum in lieu of open space and indoor recreation / outdoor sport is necessary, fair and reasonable, as the proposed development will provide 89 family dwellings, the occupiers of which will use local facilities, and there is a necessity to provide facilities. The contribution is in accordance with the Council's Supplementary Planning Guidance.

The development would result in increased demand for primary and secondary school places including places for special education needs in the locality, where there is limited spare capacity. In order to increase capacity of the school(s) which would support the proposed development, a contribution towards school education is required. This is considered to be necessary and fair and reasonable in relation to the development.

The contribution towards the re-surfacing of the car park at Chelford Surgery has been identified as a need by the NHS and this proposal would support these improvement works and would be sufficient to mitigate the impact of the proposals.

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

On this basis the S106 contributions associated with the scheme are compliant with the CIL Regulations 2010.

CONCLUSIONS

Chelford Village is Local Service Centre where local plan policies support sustainable development appropriate to the scale and context of the village. The proposal will provide market and affordable housing adjoining an existing settlement where there is existing infrastructure and amenities. This proposal would bring economic, environmental and social benefits through the delivery of 89 no. residential units with some small employment floor-space in a sustainable location, investment in the area and by bringing a vacant brownfield site into viable use.

The principle of developing the site (which is allocated for employment purposes and a public car park for Chelford Cattle Market) is acceptable given that housing and office floor-space will have a more positive impact on the local area than industrial type development and car parking is no longer required for the market.

National Planning Guidance encourages the redevelopment of brownfield land such as this, by offering a Vacant Building Credit, which is offset against affordable housing. Using the calculation guidance from the Ministry of Housing, Communities & Local Government, it is confirmed that this proposal would allocate 5 dwellings to be affordable, which is acceptable.

In highways terms, the impact from a residential / office scheme would be less than that of the previous use or potential industrial uses and local junctions have been shown to be suitable to accommodate the likely traffic movements generated by the proposal. Adequate parking would be provided.

The proposal would not materially harm neighbouring residential amenity and would provide sufficient amenity for the new occupants. The application would offset the impact on public open space, healthcare and subject to satisfactory negotiations, education through the provision of financial contributions. The applicants have demonstrated general compliance with national and local guidance in a range of areas including ecology, flood risk, noise and air quality.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits. The proposal is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy and the saved policies of the Macclesfield Borough Local Plan and advice contained within the NPPF. The application is therefore recommended for approval subject to the imposition of appropriate conditions and the necessary Section 106 obligation.

RECOMMENDATION

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

- 1. Affordable Housing comprising of 5 x 2 bed units, 2 for intermediate tenure and 3 for social / affordable rent**
- 2. Public Open Space comprising of:**
 - Amenity Open Space - £267,000 (residential) £1194 (business)

- Recreation and Outdoor Sport (ROS) £84,000 (total reduction of £15,000 to account for affordable) £1194 (business).
- Indoor Sports Provision - £13,000 towards the provision of 2 pieces of sports equipment at Chelford Village Hall

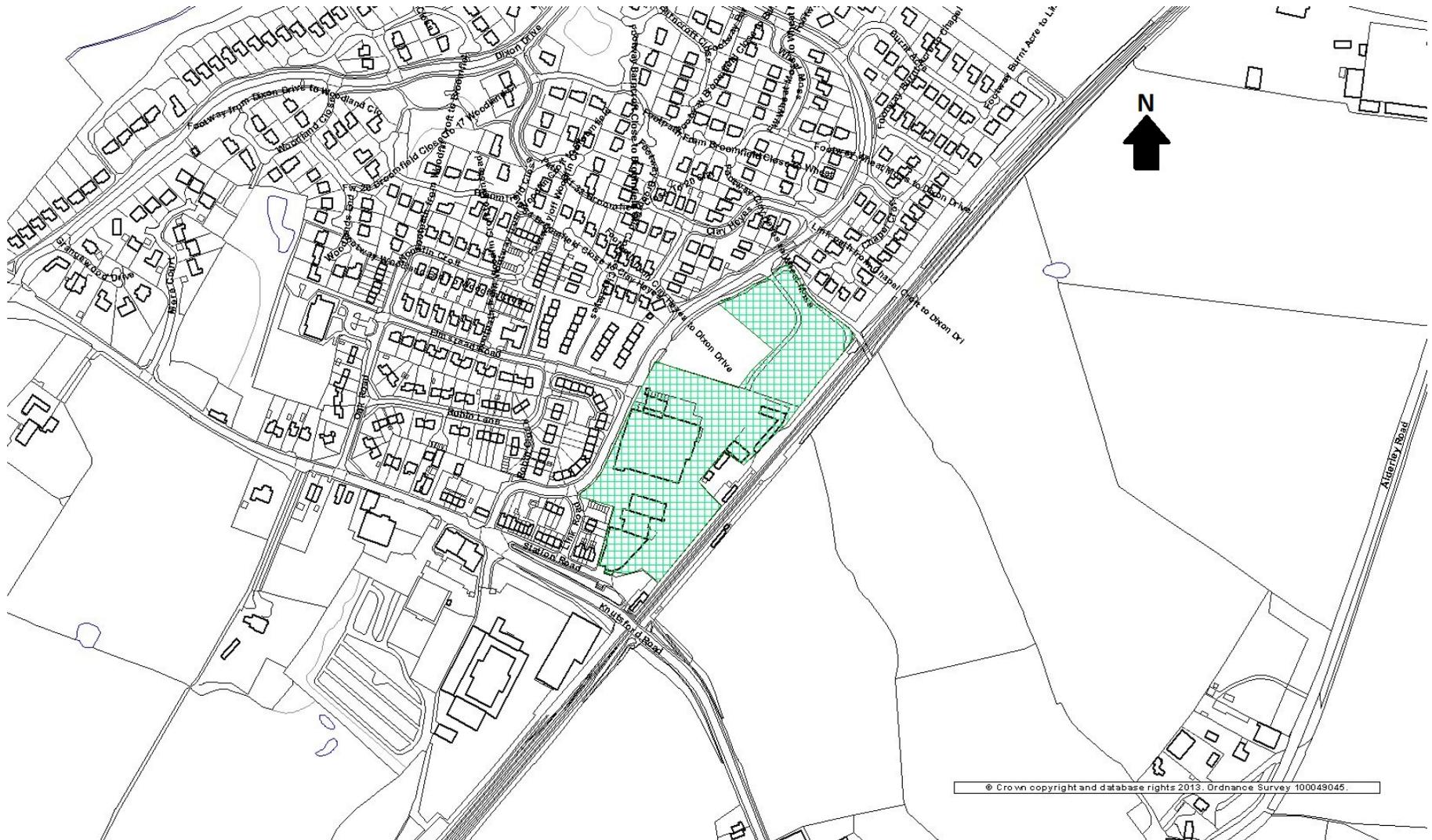
The POS contribution will be directed towards improvements, enhancements and additions at Mere Court play area and open space, Chelford Village Hall site and Dixon Drive amenity green spaces.

- 3. Education Contribution towards primary, secondary and SEN (tbc)**
- 4. Healthcare contribution of £10,000 towards resurfacing car park at of Chelford Surgery**

And the following conditions:

1. Commencement of development (3 years)
2. Development in accordance with approved and amended plans
3. Construction of access prior to first occupation
4. Landscaping scheme to be submitted and approved to include replacement planting
5. Landscaping scheme to be implemented
6. Accordance with submitted Arboricultural Impact Assessment
7. Tree protection of retained trees / hedgerows
8. Protection for breeding birds during bird nesting season
9. Details of ground levels to be submitted, approved and implemented
10. Details of external facing materials to be submitted, approved and implemented
11. Details of boundary treatments to be submitted, approved and implemented
12. Development to be carried out in accordance with submitted noise survey
13. Development to be carried out in accordance with submitted Drainage Impact Assessment.
14. Completed ground gas risk assessment to be submitted, approved and implemented
15. Remediation of contaminated land to be carried out
16. Verification of remediated contaminated land to be submitted and approved
17. Bin storage to be provided prior to first occupation
18. Details of pile foundations to be submitted, approved and implemented
19. Electric Vehicle Infrastructure to be provided prior to first occupation
20. Submission, approval and implementation of Travel Plan
21. Scheme of dust control to be submitted, approved and implemented
22. Submission, approval and implementation of a scheme of archaeological mitigation
23. Foul and surface water drainage to be connected on separate systems
24. Scheme of surface water drainage to be submitted, approved and implemented
25. Submission, approval and implementation of a Construction Environmental management Plan
26. Removal of permitted development rights for Classes A-E (extensions and outbuildings etc)
27. Accordance with Ecological Assessment
28. Updated bat survey to be submitted, approved and implemented
29. Nesting bird mitigation measures to be submitted, approved and implemented
30. Details of external lighting to be submitted, approved and implemented
31. Scheme for ecological enhancement to be to be submitted, approved and implemented

In order to give proper effect to the Board`s/Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chairman (or in their absence the Vice Chairman) to correct any technical slip or omission in the resolution, before issue of the decision notice.



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