

Application No: 17/6470M

Location: LAND AT, PARKGATE INDUSTRIAL ESTATE, KNUTSFORD

Proposal: The erection of 16no. units with access and servicing arrangements, car parking, landscaping and associated works (Use Classes B1(C)/B2/B8)

Applicant: Chancerygate

Expiry Date: 23-Mar-2018

SUMMARY

The site proposes an employment use on a site recently allocated in the CELPS for such development. The principle of the development is therefore acceptable. The design of the buildings is in keeping with the adjacent industrial estate and there is not considered to be any significant impact upon the living conditions of neighbours, trees, contaminated land and air quality.

The comments received in representation relating to the highway impact of the development are acknowledged, however as outlined by the Highways Authority this impact can be appropriately mitigated through the provision of a new roundabout at the Parkgate Lane / Mobberley Road junction and financial contributions towards improvement works at two junctions in Knutsford.

During the application process, it has been identified that additional on-site mitigation is required to protect interests of nature conservation. The applicant has now provided the appropriate mitigation and revised plans have been received to reflect this. This has resulted in a reduction in the area of the site to be developed.

Further information has also been requested in respect of car parking requirements, which remains outstanding and will be reported as an update.

The proposed development is acceptable in principle and is in accordance with Development Plan policy. The provision of employment uses as proposed on an allocated site is environmentally, economically and socially sustainable. The site sits adjacent to the existing Parkgate Industrial Estate and would be well integrated into the existing employment area and as such it is considered that the proposal will meet the three dimensions of sustainability as set out in the Framework

The application is recommended for approval subject to conditions and the satisfactory receipt of the additional information relating to car parking.

Recommendation:

Approve subject to conditions and a s106 agreement

PROPOSAL

This application seeks full planning permission for the erection of 16 (B1(c)/B2/B8) units with access and servicing arrangements, car parking, landscaping and associated works.

The proposal has been amended during the course of the application, reducing the scale of the development, in order to provide compensatory habitat for great crested newts. The total floorspace of the employment units now amounts to 26,427sqm.

SITE DESCRIPTION

The application site covers an area of approximately 6.4 hectares of open vacant land, with some vegetation, mainly to the site boundaries. The site has the existing commercial properties on the Parkgate Industrial Estate to the west, commercial and residential properties to the south (on the opposite side of the railway line), a sewage treatment plant to the east (on the opposite side of Birkin Brook), and open land to the north, which has the benefit of outline planning permission for a residential development of 250 dwellings. The eastern edge of the site is located within flood zones 2 and 3.

The site itself is allocated as part of Strategic Site LPS37 Parkgate Extension in the CELPS.

RELEVANT HISTORY

08/2717P – OUTLINE APPLICATION FOR THE ERECTION OF AN EMPLOYMENT DEVELOPMENT COMPRISING CLASS B1, B2 & B8 USES AND ASSOCIATED HIGHWAYS WORKS AND LANDSCAPING BUFFER (RESUBMISSION OF 08/0721P) – Not determined

08/0721P - ERECTION OF EMPLOYMENT DEVELOPMENT COMPRISING CLASS B1, B2 AND B8 USES AND ASSOCIATED HIGHWAYS WORKS AND LANDSCAPING BUFFER (OUTLINE WITH MEANS OF ACCESS ONLY APPLIED FOR) – Withdrawn 30.10.2008

06/1676P - OUTLINE APPLICATION, INCLUDING SITING ON PLOTS A, B, C AND F AND ACCESS UNRESERVED, FOR AN EXTENSION TO PARKGATE INDUSTRIAL ESTATE FOR CLASS B1, B2 AND B8 USE TOGETHER WITH A CAR SHOWROOM / SERVICING WORKSHOP ON PLOT A, INCLUDING ALL NECESSARY GROUND AND ASSOCIATED WORKS (VARIATION OF CONDITIONS ATTACHED TO PLANNING PERMISSION 05/926P) – Approved 14.08.2006

05/0926P - OUTLINE APPLICATION, INCLUDING SITING ON PLOTS A, B, C AND F AND ACCESS UNRESERVED, FOR AN EXTENSION TO PARKGATE INDUSTRIAL ESTATE FOR CLASS B1, B2 AND B8 USE TOGETHER WITH A CAR SHOWROOM / SERVICING WORKSHOP ON PLOT A, INCLUDING ALL NECESSARY GROUND AND ASSOCIATED WORKS – Approved 29.09.2005

60817P - OFFICE DEVELOPMENT WITH ROADS PARKING AND A TUNNEL UNDER THE RAILWAY – Withdrawn 04.10.1991

23306P - SPECULATIVE INDUSTRIAL WAREHOUSE USE (OUTLINE) – Refused
24.11.1980

POLICY

Development Plan

Cheshire East Local Plan

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
EG1 Economic Prosperity
EG3 Existing and allocated employment sites
EG5 Promoting a town centre first approach to retail and commerce
SC1 Leisure and Recreation
SC2 Outdoor sports facilities
SC3 Health and Well-being
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 instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO2 Enabling business growth through transport infrastructure
CO4 Travel plans and transport assessments

Strategic Site LPS 37 – Parkgate Extension, Knutsford

Saved policies of the Macclesfield Borough Local Plan

NE11 (Nature conservation interests)
DC3 (Protection of the amenities of nearby residential properties)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
DC8 (Requirements to provide and maintain landscape schemes for new development)
DC9 (Tree protection)
DC13 (Noise)
DC63 (Contaminated land)

Neighbourhood Plan

Knutsford Neighbourhood Plan – Regulation 14 stage reached (Draft Plan)
Relevant draft policies include:

D1 The Knutsford Design guide
D2 Local Distinctiveness
D3 Landscape in New Development
ER1 Employment Development
E2 Green and Blue Corridors
E3 Habitat Protections and Biodiversity
HW1 Health and wellbeing
T1 Walking in Knutsford
T2 Cycling in Knutsford
T3 Public Transport
T4 Parking

Other Material Considerations

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

NPPF

NPPG

CONSULTATIONS

United Utilities – No objections subject to condition relating to drainage, and retaining wall

Network Rail – Raise a number of matters to protect the railway line

Environment Agency – No objection subject to development being carried out in accordance with FRA.

Manchester Airport – No objection subject to conditions relating to Bird Habitat Management Plan.

Flood Risk Manager – No objections subject to condition regarding surface water drainage

Environmental Health – No objections subject to conditions relating to noise mitigation, piling, floor floating, environmental management plan, electric vehicle infrastructure, dust control and contaminated land

Head of Strategic Infrastructure – No objections subject to provision of roundabout at Parkgate Lane / Mobberley Road junction, and contributions towards improvements at Adams Hill and Brook lane junctions.

Knutsford Town Council – Strongly objects on the grounds that the proposal would significantly worsen the already severe traffic problems affecting Parkgate Lane. Would support an alternative access underneath the railway line. Appropriate landscaping is required to protect residential and visual amenity of properties beyond the railway line.

REPRESENTATIONS

21 letters of representation have been received from interested parties objecting to the proposal on the following grounds:

- Contrary to LPS 37 as no suitable vehicular access is provided. No access over or under railway line is provided
- Unsustainable due to increased use of Parkgate Lane and Haig Road by HGVs associated with operation of businesses and staff.
- Landscape impacts are unclear, particularly from Tatton Park
- Proposal will exacerbate existing rush hour congestion
- Access road, and narrow humped-back bridge, unable to cope with traffic
- Impact on parking for local businesses
- Acoustic buffer needs to be incorporated into layout
- Without the provision of a buffer on the site, the scale and form of the units is inappropriate
- Little innovation in design or in the mitigation of potential impacts on local residential amenity
- Noise impacts on residential properties
- Proposed development must be required to provide new roundabout at Parkgate Lane / Mobberley Road junction, and contribute to improvements at other junctions
- Need for secondary access
- Condition of existing footways will not help to promote walking
- No cycle ways in the vicinity
- No public consultation by applicant
- Intention to only appoint a travel coordinator on occupation is against best practice
- The emphasis on providing information but precious little in the way of infrastructure and service support is inadequate
- Bus services have been reduced
- No design for roundabout has been submitted
- Cycle parking is proposed, but no guarantee of showering and locker storage
- Inadequate parking

2 letters have been received making the following general observations:

- Not clear what preventative measures will be adopted avoid soils being washed into the brook during construction
- A new entry / exit is a priority before any expansion of the industrial estate

APPRAISAL

Principle of development

The application site forms part of LPS37, Parkgate Extension, Knutsford in the CELPS, which includes provision for 6 hectares of employment land. The required ecology buffer to the north of the site, reduces the available employment land to just below 6 hectares on this 6.4 hectare site, and as such fulfils the employment allocation for this strategic site.

The Parkgate extension allocation also seeks to achieve the following criteria, which are relevant to the current proposal: suitable vehicular access, incorporation of green infrastructure, landscaping, SuDs, ecological mitigation, pedestrian and cycle links, and an approximate 50 metre buffer between the proposed housing and employment uses. These matters, together with the following site specific principles of development for this site, will be considered in the remainder of this report (unless not relevant to current employment proposal):

- a. Requirement for a landscape character assessment
- b. Comprehensive landscaping scheme
- c. Improved connectivity and accessibility to the town centre and wider local area
- d. Ecological mitigation and enhancements
- e. Avoid development in flood zones 2 and 3 on eastern boundary
- f. Provide satisfactory road access to the site
- g. Contributions to highway infrastructure
- h. Contributions to education and health infrastructure (not applicable to current employment proposals)
- i. Provision of green infrastructure
- j. Archaeological mitigation
- k. Affordable housing (not applicable to current employment proposals)
- l. Noise mitigation requirements for housing (not applicable to current employment proposals)
- m. No adverse impact on the Midland Meres and Mosses Phase 1 Ramsar and Tatton Mere SSSI
- n. Minimum of a Phase 1 Preliminary Risk Assessment for contaminated land required

Character & appearance

The site will be a continuation of the existing Parkgate Industrial Estate, and as such the utilitarian appearance of the proposed buildings, which vary in height between 11m and 13.75m, will be in keeping with this existing character.

The buildings and car parking are softened to some degree by the landscape buffer to the north, and other planting within the site. To the east a retaining wall is proposed to the rear of units 6 – 12, due to the drop in land levels down to Birkin Brook. This is indicated to be a maximum of 6.5 metres high, which is a significant height, however due to the presence of the sewage works to the east, the impact upon the character of the area is considered to be acceptable. Further details and landscaping can be secured by condition. There is also the potential for landscaping in front of the retaining wall.

The proposal is therefore considered to comply with policies LPS 37, SE1 and SD2 of the CELPS.

Ecology

The nature conservation officer has provided the following comments on the application:

Great Crested Newts

Great Crested Newts (GCN) have previously been recorded within an adjacent water body to the north of the site. The current proposals will mean the loss of a large area of semi-natural habitat, and revised plans have been submitted which provide for adequate provision for compensatory habitat for the GCN. An area of good quality grassland habitat equivalent to that of the existing good quality marshy grassland habitat in the north-west section of the site (approximately 0.5ha) is now proposed in order to adequately mitigate for the loss. An ecological mitigation report makes further recommendations in terms of the content, composition and management of the compensatory habitat. An appropriate condition is recommended to ensure adherence to the plan and the mitigation strategy.

Breeding birds

If planning consent were to be granted a condition requiring a nesting bird survey is recommended.

Birkin Brook

The proposed site plan shows the incorporation of native species buffer planting along the site's east boundary, alongside Birkin Brook. This buffer zone extends out 8m from the brook and is considered to be acceptable. The ecological mitigation statement confirms that the retaining wall, which will be built along the eastern edge of the site, will be constructed from the western side, i.e. no construction vehicles or material will enter the buffer zone to build the wall. This can be secured by condition.

Badgers

A main badger sett has been identified on the site's eastern boundary. The submitted ecological mitigation report makes adequate recommendations regarding the closure of the existing sett and provision of a replacement, which can be secured by condition.

Bats

Following an inspection of identified potential roost features of trees on site, it is concluded that the trees offer negligible bat roost potential. No further surveys for bats are required.

Himalayan Balsam

The applicant should be aware that Himalayan Balsam is present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause this species to grow in the wild. Disturbance of soil on the site may result in increased growth of Himalayan Balsam 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 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.

Enhancement for wildlife

One of the site specific principles of development for this site listed under policy LPS37 is to secure appropriate mitigation and enhancements. This is also reflected in policy SE3 of the CELPS. In this regard a condition is recommended to require the incorporation of features to increase the biodiversity value of the final development.

Midland Meres and Mosses Phase 1 Ramsar and Tatton Mere SSSI

The site is near the SSSI and falls within Natural England's impact zone, however, in this instance, for non-residential developments Natural England do not ask to be consulted for this location. The submitted ecology report concluded that given the distance involved and the buffer zone habitats, it is considered unlikely that the development would impact deleteriously on the protected sites. The Council's ecologist agrees with this conclusion.

Subject to the conditions recommended above, the proposal will comply with policy SE3 and LPS 37 of the CELPS.

Trees and landscape

The trees within the site are not afforded protection by a Tree Preservation Order, and most of the existing tree cover within the site will be removed with the exception of four mature Oaks to the eastern section of the site (T4, T5, T22 and T23). The latter two trees appear to

be situated close to the proposed new buildings and as a consequence the Root Protection Area (RPA) of both trees will likely be affected, impacting on their long term health and well being.

As required by LPS37 a landscape character assessment has been submitted as part of the applicant's Landscape & Visual Impact Appraisal. The area is characterised by three distinct character areas – Estate Parkland, Open Farmland, and Residential and Commercial. The proposed development will introduce urban elements into an area of previously grazed agricultural fields and lead to a loss of some mature individual trees and areas of woodland within the site. The visual change will be prominent from within the site but only a small number of visual receptors exist beyond the site boundaries with the majority of these being connected to two footpath routes. One to the north, which runs through the proposed housing site, and one to the east, which will have views of the site filtered by the sewage works in the foreground.

The application includes a supporting Landscape Proposals Plan which proposes indicative deciduous tree planting of Oak, Beech, Lime and Sycamore within the site allocation. Some of the proposed tree positions are located in relatively small areas of landscaping or are located close to proposed buildings and therefore establishment of these high canopy species is unlikely to be successful in the long term.

A proposed buffer planting area of native trees including whips and select standard trees is also proposed along the eastern boundary of the site. Given the position and influence of the proposed new buildings and their use and the relatively narrow width of the planting area, it is considered such planting is unlikely to be successful in the long term.

An approximate 20 metre buffer is proposed as part of the residential development to the north, and the buffer within the application site varies in depth between 10m at its narrowest and 28m at its widest. Clearly, in some areas this will not amount to approximately 50m, but the purpose of the buffer is for noise mitigation, and this can still be achieved with the buffer as proposed together with acoustic fencing to protect the living conditions of future residential occupiers.

Notwithstanding the submitted landscape details, landscaping conditions are still recommended in order to ensure appropriate planting to these areas, and to provide a better guarantee of successful establishment in the long term. The landscaping conditions also provide the opportunity to address the comments raised by Network Rail.

The Forestry Officer raises no objections to the loss of the identified trees. No significant tree issues are therefore raised, and subject to conditions relating to tree protection and landscaping, the proposal is considered to comply with policies LPS37, SE4 and SE5 of the CELPS.

Archaeology

The application is supported by an archaeological desk-based assessment, which considers the data held within the Cheshire Historic Environment Record (CHER) alongside historical written and cartographic sources, Portable Antiquity Scheme data, aerial photography and LIDAR data.

The report identifies several non-designated heritage assets within the application area largely related to post medieval agricultural activity, which includes ridge and furrow plough marks, ponds, pits and field boundaries. In response to the application, Cheshire Archaeology Planning Advisory Service (APAS) notes that the potential for further unknown archaeology is considered low/medium and the likely significance of anything found would be low.

APAS are in agreement with the conclusions of the assessment as it would appear that the proposed development is unlikely to disturb any significant below ground archaeological remains. Therefore no further archaeological mitigation will be required in this instance, and the proposal complies with policies SE7 and LPS 37 of the CELPS.

Highways

The site is located at the end of Haig Road that currently serves Parkgate Industrial estate. It is proposed to access the site solely from Parkgate Lane and then Haig Road. No access is proposed from the site to Rookwood Way at the south east end of the site as it has been in previous proposals on this site.

Parking

There are now 16 units proposed that vary in size from 381sqm to 2,532sqm, which equates to a total of 26,427sqm. 371 parking spaces are currently proposed, which equates to 1 space per 71sqm. The Strategic Highways Manager (SHM) advises that the number of parking spaces is sufficient for the proposed B2/B8 units on the site. However, whilst the SHM is satisfied with the parking provision for the B2/B8 uses, the description of development includes B1(c) uses (light industrial uses) as well which do have a higher parking requirement than B2 and B8 uses set out in the Council's adopted parking standards. The submitted Transport Assessment has been produced to support B2 and B8 uses, not B1(c) uses. Further details are awaited from the applicant on this matter. In the event that they are not satisfactorily received, it may be necessary to attach a condition to ensure the uses are restricted to B2/B8 only to ensure consistency with the applicant's supporting statements.

Site accessibility and Access

Haig Road provides direct access to site and there are existing footways on both sides of this road that link to pedestrian facilities on Parkgate Lane. The site is located some distance away from the nearest local bus services on Mobberley Road, but they are nonetheless accessible from the site. Secure cycle parking is also proposed as part of the development.

Haig Road does suffer from on-street parking problems with vehicles parking on both sides of the road reducing the available road width affecting the traffic flow. The applicant has submitted proposals to improve the parking situation along Haig Road as part of the application by creating parking bays in the grass verge and also introducing waiting restrictions.

To the south west corner of the site, an area of land is shown to be retained for future access connections to the south beneath the railway. This is not proposed as part of the current application, but it is considered to be appropriate to retain this option for the future, and therefore a condition is recommended to safeguard this potential future access route.

Development Impact

The trip generation of the development in the Transport Assessment has been based upon a 50/50 split between B2 and B8 uses, as the end users of the units are not known. This produces a peak generation in the AM peak of around 160 trips.

Parkgate Lane currently serves the Parkgate Industrial Estate and there is also outline planning permission (13/2935M) for 250 residential units on land north of the application site, which has been included as a committed development.

A number of junctions have been assessed in the submitted Transport Assessment that are likely to be impacted by the development. These are the principal junctions that suffer from congestion problems in Knutsford and also the junction of Mobberley Road/Parkgate Lane that provides access to the site.

The results of the capacity assessments indicate that the junction of Parkgate Lane and Mobberley Road operates over capacity in the base scenario with and without the development traffic added. The capacity issue at this junction has been identified previously and a new roundabout scheme at the junction was agreed as part of the approved residential development 13/2935M. This improvement scheme has not yet been implemented and construction of the residential units has not commenced.

The capacity assessment with the roundabout in place does indicate that the junction will work within capacity in 2022 with the development traffic included. It is therefore clear that the mitigation scheme is required at the Parkgate Lane/Mobberley Lane to allow this commercial development to come forward.

The junctions in Knutsford that have been assessed are the Brook Street/Hollow Lane and Adams Hill/Toft Road. The Linsig model produced have not been able to replicate the actual queue lengths recorded on the approaches to the Brook Street junction and as such it is likely that the capacity results underestimates the length of queue at the junction. The capacity assessment shows that the junction would be operating above capacity in the AM and PM with the development traffic added in.

Similarly, the results of the Adams Hill junction also indicate that the junction would be operating in excess of capacity in 2022 with the development traffic added in the AM and PM peak hours.

There are identified improvement schemes at both the Brook Street and Adams Hill junctions, which have been developed by CEC to reduce congestion levels. The improvements are not currently fully funded although some contributions have been secured from other approved developments towards their implementation. The capacity assessment indicates that with the proposed improvements in place the operation of the junctions significantly improve when compared to the base case with development added.

In summary, the capacity assessments show that the Brook Street and Adams Hill is a congested part of the highway network in Knutsford and that improvements are required to provide additional capacity for this application to come forward.

In order to mitigate the traffic impact of the development at both Adams Hill and Brook Street highway improvements are required and a financial contribution from this development is

required. A mechanism has been agreed to provide contributions to the infrastructure improvements and this has been applied to the Parkgate residential approval and also a permission at Booths Hall. Comments are awaited from the Highways Authority on the precise level of contribution required for the reduced floorspace of the proposal

The measures to reduce the on-street parking along Haig Road are considered a benefit and would be supported by the Highways Authority. These would have to be delivered via a S278 Agreement, and an appropriate condition is recommended.

Subject to these requirements being met, and the receipt of the additional parking information, no significant highway safety or traffic generation / impact issues are raised and the proposal is compliant with policy LPS 37 of the CELPS.

Contaminated land

The site investigation reports, from March 2017 and May 2017, submitted in support of the application recommend that remedial measures are required. Consequently, conditions are recommended requiring the submission of a remediation strategy and verification report to ensure that the site development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development, in accordance with policy DC63 of the MBLP and LPS37 and SE12 of the CELPS.

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 124 of the NPPF and the Government's Air Quality Strategy.

Air quality impacts have been considered within the air quality assessment submitted in support of the application, which considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to both NO₂ and PM₁₀ concentrations.

There is, however, 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. Knutsford also has an Air Quality Management Area, and as such the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. The submitted air quality report also states that the developer should implement an adequate demolition and construction dust control plan to protect sensitive receptors from impacts during this stage of the proposal and there has also been a Travel Plan submitted in support of the development. Electric vehicle charging points will also be provided.

Appropriate conditions are therefore recommended, and subject to these conditions, the proposal is considered to comply with the air quality aspects of policy SE12 of the CELPS.

Flood Risk

The submitted Flood Risk Assessment outlines how the site and development complies with the sequential and exception tests:

Sequential test

Part of the site is identified to be in Flood Zone 3, therefore a sequential test is required to demonstrate that no other suitable sites are at a lower risk of flooding. The applicant outlines:

- Less vulnerable uses are appropriate in Flood Zone 3
- The site is allocated as an employment area in Knutsford
- There are therefore no other suitable sites of a sufficient size, in an appropriate location that are at a lower risk of flooding.

Exception test

The exception test considers wider sustainability benefits to the community that outweigh flood risk and a site specific FRA must demonstrate that the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere.

The applicant outlines:

- The FRA identifies that the site is located outside of the functional flood plain, and following development of the site, the occupied areas will be well above flood zone 3, and located in flood zone 1.
- In the event of higher periods of flooding the site is protected through flooding through the proposed finished floor levels and access to and from the site can be achieved as per Environment Agency recommendations for the less vulnerable classification of development.

The Environment Agency raises no objection to the development or the contents of the FRA. They note that the proposed development will only meet the requirements of the National Planning Policy Framework if the development is carried out in accordance with the approved Flood Risk Assessment, and the mitigation outlined within it in the form of compensatory flood storage, being provided.

The Flood Risk Manager has also raised no in principle objections but has requested some additional details / clarification relating to greenfield run off calculations and topography, which will be reported as an update

Subject to this clarification the proposal is considered to comply with the flood risk elements of policy SE12 of the CELPS and passes the sequential and exception tests.

Living conditions

Policy DC38 of the MBLP plan sets out the guidelines of space between buildings. For habitable rooms facing non residential buildings, the recommended distance for 1 or 2 storey buildings is 21 metres front to front and 25 metres rear to rear. For 3 storeys or upwards the distances are 28 metres front to front and 32 metres rear to rear. This is required to maintain an adequate standard of light, privacy and space between buildings. The nearest existing dwellings are located on Mill Close to the south of the site, and are two-storey properties, and the nearest of the proposed industrial units is over 43 metres from the rear of these dwellings,

thereby meeting relevant space standards. The railway line also lies between these buildings.

To the north, the buffer, which is currently being amended to provide compensatory habitat for the Great Crested Newt, will also ensure that the new industrial units are a satisfactory distance away from the dwellings proposed to the north. Additional bunding / fencing will also be provided as detailed further below.

Consequently, a satisfactory degree of space, light and privacy will be retained between the warehouse and the existing dwellings in accordance with policies DC3 and DC38 of the MBLP.

Noise

The application form indicates that the proposed hours of operation are 24hrs, 7 days a week. The applicant has submitted a noise impact assessment (NIA) in support of the application.

The noise impact assessment (section 5.1) refers to the landscape plans for the residential development to the north of the site showing that it will be protected by a 2.5m noise barrier sat on top of 3m high bund (5.5m effective height), for the full length of its southern boundary (northern boundary of current application site). Accordingly a 5.5m high noise barrier just north of the Site is included in the noise modelling.

Using this model, with suitable mitigation, no significant residual noise effects are predicted as a result of the construction or operation of the development, either during the daytime or night-time periods.

Energy Efficiency

Policy SE9 of the CELPS expects non-residential development over 1,000 square metres to secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless the applicant can clearly demonstrate that having regard to the type of development and its design, this is not feasible or viable. This can be secured by condition.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required, to secure the following:

- Financial contribution (TBC) for highways improvements to Brook Street / Hollow Lane junction and Adams Hill / Toft Road junction.

Community Infrastructure Levy (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 financial contribution towards highways improvements is necessary, fair and reasonable to mitigate for the impact of the development, provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

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

SUMMARY AND CONCLUSION

The site proposes an employment use on a site recently allocated in the CELPS for such development. The principle of the development is therefore acceptable. The design of the buildings is in keeping with the adjacent industrial estate and there is not considered to be any significant impact upon the living conditions of neighbours, trees, contaminated land and air quality.

The comments received in representation relating to the highway impact of the development are acknowledged, however as outlined by the Highways Authority this impact can be appropriately mitigated through the provision of a new roundabout at the Parkgate Lane / Mobberley Road junction and financial contributions towards improvement works at two junctions in Knutsford.

During the application process, it has been identified that additional on-site mitigation is required to protect interests of nature conservation. The applicant has agreed to provide the appropriate mitigation and revised plans have been received to reflect this. This has resulted in a reduction in the area of the site to be developed.

Further information has been requested in respect of car parking requirements, which is still outstanding, and will be reported as an update.

The proposed development is acceptable in principle and is in accordance with Development Plan policy. The provision of employment uses as proposed on an allocated site is environmentally, economically and socially sustainable. The site sits adjacent to the existing Parkgate Industrial Estate and would be well integrated into the existing employment area, and as such it is considered that the proposal will meet the three dimensions of sustainability as set out in the Framework.

The application is recommended for approval subject to conditions, a s106 agreement and the satisfactory receipt of the additional information relating to car parking.

Application for Full Planning

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

1. Commencement of development (3 years)
2. Development in accord with approved plans

3. Materials as application
4. Landscaping - submission of details
5. Landscaping (implementation)
6. Tree protection
7. Development to be carried out in accordance with ecological mitigation strategy relating to GCN, Birkin Brook and badgers
8. Breeding birds survey to be submitted
9. Ecological enhancement strategy to be submitted
10. Foul and surface water shall be drained on separate systems.
11. Drainage details to be submitted
12. Development to be carried out in accordance with submitted FRA
13. Noise mitigation to be implemented
14. Piling / floor floating details to be submitted
15. Construction Environmental Management Plan to be submitted
16. Electric Vehicle Infrastructure to be provided
17. Implementation of travel plan
18. Remediation strategy to be submitted
19. Verification report to be submitted
20. Imported soil to be tested for contamination
21. Unforeseen contamination
22. Details of cycle stores to be submitted
23. Roundabout at Mobberley Road / Parkgate Lane junction be provided
24. Details of retaining wall to eastern boundary to be submitted
25. Parking spaces to be provided and retained
26. At least 10% of predicted energy requirements to be secured from decentralised and renewable or low carbon sources
27. Only B1(c) (Light Industry), B2 (General Industry) and B8 (Storage and distribution) uses permitted
28. Area of land to the south west of the site to be retained for potential future access route,

