

Application No: 18/3672M

Location: Tatton Bluebell Village, Land East of Manchester Road, Knutsford, WA16 0NS

Proposal: Outline application (with all matters reserved for future approval) for a residential-led (Use Class C3) development, including a local centre comprising of retail, residential and community uses (Use Classes A1, A2, A3, A4, A5, D1 and C3 uses); a mixed residential use area to allow for residential dwellings (C3 Use Class), a Hotel (C1 Use Class), and/or a Residential Care Home (C2 Use Class); alongside any associated recreational space, car parking, cycle parking, landscaping, and other works for all proposed uses

Applicant: Mrs Rachel Wilbraham, Tatton Estate Management Ltd

Expiry Date: 01-Mar-2019

SUMMARY

Knutsford is one of the Key Service Centres and growth areas of the Borough where national and local plan policies support sustainable development. The proposal seeks up to 300 dwellings on part of a site allocated for around 250 dwellings under Policy LPS 36 (c) within the Cheshire East Local Plan Strategy (CELPS). Through the adoption of the CELPS, the site has been removed from the Green Belt and the principle of developing the site for housing is acceptable. This proposal would bring economic and social benefits through the delivery of around 300 houses in a sustainable location. Cheshire East is able to demonstrate a 7.2 year supply of housing, however, this proposal will make a valuable contribution in maintaining this position.

The proposal provides the required amount of affordable housing and the impact on local infrastructure including education and healthcare provision would be mitigated by financial contributions. The development will not have a detrimental impact on the local highway network subject to conditions delivering improvements to a number of junctions in the centre of Knutsford.

It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land. The trees on and around the site and local ecology are not harmed although some matters must be dealt with by way of conditions at this stage.

As the application is in outline many matters are left unresolved at this stage and will be fully addressed as part of any future reserved matters application.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy, the saved policies of the Macclesfield Borough Local Plan and advice contained within the NPPF. In accordance with Sec.38 (6) of the Planning and Compulsory Purchase Act 2004 and paragraph 11 of the Framework, the proposals should therefore be approved without delay.

SUMMARY RECOMMENDATION: Approve subject to Section 106 Agreement and the conditions listed below.

PROPOSAL

The application is for outline planning permission (with all matters reserved for future approval) for a residential-led (Use Class C3) development, including a local centre comprising of retail, residential and community uses (Use Classes A1, A2, A3, A4, A5, D1 and C3 uses); a mixed residential use area to allow for residential dwellings (C3 Use Class), a Hotel (C1 Use Class), and/or a Residential Care Home (C2 Use Class); alongside any associated recreational space, car parking, cycle parking and landscaping.

The application seeks approval of the following level of development;

- Up to 300 residential units, this is inclusive of any units provided within the C2 care home.
- Up to 1000 m2 of retail floorspace
- Up to 800 m2 of selected D1 uses.
- A4 Public house
- C1 hotel use up to 50 bedrooms.

SITE DESCRIPTION

The application site consists of a number of fields that are primarily at the moment used for agricultural purposes. Manchester Road forms the western boundary of the site, with a hedgerow and some trees being located along the boundary. On the opposite side of Manchester Road some existing residential properties are present and the land to the north of these properties is currently in agricultural use. This land is allocated for development in the Local Plan for residential / employment uses and an outline application for these uses is currently under consideration.

At the north western corner of the site an existing residential property adjoins the site. Agricultural land that remains the Green Belt is located to the north of the site. The eastern boundary is irregular with the site extending up to Mereheath Lane at the north eastern corner of the site and then extends around the site of Egerton Youth Club. Beyond the southern boundary of the site is Knutsford Football Club and some land identified as protected open space in the local plan.

RELEVANT HISTORY

None relevant to the consideration of this application.

NATIONAL & LOCAL POLICY

National Policy

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

Cheshire East Local Plan Strategy

The following are considered relevant material considerations as indications of the emerging 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
EG4 Tourism
EG5 Promoting a Town Centre First Approach
SE1 Design
SE2 Efficient use of land
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 5 Trees, Hedgerows and Woodland
SE 6 Green Infrastructure
SE 7 The Historic Environment
SE9 Energy Efficient Development
SE 13 Flood Risk and Water Management
CO 1 Sustainable Travel and Transport
CO 4 Travel Plans and Transport Assessments
SC 1 Leisure and Recreation
SC 2 Outdoor Sports Facilities
SC 3 Health and Well Being
SC 4 Residential Mix
SC 5 Affordable Homes
IN 1 Infrastructure
IN 2 Developer Contributions

Directly relevant to this site is the following allocation;

Site LPS 36 (C) Land East of Manchester Road

The application site is the entirety of this allocation and land beyond the allocation in an area of open space.

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.

NE3 – Protection of Local Landscapes
NE11 – Protection and enhancement of nature conservation interests
NE17 – Nature Conservation in Major Developments
RT5 – Open Space Standards
DC3 – Amenity
DC6 – Circulation and Access
DC8 – Landscaping
DC9 – Tree Protection
DC14 - Noise
DC15 – Provision of Facilities
DC17 – Water Resources
DC35 – Materials and Finishes
DC36 – Road Layouts and Circulation
DC37 – Landscaping
DC38 – Space Light and Privacy
DC40 – Children’s Play Provision and Amenity Space

DC41 – Infill Housing Development

Other Material Considerations:

National Planning Practice Guidance (NPPG)
Cheshire East Design Guide

The Knutsford Neighbourhood Plan is at Regulation 18 stage having been through examination. The referendum on its adoption will take place on 14 March 2019. Given the stage of the Neighbourhood Plan some weight can be afforded to its policies, although full weight cannot yet be given until the plan is made.

The relevant policies are;

C1 – Cultural and Community Places
ER2 – Retail Development
ER5 – Overnight Accommodation
E3 – Habitat Protection and Biodiversity
E5 – Pollution
HW1 – Health and Wellbeing
HW2 – Community Health
HE1 – Landmarks, Views, Vistas and Gateways
HE2 - Heritage Assets
H1 – Housing Mix
SL1 – Open Space in New Developments
T1 – Walking in Knutsford
T2 – Cycling in Knutsford
T4 - Parking

CONSULTATIONS (External to Planning)

Historic England – No comments to make. Suggest the views of the Council's conservation and archaeology advisers are sought.

Cheshire Brine Board – No objection. Comments have been made in respect of foundations and the construction process. This will be included as an informative on the decision notice.

Cheshire Archaeology Planning Service – No objection. A condition has been requested requiring the agreement of a programme of archaeological work to be agreed and carried out.

NHS CCG – No objection. This is conditionally on a financial contribution being agreed for the provision of GP services in the town.

Environment Agency – No comments to make.

Natural England – No objection.

Sport England – No objection in principle following the change in the red line boundary. Clarification is sought on the provision of new facilities.

United Utilities – No objection. Conditions have been recommended relating to surface water drainage. This issue is discussed later in the report.

Environmental Health – No objection. Conditions have been requested relating to noise, air quality electric vehicle charging points and contamination. These will be included on the decision notice. These matters are discussed in more detail later in the report.

Head of Strategic Infrastructure – No objection. Highway matters are addressed later in the report.

Housing Strategy – No objection. The development triggers an affordable housing requirement.

Flood Risk – No objection in principle. A condition relating to a scheme for surface water drainage to be submitted as part of any reserved matters application.

Education – No objection. This is based upon the applicant committing to pay a financial contribution for the provision of additional school places generated by the development. This is addressed in detail later in this report.

ANSA (Greenspaces and CEC Leisure) – No objection subject to onsite provision of Public Open Space (POS) and a Local Area of Play (LEAP) standard play area. The location of the LEAP needs further consideration. There is a requirement to provide a financial contribution of £1,000 per open market family dwelling or £500 per 1 / 2 bed apartment towards Recreation and Outdoor Sport (ROS) and £52,000 towards Indoor Sport, but this will depend on the final housing numbers.

CPRE – Object to the application. This is based on the proposed non-residential uses of the site, the scale of the development proposed, and the impact on the setting of Tatton Park.

The Gardens Trust – Object to the range of uses being proposed and the potential impact of the development on the character of the area.

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford Town Council - *The Council OBJECTS to the current application on the grounds that it fails to comply with the housing numbers for the CELPS LPS 36(C) site and is therefore contrary to the provisions of NPPF Para 12. The Council supports the principle of an application for 250 residential units to include sheltered accommodation or a small boutique hotel and a local centre comprising A1, A4 and community facilities.*

Should the application be approved the Council requests that the following conditions be added to any permission granted;

- A requirement for a single point of access for this site and CELPS LPS 36(B) being considered under application 19/0032M to be formalised in a s106 and s278 agreement.
- A satisfactory agreement being reached with the Sports Club and Football Club adjacent to the site and provision of funding via s106 monies
- Further provision for s106 monies in respect of Health, Education and Improved public transport.

OTHER REPRESENTATIONS

Representations have been received from 57 properties along with representations from the Cheshire Football Association, Knutsford FC, Knutsford Sports Club and the Five Knutsford residents groups.

The points raised in objection to the proposals are summarised as follows;

- The land outside of the allocation should not be included within the development site as it is protected open space.
- Inclusion of protected open space within the site boundary. This should remain as informal open space.
- The commercial uses in the scheme are not permitted in the local plan policy. Only houses should be built.
- The commercial uses should be located in the town centre and to be located at this site will have a detrimental impact on the vitality and viability of Knutsford town centre.
- The proposals are not consistent with the emerging Knutsford Neighbourhood Plan or the Cheshire East Design Guide.
- The development will be a cramped unsympathetic scheme.
- More houses than stated in the local plan are proposed. A 20% increase on the number stated in the allocation.
- It will not be a low density scheme as set out in the LPS policy.
- If a site is removed from the Green Belt it should not be for commercial uses. The site was released from the Green Belt to provide houses.
- The infrastructure of the town cannot cope with the additional development.
- The site is not suitable for residential use as it is subject to extensive noise from aircraft taking off from Manchester Airport.
- Impact of the development on the amenity of the adjoining residential properties. A landscape buffer should be provided.

- Impact of the development on the trees in an around the site. Trees will have to be removed.
- The site is not a good location for a health centre as it sits on the edge of the town.
- No provision for affordable housing is included within the development.
- The commercial uses impact on the requirement to deliver housing on the site.
- The level of commercial development goes beyond meeting local needs.
- The development harms the historic setting of Tatton Park.
- The application does not consider the increase in traffic caused by the development.
- No provision in the application for highway improvements.
- Manchester Road is a very busy road and cannot cope with the additional traffic caused by the development.
- The submitted application should be considered alongside the application on the opposite side of Manchester Road.
- The application does not include any details of access on to Manchester Road.
- No cycle or pedestrian details are proposed in the application.
- The development should ensure that the trees on site are protected.
- Loss of outlook as the site will be development and it is currently fields.
- The proposals compromise the development of Knutsford Football Club and result in the loss of a secure boundary. If the development leads to the demise of the club it will be detrimental to the future of football in the area.
- Lack of school places to accommodate the children who will live on the site. A new school should be built on the site.
- Impact of the development on the amenity of the occupier of Bluebell Farm.

The points raised in support of the application are summarised as follows;

- The inclusion of community facilities and the retention of ponds is welcomed.
- The affordable housing is a benefit to the area and much needed in Knutsford.
- Houses in Knutsford are hard to buy and the scheme will improve choice.

APPRAISAL

Key Issues

- Principle of development
- Sustainability
- Affordable Housing and Housing Mix
- Education
- Open Space and Recreation
- Health Provision
- Residential Amenity / Noise
- Impact on Local Highway Network / Access
- Design, Layout & Impact on Heritage Asset
- Ecology
- Trees
- Air Quality
- Flood Risk
- Economic Sustainability
- Section 106 agreement
- CIL
- Representations
- Conclusions
- Recommendation

PRINCIPLE OF DEVELOPMENT

Knutsford is identified as one of the Key Service Centres in Cheshire East where CELPS Policy PG 2 seeks to direct 'development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town' to the centres in order to 'maintain their vitality and viability', recognising their roles as distinct settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport.

The application site is allocated as a Strategic Site for housing under Policy LPS 36(c) of the Cheshire East Local Plan Strategy (CELPS). When the Council adopted the Cheshire East Local Plan Strategy on 27th July 2017, the site was removed from the Green Belt.

Site LPS 36 states that the development around North West Knutsford will be achieved over the Local Plan Strategy period through:

1. Phased provision of around 500 new homes and 7.5 hectares of high quality Class B1 business park development within the following sites:

LPS 36(A) Land North of Northwich Road (175 dwellings);

LPS 36(B) Land West of Manchester Road (75 dwellings and the development of a new 7.5 hectare high quality Class B1 business park; and

LPS 36(C) Land East of Manchester Road 250 dwellings;

It is anticipated that separate planning applications will deliver each of the above sites, and with each site having independent access, this is acceptable. Collectively the sites will deliver, as appropriate, the following provisions (2-6) and each planning application will be assessed against the relevant site specific criteria (a-u) as they may apply to that application site.

2. Appropriate retail provision to meet local needs;

3. Appropriate:

i. contributions towards educational facilities; and

ii. Provision of open space, and provision of / contributions toward sports and leisure facilities;

4. Incorporation of green infrastructure where required, including:

i. Allotments; and

ii. Community orchard or community gardens; and

5. Pedestrian and cycle links to new and existing residential areas, shops, schools and health facilities;

6. The existing sports grounds situated between Mereheath Lane and Manchester Road to the south of LPS 36(C) are removed from the Green Belt. These are identified as protected open space within LPS 36 as shown on Figure 15.43 and will be retained in their entirety as such, and enhanced if possible. The existing allotment gardens to the east of Mereheath Lane remain in the Green Belt as protected open space.

Additionally a number of site specific principles of development for the sites around North West Knutsford are listed with the relevant ones to this site being;

a. Protection and enhancement of the setting of Tatton Park.

b. The sites will deliver housing which will contribute to the local character of Knutsford through the use of appropriate density, architecture, style, form and materials and reference to CEC most up to date Design Guidance.

c. A mix of housing types, sizes and tenures to comply with Policy SC 4.

d. Proposals will be expected to be of a high quality design that respects the setting of nearby designated heritage assets, parkland and the character of the surrounding area.

e. Proposals will be expected to include a Landscape Character Assessment to guide the scale and massing of new development.

f. Provide a comprehensive landscaping scheme which retains existing mature trees and hedgerows where possible, or provide appropriate mitigation.

g. Any replacement and/or new sports provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy and with Policy SC 2 'Indoor and Outdoor Sports Facilities'.

h. Provision of additional community facilities.

i. Contributions to health infrastructure.

j. Improve the connectivity and accessibility into and out of the sites to the town centre and wider local area with the provision of, or contribution to, cycle paths and pedestrian linkages.

k. Creation of a network of green infrastructure and accommodation of SuDS requirements.

l. Provision of high quality landscaping to enhance ecological features.

m. Provision of new woodland belts within the sites and to create site boundaries.

n. Contribute to road infrastructure in the area including roundabout improvements at the junction of A50/Northwich Road and Canute Place and Improvement to the A50 Corridor.

o. An archaeological pre-determination evaluation will be required for these sites in addition to a desk based archaeological assessment.

p. Any development that would prejudice the future comprehensive development of the adjacent safeguarded land will not be permitted (site references LPS 39 / LPS 40).

q. The Local Plan Strategy site is expected to provide affordable housing in line with the policy requirements set out in Policy SC 5 'Affordable Homes'.

r. A minimum of a Phase 1 Preliminary Risk Assessment for contaminated land should be carried out to demonstrate that the sites are, or could be made, suitable for use should they be found to be contaminated. Further work, including a site investigation, may be required at a pre-planning stage, depending on the nature of the sites.

s. The sites will be developed only where it can be demonstrated that there is no adverse impact on the Midland Meres and Mosses Phase 1 Ramsar, Rostherne Mere Ramsar and Tatton Mere SSSI particularly in relation to changes in water levels and quality and recreational pressures. This should include a Habitats Regulations Assessment of the direct and indirect impacts of the development on the features of special interest. Where impacts cannot be avoided, appropriate mitigation measures will be required to ensure no adverse effects on the integrity of the sites.

u. The development of site LPS 36(C) should:

- be planned in a comprehensive way;*
- provide for open space and landscaping (and no built development) within the area removed from the Green Belt and identified as 'protected informal open space' – this area to comprise informal open space incorporating landscaped belts along both Mereheath Lane and the eastern edge of built development on the site, each landscaped belt to be a minimum of 15 metres wide and complementary to the landscape character of the surrounding area; and*
- provide a suitable landscape screen within the area allocated for housing adjacent to its eastern boundary with the 'protected open space'. The details of this landscape screen should be informed by the required Landscape Character Assessment and provide appropriate mitigation as part of a comprehensive landscape scheme; and*
- include the provision of a wide landscaped belt on the Green Belt land to its northern side, with an average width of around 100m to soften the transition between built development and the adjacent open countryside and to respect the setting of Tatton Park, its Registered Historic Park and Garden, and the visitor approach to Tatton; and*
- provide for the long-term future management of the informal open space and landscaped belts.*

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".

HOUSING

The application currently proposes up to 300 residential units on site. This includes the provision of a care home within this figure.

The allocation is for 250 dwellings; however it is clear within the policy that this is not a ceiling, but that the site must accommodate this amount. This level of housing is considered to be acceptable provided that the development does not appear cramped and the relevant public open space and other infrastructure is provided. It is important that new developments make efficient use of land especially allocations, as through providing

additional numbers comfortably within the confines of the site prevents the pressure on the release of other land in the future.

There have been a significant number of objections to the proposal in relation to the increased numbers. However the objections relate to the pressure this will put on existing services and infrastructure, not in relation to the site constraints itself. The illustrative layout shows a spacious development with adequate green space, especially along the boundaries of the site which will be most sensitive in the landscape from outside the site.

Should a care home be proposed as part of any reserved matters application this would be included within the 300 homes applied for. A care home use is of a much higher density than a standard residential development. Policy H1 of the Knutsford Neighbourhood Plan supports the provision of C2 nursing and care homes.

It is therefore considered that the level of housing proposed is acceptable and a condition can be included on the decision notice restricting the number of residential units to 300 as this is the level at which the submitted information in support of the application has been prepared.

RETAIL

Part of LPS 36 states the development of the sites at North West Knutsford should provide for 'Appropriate retail provision to meet local needs'. The applications for the site on the opposite side of Manchester Road and the site off Northwich Road make no such provision for retail use and therefore the retail provision on this site is acceptable in principle.

The provision of retail units is also supported in Policy ER2 of the Neighbourhood Plan that states, *'New small-scale convenience retail development may be permitted as part of large residential schemes to meet an identified localised need, specifically in the north and the west of the Town where significant growth is proposed but no local shopping currently exists.'*

The quantum of development has been subject to much discussion over the course of the application. It has been agreed that the amount of retail floorspace will be restricted to a total of 1000 m² with the largest unit being no more than 450 m². This is a significant reduction in retail floorspace from the 2,500 m² initially applied for. The largest unit is restricted to 450m² as this is the maximum size of store that is not restricted by Sunday trading laws.

It is considered that this level is appropriate to serve local needs as the largest unit will be of a size it can open unrestricted on Sundays and the overall floor space then allows for 3-4 other retail units to be provided. Additionally stores of this size are not a retail destination and serve mainly the local population with some passing trade.

A condition will be included on the decision notice restricting the level of retail floorspace to 1000m² gross. This will apply to A1, A2, A3 and A5 use classes. The condition will also be worded in such a way that the retail units shall only be used for the retail uses in the stated use classes and not benefit from any permitted development or prior approval rights to change their use to non-retail uses.

This element of the proposal is therefore considered to comply with LPS 36 of the CELPS and Policy ER2 of the Knutsford Neighbourhood Plan.

COMMUNITY USES

In the Site Specific Principles of Development the 'Provision of additional community facilities' is listed amongst the criteria at part (h). The applicant has sought agreement in principle for D1 uses on the site which includes medical and community uses.

The provision of some D1 uses on the site are considered appropriate and are consistent with the LPS policy as well as Policies C1, SL3 and HW2 in the Knutsford Neighbourhood Plan. The applicant has accepted that not all D1 uses are necessarily suitable on this site. There is an interest from the local NHS CCG to provide new facilities in the town and this is detailed later in the report but new facilities on this site is an option.

A condition will be included on the decision notice restricting the D1 use to a medical / dentist use or a community centre with a floorspace not exceeding 800 m². Like with the retail uses the condition will be worded so the D1 uses do not benefit from any permitted development or prior approval rights to change their use to other uses.

A4 PUBLIC HOUSE

In order to assist in sustaining the local centre an A4 public house has been proposed as part of the proposals. The use will compliment the retail and community uses and assist in ensuring the facilities provided on site can sustain each other.

Whilst not in the list of uses set out in LPS36 it is not considered the A4 use will compromise the delivery of housing on site or any of the other requirements of LPS36. The A4 use does have the potential to raise amenity issues for residents and the siting of such a use will require careful consideration as part of any reserved matters application going forward from this outline approval.

A condition will be included on the decision notice removing all permitted development rights for the change of use of the building to ensure the range of uses on the site can be strictly controlled in the future.

C1 HOTEL

This is not a use listed in LPS 36 as being a requirement of developing the site and therefore it must be considered in respect of Policy EG4 of the CELPS and Policy ER5 of the Neighbourhood Plan.

As part of the application the applicant has submitted a sequential test to demonstrate that no site within or closer to the town centre exists to accommodate a hotel.

CELPS policy EG4 seeks to promote new visitor and tourist accommodation in sustainable and appropriate locations. The site is in a sustainable location and the issues over sustainability were considered as part of the Local Plan process that resulted in the site being removed from the Green Belt. The provision of additional tourist accommodation also makes local visitor destinations such as Tatton Park more accessible and therefore assists in supporting the local economy.

The sustainability of the site coupled with the demonstration that no suitable site are available within or closer to the town centre make the proposal for a hotel on site acceptable in principle. A condition will be included on the decision notice restricting the hotel to a maximum of 50 bedrooms in order not compromise the delivery of the housing the allocation needs to deliver.

CONCLUSION

It is considered the range and level of development is acceptable in principle and in compliance with the requirements of LPS36 in delivering residential and retail development along with community facilities. The public house and hotel use, whilst not stated as requirements of the policy, are considered appropriate uses that will provide facilities for visitors to the area and assist in sustaining the retail and community facilities.

The proposed uses are also considered to comply with the policies referred to in the Knutsford Neighbourhood Plan.

As per para 11 of the Framework and CELPS Policy MP 1, there is a presumption in favour of sustainable development taking into account the three dimensions of sustainable development (social, economic and environmental) and compliance with the Development Plan in accordance with Sec.38 (6).

SOCIAL SUSTAINABILITY

HOUSING LAND SUPPLY

The Cheshire East Local Plan Strategy forms part of the statutory development plan.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This is the test that legislation prescribes should be employed on planning decision making. The 'presumption in favour of sustainable development' at paragraph 11 of the NPPF means: "approving development proposals that accord with an up to date development plan without delay"

The Cheshire East Local Plan Strategy is a recently adopted plan. Upon adoption, the Examining Inspector concluded that the Local Plan would produce a five year supply of housing land, stating that "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 Council can now demonstrate a 7.2 year supply of land for housing, but it is important to note that this proposal would deliver 300 dwellings on an allocated site within the adopted Local Plan within one of the Key Service Centres in the Borough. The Council needs to keep the supply rolling and proposals that bring forward the Council's strategic vision through the development of the allocated sites such as this one will assist in relieving pressure on other

edge of settlement sites and the Green Belt / countryside. As such, this is a benefit of the scheme.

AFFORDABLE HOUSING

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

This is a proposed development of up to 300 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 90 dwellings to be provided as affordable dwellings. Based on 300 units 60 of the proposed units should be provided as Affordable rent and 30 units as Intermediate tenure. The exact location and tenure split will be finalised at Reserved Matters.

The SHMA 2013 shows the majority of the demand in Knutsford is for 8 x 1 bed, 34 x 2 bed, and 49 x 4 bedroom dwellings. The current demand on Cheshire Homechoice in Knutsford is for 134x 1 bedroom, 89x 2 bedroom, 30x 3 bedroom, 17x 4 bedroom and 15x 5 bedroom dwellings. Therefore a mix of 1/2/3/4/5 on this site would be acceptable, with preference towards the smaller units.

The Cheshire East Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings.

The affordable housing is secured by way of a S106 agreement, which: -

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

Given the above the proposal complies with the requirements of CELPS Policy SC5 and Policy H1 of the Knutsford Neighbourhood Plan.

EDUCATION PROVISION

The Local Plan is expected to deliver 36,000 houses in Cheshire East; which is expected to create an additional 6,840 primary aged children and 5,400 secondary aged children. 422 children within this forecast are expected to have a special educational need.

The development of 300 dwellings is expected to generate:

56 primary children (300 x 0.19) – 1 SEN
44 secondary children (300 x 0.15) – 1 SEN
4 SEN children (300 x 0.51 x 0.023%)

The development is expected to impact on both primary school and secondary school places in the immediate locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at primary schools in the area as a result of agreed financial contributions. The analysis undertaken has identified that a shortfall of school places still remains.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. The Service acknowledges that this is an existing concern, however the 4 children expected from the application will exacerbate the shortfall. The 2 SEN children, who are thought to be of mainstream education age, have been removed from the calculations above to avoid double counting. The remaining 2 SEN children are expected to be 1 EYFS child and 1 sixth form child. The Service does not claim for EYFS at present, therefore the child cannot be removed from the calculation above.

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

4 x £50,000 x 0.91 = £182,000 (SEN)
Total education contribution: £182,000

The contribution has been agreed by the applicant and is subject to change when the final form of development is known and will be delivered through the s106 agreement.

PUBLIC OPEN SPACE AND RECREATION

POS; children's play space and amenity Green Space

In line with LPS36 and SE6 the development will be required to provide POS at a rate of 40sqm per family (2 bed +) dwelling. The children's play space and formal amenity greenspace will need to provide within the development parcels, throughout the development to ensure good accessibility, with a central larger facility creating a focus for community activity and cohesion. Provision of children's play and formal amenity provision within the protected open spaces will not be acceptable. This provision should meet the benchmark Fields in Trust guidance and CEC Greenspace Strategy. It must be distinct from any landscaping or SUDS requirement.

Allotments/community gardens

In line with CELPS LPS36 and SE6, the development is required to provide 5sqm of allotments/community gardens per family dwelling. On site provision of a community orchard or reserved space for a community garden may be acceptable within the development. The formal allotment provision would normally be by way of an off-site commuted sum for use at Mereheath Lane allotments for works of enhancement, improvement and additional plots. This allotment site is within easy walking distance of the application site. The com sum will be calculated at a rate of £562.50 per family dwelling or £281.25 per apartment. However this site is in the ownership of the applicant and rather than seek a commuted sum the s106 will require a scheme for the improvement of the allotments. The scheme will require agreement before development on site can commence and implemented upon occupation of 100 houses on site.

Green Infrastructure

Green infrastructure will be provided throughout the site in line with LPS36 and SE6. All GI requirements will be met on site and are detailed in LPS36 and LPS36(C).

ROS; recreation and outdoor sports

The amended application includes an area of Protected Open Space. The inclusion of this area potentially negatively impacts on the Knutsford Football Club, hampering any club growth or long term sustainability. The land in question is not in use as a sports pitch at present and never appears to have been do in the past. It is not policy compliant to use this land as any SUDS feature or open space for the development. A condition will be included on the decision notice requiring this land to only be used as a playing field. A secure boundary along the development edge with Egerton FC and Knutsford FC and protected open space should be provided and this is also supported by Sport England.

In terms of ROS provision in lieu of the onsite provision of 1.63ha per 1000 population, of which 1.2ha is for pitch sports (including supporting infrastructure) and 0.43ha is for courts, greens and other outdoor sporting facilities, a com sum of £1,000 per family dwelling or £500 per 2+ bed space apartment will be required. Commercial developments are also required to provide ROS facilities, especially given the proximity to Egerton, Knutsford Football Club and Knutsford Sports clubs, in line with the councils SPG on S106 Planning agreements. Community Use Agreements will need to be in place to ensure public use of the enhanced facilities as a condition of the use of commuted sums.

The playing pitch element of the ROS com sums will be used in line with the Playing Pitch Strategy at either Egerton Youth Club or Knutsford Football Club, to make improvements additions and enhancements to the existing facilities. The Local Football Facilities Plan identifies a priority project at Egerton with the installation of a new Floodlit AGP on the Egerton site. This will be reflected in the updated Playing Pitch Strategy due for completion early summer 2019.

The courts, greens and other outdoor sporting facilities element of the ROS com sum will be used at Knutsford Sports Club, to make improvements additions and enhancements. Community Use Agreements will need to be in place to ensure public use of the enhanced facilities as a condition of the use of com sums.

Indoor Recreation

Policies SC1 and SC2 of the Local Plan Strategy provide a clear development plan policy basis to require developments to provide or contribute towards both outdoor and indoor recreation

The Indoor Built Facility Strategy has identified that any existing shortfalls for Knutsford should look to focus on improvement of provision in the town as set out in the Indoor Built Facility Strategy. Whilst new developments should not be required to address an existing shortfall of provision, they should ensure that this situation is not worsened by ensuring that it fully addresses its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand may not be sufficient to require substantial indoor facility investment through capital build there is currently a need to improve the quality and number of health and fitness stations at Knutsford Leisure Centre to accommodate localised demand for indoor physical activity. Equally and subject to agreement this contribution could also be considered to be allocated to the sporting provision adjacent to the site which it could be considered will be utilised by the residents of the new development.

The requirement is calculated as follows;

- 300 houses at 1.61 people per residence = a population increase of 483
- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East. = 205 additional “active population” due to the new development in Knutsford
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional eight stations. Requirement for - 8 running machines (£6,500 per treadmill). Total £52,000

The applicant has accepted the need for this contribution although the level of contribution may change based on the number of houses eventually approved on site. The contribution will be delivered through the s106 agreement but the overall level of contribution may change depending on the number of dwellings that come forward as part of the reserved matters application.

Sport England in their response have stated a higher level of contribution for indoor sports provision should be higher than that requested based upon their Sports Facility Calculator. However the contribution has been calculated in the same way as all the other strategic sites and it is not considered reasonable to deviate from that formula at this time.

The proposal therefore complies with policies LPS 36, SC1 and SC2 of the CELPS and Policies SL1, SL2 and SL3 of the Knutsford neighbourhood Plan.

ACCESS TO HEALTH FACILITIES

Eastern Cheshire has the fastest growing over 65 and over 85 populations in the North West with more than one in five people being over 65 which will become nearer to one in four people by 2021. The number of very elderly people is growing even more rapidly, with a

higher estimated average annual growth rate when compared to England (2.7% vs. 2.3%). The overall population is forecast to grow by 28,000 (14%) by 2035.

There are three NHS GP practices within Knutsford, these being Annandale Medical Centre, Manchester Road Medical Centre and Toft Road Surgery. Space utilisation analysis across all three Knutsford GP practices has demonstrated that with regards to adequately providing primary care services to the existing patient population the three GP practices currently have a significant shortfall. Additional growth in patient numbers will add further pressures to the three GP practices, with an increase in clinical and non-clinical staff required in order to meet these future patient needs. Such an increase in clinical and non-clinical staffing numbers requires expansion and development of the three GP practices.

The geography of the GP services within Knutsford does support full colocation within one primary care hub site and the CCG is supportive of a single primary care site in Knutsford. The CCG and Knutsford GP practices have submitted a bid, as part of the NHS Estates and Technology Transformation Fund (ETTF), for the part funding of a new Health and Wellbeing Centre build project in Knutsford. The focus of the bid is for the three GP practices to come together into one purpose built building, along with other health, wellbeing and community services also being delivered out of the building. This project remains supported by the CCG; however there is a risk around scheme affordability. A number of sites for delivery of this project have been identified, but no one site has yet been fully agreed by the stakeholders.

If a central Health and Wellbeing Centre in Knutsford is not achievable, the CCG would look for a two site solution, with two of the existing GP practices moving into a shared primary care build and the third GP practice potentially moved to a new GP practice build if required.

The application site has the potential to become one of the options for the site of the new surgery. A GP surgery falls within the D1 use class and this one of the uses applied for on this site. The CCG are therefore keen to work with the Tatton Group to explore options, ranging from the gifting of land to the NHS, through to the building of a Health Centre by the Tatton Group with GP practices then becoming long term sitting tenants. The CCG does however ask the Planning Committee to provision for Section 106 health funding against this planning application should none of the above options prove to be viable. Such Section 106 funding would contribute towards the provision of a new shared primary care Health Centre at an alternative Knutsford location.

It is suggested that the Section 106 funding for the planning application under consideration 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.

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

The applicant has agreed to a financial contribution in respect of this issue and this will be based on the number and size of dwellings that come forward as part of the reserved matters application. It may be the case the contribution is reviewed in the future should the CCG agree with the applicant about on-site provision.

The application therefore complies with the requirements of LPS36 and Sc3 of the CELPS and Policies C1 and HW2 of the Knutsford Neighbourhood Plan.

RESIDENTIAL AMENITY

In order for the proposals to be acceptable, it is important that they do not have a detrimental impact on the amenities of existing residents. Local Plan policies DC3, DC38 and H13 seek to ensure that new development does not significantly injure the amenities of adjoining or nearby residential property.

Many of the issues relating to overlooking, impact on privacy, and overshadowing will be addressed as part of any reserved matters application. Highway matters are addressed separately in this report.

The only adjoining residential properties to the site are at the north western corner of the site. The indicative masterplan has shown a landscaped buffer against these properties. Any reserved matters application will have to consider the relationship between the proposed development and the existing properties.

The site is impacted by varying degrees of transportation noise: road traffic noise from the A50 and noise from aircraft departing / arriving Manchester International Airport and may also be impacted by noise arising from the introduction of the flexible use class developments.

It is possible for the internal noise climate of the proposed residential development to be acoustically designed and mitigated to at least BS8223.

The exact details of the mitigation scheme will depend on the final layout and other circumstances, and at this time it is not possible to determine the nature of the acoustic scheme. It is for the applicant to ensure that any acoustic mitigation scheme meets the acoustic BS8223 and WHO internal acoustic design criteria, and is also acceptable in terms of other planning considerations. These details will have to accompany any reserved matters application.

The sound level within a residential building is not the only consideration: most residents will also expect a reasonable degree of peaceful enjoyment of their gardens and adjacent amenity areas.

The noise report estimates combined road traffic and aircraft noise levels affecting the site are:

- 55 – 65dB(A) LAeq (daytime) and
- 45 - 55dB(A) LAeq (night-time)

- With LAmax 65-85 dB(A)

Outdoor living environments cannot achieve a satisfactory noise level and shall exceed BS8233: 2014, WHO guidelines for Community Noise and the Aviation Policy Framework:

- BS8233:2014 16hr, LAeq:
 - Desirable external noise level does not exceed 50 dB,
 - Upper guideline value of 55 dB would be acceptable in noisier environments.
- The World Health Organisation (WHO), 1999 Guideline value for community noise for outdoor living areas (a health based guideline).

To protect the majority of people from being seriously annoyed during the daytime, it is recommended that the sound pressure level on balconies, terraces, and outdoor living areas should not exceed 55 dB LAeq for a steady continuous noise. To protect the majority of people from being moderately annoyed during the daytime, the outdoor noise level should not exceed 50 dB LAeq.

BS8233 recognizes that these guideline values are not achievable in all circumstances, where development might be desirable in higher noise areas such as:

- city centres or
- urban areas adjoining the strategic transport network,

It is unlikely that any development on the site would be able to meet the recommended noise levels for the external garden areas within the development it has to be balanced against the benefits of the proposal. Steps can be taken to minimise the impact by orientating the dwellings in such a way to screen the rear gardens from the source of the noise. Such measures shall be included in the revised noise impact assessment that will require submission as part of any reserved matters application.

It is inevitable that some disturbance will occur as part of the construction process. However this will be for a temporary period only and separate legislation is in place to ensure this does not occur and informatives will be included on the decision notice providing advice on construction times.

The proposal complies with Policies DC3 and DC14 of the Macclesfield Local Plan.

Social Sustainability Conclusion

The proposals for the residential development will make an affordable housing contribution through the provision of up to 90 units of the correct tenure. The scheme does make a valuable contribution towards affordable housing which will be secured through a Section 106 agreement.

The proposed development will make a full education contribution, health contribution and will make a contribution towards open space, indoor recreation and outdoor sport. The affordable housing provision will meet the requirements

Overall the provision of a reasonable mix of housing for the community as part of a large strategic allocation along with on site affordable housing and education and open space and

outdoor recreation contributions which can be provided by the development are considered to be socially sustainable.

ENVIRONMENTAL SUSTAINABILITY

IMPACT ON HIGHWAY NETWORK/ACCESS

Access

The access to the site is a reserved matter to be determined at a later stage and in regards to this application it is whether in principle access can be achieved to support the level of development in the application. The site has a long frontage with the A50 Manchester Road and there are a number of locations where an access junction of some type could be provided to the site.

It is the Council's strategy that LPS36 is accessed from a new roundabout on the A50 that serves both the land to the east and west of Manchester Road. The applicant has submitted a potential 3 arm roundabout that serves this development site, this design could be enlarged to provide 4 arms and could be used to serve the development on east side of Manchester Road. It is important that there should be co-operation between both landowners on the siting of the roundabout on the A50 as this should be the primary access to both sites.

A planning application is currently being considered for the site on the opposite side of Manchester Road and that application includes a roundabout access that would also be suitable to provide access into this site.

Development Impact

A revised Transport Assessment has been submitted that has assessed the revised trip generation arising from the revised development proposals. The level of traffic generation is expected to be lower than the original proposals and will result in a lower traffic generation on the local road network.

The scope of impact of the development was discussed at the pre-application stage and it was originally agreed that the potential major traffic impact would be confined to the Canute Place roundabout. However, as there are planning applications submitted for all the north-west Knutsford strategic sites the cumulative impact of these developments need to be taken account of at some of the other congested junctions in Knutsford. This approach has been agreed with the Crown Estate and they have undertaken an assessment of impact at two locations, the Toft Road/A537 junction and also the A537/Hollow Lane junction. Both these junctions have existing congestion issues.

In regard to the traffic impact of the development at the Canute Place roundabout, the traffic generation from this site was included in the mitigation measures approved for the development of land off Northwich Road by the Crown Estates. Should the development off Northwich Road not proceed for some reason then this development would need to fund the new enlarged roundabout at Canute Place as this would be required to mitigate the development impact.

The Toft Road/Adams Hill and Brook Street/Hollow Lane junctions have existing congestion problems and the impact of further new development traffic will have a detrimental affect on these junctions. There are highway improvements proposed for these junctions although they are not fully funded at present.

Whilst the exact nature of the junction improvements is not yet fully detailed it is considered an acceptable approach to include conditions on the decision notice requiring details of the improvements to each junction to be agreed before the development can commence and implementation of the improvements upon occupation of 100 residential units or 1000 m2 of occupied commercial floorspace. On this basis it is considered the highway impact is acceptable.

Provisions for improving the walking and cycling access in and around the site will be delivered through a condition requiring details to be submitted as part of the reserved matters application. The proposal therefore complies with Policy DC6 of the Macclesfield Local Plan and Policies T1 and T2 of the Knutsford Neighbourhood Plan.

DESIGN, LAYOUT & IMPACT ON HERITAGE ASSET

Policies SE1 and SD2 seek to ensure that new development respects the character of the area and is of an appropriate design. This is consistent with the provisions of the NPPF and is supported through the Cheshire East Design Guide. Policies D1, D2, D3 and D4 of the Knutsford Neighbourhood Plan also provide further criteria in which new development must adhere to.

Issues of layout, scale and appearance are matters that are reserved for future approval. The site is a key gateway site for Knutsford and the design expectations for the site are high. This is not a site that will be capable of accommodating standard house type layouts. A bespoke solution will be required to meet the high expectations and requirements of CEC and to create a unique sense of place.

As part of the conditions on this outline permission a design code will require agreement before submission of any reserved matters application seeking detailed approval of the layout, scale and appearance of the site.

Policy SE7 of the CELPS and Policies HE1 and HE2 seek to ensure that new development does not have an adverse impact on the setting of heritage assets.

To protect the historic setting of the Tatton Park estate, care must be taken to ensure the density along the Eastern boundary is reflective of a low density edge as the spatial code indicates the built edge along this edge would be predominantly of medium density.

The requirements of LPS 36 makes provision for a landscape buffer between Mereheath Lane and the land available for development in order to ensure the development does not have a detrimental impact on the setting of Tatton Park. This has been shown on the indicative masterplan and further details of the landscaping will be considered as part of any reserved matters application.

As part of any reserved matters application a full heritage impact assessment will be submitted to demonstrate the development does not have an adverse impact on the setting of Tatton Park.

The proposal is considered to comply with Policy SE7 of the CELPS.

ECOLOGY

The application is accompanied by a comprehensive ecological assessment with subsequent addendums that address the following issues;

Tatton Meres SSSI Impact Zone

The proposed development falls within Natural England's impact zone for Tatton Meres SSSI, Midland Meres and Mosses Phase 1 (RAMSAR). Natural England ask that for proposed developments in this location they are consulted on the potential risk from 'Any residential developments with a total net gain in residential units'.

Natural England have been consulted and have raised no objection to the proposal.

Bats

The submitted Ecological Appraisal (Bowland Ecology, July 2018) observes that some trees on the proposed site, in the hedgerow and around the pond, contain potential bat roost features. Therefore as part of any reserved matters application update bat surveys will have to be submitted to identify bat roosts and identify any appropriate mitigation.

Great Crested Newts (GCN)

Evidence of two small populations of GCN has been recorded in ponds on and adjacent to the site. Proposed changes to this site in the absence of mitigation is likely to have a medium impact on GCN at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report with the application recommends the enhancement of ponds 3 and 2, the addition of artificial refugia, and the creation of insect friendly habitat in the public open space section of the proposed site as a means of compensating for the proposed changes. It also recommends advance vegetation management, temporary amphibian fencing and pitfall trapping, hand searching and supervised removal of aquatic habitat to reduce the risk posed to any GCN that may be present when the works are completed.

If planning permission is granted the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned.

Ecological Mitigation and Enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development. A condition will be included on the decision notice that requires the submission of an ecological enhancement strategy.

Hedgerow

A landscape condition be attached that includes the retention and enhancement of existing hedgerow will be ensured through a condition on the decision notice. Any new/replacement

hedgerow sections be of native species composition. Any reserved matters application should be accompanied by plans showing proposed hedgerows on site.

Wildlife sensitive lighting

Prior to its installation details of the proposed lighting scheme should be submitted to and approved in writing by the Local Planning Authority.

The scheme should include dark areas and avoid light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) aiming for a maximum of 1lux light spill on those features.

The scheme should also include a modelled lux plan, and details of:

- Proposed lighting regime;
- Number and location of proposed luminaires;
- Luminaire light distribution type;
- Lamp type, lamp wattage and spectral distribution;
- Mounting height, orientation direction and beam angle;
- Type of control gear.

Habitat Regulations

The UK implemented the EC Directive in the Conservation (natural habitats etc) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities to have regard to the directives requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable “other imperative reasons of overriding public interest”, then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Test 1: Overriding Public Interest

The impacts of the development on the GCN population been considered acceptable. The development would provide social and economic benefits in the form of employment and economic development. Given these benefits the development proposal contributes to meeting an imperative public interest, and that the interest is sufficient to override the

protection of, and any potential impact on great crested newts, setting aside any mitigation that can be secured.

Test 2: No satisfactory alternative

The site is allocated in the local plan for residential development and therefore has been assessed as being the most appropriate place for this form of development. As such it is considered that there would be no satisfactory alternative.

Test 3: “the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range”.

The current proposals would result in the retention of the existing pond and the applicant’s ecological consultant has recommended that an area of retained habitat be enhanced in order to compensate for that lost.

Subject to conditions and submission of additional details as part of any reserved matters application the proposal complies with Policy NE11 of the Macclesfield Local Plan, SE3 and SE5 of the CELPS and Policy E3 of the Knutsford Neighbourhood Plan.

IMPACT ON TREES/HEDGEROWS

Policy SE 5 of the Cheshire East Local Plan seeks to ensure the sustainable management of trees, woodland and hedgerows within new development. Development proposals that result in the loss of trees that provide a significant contribution to the amenity, biodiversity, landscape or historic character, of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives.

The application is supported by a Preliminary Arboricultural Report (Tyler Grange Report Number 11523_R01d_JJ_AL dated 20th July 2018) which includes a Tree Survey Schedule. The Impact Assessment provides a basic assessment of the quality of trees and potential direct and indirect tree losses based upon the submitted zonal plan.

The tree survey has identified 17 individual trees, 5 groups of trees and 10 hedgerows within or immediately adjacent to the application site. Five trees (English Oak) have been identified as High (A) category specimens. Five trees (English Oak) and two groups of trees (comprising of Grey Poplar, Beech and Ash) have been identified as Moderate (B) category specimens. The remaining trees are categorised as low (C) category trees, with one tree, a dead Oak (T4) identified as dead Unclassified (U).

Analysis of the zonal plan suggests that all A and B Category trees located on the Manchester Road frontage are shown for retention as are the two moderate category groups (the group of Poplar adjacent to the playing fields to the east of the site and the group of Ash and Beech to the north of the playing fields).

The Assessment makes reference to potential conflicts with Root Protection Areas (RPA) of trees and the potential impacts of shading and social proximity associated with retained trees

Policy SE 5 refers to the retention sustainable management and successful integration of trees within the design of any development. BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations para 5.3 advises that the default position should be that structures are located outside the root protection area of retained trees and impacts of shading on plots and the relationship of buildings to retained trees should be taken into consideration at the design stage.

In this regard the Arboricultural Assessment at para 5.8 has stated that shading from Oak trees on the western site boundary is likely to impact upon the development. Should this outline application be approved, it will be expected that the layout design of any future reserved matters application shall seek to further offset the building line to address the issue of shading impacts from trees.

The assessment has identified 10 hedgerows within the application site

The indicative access point is proposed through the established hedgerow on the Manchester Road frontage. Where proposed development is likely to result in the loss of existing agricultural hedgerows which are more than 30 years old, it is considered that they should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. The Regulations require assessment on various criteria including ecological and historic value. Should any hedgerows be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

A condition will be included on the decision notice requiring a further arboricultural report to be submitted to support any subsequent reserved matters application.

LANDSCAPE

CELPs Policy SE4 seeks to ensure that developments recognise the high quality of the landscape in Cheshire East and ensure this is maintained and enhanced.

LPS 36(c) requires that minimum 15m wide planting belts should be planted both along Mereheath Lane and along the eastern edge of the built development on the site. This will be addressed through submission of any reserved matters application for layout and/or landscaping.

CELPs also requires a planting belt to the northern side of the site which has an average width of 100m. This is not included within the site boundary for the application but the land is shown edged blue and is in the ownership of the applicant. This landscaping mitigation will be secured through a clause in the s106 agreement. This is considered the appropriate mechanism to deliver this as it will ensure details are agreed in advance of works commencing, the implementation of the works on occupation of the 100th residential unit on site and its management thereafter.

It is noted that all boundary trees and hedgerow trees are to be retained and supplemented by planting younger specimens to ensure continuity of this landscape character element.

For connectivity, it is advised a pedestrian link from the proposed southern block of housing to the Local Centre to ensure people can move more safely between the housing areas and facilities without the need to venture onto the A50. It would also be beneficial to continue the eastern boundary route to allow off-road movement for the length of the site, this would provide for short circular walks and year-round access to the allotments.

The effects on views and visual amenity will need to be assessed once designs for the scale, mass and composition of buildings have been proposed.

Further to the planting belts being correctly allowed for, as discussed above, sufficient space should be allowed for light and views both into and out of the built developments, particularly along the northern site boundary where trees are proposed for mitigation of views into the site and outward-facing housing areas are proposed right up to the boundary.

It is considered the proposal complies with Policy SE4 subject to securing the landscaped buffer to the north of the site. Other landscape matters will be addressed as part of any reserved matters application.

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 181 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 January 2017).

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

- 2017 baseline – model verification
- 2028 – proposed opening year 'do-nothing'
- 2028 – proposed opening year 'do-something'

The submitted assessment has also conducted a "Theoretical Scenario" whereby the predicted reduction in vehicle emissions does not decrease over the coming years. This is considered a worst case scenario and the comments are based upon this. The assessment

concludes that the impact of this development will be negligible for all three monitored pollutants, with none of the receptors seeing an increase of more than 1% of the AQAL. However, some of these receptors are located within two of the nearby AQMAs and any increase in concentrations within an AQMA, no matter how small, is considered significant as it is directly converse to our local air quality management objectives, the NPPF and the Council's Air Quality Action Plan. Also there is a need 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.

The proposed development is considered significant in that it is highly likely to change traffic patterns and congestion in the area. Knutsford and Mere both have an Air Quality Management Areas, and as such the cumulative impact of developments in the area is likely to make the situation worse, unless managed.

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.

A condition requiring the provision of electric vehicle charging points will be included on the decision notice. A Travel Plan Framework has been submitted with the application and full details of the Travel Plan will require submission as part of a condition. Finally a condition for the provision of cycling and pedestrian route will require submission as part of any reserved matters application.

A development of this scale and duration would be expected to have an adequate construction and trackout dust control plan implemented to protect sensitive receptors from impacts during this stage of the proposal and this is mentioned within the assessment as a form of mitigation.

To conclude it is therefore considered the proposal will not have a detrimental impact on the air quality of the area and considered acceptable. The proposal complies with CELPS Policy SE12 and policy H5 of the Knutsford Neighbourhood Plan.

FLOOD RISK

CELPS Policy SE13 seeks new developments to integrate measure for sustainable water management to reduce flood risk.

The site is classified as Very Low Risk (former EA Flood Zone 1), which is land that has a less than 0.1% chance of flooding (less than 1:1000). The Council's Flood Risk Team has considered the submitted Flood Risk Assessment and further submitted information and has raised no objections to the proposals. Conditions have been requested that requires the submission of a detailed strategy for surface water drainage, the development be carried out in accordance with the flood risk assessment and details of levels. These will be included on the decision notice.

The current proposals are acceptable in principle in terms of flood risk. However, during reserved matters stage additional information will need to be submitted and there is a possibility an overland flow route will need to be factored into the overall design. The FRA identifies the risk of flooding from an overland flow route which runs directly north to south through the proposed development. The developer will need to demonstrate this risk has been assessed by either designed out of the overall scheme or accommodating with an overland flow route through the proposed development.

Additionally to the above, and in compliance with the comments from United Utilities, the surface water discharge to the existing network will be restricted to 25 l/s. This is due to the capacity available within the local public sewer network.

Subject to conditions requiring details of the surface water scheme in line with the above requirements to be submitted at reserved matters stage the proposal complies with Policy SE13.

Environmental sustainability conclusions

It is considered that the proposed development is environmentally sustainable. The proposed design of the site is acceptable, there are conditions required in respect environmental matters raised above.

ECONOMIC SUSTAINABILITY

The proposed development will provide employment in the short term during the clearance and construction of the development in the area. As well as providing employment in the commercial elements in the development.

The addition of up to 300 units within the town will undoubtedly boost the economy in the local area through the increased use of shops and services making them more sustainable, which is especially important in Knutsford Town Centre to be sustainable into the future. Additional population can create more demand for local services, increasing the likelihood that they will be retained into the future and improvements and investment made.

Economic sustainability conclusions

The proposals will result in additional employment in the sort term through the construction of the site along with an economic boost locally through the increase in population to this area of the town. It is considered that the proposals will make efficient use of the site which is part of a wider strategic allocation.

SECTION 106

A section 106 agreement will accompany the application and is required to secure the following:

- Provision of 30% affordable units of which 65% will be for affordable rent and 35% will be as intermediate tenure.
- Educational contribution towards SEN provision. This equate to £182,000 based upon a 300 dwelling scheme.
- Contribution towards ROS £1,000 per open market house and £500 per open market apartment
- Contribution towards health provision as stated earlier in the report.
- Management Plan for the on-site public open space and LEAP
- Contribution for monitoring of Travel Plan £5,000
- Indoor recreation provision of £52,000
- A scheme for the improvement of the allotments on Mereheath Lane and its future management.
- A scheme for the landscaping buffer to the north of the site and its future management.

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) Fair and reasonably related in scale and kind to the development.

It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

COMMENT ON REPRESENTATIONS

The majority of the points of objection have been addressed in the main body of the report or are issues that will be considered as part of the future reserved matters application.

A number of representations objected on the grounds the site is within the Green Belt and therefore should not be developed. However, on adoption of the Local Plan the site was removed from the Green Belt and is now allocated for residential use.

It is not considered the proposal will compromise the future aspirations of Knutsford Football Club. This is not considered to be the case, a secure boundary between the residential development and the football club will have to be provided. The land in the application site within the protected open space cannot be developed and can only be used as sports pitch or remain in its current use.

CONCLUSION AND PLANNING BALANCE

The site forms the majority of allocated site LPS36(c). The proposed development accords with the Local Plan policy relating to its allocation by providing housing, local retail provision, community facilities and all the other policy requirements. The public house and hotel provision are considered not to compromise the aims of LPS36 and therefore are considered acceptable. Shortfalls in health and education provision are mitigated through financial contributions to improve existing facilities. The applicant is providing further financial contributions in order to make the development acceptable and is providing the full amount of affordable housing on site which is essential in order to make developments sustainable in the future.

It is considered that the proposals are environmental, socially and economically sustainable and accord with the development plan and the framework. The site is sustainably located within the town and the proposals represent an efficient use of the land.

The improvements to various junctions in the town centre will be delivered in through conditions on the decision notice and carried out by the developer through a s278 agreement.

Cheshire East is currently able to demonstrate a 7.2 year supply of housing however this proposal will make a valuable contribution in maintaining this position.

It is considered that the proposal represents sustainable development and accords with the development plan policies mentioned in the policies section of this report and national planning policy and guidance. Therefore for the reasons mentioned above the application is recommended for approval.

RECOMMENDATION

The application is recommended for approval subject to the conditions listed below and the completion of the s106 agreement making provision for;

S106	Amount	Triggers
Affordable Housing	30% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan. No more than 80% open market occupied prior to affordable provision in each phase.
Education	£182,000 SEN	50% Prior to first occupation 50% at occupation of 50% of dwellings
Health	£302,400 to additional GP provision in Knutsford. (amount based on occupancy)	50% Prior to first occupation 50% at occupation of 50% of dwellings
Indoor Recreation	£52,000 – Knutsford Leisure Centre	Prior to First Occupation

Recreation Open Space	(£1000 per market dwelling and £500 per 1 / 2 bed market apartment). Plus additional contribution depending on the nature of the commercial floorspace brought forward.	50% Prior to first occupation 50% at occupation of 50% of dwellings
Public Open Space	Management Company for future maintenance	On first occupation
Allotments	Scheme for improvement to Allotments on Mereheath Lane and future maintenance.	On first occupation
Landscaping to north	Scheme for landscaping buffer on land to the north of the site and future maintenance.	On first occupation
Travel Plan Monitoring	£5000	On first occupation.

And the following conditions:

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

Application for Outline Planning

RECOMMENDATION:

1. Standard contaminated land condition
2. Importation of soil
3. Unexpected contamination
4. Time period to implement permission.
5. Approve reserved matters details
6. Plans
7. details of surface water drainage
8. Submission and implementation of Travel Plan
9. submit arboricultural impact assessment
10. levels

11. submission of design code
12. Construction environment management plan
13. Wildlife lighting scheme
14. Ecological enhancement strategy
15. Landscape and habitat management plan
16. boundary details
17. Provision of Electric Vehicle Charging Points
18. Noise Impact Assessment,
19. implement landscaping scheme
20. numbers
21. details of materials
22. details of play area
23. retention of hedgerows
24. submission of heritage impact assessment.
25. broadband
26. Details and implementation of cycle way and footpath
27. Restriction of Retail Floorspace
28. Restriction in D1 uses and floorspace
29. Maximum 50 bedrooms in the hotel
30. Remove PD change of uses to the pub
31. Submit updated bat survey at reserved matters
32. scheme for archaeological works
33. Implement Great Crested Newt mitigation
34. No tree removal during the bird nesting season
35. Details of a secure boundary with the adjoining football clubs
36. The section of the site in the Protected Open Space should be used as playing pitch or remain in agricultural/horticultural use
37. Improvements at Canoute Place implement before occupation of 100 houses or 1000m² of commercial floorspace.
38. Improvements at Toft Rd / A537 junction implement before occupation of 100 houses or 1000m² of commercial floorspace.
39. Improvements at Hollow Lane / A537 junction - implement before occupation of 100 houses or 1000m² of commercial floorspace.

