

Application No: 17/6471M

Location: Land off Hazelbadge Road, Poynton, Cheshire

Proposal: Full planning application for 134 dwellings on land off Hazelbadge Road with associated access improvements, landscaping and public open space

Applicant: Mr Sean McBride, Persimmon Homes (North West)

Expiry Date: 28-Jun-2019

## **SUMMARY**

The proposal seeks to provide 134 dwellings on a site allocated within the CELPS for around 150 dwellings. Some conflict with the site specific principles of development listed under LPS 48 of the CELPS in terms of the bus service contribution, the railway car park contribution and the retention of habitats on the site has been identified. However, whilst the contributions towards the bus service to the town centre and the railway car park are not being secured, significant contributions are being made towards the Council's strategic project of the Poynton Relief Road to mitigate for the impact of the development. Similarly, whilst LPS 48 requires the retention of habitats, again for the reasons stated this cannot be achieved if the primary policy objective of delivering housing is to be realised on the site. Adequate off site mitigation is being provided.

The applicant has now provided a car park comprising 14 spaces for use by the school in an attempt to address the concerns raised by Members, which is considered to meet the relevant requirement of LPS 48 within the CELPS.

The proposed drainage scheme seeks to ensure that there will be no increase in the flow of water discharging to Poynton Brook through the use of hydrobrake manhole chambers, oversized pipes and cellular storage. Despite the recent flooding event in Poynton, the LLFA has confirmed that the flood risk impact of the development is acceptable and appropriate drainage and flood risk are recommended.

The comments received in representation are acknowledged, and whilst some limited conflict with LPS 48 has been identified, the proposal is considered to comply with the development plan as a whole and is therefore a sustainable form of development. In accordance with policy MP1 of the CELPS, the proposals should therefore be approved without delay.

## **RECOMMENDATION**

**Approve subject to s106 agreement and conditions**

## **REASON FOR DEFERRAL**

The application was deferred from the Strategic Planning Board on 25 September for further information on the flooding situation and that the issue relating to the additional parking / drop off area for the school is resolved, in consultation with the school.

## **POLICIES**

Since the deferral of the application from the September SPB meeting, the Poynton Neighbourhood Plan (PNP) has been formally made. The following relevant policies within the PNP can now be afforded full weight in the assessment of the application. A summary of how the requirements of each policy are addressed in the application is provided below:

### EGB 1 Surface Water Management

This policy identifies that Poynton is at risk of flooding, and states that a local Flood Risk Mitigation Plan should be coordinated by the relevant authorities.

The LLFA and the EA would be the appropriate authorities to be involved in a Flood Risk Mitigation Plan as and when it is prepared. Both these organisations have been consulted on the application and are satisfied that the flood risk can be managed on site, as explained further below.

### EGB 4 Access to the countryside

### EGB 5 Improving access to the countryside

The requirements of these policies relate to retaining and enhancing existing footpaths and cycle ways, and diversions of PROWs should demonstrate benefits for wider community.

In this case, a contribution towards the upgrading of the existing cycle way on Chester Road is being secured through the s106 agreement. The public footpaths running through the site extend from Hazelbadge Road through the main site access and would have needed to be along the main estate road if retained on their current alignment. As noted below, the use of estate roads for public rights of way should be avoided and wherever possible preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic. The diversion of footpaths 43 and 46 through the green infrastructure to the east of the site, away from estate roads is considered to represent a clear public benefit as an amenity feature for the wider community.

### EGB 7 Landscape Enhancement

### EGB 8 Protection of Rural Landscapes

These policies require the diverse landscape, and landscape features of Poynton to be conserved and enhanced.

The proposed development provides a very low density of built form along the northern Green Belt boundary, together with a 5 metre wide landscape buffer. Taken with the retention of trees (many of which are formally protected by TPO) within the site, the requirements of these conditions are considered to be met.

### EGB 9 Nature Conservation

#### EGB 10 Wildlife Corridor

These policies expect development to avoid adverse impact on the nature conservation value of sites, or if this is not possible minimise such impact and seek mitigation of any residual impacts, and also seek to protect the biodiversity of the identified wildlife corridor.

The area along Poynton Brook within the application site falls within the designated wildlife corridor. The 8m buffer of green infrastructure to the Brook serves to satisfy policy EGB 10. In terms of EGB 9 and the impact of the development upon the nature conservation value of the site, the wooded area and ponds to the west of the site are being retained, which supports the objectives of this policy. As noted below, many of the habitats across the site do have to be removed in order to accommodate the proposed development, however appropriate off-site mitigation is being provided in accordance with policy EGB 9.

#### EGB 11 Development of Additional Facilities

This policy seeks the provision of small pocket parks, picnic areas and informal open spaces, in particular when new housing areas are being proposed and developed.

The current application includes a formal and informal play area, and informal amenity spaces along the eastern boundary and in the centre of the site around the protected trees, which satisfies the requirements of this policy.

#### EGB 15 Heritage Assets

This policy states that any development should aim to conserve and enhance the heritage assets of Poynton, including their setting.

The heritage aspects of the proposal relate to the western part of the application site, which includes brick works and brick kilns and to the south west a gas works, which are located within the area proposed for landscaping, where no development is proposed. As such, the level of impact on these areas of archaeological potential is considered to be acceptable.

#### HOU 2 Infrastructure for Strategic Housing Sites

The development of the three strategic housing sites in Poynton (including the current application site) allocated through the Cheshire East Local Plan should include appropriate provision for the infrastructure consequences of the development. Such provision may include either on or off site provision.

In this case open space infrastructure is provided on site, with all other contributions towards off site infrastructure in accordance with relevant policies of the CELPS listed within the schedule of planning obligations at the end of this report, which addressed the requirements of this policy.

#### HOU 6 Housing Mix

This policy seeks to ensure the delivery of a mix of housing types and tenures which meet the needs of current and future residents of Poynton, including young families and elderly people.

As noted below, in the Residential Mix section of the original report, a good range of 1, 2, 3, 4 and 5-bed properties are being provided with a variety of tenures, in accordance with this policy.

#### HOU 7 Environmental Considerations

This is a general policy that seeks to protect heritage assets, landscape and biodiversity, recreational areas and open space, and to ensure surface water flooding is not exacerbated.

Compliance with CELPS policies SE3, SE4, SE5, SE6 and SE13 as detailed below demonstrate compliance with this policy.

#### HOU 8 Density and Site Coverage

This policy requires proposals for new dwellings to reflect the height, form, extent and pattern of surrounding development and character of the local area including site coverage by hard surfaced areas.

The site is allocated within the CELPS for 150 houses, and the current proposal provides for 133 dwellings, well below the allocated number. As outlined below, the proposed density is considered to be consistent with the local character of the area.

#### HOU 9 Affordable Housing

This policy requires 30% affordable housing to be provided, and should be indistinguishable from open market housing.

The affordable housing section below explains how policy SC5 of the CELPS and this policy is addressed.

#### HOU 11 Design

This policy lists criteria for any new housing development to meet in order to achieve a high standard of design and new development should be compatible with the existing character of Poynton.

Again, the Design section below provides a detailed assessment against the Cheshire East Design Guide, which in turn results in compliance with policy HOU 11.

#### TAC 1 Walking & Cycling

This policy expects new housing development to provide new footpath and cycle routes and prioritise safe accessibility considerations.

As noted above, the proposal is considered to accord with this policy by providing a diverted public footpath through an area of green infrastructure to the east of the site, providing links to footpaths beyond the application site, and also providing a financial contribution towards improving the cycle lanes on Chester Road. No additional cycles lanes can be provided due to the restrictions of third party land ownership.

The proposal is therefore considered to comply with the relevant policies of the Poynton Neighbourhood Plan.

## CONSULTEES

**Lead Local Flood Authority (LLFA)** – No objections subject to conditions

## REPRESENTATIONS

One additional letter of representation has been received from a local resident since the deferral noting:

- That there has been further flooding in Poynton.
- The Environment Agency actually noted that part of the site was at risk of flooding on their website.
- The water courses cannot cope with the amount of rain and run-off from current built up areas.
- The field in front of Lower Park School is shown "at risk".
- The flood alert was rescinded with the proviso that heavy rain forecast might reverse this decision.
- This area IS at risk of flooding.
- To use this site for building is a risk and Persimmon's mitigation factors (primarily two large underground tanks) would be insufficient, is untested and frankly ineffective for the amount of water, as the water would still ultimately be discharged into Poynton Brook, causing flooding either on site or further down. The banks cannot be raised as this would just lead to flooding on the housing estate on the other side of the brook.

## APPLICANTS SUBMISSION

The applicant has submitted a revised site layout plan to show a parking area for the school comprising 14 parking spaces.

## KEY ISSUES

### **Parking / drop off area**

One of the site specific principles of development for Site LPS 48 within the CELPS is:

*“Improvements to Hazelbadge Road and its junction with Chester Road, including provision of improved turning/parking facilities linked to Lower Park School and access improvements to Lower Park School.”*

The improvements to Hazelbadge Road and its junction with Chester Road include the widening of the junction and the provision of short stay parking bays (for drop-off purposes) and the introduction of double and single yellow lines. This will lead to access improvements to Lower Park School. Similarly, the turning areas in the form of the roundabout for parents and the junction further north for coaches also remain as previously proposed. In terms of car parking, the loss of the unrestricted car parking for school staff along Hazelbadge Road was a significant concern for Members during the last SPB meeting. Accordingly, the applicant has sought to provide a parking area for the school immediately adjacent to the school playing field. This parking area provides space for 14 vehicles. This plan has been presented to, and

discussed with, the School Headmaster and one of the School Governors at a meeting with the applicant and the case officer.

### **Railway station parking**

The matter of contributions towards car parking for Poynton Railway Station was also raised during the last SPB meeting. The original report (below) outlines that since the station has introduced charging for their car park, it is underused, with vehicles being displaced to surrounding residential streets including, as many of the representations note, Hazelbadge Road. The case officer has visited the railway station car park on 3 separate occasions prior to the June SPB meeting and several times since, and every time spaces have been available. In addition given the proximity of the application site to the station, it is unlikely that residents would drive to the station. Consequently, a contribution or additional land for car parking is not considered to be necessary to make the development acceptable in planning terms, and this conflict with LPS 48 is considered to be acceptable.

### **Flood Risk**

The proposed drainage scheme seeks to ensure that there will be no increase in the flow of water discharging to Poynton Brook through the use of hydrobrake manhole chambers, oversized pipes and cellular storage. The Flood Risk Assessment (FRA) states that the detailed drainage design will identify the specific requirements for the storm water storage. The LLFA has further considered the flood risk information submitted with the application, including the FRA, and stand by their previous response, which confirms that they have no objection to the proposal subject to conditions relating to carrying the development out in accordance with the submitted FRA, and the submission of a detailed surface water drainage strategy.

### **Conclusion**

As in the original report a recommendation of approval is made.

---

## **FIRST DEFERRAL REPORT PUBLISHED 17 SEPTEMBER 2019**

### **REASON FOR DEFERRAL**

The application was deferred from the Strategic Planning Board on 26 June 2019 *“in order for further consideration to be given to a revised parking/drop off area for the school”*

### **POLICIES**

Since the deferral of the application, the stage of the Poynton Neighbourhood Plan (PNP) has advanced from Regulation 17 to the Referendum Stage. The referendum on the PNP is due to be held on 10 October 2019. This increases the weight that can be attached to the draft policies within the PNP. However, this increased weight does not affect the assessment of the proposal and recommendation.

### **CONSULTEES**

Consultation with ANSA and Sport England was undertaken to establish their views on the principle of utilising an area of playing field for the parking / drop off area given the policy issues this raises.

**ANSA** – Object on the grounds that the use of the playing fields is contrary to CELPS policies which seek to protect outdoor sports facilities

**Sport England** – Holding objection, which may be addressed when the following is received:

- A ball strike risk assessment including details of any required ball stop mitigation and how this will be managed and maintained should be submitted. This should take into account any of the mitigation package required by the loss of the playing field due to the proposed car park, such as community use.
- A mitigation package for the loss of the playing field brought about by the proposed car park is required.

In light of recent flooding events in Poynton, the further consultation has been carried out with the Environment Agency and the Lead Local Flood Authority (LLFA).

**Environment Agency** – No objections subject to conditions (as previously recommended)

**LLFA** – No objections subject to conditions (as previously recommended)

The Town Council have also provided further comments on flooding matters.

**Poynton Town Council** - This site is bordered entirely to the east by Poynton Brook, which experienced very significant flooding on 31 July 2019. While this site just avoided being flooded, there was serious flooding and damage to houses and commercial premises upstream along Poynton Brook, and downstream in Bramhall, Stockport.

The plans submitted by the developers show that the surface water drainage from the site will be discharged into Poynton Brook, so increasing the flow of water in wet weather compared to the current use as agricultural land.

Poynton Town Council requests that consideration of this planning application cease with immediate effect until the full investigations into the recent floods have been completed.

In no case should any run-off from the new houses be discharged into either Poynton Brook or the foul water sewer. The current 8 metre gap between Poynton Brook and the development should be increased. The developer should be required to provide sustainable drainage solutions wholly contained within the site, at their expense.

In addition, Cheshire East should conduct a review of all drainage and culverts to assess whether the system can cope with all three of the strategic sites in extreme (but now regular) events. This should be reviewed holistically and not each site in isolation.

## **REPRESENTATIONS**

Since the deferral 7 letters of representation have been received from local residents and former residents of Poynton objecting to the proposal on the following grounds:

- Flood risk
- Review of recent flooding events should be undertaken before application is determined
- Recent flooding increased level of Poynton Brook by about 10 foot.
- Long term maintenance of easement to river
- Contamination from former brickworks and gasworks site
- Need for the development?
- If genuine need for housing, must be safer sites than this.
- Impact on wildlife
- Damage adjacent to footpath 43 through erosion from recent flooding
- Car park proposal would reduce provision of playing fields
- Hazelbadge Road unsuitable for the access to the site
- Provision of alternative access
- Drainage system in Poynton deeply flawed – flood risk assessments obsolete
- Increased volume of water will be washed into Brook
- Any new car park proposal should be within application site
- loss of valuable playing field open space, in stark contrast to the Council's commitment to the preservation of open spaces

## **APPLICANTS SUBMISSION**

The applicant has investigated the potential for providing the parking/ drop off area on the playing field and provided two options for how this could be provided on a site area of around 2,000sqm; one option showing 56 parking/drop off spaces, and the other showing 32 spaces.

They have also undertaken a costing exercise for these proposals and identified that it would cost between £60,000 and £70,000 to provide either of these options on the site. The applicant has stated that they would be make a £70,000 contribution towards the provision of the car park on the school playing field, and would like the application to proceed to a decision on this basis.

They do however wish to make clear that the application does not seek consent for the proposed car park, and therefore the issue of whether it is acceptable is not one for committee members when determining the application. The applicant also points to the views of the Council's Highways team that have confirmed that the car park is not necessary to mitigate for the impact of the development.

The provision of additional car parking either on the school site or on land within their control would be to alleviate an existing problem and not problems arising from their development, and therefore the applicant considers that additional car parking should not have to be provided on their site.

A supplementary drainage statement has also been submitted reiterating that there will be no increase in the flow of water discharging into Poynton Brook. The drainage strategy for the site is designed to mimic current greenfield flow rates, with the proposed strategy providing a



betterment during 30 and 100 year storm events through the use of hydrobrake manhole chambers, oversized pipes and cellular storage.

## **KEY ISSUES**

### **Green Belt**

The application site was removed from the Green Belt under the allocation of LPS 48 when the CELPS was adopted in July 2017. However, the Green Belt boundary extended up to the southern boundary of the application, and included the school site and the site of the adjacent playing field, where Members have requested the parking / drop off area is located. As the justification to policy PG 3 of the CELPS explains, the extent of the existing Green Belt remains unchanged, apart from the removal of land from the Green Belt associated with the identified Strategic / Safeguarded Sites identified in the CELPS. As such the proposed location of the parking / drop off area on the existing playing field remains in the Green Belt.

Paragraph 146 of the Framework and policy PG3 of the CELPS identify engineering operations and local transport infrastructure which can demonstrate a requirement for a Green Belt location as forms of development that are not inappropriate development in the Green Belt, subject to them preserving the openness of the Green Belt and not conflicting with the purposes of including land within it.

It could be said that by deferring the application to investigate the provision of the parking/drop off area on the school field Members acknowledge a need for a Green Belt location for this transport infrastructure.

The parking/drop off area would cover an area of around 2,000sqm on what is a very open playing field, and as such it would not preserve the openness of the Green Belt. It can also be said that the parking / turning area proposal would conflict with two of the purposes of Green Belts, namely safeguarding the countryside from encroachment and checking the unrestricted sprawl of large built up areas. The proposal is therefore considered to be inappropriate development in the Green Belt.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 of the Framework advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

### **Protection of Open Space**

CELPS policy SC2 seeks to protect existing indoor and outdoor sports facilities, unless they are proven surplus to need or improved alternative provision is provided and would not result in the loss of an area important for its amenity. CELPS policy SE6 4. i. seeks to protect and enhance existing open spaces and sport and recreation facilities. Similar policy requirements exist at paragraph 97 of the National Planning Policy Framework. The provision of a parking/drop off area on this playing field would conflict with these local and national policies.

ANSA have commented on the application and noted that the site is identified in the CEC Open Spaces Assessment as outdoor sports facilities. It is also identified within the more

recently updated CEC Playing Pitch Strategy (PPS). Policy SC2 of the CELPS states that any proposal affecting an outdoor sports facility will be judged in relation to any emerging or adopted PPS.

Aim 1 of the Council's PPS is

- To protect the existing supply of playing pitches and ancillary facilities where it is needed for meeting current and future needs.

Recommendations:

- a. Ensure, through the use of the Playing Pitch Strategy, that playing pitches are protected through the implementation of local planning policy.
- b. Secure tenure and access to sites for high quality, development minded clubs, through a range of solutions and partnership agreements.
- c. Maximise community use of education facilities where needed

ANSA note that the Poynton area analysis has current and predicted shortages in youth grass football pitches. The proposed site has previously hosted youth football games but is now in need of some remedial work to manage the water on site.

Aim 2 of the Council's PPS is

- To enhance playing fields, pitches and ancillary facilities through improving quality and management of sites

The proposed development is already required to make an offsite contribution for the provision of ROS facilities in lieu of any on site provision. The playing fields form part of a wider network of playing field provision in an area with recognised shortfalls and deficiencies; as such it is an important community facility for existing and future residents and is protected under CELPS policy.

Sport England also raise similar concerns noting that the proposed development would not, in its current form, accord with any of the exceptions to Sport England's playing fields policy. However, they advise that their concerns may be addressed if the loss of part of the playing field is satisfactorily mitigated. They note that the most appropriate form of mitigation will depend on local circumstances, but suggestions based on experience from elsewhere would include:

- Improving the quality of the remaining playing field (e.g. through potential improvements to drainage, ground levels and/or maintenance);
- Formally securing the community use of the school's playing field through a community use agreement (unless there are already secured community access to the playing field);
- Marking out additional playing pitches on the playing field;
- Providing changing facilities as part of the development;

On this occasion, a package of mitigation measures would need to be proposed due to the extent of the impact of the proposed development.

Whilst the applicant has confirmed that they are willing to provide a financial contribution towards the provision of the car park, no mitigation measures are proposed. (As noted above, the applicant is not seeking consent for the car park). Accordingly, the proposal for a

parking/drop off area on the school playing field would be contrary to policies SC2 and SE6 of the CELPS, and paragraph 97 of the Framework.

Sport England initially also raised concern that the proposed residential development gives rise to a potential conflict with the use of the playing field for football, however they have since confirmed that the ball stop netting is not required for the development.

### **Flood Risk**

The comments from the Town Council and local residents regarding flood risk concerns are acknowledged. Further consultation has been carried out with the Environment Agency and the LLFA and both parties have confirmed that their positions on the development remain unchanged from their previous responses.

### **Conclusion**

The harm arising from the loss of the open space would also need to be added to the identified harm to the Green Belt, which as noted above, attracts substantial weight. The applicant has offered a financial contribution towards the provision of this parking/drop off area, which could be secured and retained for future use within a defined period.

However, the delivery of the car park, the additional mitigation measures, and (if required) the securing of other consents such as ensuring the Council achieves best value for the site as an asset, and a possible application to the Secretary of State for Education under Section 77 of the School Standards and Framework Act seeking to dispose of land which is defined as school playing field, will all fall to the Council to provide / address. Given the significant planning policy issues highlighted above, it is not considered to be likely that the policy issues can be satisfactorily addressed, and the provision of a parking/drop off area on the site is unlikely to be realised in a timely manner. It is therefore considered that the financial contribution offered by the applicants cannot be accepted, as the requirements of the CIL regulations would not be met.

The advice from the Highways Authority is that the turning and short stay parking provision within the application is satisfactory.

Despite the recent flooding event in Poynton, the flood risk issues remain as they were at the time of the previous report. Appropriate drainage and flood risk conditions are recommended.

Accordingly, as in the original report below a recommendation of approval is made, without the requirement for additional parking/drop off areas within the playing field.

---

## **ORIGINAL REPORT PUBLISHED 18 JUNE 2019**

### **DESCRIPTION OF SITE AND CONTEXT**

The site is an 8.28 hectare greenfield site lying to the west Poynton. The site is located at the northern end of Hazelbadge Road, which is a residential cul-de-sac. Lower Park Primary School and its playing field is currently located at the end of Hazelbadge Road, and the

application site borders the east, west and northern boundaries of the school. Hazelbadge Road runs between the school's eastern boundary and the application site. Poynton Brook runs along the eastern boundary of the site and the railway line runs along the western boundary beyond existing woodland on the western side of the site. The woodland is formally protected by Tree Preservation Order and there is also a linear group of protected trees in the centre of the site. A number of public rights of way also cross the site. The site is allocated for housing development under policy LPS 48 in the CELPS, which allows for the delivery of around 150 new homes.

## **DETAILS OF PROPOSAL**

This application seeks full planning permission for the erection of 134 dwellings with associated access improvements, landscaping and public open space.

## **RELEVANT HISTORY**

10438P - RESIDENTIAL (OUTLINE) – Withdrawn 30.08.1977

10309P - RESIDENTIAL DEVELOPMENT (OUTLINE) – Withdrawn 1.09.1977

35818P – HOUSING – Refused 13.01.1984

## **POLICIES**

### **Development Plan**

Cheshire East Local Plan Strategy (CELPS)

MP1 Presumption in favour of sustainable development

PG1 Overall Development Strategy

PG2 Settlement hierarchy

PG7 Spatial Distribution of Development

SD1 Sustainable Development in Cheshire East

SD2 Sustainable Development Principles

IN1 Infrastructure

IN2 Developer Contributions

SC1 Leisure and Recreation

SC2 Indoor and Outdoor Sports Facilities

SC3 Health and wellbeing

SC4 Residential Mix

SC5 Affordable Homes

SE1 Design

SE2 Efficient use of land

SE3 Biodiversity and geodiversity

SE4 The Landscape

SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure

SE7 Heritage Assets

SE9 Energy Efficient development

SE12 Pollution, land contamination and land stability

SE13 Flood risk and water management

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

LPS 48 Land adjacent to Hazelbadge Road, Poynton

Macclesfield Borough Local Plan saved policies (MBLP)

NE9 Protection of River Corridors  
NE11 Nature conservation  
NE16 Nature Conservation priority areas  
NE17 Nature conservation in major developments  
NE18 Accessibility to nature conservation  
RT5 Open space standards  
H9 Occupation of affordable housing  
DC3 Residential Amenity  
DC6 Circulation and Access  
DC8 Landscaping  
DC9 Tree Protection  
DC14 Noise  
DC17 Water resources  
DC35 Materials and finishes  
DC36 Road layouts and circulation  
DC37 Landscaping  
DC38 Space, light and privacy  
DC40 Children's play / amenity space  
DC63 Contaminated land

**Other Material Considerations**

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

Poynton Neighbourhood Plan (PNP)

Poynton Neighbourhood Plan – Regulation 17 stage reached (Examination of the plan), therefore whilst the plan is at a relatively advanced stage only limited weight can be attached to these policies.

Relevant draft policies include:

EGB 6 Surface Water Management  
EGB 8 Natural and Historic Environment  
EGB 9 Access to the countryside  
EGB 10 Improving access to the countryside  
EGB 11 Landscape Protection and Enhancement  
EGB 12 Landscape Enhancement  
EGB 13 Woodland Retention and Enhancement  
EGB 14 Protection of Rural Landscapes  
EGB 15 Protect landscape and other key views within Poynton  
EGB 16 Nature Conservation  
EGB 17 Wildlife Corridor  
EGB 19 Development of Additional Facilities

EGB 20 Additional Allotments  
EGB 24 Heritage Assets  
HOU 2 Amount of Housing Development  
HOU 6 Infrastructure for Strategic Housing Sites  
HOU 7 CECLP July 2017 Strategic Sites  
HOU 9 Land at Hazelbadge Road  
HOU 15 Housing Mix  
HOU 16 Density of Development  
HOU17 Environmental Considerations  
HOU 18 Density and Site Coverage  
HOU 19 Affordable Housing  
HOU 21 Design  
TAC 1 Walking  
TAC 2 Cycling  
TAC 3 Cycle Parking  
TAC 8 Traffic Volumes  
HEWL 1 Encouraging a Healthy Lifestyle  
HEWL 2 Getting About within Poynton and its Environs  
HEWL 4 Sports and Social Activities for All  
HEWL 5 Growing Up in Poynton

## **CONSULTATIONS (External to Planning)**

There have been two rounds of consultation on the application, one in January 2018 and one in February 2019. The responses below are the most up to date from each consultee.

**Environment Agency** – No objection subject to conditions relating to groundwater and contaminated land

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

**Network Rail** – Provide comments on the following: S106 funds should be sought for improvements to Poynton Railway Station; requirements for open space; risk assessment for works close to railway; safety of railway; scaffolding; vibro-compaction machinery / piling machinery; drainage; excavation and earthworks; gaps to railway boundary; noise mitigation; trees; roads / hardstanding

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

**Flood Risk Manager** – No objection subject to conditions relating to FRA and surface water drainage

**Environmental Health** – No objection subject to conditions relating to noise mitigation, electric vehicle infrastructure, ultra low emission boilers, anti-idling signage and contaminated land

**Education** – No objection subject to a financial contribution towards local primary and secondary schools

**Public Rights of Way** – Initially objected due to obstruction of 2 rights of way. Revised plan showing diversion is a welcome amendment.

**Head of Strategic Infrastructure** – No objections subject to conditions relating to a revised travel plan, a construction management plan, and implementation of highway improvements, and financial contributions towards the Poynton Relief Road, Traffic Regulation Order along Hazelbadge Road, provision of a new bus stop opposite Hilton Grove and bus service improvements to be secured through a s106 agreement.

**ANSA** – No objections subject to confirmation of play space equipment

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

**Cheshire Archaeology Planning Advisory Service** – No objection

**NHS Eastern Cheshire Clinical Commissioning Group** – Request financial contribution to support the development of the two GP practices in Poynton.

**Poynton Town Council** –

January 2018

Recommend refusal on the following grounds:

- Overdevelopment and over intensification of use causing harm to character and appearance of area
- Adverse impact on Green Belt
- Unsustainable - fails to address key matters of infrastructure, impact on local and site amenities and flood risk and mitigation
- Unacceptable increase in traffic at the junction of Hazelbadge Road and Chester Road and creates highway safety risk
- A6MARR and PRR should be completed prior to the site being considered for development
- Access along Hazelbadge Road will have detrimental impact on adjacent properties
- Contrary to sustainable environment policies SE3, SE4 and SE5 concerning matters of biodiversity and geodiversity, landscape and trees, hedgerows and woodland
- Application submission makes no attempt to assess social and community infrastructure needs to be generated from this development
- Risk of surface water run-off from the site which would drain towards Poynton Brook which has suffered serious flooding in recent years.
- Fails to comply with the Borough Council's Statement of Community Involvement
- Adverse impact on the Poynton Brook wildlife corridor
- Insufficient and contradictory information to allow a full and informed assessment of the development now being proposed
- Public Footpaths, Poynton with Worth numbers 43 and 46, will be obstructed by the proposed development
- Inadequate visibility at the point of access onto Chester Road
- Contrary to the interests of highway safety due to the fact that a number of turning movements into and out of the site

- Contrary to the interests of highway safety as it would result in additional traffic using Hazelbadge Road and Chester Road which are already used at unacceptable levels.
- The development would adversely affect the free flow of traffic on Chester Road.
- By reason of its design, in particular the 3 storey mews and apartment blocks, would adversely affect the character and appearance of the area which it is located
- The apartments and to some extent the mews houses, the scale and form of these are totally out of keeping with the surrounding buildings
- Identified by Cheshire Wildlife Trust as having medium and high values on the habitat distinctiveness score as well as a wildlife corridor. The mitigation plan only focuses on Great Crested Newts and not the other variety of wildlife such as badgers and bats
- Contamination of site in area of former gas works and brick works
- Proposals do not adequately address the impact the construction works will have on the school, in terms of noise and dust

#### February 2019

- Overdevelopment and over intensification of use causing harm to character and appearance of area
- Adverse impact on Green Belt
- Unsustainable - fails to address key matters of infrastructure, impact on local and site amenities and flood risk and mitigation
- Do not adequately address the adverse impact that the construction works will have on the school, in terms of noise, dust or the danger from construction traffic
- Unacceptable increase in traffic at the junction of Hazelbadge Road and Chester Road into the proposed new estate and would create highway safety risk
- A6MARR and PRR should be completed prior to the site being considered for development
- The application is unneighbourly in that the access road will have a serious detrimental impact on adjacent properties.
- The proposed development is contrary to sustainable environment policies SE3, SE4 and SE5 concerning matters of biodiversity and geodiversity, landscape and trees, hedgerows and woodland.
- The application submission makes no attempt to assess social and community infrastructure needs to be generated from this development
- There is some risk about run-off of surface water from the site which would drain towards Poynton Brook which has suffered serious flooding in recent years.
- The application fails to comply with the Borough Council's Statement of Community Involvement
- The development would have an adverse impact on the Poynton Brook wildlife corridor as identified by the Cheshire Wildlife Trust in the submitted Poynton Neighbourhood Plan
- The planning application provides both insufficient and contradictory information to allow a full and informed assessment of the development now being proposed

#### March 2019

- Support concern raised by parents of children attending the primary school about the highway and personal safety
- Support the assessment of the Council's Design Officer



- Cheshire East Public Right of Way team continues to object to the development as the applicants have to date failed to commence the process for the diversion of appropriate footpaths
- The Borough Council is requested to ensure that site investigative works to enable this development to progress are undertaken by the developer and their advisors and prior to the grant of any planning permission
- Highway authority approach is very limited and fails to assess the impact of the development on the local community as national planning policy requires
- The Town Council endorses the concerns expressed by the Headteacher in the published letter and would request that if planning permission is granted for the development being proposed, the council should seek to meet the Headteacher's requests through an appropriate planning agreement or condition.

## **OTHER REPRESENTATIONS**

Letters have been received from local residents, the neighbouring school, interested parties and the local MP.

### January 2018

99 letters of representation were received objecting to the proposal on the following grounds:

- Impact on local school
- Exacerbate existing issues on Hazelbadge Road
- Impact on other local services, doctors etc.
- Impact on highway safety
- No additional infrastructure planned
- Inadequate infrastructure in Poynton
- Increased congestion
- Allocation in local plan does not validate proposal to build 147 houses
- Hazelbadge Road too narrow to accommodate additional vehicles
- Safe and suitable access cannot be provided
- Service vehicle access is impossible and will not be improved by increased traffic flows
- Plans show road up to boundary with GB - contract to site specific principles of development
- No land for railway station parking and no contribution towards public transport links
- Measures need to be put in place to ensure site is built out
- Risk of injury to school pupils
- Loss of open space
- Impact on wildlife
- Effects on drainage of the area
- Disruption to residents during construction
- Existing school traffic blocks access to properties
- Little consideration given to pedestrians and cyclists
- Increased flood risk
- Allotments planned on contaminated land
- Impact on protected trees
- Visibility at Chester Road inadequate
- Double yellow lines will be ignored by parents
- Second access via Glastonbury Drive should be considered

- Loss of grassland habitats and wildlife
- Station traffic already parks on Hazelbadge Road
- 22/01/18 between 8 & 9am 84 cars delivered children to school
- 24/01/18 between 8 & 9am 109 cars delivered children
- Car park promised by Persimmon on the school playing field not provided
- Mini roundabout inadequate for coaches to turn around
- Improvements to public footpaths should be made
- Contamination to western part of site
- Loss of biodiversity
- Who will be responsible for cost of management of open spaces
- Parking will be displaced to other nearby roads
- How will yellow lines be policed
- Increased noise and pollution
- Plans do not account for public rights of way
- Riverside walk and community orchard should be provided
- Traffic survey carried out at the end of term - false results
- Negative impact on character of Poynton
- No need for site to be released from GB as other sites can meet housing targets for Poynton
- No bungalows and starter homes provided
- Inadequate traffic modelling
- Cul-de-sac exceeds guideline maximum distance of 350m
- Height of some of the dwellings is out of keeping
- Impact of dust and noise on school children
- Access to train station should be provided
- A6 MARR and PRR will not reduce traffic to this site
- Roadwork should be done during the night
- Loss of pavement opposite school - should be reinstated to maintain safe walking route
- Housing mix incorrect - 5 bed houses not required, smaller 2 & 3 bed houses needed
- 3 storey apartments are an overbearing form of building in an area of predominantly 2 storey housing contrary to design guide
- Over development
- D&A indicates density to parcels 1, 2, 3, 5 & 6 will be between 33 & 60 units per hectare - 30 units per hectare proposed in neighbourhood plan
- Garages do not appear wide enough to accommodate a car
- Biodiversity is more extensive than applicants reports suggest
- Unacceptable impact on Poynton Brook Wildlife Corridor as identified in PNP
- Access along Hazelbadge Road will have detrimental impact on adjacent properties
- Contribution required to support local infrastructure, improve pedestrian and cycle access to station, secure cycle parking
- Derelict bridge over brook should be reinstated
- Construction management plan required to protect school
- Vehicles exceed 30mph along Chester Road mean visibility should be greater
- Nearby Woodford development traffic excluded from TA
- Inadequate parking for staff on school site
- Waiting restriction will prevent availability problem of parking for staff. The school needs a car park

- Lower Park Primary will not benefit from SC06 money - should be used to address specific issues of the school. e.g. new windows of cost f £80,000, boundary fencing for privacy
- Piled foundations will cause disturbance
- Main access should be re-routed along old railway embankment route away from school
- Inadequate air quality data (start from 7/2)
- Health Impact of building phase
- Traffic modelling software struggles to reproduce current peak hour conductors and is inadequate
- Land is on a flood plain
- Impact on GB
- Over development is over intensification
- 4 years of construction will have an impact children's education
- Site plan does not include highways works
- No construction management plan submitted
- No energy statements submitted
- Highways works not clear
- No swept path analysis for larger vehicles at Hazelbadge Road / Chester Road junction
- Safety audit should be carried out
- Any fence needs to be agreed with school
- Noise assessment incorrect and impact on school not considered
- Air quality assessment does not identify school as sensitive receptor
- Details of construction process should be considered prior to determination in consultation with school
- Play area should be moved away from existing residences
- Retirement accommodation is needed
- Many other housing developments taking place to address Poynton's housing needs
- Site previously refused PP due to access

#### February 2019

159 letters of representation were received objecting to the proposal reiterating the points above and on the following grounds:

- Any site visit should be done during term time at peak hours
- Site specific principles of development in LPS should be adhered to
- Impact on Poynton Brook
- Risk to health of pupils and homeowners
- Impact on highway safety
- All previous comments should be considered
- Road no wide enough to cope with additional traffic
- Bee bricks and bat boxes should be incorporated into buildings
- No public access recreation provision
- Double yellow lines should only be implemented following discussion with residents
- Yellow lines must not be considered
- Land is Green Belt
- Hazelbadge / Chester Road junction is dangerous
- Does not mitigate school traffic

- Still no car park provided on playing fields
- Old bridge should be replaced
- Impact on wildlife
- Loss of greenspace
- Homes not needed
- Details of improvement works should be available for review
- Increased noise and air pollution
- Bin lorries and fire engines cannot access properties
- Impact of construction traffic
- Inadequate parking
- Impact on village infrastructure
- Increased flood risk
- Enhancement works at Kerridge Hill do not mitigate for impact of development in Poynton
- Impact on infrastructure
- Poynton Relief Road must be completed before this site should be considered for development
- Loss of trees, hedgerows and woodland
- Damage to Poynton Brook Wildlife Corridor
- Does not respond to comments of the local community
- Impact of three-storey buildings on Green Belt
- Conclusions within LVIA are worthless
- No provision of housing for the elderly or bungalows
- Discrepancies in numbers of dwellings proposed in application documents
- Concur with all 13 points raised by Town Council
- Lack of thought shown to the school and protection of its pupils
- Land should not have been removed from the Green Belt
- Yellow lines will displace parking to other roads
- Road spur to north is unnecessary and suggests boundary will not endure
- Little provision for cyclists or pedestrians
- Brownfield sites should be used
- Concern over safety and welfare of children
- School will not directly benefit from the proposal
- Additional zig-zag lines should be put into place between the two existing zig-zag lines to help prevent cars from double parking at this most critical and busiest section of Hazelbadge Road.
- Impact of construction traffic / process
- Poynton has limited employment opportunities so more people will travel out of Poynton to work, which means more traffic
- A residents survey of the traffic on Chester Road on Monday 11th February 2019 between 08.00 am and 09.00am produced the following information:  
841 Vehicles traveling westwards away from Poynton centre, including 24 lorries, 5 buses and 7 bikes  
693 vehicles traveling eastwards towards Poynton centre including 23 lorries and 15 bikes  
202 vehicles emerging from Clifford Road to travel west.  
66 uses of the Pedestrian Crossing

These figures exceed those in a previous survey taken before the opening of the bypass and it is clear that traffic has increased along Chester Road rather than decreased as residents were promised.

- Revised submission is technically deficient
- No Construction Environment Management Plan submitted
- Increased congestion
- Unneighbourly
- Might contaminate the water supply to Poynton
- Community should be fully involved
- Housing type
- Application documents refer to width of road as 5.5m wide, when it is 6.1m wide
- Fencing off contaminated land is inappropriate

## **OFFICER APPRAISAL**

### **PRINCIPLE OF DEVELOPMENT**

The application site is an allocated Strategic Site for housing in the CELPS. Site LPS 48 states that the development of Land adjacent to Hazelbadge Road over the Local Plan Strategy period will be achieved through:

1. The delivery of around 150 new homes;
2. Incorporation of green infrastructure including:
  - i. An appropriate level of amenity open space and children's play space;
  - ii. The creation of links with footpaths to the north and east; and
  - iii. Pedestrian and cycle links to new and existing residential areas, employment areas, shops, schools and health facilities including improved pedestrian links to the town centre and the railway station.
3. Open space provision to accommodate the need for enhanced or new indoor and outdoor sports facilities to accommodate the additional demand from the housing. Provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy.

The proposal for 134 dwellings is considered to meet the definition of "around 150 new homes" and is therefore considered to be acceptable in principle. The delivery of the site for residential development will contribute towards the Council's housing land supply and assist in meeting the development requirements of Poynton and the wider Borough. The further requirements of policy LPS 48 are considered further below.

### **HOUSING**

#### **Affordable Housing**

Policy SC5 of the CELPS states that "in developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable." As a full application for 134 dwellings, in order to meet the Council's Policy on Affordable Housing there is a requirement for 40 dwellings to be provided as affordable units. 26 units should be provided as Affordable rent and 14 units as Intermediate tenure.

The current number of those on the Cheshire Homechoice waiting list with Poynton as their first choice is 114. This can be broken down to 58x 1 bedroom, 36x 2 bedroom, 15x 3

bedroom and 5 x 4+ bedroom dwellings. The majority of the need in this area is therefore for smaller dwellings.

The applicant's Affordable Housing Statement explains that they are providing the full policy requirement in Affordable housing. The proposal will provide:

Intermediate tenure

3 x 1 bed three-storey "F4" apartments

3 x 2 bed three-storey "F4" apartments

8 x 3 bed two-storey semi-detached "Hanbury" dwellings

Rent

4 x 1 bed two-storey "Beadnell" apartments

3 x 3 bed two and a half storey "Moseley" mews dwellings

7 x 2 bed two-storey "Alnwick" terraced dwellings

6 x 1 bed three-storey "F4" apartments

6 x 2 bed three-storey "F4" apartments

The Housing Strategy and Needs Manager is satisfied that the submitted Affordable Housing Statement and the Affordable Housing Plan are meeting the identified housing need. The units are adequately pepper potted across the site, and as such the proposal is in accordance with policy SC5 of the Local Plan. A query was raised by the Housing Strategy & Needs Manager seeking confirmation that Registered Providers will take the apartments with the extra communal service charges that can be associated with them. Confirmation has been received from a Registered Provider (MSV Housing) that they are willing to take the affordable housing as proposed, which satisfies this query. The affordable housing provision should be secured as part of the s106 agreement.

Residential Mix

Policy SC4 of the CELPS states that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.

This is reflected in draft policies HOU 9 and HOU 15 of the Draft PNP. HOU 9 states that given the size and location of the Hazelbadge Road site, a mixture of 2, 3, and 4 bedroom properties should be achievable.

The proposed development comprises:

16 x 5 bed units

32 x 4 bed units

22 x 3 bed units

9 x 2 bed units

15 x 1 bed units

Taken together with the affordable provision outlined above, the proposed residential mix is considered to meet the requirements of policy SC4 of the CELPS, and the draft policies of the PNP.

**OPEN SPACE**

The local plan allocation (LPS 48) states that the development of this site should include “*an appropriate level of amenity open space and children’s play space*” and “*Open space provision to accommodate the need for enhanced or new indoor and outdoor sports facilities to accommodate the additional demand from the housing. Provision should be in accordance with an adopted up to date and robust Playing Pitch Strategy and Indoor Sports Strategy.*”

#### Public Open Space

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

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

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

The proposal for 134 dwellings triggers a requirement for 2,680sqm of formal and informal play provision in line with policy SE6 of the CELPS. A play area is now proposed on the northern boundary, which meets the size requirement for the children’s play space provision. The formal play area, which will include 8 items of equipment in a combined LAP and LEAP, is now located alongside an area of free-play amenity grass, to provide a comprehensive opportunity for formal and informal, imaginative and social play and activity. A gate will need to be provided between the fenced play area and amenity space, which can be dealt with as part of recommended landscape conditions.

2680sqm of amenity greenspace is also required, and the site plan indicates that over 6,000sqm of amenity greenspace will be provided, including over 3,000sqm around the protected trees in the centre of the site.

The same amount (2680sqm) is required for green infrastructure, and again provision of this type of open space exceeds the amount required by policy SE6, with over 9,000sqm being provided across the site.

In terms of allotments, the requirement is 5sqm per family dwelling. It was initially proposed to include allotments to the west of the site close to the woodland, however, due to the contamination issues associated with this part of the site (explained further below), a financial contribution for offsite provision will be required. The contribution is calculated on the basis of £562.50 per family home and £281.25 per apartment and will be used to expand, enhance and improve allotment and community garden provision in Poynton, on existing sites and new opportunities in line with policy EGB 20 of the draft Poynton Neighbourhood Plan.

There are 46 apartments and 88 family dwellings which results in a required allotment and community garden contribution of £61,937.50 (£49,500 for the family dwellings and £12,937.50 for the apartments).

Policy SC2 of the CELPS requires major residential developments to contribute, through land assembly and / or financial contributions, to new or improved sports facilities where

development will increase demand and / or there is a recognised shortage in the locality that would be exacerbated by the increase in demand arising from the development.

#### Outdoor sports facilities

In terms of outdoor sports facilities, the proposal will increase demand on existing facilities and as such a financial contribution towards off site provision will be required. The financial contribution is required at a rate of £1,000 per family [2+bed] dwelling and £500 per 2+ bed apartment. There are 88 family dwellings and 18 2 bed apartments within the proposed development. This results in a required contribution of £97,000 (£88,000 for the dwellings and £9,000 for the apartments). The funds would be required on commencement of development and would be used in line with the Council's adopted Playing Pitch Strategy and the FA's Local Football Facilities Plan at Deva Close Playing Fields Poynton.

#### Indoor sports facilities

The Indoor Built Facility Strategy has identified that any existing shortfalls for Poynton should look to focus on improvement of provision at Poynton Leisure Centre. Whilst new developments should not be required to address an existing shortfall of provision, they should ensure that this situation is not worsened by fully addressing its own impact in terms of the additional demand for indoor leisure provision that it directly gives rise to. Furthermore, whilst the strategy acknowledges that the increased demand is not sufficient to require substantial indoor facility investment through capital build there is currently a need to improve the quality and number of health and fitness stations at Poynton Leisure Centre to accommodate localised demand for indoor physical activity.

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

134 dwellings at 1.61 people per residence = a population increase of 216

- The annual Sport England Active People Survey Results for 2016 showed 42.7% participation rate for Cheshire East = 92 additional "active population" due to the new development in Poynton
- Based on an industry average of 25 users per piece of health & fitness equipment this equates to an additional four (4) stations. Requirement for:  
x 3 running machines (£6,500 per treadmill), x 1 resistance / weight pieces (£3,000 per piece). Total £22,500

For the above reasons the proposal is considered to comply with the open space and sport and recreation requirements of LPS 48 and policies SC2 and SE6 of the CELPS.

## **EDUCATION**

One of the site specific principles of LPS 48 in the CELPS is "contributions to education and health infrastructure".

In the case of the current proposal for 134 dwellings, this is expected to generate:

25 primary children (134 x 0.19) – 1 SEN

20 secondary children (134 x 0.15) – 1 SEN

2 SEN children (134 x 0.51 x 0.023%)



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

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. It is acknowledged that this is an existing concern, however the 2 children expected from the proposed development will exacerbate the shortfall. The 2 SEN children, who are thought to be of mainstream education age, have been removed from the calculations above to avoid double counting.

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

$24 \times £11,919 \times 0.91 = £260,311$  (primary)

$19 \times £17,959 \times 0.91 = £310,511$  (secondary)

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

Total education contribution: £661,822

Without a secured contribution of £661,822 Children's Services would raise an objection to this application. This position is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 24 primary children, 19 secondary children and 2 SEN children would not have a school place in Poynton, and the proposal would not comply with LPS 48 in the CELPS.

## **HEALTHCARE**

The NHS Eastern Cheshire Clinical Commissioning Group (CCG) has commented on the application noting that Poynton is serviced by two GP practices with a combined patient population of 17,551. As a Key Service Area (identified in the CELPS), there are a number of sites identified for housing development within Poynton and surrounding geographical areas. Additional growth in patient numbers will add pressures to the GP practices, with an increase in clinical and non-clinical staff required in order to meet these future patient needs.

The two GP practices in Poynton - Priorsleigh Medical Centre and McIlvride Medical Centre - had 17,551 registered patients in January 2018. The predicted number of patients in 2028 (based on annual 1% growth plus known planned housing developments) is 20,390.

Priorsleigh Medical Centre operates from a purpose built, GP owned premises, which opened in 1995 and is situated in the centre of Poynton. Increases in the local ageing population, along with a vision to transform the way in which Primary Care is delivered has given rise for further development and expansion of the Medical Centre going forward. Expansion of the building has been supported by the CCG via the NHS England Estates & Technology Transformation Fund (ETTF), however it is acknowledged that this NHS funding source will not be sufficient to cover 100% of any planned expansion costs.

Mcllvride Medical Practice operates from GP owned premises in the centre of Poynton. The GP practice consists of a single building which is now at capacity. Due to the location of the building, expansion options are limited. Development to restructure the internal layout of the GP practice would be supported by the CCG in order to optimise existing space.

Additional growth in patient numbers will add further pressures to the two GP practices, with an increase in clinical and non-clinical staffing numbers will require expansion or redevelopment of the Priorsleigh site and internal structural changes at the Mcllvride sites. Both Priorsleigh Medical Centre and Mcllvride Medical Centre are open to further development of their sites for the benefit of the local patient population, and there is an expectation that further development will be needed in order to meet the projected increase in local population over the next 5-10 years. Both GP practices are therefore actively engaged with the CCG in investigating potential primary care estates development opportunities. Both GP practices have identified estates development work which, if funding can be sourced, would allow for further expansion and greater utilisation of the buildings.

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

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

The proposed development comprises:

16 x 5 bed units  
32 x 4 bed units  
33 x 3 bed units  
25 x 2 bed units  
28 x 1 bed units

As such the CCG requests a contribution to health infrastructure via Section 106 of £133,344 based on the proposed 134 dwellings, and the occupancy stated above. This would comply with policy LPS 57 of the CELPS.

## **LIVING CONDITIONS**

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

However the CE Design Guide states separation distances should be seen as guide rather than a hard and fast rule. The Design Guide does however acknowledge that the distance between rear facing habitable room windows should not drop below 21m. 18m front to front will also provide a good level of privacy, but if this applied too rigidly it will lead to uniformity and limit the potential to create strong streetscenes and variety, and so this distance could go down as low as 12m in some cases.

The nearest existing residential properties are located along the eastern spur of Hazelbadge Road and a separation distance of over 30 metres is achieved between these existing dwellings and the proposed development. Properties to the east on Kirkstall Close, Furness Close, Whitby Close and Easby Close are over 50 metres from the nearest of the proposed dwellings on the opposite side of the vegetated Brook corridor. These relationships with the nearest existing dwellings are considered to result in acceptable standards of amenity for existing and proposed residents having regard to the distance guidelines set out above.

Similarly the layout within the site ensures the relationships between the new dwellings result in acceptable standards of space, light and privacy for future occupants. The development is therefore considered to be in accordance with policies DC3 and DC38 of the MBLP.

## **NOISE**

Policy SE12 of the CELPS seeks to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. Developers will be expected to minimise, and mitigate the effects of possible pollution arising from the development itself, or as a result of the development (including additional traffic) during both the construction and the life of the development. Where adequate mitigation cannot be provided, development will not normally be permitted.

Policy DC14 of the MBLP states that development may be permitted provided that the effects of noise can be mitigated by soundproofing measures.

The applicant has submitted an acoustic report which considers the impact of the noise from the nearby road, rail and school on the proposed development in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings Department of Transports (1988) Calculation of Road Traffic Noise (CRTN). This is an agreed methodology for assessing noise of this nature.

The noise report identifies that railway noise is sufficiently low, and no mitigation measures are necessary in respect of railway noise. However, acoustic fencing is recommended for the gardens of houses that will be nearest to the school and its playing field. The assessment of noise impact from the use of Hazelbadge Road to access the development concluded that traffic generated by the proposed development would not result in any significant noise impact upon existing dwellings on Hazelbadge Road. Environmental Health advises that the conclusions of the report and methodology used are acceptable. The proposed mitigation can be secured by condition.

A number of the letters of representation raise concern about the impact of the development upon the adjacent school particularly during the construction phase in terms of noise, as well as vibration, dust etc. Impacts during the construction phase are a temporary manifestation of the development process, and as such will be temporary in nature. A residential development itself does not raise any significant concerns in this regard and it is considered that a construction environmental management plan (CEMP) can ensure that any such impacts upon existing development are minimised. The submission and implementation of a CEMP can be secured by condition.

Subject to the conditions referred to above, the proposal will comply with policy SE12 of the CELPS and DC14 of the MBLP.

## **AIR QUALITY**

As noted above, 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 181 of the NPPF and the Government's Air Quality Strategy.

When assessing the impact of a development on local air quality, it is necessary to have regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality May 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 Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub>) 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:

- Scenario 1 (S1): '2016 Baseline' representing the 'existing' air quality situation in 2016
- Scenario 2 (S2): '2022 Without Development' (without the proposed development in place, but with the A6 Manchester Airport Relief Road (A6MARR) and the Poynton Relief Road (PRR) in place);
- Scenario 3 (S3): '2022 With Development' (with the proposed development, the A6MARR and the PRR in place

The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> concentrations, with none of the receptors experiencing greater than a 1% increase.

However, it is necessary to consider the cumulative impact of a large number of developments in a particular area. Particularly, the impact of transport related emissions on Local Air Quality. Taking account of the uncertainties with modelling, the impacts of the development could be significantly worse than predicted.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact.

A travel plan will be implemented for this site, which will help to promote alternatives to the private car, in the interests of air quality. However, further mitigation measures are recommended to reduce the impact on sensitive receptors in the area. Therefore, conditions are recommended relating to the provision of electric vehicle infrastructure across the site, and the provision of anti-idling signage in order to prevent accumulations of poor air quality in the area around the school, particularly where the designated short stay parking bays will be. Subject to these conditions, the proposal will comply with the air quality aspects policy SE12 of the CELPS.

Environmental Health also recommended a condition relating to the provision of ultra low emission boilers; however such a condition is not considered to be necessary or reasonable.

## **PUBLIC RIGHTS OF WAY**

There are three public rights of way within the site, and the original layout showed that Public Footpaths Poynton with Worth nos. 43 & 46 (which head north east and north west respectively) will be obstructed by the proposed development. As there was no mention of the legal alignments requiring a diversion order under s. 257 of the TCPA 1990 or being appropriately accommodated (not along the principal streets) within the site layout the Public Rights Way team objected to the proposal.

The application documents originally showed the Public Right of Way running along the estate roads. It should be noted that national guidance on Rights Of ways states that any alternative alignment [of a Public Right of Way] should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic.

Revised plans have been received that now divert footpaths 43 and 46 through the green infrastructure to the east of the site, away from estate roads. The Rights of Way team have confirmed that the revised plans achieve the requirement to seek off road diversion routes for the public footpaths affected by development, and are therefore a welcome amendment. They also note that there would be a number of details to iron out when an application to divert under s.257 TCPA is made.

The other public right of way Footpaths Poynton with Worth no. 88 is unaffected by the proposal.

## **ACCESSIBILITY**

Pedestrian and cycle access will be provided from the same location as the vehicular access off Hazelbadge Road. Foot and cycle access will be available to nearby facilities, namely the primary school, railway station and shops/local services in Poynton centre, which is less than 700m from the application site. The development will also provide a footpath link from the north of the site onto the existing public right of way network north of the site boundary.

Poynton railway station, which provides frequent rail services to Stockport/Manchester and Macclesfield is less than 400m from the application site and is within walking distance along existing footways.

Bus services are accessed via nearby bus stops which have services to Macclesfield and Poynton/Stockport. Further details on this service are discussed in the Highways section below.

The local plan allocation for this site (LPS 48) requires *“the creation of links with footpaths to the north and east; and pedestrian and cycle links to new and existing residential areas, employment areas, shops, schools and health facilities, including improved pedestrian links to the town centre, and the railway station.”*

In this regard, the Public Rights of Way team originally requested that the applicant delivers improvements such as:

- a) Provide a fenced surfaced path for Poynton Footpath No. 43 which runs northwards from the site along the edge of an agricultural field to Lower Park Road for pedestrians and potentially cyclists.
- b) Widen Poynton Footpath No. 88 to a minimum 3m usable width, including the bridge structure, as a shared use pedestrian/cyclist route.
- c) The improvement of the permissive path within Cheshire East land on the east side of the brook – complaints are received from the public about the condition of this path: under the development proposals the footfall would increase and therefore worsen the condition.

The development as proposed provides links with footpaths to the north and east. As such, a fenced 3m wide surfaced path for FP No. 43 running from the north of the site is not considered to be necessary to make the development acceptable in planning terms. This would also require encroachment into the Green Belt and require land that is outside of the control of the applicant or the Council. Footpath 88 leads eastwards from the site over the Brook, but opportunities for widening are restricted between two residential properties on Kirkstall Close, which prevents the widening of its full length from the site to Kirkstall Close. The PROW team have since confirmed that due to the constraints of the path width at its eastern end, and the limitations of the trajectory into the housing estate, rather than the town centre, it is recognised that the quality and width of the bridge structure is considered to be adequate for present and future footfall.

As noted above, pedestrian and cycle access will be provided from the same location as the vehicular access off Hazelbadge Road, which will provide suitable links to those facilities specified in LPS 48. With regard to the permissive path, it appears that there is an existing issue with the surface of this path, and it is considered to be unreasonable to expect the developer to address a pre-existing issue. In addition to this the development includes diverted public rights of way routes through the green infrastructure within the site, which connect into the wider PROW network.

There are existing cycle lanes along Chester Road which start to the east of the pedestrian crossing on Chester Road and lead to the shared surface in the town centre. These lanes have faded over time and do require re-painting. Given that this will be the main route to the town centre for cyclists, and having regard to the requirements for cycle lane provision in

policy LPS 48, it is considered that in order to promote cycling as a viable option for travel to and from the site, the developer should fund the painting of these lanes, which can be secured as part of the s106.

Subject to this improvement scheme, in terms of the accessibility of the site for pedestrians and cyclists, the proposal is considered to comply with the relevant requirements of LPS 48.

## HIGHWAYS

Hazelbadge Road runs in a north-south direction and provides access to the existing primary school as well as other small residential roads. Along the length of Hazelbadge Road, the carriageway measures 6.1m in width with footways between 1.8m and 2m wide on either side of the carriageway. There is a kerbed build-out in the vicinity of the school which acts as traffic calming and provides a shorter pedestrian crossing point. The carriageway width in this location is effectively narrowed as on-street parking takes place in this location.

Access to Hazelbadge Road is currently achieved through a simple priority controlled T junction with the A5149 Chester Road forming the major arm. The nearby A6 extension to Manchester Airport, also known as the A6 MARR, is now operational having opened in October 2018.

To the east of the junction of Hazelbadge Road and Chester Road there is a signalised pedestrian crossing. To the east of this crossing there is a cycle lane between the footway and carriageway on both the north and south sides of the road. This runs towards Poynton town centre and terminates immediately prior to the shared surface arrangement at the A5149 Chester Road / A523 London Road / Park Lane double mini roundabout.

Along Chester Road there are bus stops as well as an eastbound bus stop with shelter and timetable information to the west of the railway line

### Public Transport

Pedestrian and cycle matters have been considered above. In terms of public transport LPS 48 requires *“Contributions to existing and the provision of new, public transport links to the town centre or contributions towards or the provision of land for additional car parking for Poynton Railway Station”*. CEC Highways have requested a financial contribution of £100,000 towards bus service improvements.

The policy refers to public transport links to the town centre. The town centre is less than 700m from the application site, and is approximately 300m from the nearest bus stop at Hilton Grove. Contributions are usually sought to mitigate for the impact of a development. Having regard to the distances involved, it is considered to be very unlikely that new residents from the application site would walk to the bus stop and then get on a bus for the last 300m (approximately) of the journey to the town centre. Whilst this might happen, it would not be at a level that would place additional pressure on bus services to justify a financial contribution. This does mean that there would be some conflict with LPS 48, however given the circumstances outlined above and other contributions the applicant is making towards strategic highways projects of the Council (the Poynton Relief Road), this conflict is considered to be acceptable.

CEC Highways have also requested £5,000 to facilitate the provision of a bus stop opposite Hilton Grove, incorporating a flag pole, timetable information and appropriate kerbing. This is considered to be justified as it does help to increase the sustainability of the site by providing a bus stop for services to wider areas outside of Poynton.

With regard to the railway station car park, it is understood that since the station has started to charge to park here, it is underused, with vehicles being displaced to surrounding residential streets including, as many of the representations note, Hazelbadge Road. The case officer has visited the railway station on 3 separate occasions and every time spaces have been available. In addition given the proximity of the application site to the station, it is unlikely that residents would drive to the station. Once again a contribution or additional land for car parking is not considered to be necessary to make the development acceptable in planning terms, and again for the same reasons as the bus service contribution, this conflict with LPS 48 is considered to be acceptable.

Network Rail has provided extensive comments on the application, which include a request for financial contributions towards:

- *Level access to the ticket office area – Currently access is via the gate adjacent to the station building, this would require mods to the door & potentially ramps - £15k*
- *Cycle hoops adding to both sides of the station – £10k*
- *Resurfacing of the road leading up to the station building with additional car parking & traffic management - £30k*
- *Improve platform surfaces - £30k*
- *Store room to be converted for community use - £10k*
- *Overall cosmetic investment in the station facilities (painting, glazing in windows, new fencing etc) - £25k*

These appear to be existing issues that are not necessary to make the development acceptable in planning terms; not directly related to the development; and not fairly and reasonably related in scale and kind to the development. Accordingly they cannot be sought from the applicant. The other comments raised by network rail can be addressed by an informative / note on the decision notice to make the applicant aware of their obligations towards the railway.

#### Safe and suitable access and parking provision

Vehicular access to the development will be provided from Hazelbadge Road through the continuation of the existing carriageway into the site. The access road within the site will provide a standard 5.5m wide carriageway and 2m wide footways on both sides of the access road.

Immediately north of the current adopted highway boundary a mini-roundabout will provide access to the eastern and western sides of the site. This mini-roundabout will also assist with turning movements associated with the nearby school.

To assist the movement of vehicular traffic the widening of Hazelbadge Road on the eastern side of the carriageway to provide on-street parking lay-bys is proposed by the applicant. This will consist of a row of short-stay parking bays and will be located adjacent to the existing primary school. As part of the development it is proposed to introduce waiting restrictions to assist the free-flow of traffic, particularly at busy school drop off / pick up times. It is also



proposed that Hazelbadge Road and the entirety of the site are subject to a 20mph speed limit. A contribution to fund the required traffic regulation order will be secured as part of the s106 agreement.

In addition to the above, the priority T junction of Hazelbadge Road / A5149 Chester Road will be widened to create a 'one lane plus flare' exit onto A5149 Chester Road. This will enable left and right-turning traffic to queue at the junction simultaneously, thereby assisting capacity. The improvements at this junction utilise land currently forming part of the residential gardens of 80 and 82 Chester Road, which is within the developer's control as demonstrated in the submitted documentation. The widening also allows an increase in the radii at the junction and widens the footway from 1.8m to 2.0m on the eastern side of Hazelbadge Road. The effect of this is that visibility splays of 2.4m x 43m are achievable in both directions along the A5149 Chester Road, which are in accordance with the current posted speed limit of 30mph.

The internal road network has been assessed and the principle of the design is acceptable subject to: service strips of 2.0m being provided on both sides of roads to become part of the adopted highway; the carriageway serving plots 123 to 132 shall be a minimum width of 4.5m, and; the proposed block material must comply the pallet of materials detailed within the Cheshire East Design Guide (May 2017). Amendments to the plans have been made to address these issues.

The movements of service vehicles including a refuse vehicle have been undertaken by means of a swept path analysis demonstrating a large refuse vehicle can be satisfactorily accommodated.

Parking within the site is compliant with current Cheshire East parking standards which state that for a principal town or key service centre, the following apply:

- 1 parking space per 1 bedroom dwelling
- 2 parking spaces per 2/3/more bedroom dwelling

#### Network Capacity

The capacity of the Hazelbadge Road junction with Chester Road has been tested using junction modelling for various traffic flow scenarios in both the morning and evening peak hours. The traffic flows utilised in these models have been informed by agreed (between Highway Authority and the applicant) traffic generation figures resulting from the proposed development.

The assessments have been carried out to include base traffic flows as predicted with the A6MARR (opened in 2018) and the Poynton Relief Road due to open in 2022.

These results demonstrate that the traffic capacity and associated queueing will remain broadly the same as the scenario with no improvements and no development traffic. This illustrates that the proposed improvements to the junction mitigate the impact of the proposed development traffic and are therefore acceptable.

This analysis does highlight some queuing and delay which is demonstrated by the highest demand showing to be on Hazelbadge Road during the early afternoon, which is the peak hour for the school. Delays of up to 22 seconds are experienced on average for cars leaving Hazelbadge Road at this time.

The effect of the opening of the A6MARR on Chester Road has resulted in a slight increase in traffic flows which have a small negative effect on capacity on the Hazelbadge Road junction. However the opening of the Poynton Relief Road (PRR) scheme will reduce traffic flow along Chester Road hence creating an improvement in the operation of the Hazelbadge Road/Chester Road junction. For this reason a financial contribution of £5,500 per dwelling towards the implementation of the PRR scheme is requested by CEC Highways.

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

## **TREES / LANDSCAPE**

### Trees

The majority of the mature trees associated with the site are protected as part of the MBC (Poynton – Lower Park Road) Tree Preservation Order 1974. Accordingly the application is supported by an Arboricultural Impact Assessment (AIA) which identifies that in order to facilitate development the removal of 13 individual trees (5 Cat B, 4 Cat C, 4 Cat U) and 12 Groups including 4 parts of groups (9 Cat B, 3 Cat C). Parts of 2 woodland areas (cat B) would also be removed to preserve the species mix and allow better specimens to develop. The majority of these trees are small early mature Oaks which are not formally protected; these trees can be replaced and accommodated as part of any proposed landscape scheme. The felling and removal of those trees which form part of the on site 1974 TPO is not contested, the reasons provided are justified; replacement planting will be required and this can broadly be accommodated within the specific group designation.

The original layout raised a number of concerns in terms of construction implementation and social proximity. However the revised plans adequately addressed all of these issues. The remaining development configuration is considered to be acceptable with adequate space available to ensure that any problems associated with shading and seasonal nuisance does not result in future pressure to allow inappropriate pruning or felling of the protected trees, and are considered defensible.

The Arboricultural officer raises no objections to the proposal subject to conditions. The proposal is considered to comply with policy DC9 of the MBLP and SE5 of the CELPS.

### Landscape

The site currently forms an attractive transition between the more urban areas to the south and east and the wider rural landscape to the north and west. The green infrastructure network identified on the site plan indicates the intention of retaining areas of woodland to the west and south, a green buffer along the eastern boundary and an existing line of mature trees towards the central part of the site. The Design and Access Statement also identifies opportunities for additional tree planting within rear gardens and within the corridor of open space along the eastern boundary.

The Design and Access Statement identifies a landscape strategy for the site, namely that existing elements that make up the site's green infrastructure should be retained, the

retention of existing trees and hedges along Hazelbadge Road and recognition of the wider landscape setting and views into and out of the site. LPS 48 identifies one of the site specific principles of development as *“Appropriate boundary treatments should be implemented to provide a clearly defined Green Belt boundary that is likely to endure”*. The original layout showed a number of properties, along the northern edge of the site, as having gable ends hard up against the northern boundary, facing the open countryside to the north and a number of other properties that would have the proposed native hedgerow along the northern boundary as both a site and domestic garden boundary. The close proximity of some of the proposed dwellings to this proposed hedgerow boundary would have influenced its long term viability and success.

The revised plans significantly reduce the number of buildings along this boundary to create a much less dense boundary to the Green Belt, and provide a 5 metre wide landscape buffer to the boundary. This buffer is considered to satisfy the requirement for appropriate treatment of the Green Belt boundary, in accordance with LPS 48. However, this has resulted in an increase in the scale of 3 buildings that now sit close to the Green Belt boundary, but this is considered to be an acceptable compromise. No significant landscape impacts are now identified, and subject to standard landscape conditions the proposal is considered to comply with policy SE4 of the CELPS.

## **ECOLOGY**

An updated ecological assessment has been submitted with the application, and the following matters are relevant to the proposal. It should also be noted that whilst the application has been with the Council for some time, the nature conservation officer has advised that the ecological reports that have been submitted can still be relied upon.

### Priority Habitats

LPS 48 of the CELPS requires *“any woodland, priority habitats or habitats of Local Wildlife Site quality on the site should be retained and buffered by areas of open space/habitat creation”*.

Approximately 4.73ha of the semi-improved grassland,(which meets the criteria to be designated as a Local Wildlife Site) will be lost from the site in order to facilitate the proposed development. In addition to this, a small area of the semi-natural broad-leaved woodland in the west of the site will be lost, along with ephemeral pond P17. Furthermore all of the tall ruderal and bare ground habitats will be lost as a result of the development proposals. These areas cover approximately 5 hectares, which is virtually the whole of the developable area of the site. If all of these habitats were retained, the site could not be developed. Clearly this would be contrary to the overriding objectives of the policy, to provide housing.

On other sites within the Borough the Council has accepted a financial contribution to offset the loss of habitats, in order to fund the provision or enhancement of other sites for nature conservation purposes. However, in this case, due to the extent of habitat loss, the applicant was requested to find a site that could be used to directly mitigate for the impact.

This process was carried out in consultation with the Council's nature conservation officer, and was focused within the Cheshire East area, in order to provide compensatory habitat as close to the Hazelbadge Road site as possible. The benefits of the offsetting site location

being within the Cheshire East area represent a best practice approach, in order to replace habitats close to where they have been lost.

The Cheshire Wildlife Trust (CWT) has recently acquired a 7ha nature reserve on the eastern side of Kerridge Hill, Macclesfield, approximately 8km south east of Hazelbadge Road. The site comprises a mix of scrub, semi-natural grassland and plantation woodland. CWT is now seeking funding for the restoration of the site to improve its value for wildlife and a scheme for provision of this funding as offsetting for the Hazelbadge Road development has been agreed between the applicant, the CWT and the Council's nature conservation officer. The scheme includes grassland restoration, woodland restoration and grassland management, and the total cost for this will be £46,137.

The nature conservation officer has confirmed that the proposed offsetting compensation package will adequately address the compensation requirement for this application. The financial contribution will be secured as part of the s106 agreement.

#### Poynton Brook

Site plans include the retention of the trees along the brook margin. The submitted *Ecological Assessment* (TEP, January, 2018) recommends the production of a Construction Management Plan to set out how any indirect adverse impact on Poynton Brook will be avoided. This should include the fencing off of a buffer zone during the construction phase, and an appropriate condition is recommended to secure this plan.

#### Great Crested Newts

Great Crested Newts (GCN) have been recorded within the application site. The usage of the site by GCN is likely to be limited to a small population. The loss of aquatic/terrestrial habitat on 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.

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places.

In the UK, the Habitats Directive is transposed as The Conservation of Habitats and Species Regulations 2010. This requires the local planning authority to have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must consider the three tests in respect of the Habitats Directive, i.e. (i) that there is no satisfactory alternative, (ii) that the development is of overriding public interest, and (iii) the favourable conservation status of the species will be maintained. Evidence of how the LPA has considered these issues will be required by Natural England prior to them issuing a protected species license.

#### Alternatives

The site was identified as a development site following an extensive local plan process, which included removing land from the Green Belt. As such there are no known alternatives.

### *Overriding public interest*

The proposed development will meet an identified social need for housing within Poynton and within the wider Cheshire East area, which is considered to be of overriding public interest.

### *Mitigation*

The submitted report recommends the creation of two new ponds, the enhancement of two existing ponds, and the creation of a native species connective hedgerow along the northern site boundary, as a means of compensating for the loss of habitat and also recommends the timing and supervision of the works to reduce the risk posed to any GCN that may be present when the works are completed.

The nature conservation officer advises that if planning consent is granted the proposed mitigation/compensation is broadly acceptable. However to ensure that the favourable conservation status of GCN is maintained it is recommended that the 5m buffer zone along the northern site boundary in addition to, and inclusive of, the native species hedgerow is included as part of the mitigation strategy. The buffer zone should remain undeveloped and not contain any features such as gardens, car parking, etc.

### Bats

The tree known as T31 in the *Ecological Assessment* (TEP, January 2018) was classed as offering low potential to roosting bats due to a potential roost feature. The tree is proposed for removal under the current plans. However, the potential risks posed to bats by the removal of the tree will be adequately mitigated against by the implementation of the reasonable avoidance measures detailed within section 6.8 of the Ecological Assessment report. Accordingly a condition is recommended to secure the implementation of the report's recommendations.

### Badgers

Badger activity has been recorded on site. An updated badger survey was carried out on 13 May 2019, which confirmed that the badger situation on site had not significantly changed since the last survey in June 2017. One sett is proposed to be closed after monitoring. The applicant's Badger Mitigation Strategy is acceptable, and a condition is recommended to ensure the development is carried out in accordance with the submitted badger mitigation strategy (TEP, January 2018).

### Breeding Birds

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

### Reptiles

There is a considered low risk that the proposed development may have an adverse impact upon reptile species which may occur in the surrounding habitat. The nature conservation officer is satisfied that the risks will be adequately mitigated against by the implementation of the reasonable avoidance measures detailed within the Reptile Reasonable Avoidance Measures report (TEP, 04/01/2018), which can be secured by condition.

### Wildlife sensitive lighting

Prior to the installation of any lighting, details should be submitted for approval to ensure that lighting does not have any adverse impacts upon wildlife. The scheme should include dark areas and avoid light spill upon boundary hedgerows and trees. The scheme should also include details of: number and location of proposed luminaires; luminaire light distribution type; lamp type, lamp wattage and spectral distribution; mounting height; orientation direction; beam angle; type of control gear; proposed lighting regime; and projected light distribution maps of each lamp. An appropriate condition is therefore recommended.

#### Schedule 9 Species

The applicant should be aware that Himalayan Balsam, Japanese Knotweed and Cotoneaster species are present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause these species to grow in the wild.

#### Conclusion on ecological matters

Whilst the proposal does not strictly comply with the ecological criteria set out under LPS 48 due to the loss of priority habitats, adequate mitigation is provided on an alternate site. As noted, it would be virtually impossible for any meaningful development of the site to comply with these criteria. In addition to this, whilst policy SE3 of the CELPS seeks to resist development which has a significant adverse impact upon sites comprising priority habitats (amongst other designations), it does allow it where the reasons for, or the benefits of, the proposed development outweigh the impact of the development. The benefits of providing much needed housing within the local area are considered to outweigh the impact of the development in this case. The proposal will ultimately positively contribute to the conservation and enhancement of biodiversity in accordance with policy SE3 of the CELPS. No further ecological issues are raised, and it is therefore considered that the ecological aspects of the proposal comply with the development plan as a whole.

### **LAYOUT / DESIGN**

Amongst other criteria, policy SD2 of the CELPS expects all development to contribute positively to an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- a. Height, scale, form and grouping;
- b. Choice of materials;
- c. External design features;
- d. Massing of development - the balance between built form and green/public spaces;
- e. Green infrastructure; and
- f. Relationship to neighbouring properties, street scene and the wider neighbourhood

Policy SE1 of the CELPS expects housing developments to achieve Building for Life 12 (BfL12) standard, and that development proposals consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are also reflected in the CEC Design Guide. The relevant BfL12 headings are considered below:

#### Connections

The site is a greenfield site located on the north western edge of the Poynton settlement, positioned between Poynton Brook and the railway line. The site is accessed from a single point of access from Hazelbadge Road. Footpaths 43 and 46 cross the site and provide

access to the north, and are now proposed to be diverted through the green infrastructure at the eastern side of the site. The diverted footpaths will also link in with footpath 88 which crosses the Brook ensuring connectivity to the surrounding area. To reach the nearest shops / facilities in Poynton centre, access is likely to be along Hazelbadge Road and Chester Road.

#### Facilities and services

Poynton centre and all its facilities and services is approximately 700m from the application site, and within walking distance. The site is therefore well served by existing facilities.

#### Public transport

There is a bus stop approximately 300m from the site which provides services to Middlewood and Hazel Grove. Other services to Macclesfield and Stockport are available from the town centre. In addition the railway station is less than a 5 minute walk from the application site and has regular services north to Manchester and south to Stoke-on-Trent. There is a cycle path along Chester road to the east of the pedestrian crossing, which leads to and from the shared space within the town centre.

#### Meeting local housing requirements

Draft policy HOU 9 of the PNP states that *“given the size and location of the Hazelbadge Road site, a mixture of 2, 3, and 4 bedroom properties should be achievable”*. The evidence base for this is not clear, however the aspiration of the policy is noted, and the majority (90) of the 134 dwellings proposed are 2, 3 or 4 bedroom properties. Provision of 1 (x28) and 5 (x16) bedroom properties increases the mix of units available. The 1 bedroom properties also meet an identified affordable housing need.

#### Character

A basic study of local vernacular, character and materials is included within the Design & Access Statement. The proposed houses are generally a standard product, although additional detailing and materials for some units has been requested to respond to the context of the site. For example, the elevations to the apartment blocks have been amended to give more acknowledgement to their rural edge location with the inclusion of agricultural references such as black weatherboard cladding, which also gives the buildings a more recessive appearance in the landscape, simpler window designs, exposed eaves and lower ridge heights. Corner plots turn corners well with dual aspect elevations. The density of the developable area of the site is 31 dwellings per hectare, or of the entire site it is 16 dwellings per hectare. The requirement for 30 dwellings per hectare within draft policy HOU 16 of the PNP is acknowledged, however the proposed density is considered to be acceptable given that the development is providing fewer dwellings than the site is allocated for.

A variety of building heights are proposed, up to 11.2m for the tallest of the three-storey apartments, and some properties have chimneys which help to create an interesting and varied roofscape and skyline. The apartments are located close to the northern boundary where the site interfaces with the Green Belt. Some concern has been raised within the representations about the appropriateness of the apartments in this location. The density of the development along its northern edge has been reduced and only the three apartment buildings are proposed along this 380m long boundary. The compromise to this being that the height of the buildings has increased. As noted above, amendments to the materials and detailing of the apartments have been received to ensure the relationship between the development and rural fringe is successful. Added to this a proposed 5m wide landscape

buffer is proposed along the northern boundary and, when viewed from the north, the apartments will be seen against the backdrop of the protected trees within the central belt, which are taller than the apartments with most being between 13m and 16m in height. It should also be noted that three-storey structures are not alien features to Poynton. Three-storey properties are present on Chester Road, opposite the entrance to Hazelbadge Road. For these reasons the character of the development is considered to be acceptable.

#### Working with the site and its context

The existing features within the site are predominantly the tree cover to the east alongside the Brook, the woodland to the west, and the central belt of protected trees. The Green Belt boundary is also a positive aspect of the site. The interface with the Green Belt has been discussed above, and all of these positive features of the site are retained as part of the development and have informed the layout and form of the development. The proposal is outward facing and provides a green buffer to the edges, softening the appearance from the long views over the adjacent landscape.

Some concern has been raised regarding the proposed road spur to the north of the site. One of the questions in the Urban Design Checklist within the design guide is whether “*the layout does allow for connections out into the surrounding area, even if they cannot be delivered at the present time*”. In addition to the public rights of way connections this spur achieves this, but does not suggest in anyway the acceptability of further development on the land to the north of the site, which is Green Belt.

#### Creating well defined streets and spaces

There is a defined street hierarchy with streets, lanes and shared drives identified, and areas of public space are well defined. The woodland to the west will be fenced off with railings in the interests of public safety due to the contamination issues associated with this area; however, the ecological value of the woodland will be retained, and will provide an attractive green buffer to the railway line beyond.

#### Easy to find your way around

The site is easily legible with feature buildings at key nodes. The street hierarchy is reflected in the surface materials, which will need to comply with the requirements of the CEC Design Guide; however, the street hierarchy could also be strengthened further, particularly in relation to the specification of the boundary treatments to the front of plots. This can be picked up as part of landscaping conditions.

#### Streets for all

Materials, road widths, deflections in the carriageway are all used to reduce vehicle speeds. A 20mph limit is proposed along Hazelbadge Road and the application site in the interests of highway safety. This will help the streets to truly function as shared spaces.

#### Car parking

A mix of parking solutions is encouraged by the Design Guide to ensure that the street scene is not dominated by vehicles. There is a mix of different parking solutions across the site, however the Design Officer has suggested that there is a concentration of similar solutions in places, particularly where the proposal positions the parking spaces to the front of the units within the curtilage. Whilst these comments are noted, areas where parking is shown to the front of units is broken up by landscaping, which will serve to reduce the dominance of these



vehicles on the street scene. The parking proposals are therefore considered to be in compliance with the design guide.

#### Public and private spaces

Additional windows have been added to some of the plots to the east of the site to encourage natural surveillance of the Brook area, and the diverted rights of way. The formal and informal play areas also benefit from surveillance from the outward facing properties opposite.

#### External storage and amenity

Features that encourage sustainable forms of transport, such as secure cycle provision has been provided for those properties that do not have garages, including the apartments.

#### Design conclusion

For the reasons outlined above it is considered that the proposal will comply with policies SE1 and SD2 of the CELPS and the Cheshire East Design Guide.

### **ARCHAEOLOGY**

The application is supported by an Archaeological Desk-Based Assessment which outlines potential areas of archaeological interest within the application site. The heritage assessment highlights two areas of potential archaeological interest in the western part of the site, which includes brick works and brick kilns and to the south west a gas works. Cheshire Archaeology Planning Advisory Service has consulted relevant mapping and carefully considered the proposed development area, and note that these areas of archaeological potential sit within the area proposed for landscaping (within the woodland to the west of the site). As such, the level of impact on these areas of archaeological potential are minimal and they advise that no further archaeological mitigation is required for the brickworks, brick kiln or gas works. Accordingly, the proposal is considered to comply with the archaeological aspects of policy SE7 and LPS 48 of the CELPS.

### **FLOODING**

Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation, in line with national guidance.

The majority of the site is located within flood zone 1 with some areas adjacent to Poynton Brook lying in flood zone 2. The site was allocated for residential development following an extensive local plan process, and the sequential test has been applied in line with national planning policy. Policy PG 6 of the CELPS identifies that an additional 650 dwellings should be provided at Poynton. In the absence of alternative, reasonably available sites within or immediately adjacent to Poynton for housing development with a lower probability of flooding, the allocation of Land Adjacent to Hazelbadge Road satisfies the Sequential Test.

A site specific Flood Risk Assessment (FRA) carried out to inform the planning application should demonstrate that the proposed development would be safe from fluvial flooding, and would not increase the risk of flooding elsewhere. The Lead Local Flood Authority (LLFA)

initially raised some concerns regarding the details within the FRA, and discussions have taken place on site with the applicant.

The LLFA has now confirmed that following a site walkover with the applicant and the submission of additional flood risk information, they have no objections to the proposal. There are however, a couple of points which need further consideration relating to an existing overgrown ditch line, and any possible connections to it. In addition further investigation should be carried out to identify whether a cut-off drain along the northern site boundary is required to manage potential overland flow due to the topography in this area. Accordingly, conditions are recommended which require the development to be carried out in accordance with the submitted FRA, and the submission of a surface water drainage strategy. Subject to these conditions, the proposal will comply with the requirements of policy SE13 of the CELPS.

The Environment Agency also raises no objections to the proposal subject to conditions relating to groundwater and contaminated land.

## **CONTAMINATED LAND**

A number of reports have been submitted in support of the application. Works carried out to date in the proposed residential area have identified a low risk, with the top soil chemically suitable for residential use, in all but one location where a piece of asbestos containing cement was identified. This is to be removed and the surrounding soils tested to ensure there are no residual fibres.

On the western side of the site, within the area of the former Poynton Brick Works and Poynton Gas works, which appears to have undergone no demolition or remedial works since closure, contamination has been identified.

The proposed layout originally showed this area as public open space comprising existing woodland, ponds and allotments. Since then, further ground investigations have been carried out, and have identified contamination to be present in surface soils which is not suitable for public open space areas near residential housing. Remedial recommendations were made but these were likely to have a significantly detrimental affect on the existing habitat and protected woodland. The habitat enhancements proposed as part of the on site ecological works include woodland management which will be *“implemented to protect and retain amphibian habitat as well as habitat for other protected species. Native structure planting will provide additional screening for the badger sett in the south of the western woodland while also enhancing the quality of the woodland itself”*.

As a result it is considered that the most appropriate solution is to fence off this entire area to the west of the site and prevent public access to the woodland. Confirmed details of this will need to be provided within a Remediation Strategy and the presence and effectiveness of such fencing will need to be demonstrated within a Verification Report. This area is currently utilised informally, such as by dog walkers, however this is private land and not an area of public open space. Given the remains of the previous structures that formerly existed here, there are physical hazards to anyone using this land. Consequently, fencing this area off will improve public safety and will not remove any identified open space, despite the existing informal use. In addition the nature conservation officer has confirmed that the woodland, which is protected by Tree Preservation Order, contains several important ecological features

including great crested newt breeding ponds and a badger sett and would benefit from public access being restricted to reduce the possible disturbance and contamination of the features.

The Contaminated Land Officer has raises no objections to the proposal subject to conditions relating a remediation strategy, a verification report, the testing of imported soil, and a condition relating to any unforeseen contamination.

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

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Poynton including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

## **OTHER MATTERS**

The issues raised in representation that are material planning considerations have been considered by the relevant specialist officers of the Council, and in the preceding text. Many of the representations relate to the impact of the development upon the adjacent primary school and the fact that the school does not benefit from the proposal. There are no planning policies that seek to secure improvements to a school (such as replacement windows) because a development is taking place next door. As noted above, impacts upon the school and local environment generally, during the construction process can be minimised through the implementation of a construction environment management plan. There are also logistical matters relating to construction that can be addressed through a construction management plan, as recommended by CEC Highways, but this will be a matter to be agreed between the applicant the Local Planning Authority and the Highway Authority.

## **S106 HEADS OF TERMS**

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

- 30% affordable housing
- Off site ecological mitigation contribution of £46,137
- Open space provision and management
- Education contributions of:
  - £260,311 (primary)
  - £310,511 (secondary)
  - £91,000 (SEN)
- Indoor sports contribution of £22,500
- Recreation and outdoor sport contribution of £97,000
- Allotments and community gardens contribution of £61,937.50
- Healthcare contribution of £133,344
- Contribution to Poynton Relief Road of £737,000
- £7,000 to fund TRO

- £5,000 to fund bus stop opposite Hilton Grove
- £10,000 contribution towards cycle lane improvement

#### CIL regulations

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

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

The provision of affordable housing, off site ecological mitigation, indoor and outdoor sport (financial) mitigation, Highways (financial) mitigation, the cycle lane contribution and healthcare (financial) mitigation are all necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

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

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

### **PLANNING BALANCE & CONCLUSIONS**

The proposal seeks to provide 134 dwellings on a site allocated within the CELPS for around 150 dwellings. Some conflict with the site specific principles of development listed under LPS 48 of the CELPS in terms of the bus service contribution, the railway car park contribution and the retention of habitats on the site has been identified above. However, whilst the contributions towards the bus service to the town centre and the railway car park are not being secured for the reasons set out above, significant contributions are being made towards the Council's strategic project of the Poynton Relief Road to mitigate for the impact of the development. Similarly, whilst LPS 48 requires the retention of habitats, again for the reasons stated above this cannot be achieved if the primary policy objective of delivering housing is to be realised on the site. Adequate off site mitigation is being provided.

The comments received in representation have been given due consideration in the preceding text, and whilst some limited conflict with LPS 48 has been identified, the proposal is considered to comply with the development plan as a whole and is therefore a sustainable form of development. In accordance with policy MP1 of the CELPS, the proposals should therefore be approved without delay.

Accordingly a **recommendation of approval is made subject to conditions and the prior completion of a s106 agreement to secure the following:**

	<b>Requirement</b>	<b>Triggers</b>
<b>Affordable Housing</b>	30% (40 units) of total dwellings to be provided (65% (26 units) Affordable Rent / 35% (14 units) Intermediate)	No more than 80% open market occupied prior to affordable provision within each phase
<b>Off site Ecological Mitigation</b>	£46,137 towards Kerridge Hill Nature Reserve	Prior to commencement
<b>Open Space</b>	a) Open space scheme to be submitted b) Management scheme to be submitted	Prior to commencement Prior to occupation
<b>Indoor Sports Contribution</b>	£22,500 towards Poynton Leisure Centre	Prior to occupation
<b>Recreation &amp; Outdoor Sports Contribution</b>	£97,000 towards Deva Close Playing Fields, Poynton	Prior to commencement
<b>Allotments &amp; Community Gardens Contribution</b>	£61,937.50 towards existing facilities and new opportunities in Poynton	Prior to commencement
<b>Education</b>	Primary £260,311 Secondary £310,511 SEN £91,000	50% Prior to first occupation 50% at occupation of 67 <sup>th</sup> dwelling
<b>Healthcare</b>	£133,344 towards development of Priorsleigh Medical Centre and McIlvride Medical Centre	50% Prior to first occupation 50% at occupation of 67 <sup>th</sup> dwelling
<b>Poynton Relief Road Contribution</b>	£737,000 towards Poynton Relief Road	50% Prior to first occupation 50% at occupation of 67 <sup>th</sup> dwelling
<b>Traffic regulation Order Contribution</b>	£7,000 to fund the required traffic regulation order for works on Hazelbadge Road	Prior to occupation
<b>Bus Stop Contribution</b>	£5,000 to facilitate the provision of a bus stop opposite Hilton Grove	Prior to occupation

<b>Cycle Lane Contribution</b>	£10,000	Prior to occupation
--------------------------------	---------	---------------------

#### 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. Submission of details of building materials
4. Landscaping - submission of details
5. Landscaping (implementation)
6. Tree retention
7. Tree protection
8. Construction specification/method statement for access road serving Plots 1-4 and for footpath adjacent to trees T24- T46
9. Arboricultural method statement
10. Levels details to be submitted which provides for the retention of trees on the site
11. Service / drainage layout which provides for the long term retention of the trees to be submitted
12. Implementation of noise mitigation measures
13. Electric vehicle infrastructure to be provided
14. Anti idling signage to be provided
15. Remediation Strategy to be submitted
16. Verification report to be submitted
17. Testing of any imported soil
18. Reporting of any unforeseen contamination
19. Implementation of Highway improvements
20. Construction management plan to be submitted
21. Amended travel plan to be submitted
22. No infiltration of surface water drainage into the ground is permitted
23. Development to be carried out with GCN mitigation strategy (to include 5m buffer zone to north of site)

24. Implementation of the reasonable avoidance measures detailed within section 6.8 of the Ecological Assessment Report (bats)
25. Development to be carried out in accordance with the submitted badger mitigation strategy (TEP, January 2018).
26. Nesting birds survey to be submitted
27. Implementation of Reptile Reasonable Avoidance Measures (TEP, 04/01/2018)
28. Details of proposed external lighting scheme to be submitted
29. Foul and surface water shall be drained on separate systems.
30. Surface water drainage scheme to be submitted
31. Development to be carried out in accordance with submitted Flood Risk Assessment
32. Obscure glazing to be provided
33. Construction Environmental Management Plan to be submitted
34. Details of railings to western boundary of site to be submitted. Railings to be retained in perpetuity.
35. Construction Management Plan to demonstrate out how any indirect adverse impact on Poynton Brook will be avoided to be submitted



