

Application No: 18/5544M

Location: Land off Dark Lane, Gawsworth, Land off Dark Lane, Gawsworth, Macclesfield

Proposal: Development of 10 dwellings and associated infrastructure.

Applicant: Mr M Thompson, Engine of the North

Expiry Date: 12-Feb-2019

SUMMARY

The proposal, to develop the site for affordable housing can constitute appropriate development in the Green Belt, if it meets the criteria in the policy for Rural Exceptions Housing for local needs. It is considered the criteria are either met, or in the case of restrictions on tenure would be addressed as part of a legal agreement.

Whilst the site is on the edge of the village it is considered to be adjacent to it, and whilst Gawsworth has only a limited range of services and facilities, Macclesfield is only a short journey away.

The proposed layout, house design and associated infrastructure is to a very high standard and will complement this village location.

Whilst it is acknowledged that Dark Lane is a narrow road with no segregated pedestrian routes, and crossing Congleton Road into the village is currently far from ideal, the proposals are to introduce a series of measures to address these matters.

Whilst clearly building houses on a raised field will have a visual impact, the houses will be set back within the site, the higher site levels will be lowered and significant landscaping is proposed to minimise any impact.

Existing site trees are to be retained, and whilst some sections of hedgerow are proposed to be removed to create the site access, replacement planting is proposed in mitigation. Again mitigation can address any ecology matters.

Matters of drainage/overland flow, contaminated land, air quality and contaminated land can all be addressed by condition.

Accordingly the application is recommended for approval, subject to the signing of a Section 111 Agreement.

Summary Recommendation

Approve subject to conditions and a Section 111 Agreement.

SITE DESCRIPTION

This application relates to part of a field, to the south west of Dark Lane on the north western edge of Gawsworth village. The site slopes away from Dark Lane to a high point towards the rear of the site, approximately a 4m change in level. The site adjoins the access road leading to the rear of Gawsworth Methodist Church to the south, separated by a hedge. To the rear (west) of the site is a small area of woodland (containing ponds) with fields beyond. To the north is the remainder of the field leading up to a farm. Across the road from the site are a number of residential properties set back from the road. The site frontage consists of a hedge, with 3 mature trees. The site is close to the crossroads formed by Dark Lane, Congleton Road (A536 to Macclesfield) and Church Lane leading to the main part of Gawsworth village.

The whole site is within the North Cheshire Green Belt, is outside the Village Settlement boundary (which finishes at Congleton Road), and is on the eastern edge of the Jodrell Bank Radio Telescope Consultation Zone, in Zone 6 the outer zone.

PROPOSAL

The application title reads: "Development of 10 dwellings and associated infrastructure." The proposal is to build the 10 properties (8 two storey and 2 single storey) as five pairs of semi detached houses accessed off Dark Lane at the extreme northern end of the site, approximately 120m from the Congleton Road junction. The site access leads to a "H" shaped layout, which links into the Methodist Church access (Chapel Lane), which would be closed at its junction with Dark Lane. In addition to the garden areas, an area of open space is proposed to the site frontage, and a landscape strip is proposed to the rear (western) and northern site boundaries. The majority of the boundary hedges (except where access points are made), and all the boundary trees are to be retained.

Of the 10 properties proposed, 7 would be affordable, and 3 would be market houses.

A cut and fill exercise is proposed to lower the higher, central part of the site to produce a better development platform, and in turn reduce the visual impact of the properties. The cut at its greatest is in the region of 1.6m, but is more generally around 800mm. Of the 3,410 sq m of soil proposed to be removed, 1,250 sq m would be re used within the landscaped areas of the site, the remaining soil would be taken off site.

In addition to the proposals on the site, improvements are proposed on Dark Lane, including a new pedestrian crossing and new footpath along the northern side of Dark Lane. In addition footpath improvements and a new puffin crossing are proposed on Congleton Road to improve access to Gawsworth village. The existing position of the bus stop and shelter would be changed to accommodate the crossing point.

The proposals have been amended during the lifetime of the application, with alterations made to the layout and house-types.

RELEVANT PLANNING HISTORY

There is no planning history on the application site.

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG 2	Settlement Hierarchy
PG 3	Green Belt
SC 5	Affordable Homes
SC6	Rural Exceptions Housing for local needs
SE 1	Design
SE 3	Biodiversity and Geodiversity
SE 4	The Landscape
SE 5	Trees, Hedgerows and woodland
SE 9	Energy Efficient Development
SE13	Flood Risk and Water Management
CO 1	Sustainable Travel and Transport

Macclesfield Local Plan (Saved policies)

NE1 Areas of Special County Value
NE 3 Landscape Conservation
NE11 Nature Conservation
GC 1 Green Belt – New Buildings
GC14 Jodrell Bank
DC3 Design – Amenity
DC8 Design – Landscaping
DC9 Design – Tree protection
DC10 Landscaping and Tree Protection
DC13 Design – Noise

Gawsworth Neighbourhood Plan

The plan is at Regulation 14 – Pre-submission Consultation: “Gawsworth are now consulting on the first draft of their neighbourhood plan. The consultation will accept representations until the 31 December 2019.

At this stage only limited weight can be afforded to the draft policies. The most directly relevant policies are:

G1 Development – Proposes limiting development to within the village infill boundary
G2 Gawsworth Village Character Area Design Guidance – Proposed design criteria
E1 Trees and hedgerows
T1 Sustainable Transport

Other Material Considerations

The National Planning Policy Framework
The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and their Impact within the Planning System

National Planning Practice Guidance

CEC Design Guide

CONSULTATIONS (External to Planning)

United Utilities – No objections are raised, but conditions are recommended.

Cadent Gas – Recommend informatives

Head of Strategic Infrastructure – No objections subject to conditions

Environmental Protection – No objections subject to conditions.

Flood Risk – No objections subject to conditions

Housing – The Applicant is providing much needed Affordable Housing for those First Time Buyers and also those who wish to move to a larger house but are priced out of the market. This development is meeting a need for Low Cost Home Ownership and also those in need of single storey accommodation. The application is fully supported.

Jodrell Bank – No comments received

VIEWS OF THE PARISH COUNCIL

Gawsworth Parish Council – They object to the application, and extensive comments have been received. These are summarised below:

Rural Exception for housing for local need/Green Belt – They feel the criteria of Policy SC6 are not met.

- The site does not adjoin the settlement
- LPS15 is within Gawsworth and will provide affordable homes. Other properties suitable for the elderly/disabled are available in the village.
- The housing needs survey of 2015 is questioned and is not considered to provide reliable data.
- The viability assessment is questioned.

As it does not meet the criteria in SC6 it does not meet the Green Belt exceptions in PG3.

Impact on Jodrell Bank – Jodrell Bank have consistently maintained an objection to applications in the area and it should be no different here.

Local Landscape designation area – Developing this field in this locally designated landscape will have an adverse impact on the character and appearance of the site and area.

Highway safety – They are concerned about pedestrian safety on Dark Lane and dispute the width calculations which they feel will not allow for a footpath to be installed as shown without serious damage to the adjacent hedge, or a reduced road width.

Pedestrian crossing – they feel the route is circuitous and unlikely to be used. Signalisation of the crossing is a better solution.

Sustainable development, including agricultural land quality and non designated heritage assets – The development would lead to the loss of Grade SA agricultural land

And have an adverse impact on the setting of two locally listed buildings, The Old Post Office and The Old Police House.

Trees and hedgerow – Concern is expressed about the loss of hedgerows, especially if it found to be “important”.

Design Standards – Commenting on the original scheme, there was a concern the new houses would not meet nation Described Space Standards.

Neighbourhood plan – They feel this development is not of a scale/location supported by the emerging Neighbourhood Plan.

Affordability – The proposed properties, with the discounts given will not be affordable to local eligible people.

Their full comments are available on the website

OTHER REPRESENTATIONS

Numerous comments have been received from local residents. They can be summarised as follows:

- Unacceptable development in the Green Belt
- Inaccuracies in the supporting statement
- Loss of farmland
- Brownfield sites should be used first
- Highway safety concerns on both Dark Lane and it's junction with Congleton Road
- The village has few facilities and limited infrastructure
- Gawsorth's housing need should be met in the allocated site in south Macclesfield
- Dark Lane is too narrow for two way traffic and a footpath
- The viability assessment is questionable and inaccurate
- Concerns the soil movements proposed will lead to flooding issues
- The housing needs survey is questioned in terms of it's outcomes
- Visual impact of the houses in this prominent location
- Loss of hedgerows
- Will not meet local housing need and is not affordable
- Impact on Jodrell Bank

David Rutley MP has written in support of local residents concerns regarding loss of the Green Belt and Highway Safety. In particular he raises concerns regarding lack of access to local services/public transport and lack of speed enforcement on the A536.

Full comments are available on the Council's website at <http://planning.cheshireeast.gov.uk/applicationdetails.aspx?pr=18/5544M>

OFFICER APPRAISAL

Principle of Development/Green Belt

Policy PG3 Green Belt sets out the 5 purposes of Green Belt under criteria 1, and under criteria 2 states that:

“Within the Green Belt, planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.”

Criteria 3 states that “The construction of new buildings is inappropriate in Green Belt. Exceptions to this are:” which includes;

“v. limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan;”

In short the principle of building rural exceptions housing for local needs can be considered appropriate development in the Green Belt if it meets the requirements of policy SC6. As this is a significant determining factor with this application the policy is set out in full below:

Policy SC 6

Rural Exceptions Housing for Local Needs

Rural Exceptions affordable housing will be permitted as an exception to other policies concerning the countryside, to meet locally identified affordable housing need, subject to all of the following criteria being met:

1. Sites should adjoin Local Service Centres and Other Settlements and be close to existing employment and existing or proposed services and facilities, including public transport, educational and health facilities and retail services;
2. Proposals must be for small schemes; small schemes are considered to be those of 10 dwellings or fewer. Any such developments must be appropriate in scale, design and character to the locality;
3. A thorough site options appraisal must be submitted to demonstrate why the site is the most suitable one. Such an appraisal must demonstrate why the need cannot be met within the settlement;
4. In all cases, proposals for rural exceptions housing schemes must be supported by an up-to-date Housing Needs Survey that identifies the need for such provision within the parish;
5. Occupancy will, in perpetuity, be restricted to a person in housing need and resident or working in the relevant parish, or who has other strong links with the relevant locality in line with the community connection criteria as set out by Cheshire Homechoice, both initially and on subsequent change of occupancy. This could include Key Workers and Self Build;
6. The locality to which the occupancy criteria are to be applied is taken as the parish, unless otherwise agreed with Cheshire East Council;
7. To ensure that a property is let or sold to a person who either lives locally or has strong local connections in the future, the council will expect there to be a 'cascade' approach to the locality issue appropriate to the type of tenure. Thus, first priority is to be given to those satisfying the occupancy criteria in relation to the parish, widening agreed geographical stages.

Cross Subsidy

8. Proposals must consist in their entirety of affordable housing that will be retained in perpetuity. In exceptional circumstances, proposals that intend to include an element of market housing, or plots for open market sale, may be acceptable, if they meet all of the above criteria, along with the criteria below:

- i. Such proposals will only be permitted where it can be demonstrated that the site would not be viable, as a rural exception site, without cross subsidy. The developer will be required to submit an open book viability assessment. In such cases, the Council will commission an independent review of the viability study, for which the developer will bear the cost;
- ii. The Council will not accept aspirational land value as justification for allowing a higher proportion of market value units;
- iii. The assessment must show that the scale of the market housing component is essential for the successful delivery of the rural exception affordable housing scheme and that it is based on reasonable land values as a rural exception site and must not include an element of profit;
- iv. The majority of the development must be for rural exception affordable housing; and
- v. No additional subsidy is required for the scheme.

Looking at each criteria of this policy:

1. Location – Whilst the site is outside the defined village boundary for Gawsworth in the Macclesfield Local Plan, the policy requires the site to adjoin the settlement which may not be the same as the defined village boundary. Planning case law for example on infill development makes it clear that the boundary of a village defined in a local plan may not be determinative. In this case the defined village boundary stops at Congleton Road, but there are numerous properties on the northern side, including Gawsworth Methodist Church (which forms a boundary with the application site) and the Old Post Office, both of which can reasonably be defined as being part of Gawsworth. In this respect then the site is considered to adjoin the settlement.

The policy then requires the site to have good access to a range of services, employment etc. Whilst Gawsworth itself has only a limited range of services – a primary school, village hall and park/play area, the site is only approximately 5km south of Macclesfield Town Centre with a bus stop on Congleton Road at the junction with Dark Lane adjacent to the site. The term close is not defined in the policy, but for example according the Arriva bus timetable it is a 13 minute journey from Gawsworth to Macclesfield bus station. This is considered to be close. If a full range of services, facilities, employment etc. had to be provided within a village location then no affordable housing would be provided in any rural settlement.

2. The site proposes 10 dwellings, and is considered to be appropriate in scale, design and character to the locality. This is discussed further below.

3. The applicant has submitted a site option appraisal as part of the supporting planning statement. This looks at sites in the SHLAA (Strategic Housing Land Availability Assessment) and whilst there are sites identified in and near to Gawsworth none have been put forward for affordable housing and there are site specific reasons these have been discounted. The SHLAA is considered a reasonable way to assess sites as they show the willingness of site owners to put them forward for development. In the absence of other options that meet the tests of suitable, available and developable it is considered this policy is met.

The Parish and residents have raised the issue of the allocated site LPS 15 which is within the Parish. The site however is in south Macclesfield to which it is physically attached, and as such contributes to Macclesfield's need. It also needs to be pointed out that to-date no planning applications have been approved on this site, and it is unclear when any housing will be built there.

4. The Housing Needs survey for Gawsworth Parish was carried out in 2015 and showed a need for 14 new affordable homes. Housing have confirmed this is a robust assessment and is up to date.

5. Occupancy can be controlled by legal agreement, in this case by a Section 111 Agreement under the Local Government Act.

6. The locality can again be controlled by a legal agreement.

7. The cascade again be controlled by a legal agreement.

8. Market housing units (3) are proposed so these criteria also need to be met:

i. A viability assessment has been submitted, and independently assessed, which demonstrates that the site would not be viable, as a rural exception site, without cross subsidy.

ii. Agricultural land values have been used – these are not aspirational, and if anything on the low side.

iii. The appraisal demonstrates there will be no profit, in fact there will be a slight loss. A review mechanism can be built into any legal agreement to ensure that if a profit was made it is re-invested to increase the discounted market sales.

iv. Seven out of the 10 properties will be affordable.

v. There is no other cross subsidy, other than a funding element from the Council as outlined in the report. This funding is to ensure the affordability of the scheme is maximised and not to create a profit. Without this funding the scheme would not be deliverable without the need for either more private sale homes or a lower discount making the properties less affordable.

It is considered all criteria of this policy are met. Viability is examined further below.

The Parish Council feel that the proposals are contrary to the emerging Neighbourhood planning policy G1 which limits new housing developments to infill sites. At this stage however the Neighbourhood Plan is only at an early stage and can as such only carry limited weight. In addition a Neighbourhood Plan has to be in conformity with the Development Plan, and in this case housing policies in the CELPS which includes SC6.

There is no policy on affordable housing.

Highways

All dwellings will be served from an internal access road which will form a new simple priority junction with Dark Lane. The Head of Strategic Infrastructure (HSI) has reviewed the highways report submitted by the applicant in support of the development proposals and finds the following:

Dark Lane is a lightly trafficked semi-rural road; in the vicinity of the site it has a carriageway width of around 5.5m with no footway provision or street lighting and has a speed limit of 30mph.

Access from the site to the wider highway network would generally be expected to be taken via the Dark Lane/A536 Congleton Road/Church Lane priority crossroad junction, which is located to the

south-east of the site. The A536 connects Macclesfield, to the north-east of the site, with Congleton, to the south-west.

Vehicular access to the site is proposed from a new priority controlled junction with Dark Lane. The layout comprises:

- A site access carriageway width of 5.5m;
- Corner radii of 6.0m; and
- Visibility splays of 2.4m x 43m.

The proposal also involves the closure of the Methodist Chapel access from Dark Lane, located immediately to the south of the site. Access to the Chapel would be re-provided via the new site access described above.

The access proposals are considered to be acceptable to serve a development of 10 dwellings in this location. A development of 10 dwellings would not be expected to have a material impact on the operation of the adjacent or wider highway network.

Pedestrian access to the site is taken via a dedicated footpath link to Dark Lane located around 60m from its junction with the A536; an uncontrolled pedestrian crossing is proposed across Dark Lane to link with a new footway that runs south-east to A536 where a new signalised PUFFIN crossing is proposed across A536.

It is therefore considered that the development proposals can be safely accommodated on the adjacent highway network; accordingly, no highways objections are raised subject to conditions requiring the site access and pedestrian access visibility splays to be secured.

The Parish council has raised the issue of the road width, and questioned whether a two way road to meet standards, together with a footpath, can actually be accommodated with the space available, whilst still retaining the adjoining hedge.

Highways have met the applicant's agent on site and measured the road width at various points which are now shown, on a more detailed plan. This shows that the footpath can be accommodated, together with two way traffic whilst retaining the existing hedges on either side of the road.

Landscape and visual Impact

This application site is within the Local Landscape Designation: 'Bollin Valley and Parklands Area of Special County Value' (ASCV). The Landscape Character Area is 'Higher Farms and Woods 1: Gawsforth'

The site abuts the south-east boundary of the ASCV, adjoining village-edge roads and low-density development.

Landscape Effects

The applicant has submitted a revised Landscape General Arrangement drawing, existing and proposed site levels and an indicative topsoil redistribution drawing.

The proposed site levels and the principles of the applicant's outline plans for reservation and re-use of site soils are acceptable subject to a detailed Soils Plan being conditioned.

The General Arrangement drawing shows changes to the alignment of the footpath, changes to the locations for new trees and the addition of some ornamental shrub-planting in the northern parkland-style area of the site. This revised layout of this parkland-style area is considered acceptable but a detailed cross-site planting scheme with species and quantities, a 5-year establishment programme and details of on-going maintenance arrangements should be conditioned.

Visual Effects

The Planning Statement and Community Consultation documents submitted show the applicant has considered alternatives and has tried to incorporate amendments in response to local residents.

The dwellings would be set back from Dark Lane, but would therefore be on higher ground so the proposed trees in the parkland-style planting area are particularly important in retaining a well-wooded landscape character. It is recommended that long-lived species should be specified here.

Views from Congleton Road would be largely obscured by the existing large detached dwelling, outbuildings, Methodist Church and existing trees. The proposed woodland belt would be crucial to the successful integration of this development into this Higher Farms and Woods landscape.

In short, whilst there were initial concerns about visual impact of the scheme it is now considered that with a reduction in site levels, with properties set well within the site, and with the proposed extensive boundary landscaping any impact can be mitigated.

Trees

Three mature field boundary trees; (T2 and T3) 2 x Category B Sycamore and 1 Category A Oak are located along the north eastern boundary of the site adjacent to Dark Lane. The proposed site plan shows all trees on the site to be retained with root protection areas indicated, the layout demonstrates that the three mature trees on the site will be retained within an area of public open space with only minor incursion within the root protection area of tree T3 which can be resolved through the use of no dig construction methods. T2 Sycamore is a prominent tree located in the corner of the field boundary and adjacent to the access to the chapel. The tree has high amenity value and is visible from the junction of Dark Lane with Congleton Road and Church Lane although is not deemed worthy of formal protection by virtue of the presence of utilities cables running through the east side of the canopy. T4 is a mature Oak, heavily ivy clad and in declining condition. The A1,3 category afforded the tree is debateable, and while opportunities to commence a programme of retrenchment pruning exist, the tree will require monitoring in this road side location.

The updated AIA has clarified that T2 will be retained, the submitted levels plans demonstrate no impacts on tree T2 and the tree protection plan is acceptable in terms of the trees on the site.

The revised AIA has indicated that trial excavations have been carried out within the RPA of tree T3 in the area where the footpath link is proposed but that no roots were identified. The report has expressed the view that no special mitigation will subsequently be required, but acknowledges that the construction of the footpath in this area should be carried out under arboricultural supervision.

Replacement planting is offered as mitigation for the proposed removal of a total of 70 metres of hedgerow. While the submitted Ecological Assessment states that the hedgerow is species poor, the hedgerow to be removed comprises of a linear stretch of mixed species mature hedgerow bordering

agricultural land which appears to follow the line of the 1840 tithe map. A hedgerow assessment was requested with earlier comments, but has yet to be received.

It is considered that for completeness in the assessment and determination of this planning application, as hedge loss is involved the hedge should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if it qualifies as 'Important'. The Regulations require assessment on various criteria including ecological and historic value. Should the hedgerow be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

The applicant writes "The hedgerows are not considered to be 'important' in terms of the Hedgerow Regulations 1997 and this is covered in the submitted Ecology Assessment (para 4.3)". The Tree officer has looked at the assessment and has requested more information on the historical significance of the hedge. Members will be updated on this matter in an Update Report.

Conditions are recommended relating to tree protection measures and submission of a detailed service and drainage plan.

Building design/layout

The layout has been carefully considered and the proposals do result in a very green layout with ample space for gardens and landscaping in character with this rural area. The building design is also of a high quality, with significant variation in house types which will compliment the location, and as such there are no objections on these grounds.

The house types are very much 'non standard' and untypical for modern new build dwellings. As can be seen from the elevations the 4 pairs of two storey semi detached houses, and pair of semi detached bungalows have a variety of designs and finishes which will give interest to the street scene.. Whilst the centre of the scheme is inward looking, through the use of shared surfaces it is not dominated by hard surfaces, and the outer edge of the layout is softened by a boundary hedge and landscaped buffer beyond avoiding a hard edge to the open countryside. The scheme is therefore considered to comply with the objectives of policies SE1, SD2 of the CELPS and the CEC Design Guide.

Amenity

The proposed layout more than meets the required separation distances from adjoining properties, and whilst there is a shortfall in the required front to front separation distance between plots 3/4 & 7/8 internally, the proposals are considered to be acceptable as it creates a better street scene and is over what is considered public space. No further amenity issues are raised, and the proposal is considered to comply with policies DC3 and DC38 of the MBLP.

Heritage Impact

As the Parish Council highlight there are two Locally Listed buildings, The Old Post Office, and The Old Police House/Cottage immediately adjacent to the junction of Dark Lane and Congleton Road, close to the site. Whilst the Parish consider the development will have an adverse impact, they do not state why. Whilst both buildings are in relatively close proximity to the site, there is still a reasonable

separation from any proposed buildings, and it is not considered there will be any harm to the settings of either building.

Ecology

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. Existing hedgerows occur on the application sites northern and eastern boundaries. Whilst much of the existing hedgerows would be retained as part of the proposed development, a number of sections of hedgerow would be removed to facilitate the site access points. It is advised that in the event planning permission is granted the proposed new hedgerow, as shown on the submitted landscape plan, would be sufficient to compensate for those lost.

A detailed specification for the new hedgerow planting will be required. Detailed planting specifications have been submitted, but the species mix has yet to be received. It is however considered this can be conditioned.

Brown Hare and Polecat

These two priority species have been recorded in the broad locality of the application site. It is advised that whilst these species may utilise the application site to some extent the site is unlikely to be of critical importance.

Birds

A full breeding bird survey has not been undertaken as part of the ecological assessment. A number of records of notable bird species were however identified within the vicinity of the application site during the ecological desk study. These species may potentially occur on the application site.

The retention of the existing hedgerow and the provision of compensatory planting would partly reduce the impacts of the proposed development upon nesting birds, but there is likely to be an overall reduction in the level of breeding activity on site as a result of the proposed development. The severity of this impact cannot fully be assessed in the absence of a full breeding bird survey. The provision of features for priority bird species could however be incorporated into the development and secured by condition.

Lighting

Whilst the application site offers limited opportunities for roosting bats, bats are likely to commute and forage around the site to some extent. To avoid any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

Ecological enhancement

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with his policy.

It is therefore recommended that the applicant submits an ecological enhancement strategy prior to the determination of the application or if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Flood Risk/Drainage

The flood risk team have stated that based on the Flood Risk Assessment and Surface Water rates provided have no objection in principle to the proposed development. However, as previously mentioned the Local Highways Officer is aware of previous flooding history down stream along the ordinary watercourse running adjacent to woodhouse lane. If infiltration isn't feasible, the developer will need to demonstrate proposed discharge point currently has connectivity with proposed development outfall location prior to approval. This matter can be conditioned.

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

This proposal is for the residential development of ten new dwellings. Whilst this scheme itself is of a small scale, and as such would not require an air quality impact assessment, there is a need for the Local Planning Authority to consider the cumulative impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

Macclesfield has four Air Quality Management Areas and, as such, the cumulative impact of developments in the town is likely to make the situation worse, unless managed.

It is therefore recommend conditions relating to provision of a travel information pack and electric vehicle infrastructure are attached to any approval.

Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.
- A Phase I Preliminary Risk Assessment was submitted for review. Comment on this report at the pre-app stage was made, that it was nearly 2 years old, and as such the site walkover section in particular may benefit from some updating. This does not appear to have been done, however the report has been recently updated to include updated site plans.
- The report has been updated on the basis of the new site plans. The previous version of the report noted that there was a former gravel pit and pond close to the site, however in this revision of the report it appears they are now included within the site boundary.
- The report identified some potential sources of localised contamination on or very close to the site. As such, a ground investigation and ground gas risk assessment has been recommended.

As such, and in accordance with the NPPF, a number of conditions are recommended.

Affordable Housing

The Cheshire East Local Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) states In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sq.m) in Local Service Centres and all other locations at least 30% of all units are to be affordable. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 10 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is no requirement to be providing affordable dwellings. However the Applicant has advised that this development will be providing 7 Affordable Dwellings and 3 Market Housing Dwellings.

The CELP states in Policy SC5 justification paragraph 12.44, 'The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year.' This is for the whole borough of Cheshire East.

The current number of those on the Cheshire Homechoice waiting list with Gawsworth as their first choice is 32. This can be broken down to 13x 1 bedroom, 6x 2, 5x 3 bedroom and 4 x 4 bedroom dwellings.

The SHMA 2013 showed the majority of the house type demand annually in the Sub Area of Macclesfield Rural was for 9x 1 bedroom, 6x 2 bedroom, 23x 3 bedroom and 11x 4 bedroom dwellings for General Needs. The SHMA also showed an annual requirement for 2x 1 bedroom and 8x 2 bedroom Older Person's dwellings. These can be via Flats, Cottage Style Flats, Bungalows and Lifetime Standard Homes.

A Rural Housing Need Study was completed for Gawsworth dated 23rd September 2015. This study advised a minimum figure of around 24 new households were required within Gawsworth parish.

This figure of 24 should be treated as a minimum affordable housing requirement, rather than a maximum requirement, due to the following reasons:

Figures for new household income and savings were not given for between 5 and 8 of the new households, indicating further affordable housing requirements that might not have been captured. The new households would typically be required as houses, for adult couples or single adults, and for residents aged less than 45. Two of the new households had special requirements – Care in the home and mobility/disability.

Policy SC5 of the CELP would expect a ratio of 65/35 between social rented and intermediate housing, which equates to 5 units provided as Affordable/Social rent and 3 units as Intermediate tenure.

In the Planning Statement, the applicants, who are a Wholly Owned Company of Cheshire East Council, correctly advises that 'The Council does not have a Housing Revenue Account and therefore is not able to manage rented accommodation.' As such the Affordable dwellings are to be provided as Discount for Sale with a 55% discount off the Open Market Value, and a legal security to retain the dwellings as Affordable.

The Applicant is providing much needed Affordable Housing for those First Time Buyers and also those who wish to move to a larger house but are priced out of the market. This development is meeting a need for Low Cost Home Ownership and also those in need of single storey accommodation.

The revised plans increase the size of the properties so they meet the National Design standards.

As the Strategic Housing Manager comments were received early in the life of the application, they have been invited to update their comments in the light of amendments to the scheme, and comments received from the Parish Council and local residents. Any comments received will be reported in any update report.

Viability

In line with the requirements of policy SC6 an open book viability appraisal was submitted with the application, and updated when revisions were made to the application over the summer. This report has been independently assessed and the consultant concludes:

“It is the conclusion of this financial viability report analysis that the Applicant has adopted both reasonable sales rates and reasonable costs, both being reasonably consistent with market rates.

The consultant “appraisal returns a total Profit on Value of -0.56% or -£10,804”. (i.e. a loss). This return is not enough to allow for more affordable homes to be provided on the basis of 70% affordable housing set at a discounted rate of 55%.”

In brief a benchmark land value of £16,700 (£10,000 an acre) is given which reflects agricultural values in the area, build costs are put at £712,000. The total development costs come to some £1.935M, and development values come to some £1.924M.

The consultant’s findings indicate that the Applicant’s Viability Appraisal is reasonably accurate and is reflective of what the scheme is capable of providing while remaining financially viable and deliverable.

Whilst elements of the viability report analysis are questioned by local residents, it has been carried out by a professional body under guidelines set out by the RICS. The consultant’s however have been concerned by some comments received, with a mis-understanding of their role in the process. As such they have re-issued their report as:

“I am concerned that the Report Format and our wording and titling, is misleading in what it has done and intends to do. “

The revised report has not changed their findings and conclusions, but has hopefully addressed some of the questions raised.

Jodrell Bank

As noted above the site is in the Jodrell Bank consultation zone, but in Zone 6 on the eastern edge of this outer zone. Jodrell Bank have been consulted on the application and have chosen not to comment.

They do not comment on all planning applications, and it has to be assumed in this case they have no objections to the application.

CONCLUSIONS

The proposal, to develop the site for affordable housing can constitute appropriate development in the Green Belt, if it meets the criteria in the policy for Rural Exceptions Housing for local needs. It is considered the criteria are either met, or in the case of restrictions on tenure would be addressed as part of a legal agreement.

Whilst the site is on the edge of the village it is considered to be adjacent to it, and whilst Gawsorth has only a limited range of services and facilities, Macclesfield is only a short journey away.

The proposed layout, house design and associated infrastructure is to a very high standard and will complement this village location.

Whilst it is acknowledged that Dark Lane is a narrow road with no segregated pedestrian routes, and crossing Congleton Road into the village is currently far from ideal, the proposals are to introduce a series of measures to address these matters.

Whilst clearly building houses on a raised field will have a visual impact, the houses will be set back within the site, the higher site levels will be lowered and significant landscaping is proposed to minimise any impact.

Existing site trees are to be retained, and whilst some sections of hedgerow are proposed to be removed to create the site access, replacement planting is proposed in mitigation. Again mitigation can address any ecology matters.

Matters of drainage/overland flow, contaminated land, air quality and contaminated land can all be addressed by condition.

Accordingly the application is recommended for approval, subject to the signing of a Section 111 Agreement.

SECTION 111

In accordance with the policy requirements the affordable housing needs to be secured by legal agreement, and in this case as Cheshire East are the application this is under Section 111 of the Local Government Act 1972.

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; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-

financial requirements ensure that the development will be delivered in full. On this basis the S111 the scheme is compliant with the CIL Regulations 2010.

RECOMMENDATION

Approve subject to a Section 111 Agreement and subject to the following conditions;

- 1. Three Year Start**
- 2. Approved plans**
- 3. Materials**
- 4. Landscape details**
- 5. Implementation of landscaping**
- 6. Tree protection in accordance with the AIA and be in place before development commences**
- 7. Bird nesting season**
- 8. Submission of measures to provide features for priority bird species**
- 9. Lighting**
- 10. Ecological enhancement measures**
- 11. Site access and pedestrian crossing visibility splays on Dark Lane should be provided in accordance with the submitted details.**
- 12. The approved access that is required for the development must be constructed prior to the commencement of development.**
- 13. Separate systems for drainage**
- 14. Surface water drainage scheme to be approved**
- 15. Submission of a sustainable drainage management and maintenance plan.**
- 16. Submission of a Travel Information Pack**
- 17. Required installation of Electric Vehicle Infrastructure**
- 18. Phase II ground investigation and risk assessment**
- 19. Verification report**
- 20. Soils testing**
- 21. Measures to deal with unexpected contamination**
- 22. Development to be in accordance with the FRA**
- 23. Submission of a detailed drainage strategy**
- 24. Submission of a detailed soils plan**

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

