

Application No: 20/2361M

Location: 43, LONDON ROAD NORTH, POYNTON, SK12 1AF

Proposal: Demolition of existing dwelling and erection of a residential development with associated access, car parking, landscaping and infrastructure

Applicant: Mr Andrew McMurtrie, PH Property Holdings Ltd.

Expiry Date: 09-Sep-2020

SUMMARY

The front section of the site lies within a predominantly residential area, but the rear part of the application site is located on an area of Existing Open Space in the MBLP, and it has not been demonstrated that the open space is surplus to requirements, it is not replaced by equivalent or better provision, and the development is not for alternative sports and recreational provision, as required by policy SC 1 of the CELPS and the Framework. As such there is some conflict with the development plan, which weighs against the proposal.

However, policy EGB 2 of the PNP, which seeks to preserve and protect open spaces which characterise the village identity, does not refer to this site in the list of locations to be protected under this policy. The PNP is the most up to date development plan document and as such carries significant weight in the determination of the application.

In addition, the application site, as with all the adjoining site that fall under this open space allocation in the MBLP, is in individual private ownership, is surrounded by other private dwellings, and therefore public access to it is restricted. In visual terms, the site has very limited benefits to the wider area due to it being at the rear of the existing property, and landlocked by other private properties. As such its visibility, and appreciation as a public amenity, from public vantage points is very limited. Therefore, in terms of the function of the land as open space as it currently stands, there are not considered to be any significant physical or visual benefits to it.

The site is in a very sustainable location and the proposal would provide a residential development of 12 units within the key service centre of Poynton, very close to the public transport facilities, shops and services within the town centre. As noted above, the proposal raises no significant issues relating to the impact upon the living conditions of neighbouring properties, the character of the area, trees or flood risk.

Therefore, whilst acknowledging the conflict with the development plan, subject to the receipt of comments from Highways, the proposal accords with the requirements of the most up to date policy document, the Poynton Neighbourhood Plan, and having regard to the details set out above, it is considered that the identified policy conflict is clearly outweighed by other considerations, and the proposal represents a sustainable form of development.

RECOMMENDATION: Approved subject to conditions and s106 contributions

DESCRIPTION OF SITE AND CONTEXT

The application site is located on London Road North on the approach into the village of Poynton and is currently occupied with one large detached dwelling. The existing house appears to have been built in the 1930s and was extended in the post-war years. It sits in a very large and long (91.5m) plot which is currently mainly grassed. There is a great deal of variation in age of properties and architectural styles in the immediate vicinity.

The site is bounded by the A523 London Road North to the east. Further east is Poynton Sports Club and existing residential development adjoins the site to the north, south and west. The rear section of the site, although land locked is allocated as 'existing open space' in the MBLP.

DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing dwelling and the erection of an apartment block to the front of the site fronting London Road North consisting of eight two-bed apartments, with two pairs of semi-detached properties to the rear of the site.

Amended plans have been received during the course of the application in order to address concerns raised by the case officer.

RELEVANT HISTORY

None

POLICIES

Cheshire East Local Plan Strategy (CELPS)

- MP1 Presumption in Favour of Sustainable Development
- PG1 Overall Development Strategy
- PG2 Settlement Boundaries
- PG7 Spatial distribution of development
- SD1 Sustainable development in Cheshire East
- SD2 Sustainable development principles
- IN1 Infrastructure
- IN2 Developer Contributions
- 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
- SE8 Renewable and Low Carbon Energy
- SE9 Energy Efficient Development
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood risk and water management
- CO1 Sustainable travel and transport

Appendix C – Parking Standards

Saved Macclesfield Borough Local Plan Policies (MBLP)

NE11 (Nature conservation interests)
DC3 (Amenities of residential property)
DC6 (Circulation and Access)
DC8 (Landscaping)
DC9 (Tree protection)
DC35 (Materials and Finishes)
DC36 (Road layouts and circulation)
DC37 (Landscaping in housing developments)
DC38 (Space, light and Privacy)
DC41 (Infilling housing or redevelopment)
DC63 (Contaminated land)
RT1 (Protection of Open Spaces)
RT2 (Incidental Open Spaces/Amenity Areas)

Poynton Neighbourhood Plan (PNP)

EGB1 Surface Water Management
EGB7 Landscape Enhancement
EGB9 Nature Conservation
HOU6 Housing Mix
HOU8 Density and Site Coverage
HOU11 Design
HOU12 Replacement of Existing Dwellings
HOU15 Back Land and Tandem Development
HOU16 Subdivision of Housing

Other Material Considerations

National Planning Policy Framework (NPPF)
National Planning Practice Framework (NPPG)
The Cheshire East Borough Design Guide (2017)

CONSULTATIONS (External to Planning)

Head of Strategic Transport - Comments awaited

Environmental Health - No objections subject to conditions relating to contaminated land, electric vehicle infrastructure, dust management and pile foundations

United Utilities - No objections, subject to conditions relating to drainage

Strategic Housing Manager - No requirement for affordable housing contributions

Education - No requirement for contributions

Lead Local Flood Authority – No objections subject to conditions relating to drainage

ANSA Greenspace - No objection subject to financial contributions towards open space

Poynton Town Council: Object on the following grounds:

1. Inappropriate form of development on this site and in this location as it is not sympathetic to the site, immediately adjoining properties or the character or the surrounding housing area.
2. Any benefits arising do not outweigh the many adverse impacts which would cause substantial harm to the amenities of the local community and cannot be mitigated against.
3. Fails to comply with up-to date Development Plan policies: MP1, SD2, SE1, SE5, SC3 and SC4 of the Cheshire East Local Plan 2017 and the following Saved policies of the Macclesfield Borough Council Local Plan 2004: H11, DC3, DC6, DC8, DC37, DC38, DC41, RT1 and RT2.
4. Contrary to relevant policies of the Poynton Neighbourhood Plan 2019. As a cramped and intrusive form of development on the northern entrance into the town, the development would fail to meet the following policies HOU 6 (housing mix), HOU 7 (environmental considerations), HOU 8 (density and site coverage), HOU 11 (design), HOU 15 (backland and tandem development) and EGB 2 (open spaces)
5. Fails to address the Supplementary Planning Guidance set out in the Cheshire East Borough Design Guide SPD 2017 both in terms of content of the application and the approach to be taken to preparing the application. The Town Council notes that land previously used as a garden does not qualify as a “brownfield” site for planning purposes.
6. Loss of Trees contributing to amenity
7. Undesirable form of backland development without proper road frontage. The houses at the rear of the site would be accessed off London Road North, along the side of the proposed block of flats.
8. By virtue of its size, design and position relative to adjoining property, would be unduly dominant when viewed from adjoining property, causing an unacceptable loss of light to the detriment of the residential amenities of the occupiers of that property. The proposed access road to the rear of the site will pass very close to the boundary with 41 London Road North.
9. By reason of scale, form and design would result in a cramped and intrusive form of development out of keeping with the character of the existing properties in the area. This section of London Road North has some houses with large rear gardens and the proposed development would change this character very much to the detriment of the appearance of this area and would set a dangerous precedent.
10. Loss of privacy.
11. Development may pose a threat to highway safety:
 - a) Increased Turning Movements / There have been several serious road accidents in the area.
 - b) Inadequate visibility
 - c) May not be sufficient space for manoeuvring vehicles within the site
 - d) Inadequate Service Provision
12. Flood Risk - In 2016 and 2019, there was significant flooding along London Road North and at the Poynton Sports Club, directly opposite the site.

OTHER REPRESENTATIONS

Amended plans were received during the application period and a further consultation period was instigated. 7no. representations were received prior to the amendments with none received following the re-consultation so far. The consultation period runs until the 4th March so an

update will include any further comments received prior to the committee meeting. Below is a summary of the main issues raised to date:

- The site represents one of the few open spaces bordering the residential development in Poynton and should be protected.
- The development would be 'unneighbourly' due to the noise and light pollution at night caused by cars.
- Highway safety issues caused by the additional traffic.
- The three-storey apartment block would lead to a loss of privacy to the neighbours.
- The apartment block would lead to a loss of light to the side facing windows and outdoor seating area of number 45.
- Over development of the site.
- The three dwellings to the rear would overlook the bungalows adjacent.

OFFICER APPRAISAL

Principle of Development

The application site lies within a predominately residential area in Poynton, which is identified as being a Key Service Centre under Policy PG 2 of the Cheshire East Local Plan Strategy (CELPS). This policy confirms that within Poynton, development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability.

As a windfall site, CELPS Policy SE 2 states that development should;

- Consider the landscape and townscape character of the surrounding area when determining the character and density of development
- Build upon existing concentrations of activities and existing infrastructure
- Not require major investment in new infrastructure
- Consider the consequences of the proposal for sustainable development having regard to Policies SD 1 and SD 2

In this case, the provision of 11 no. additional dwellings would be of an acceptable scale relative to Poynton and would deliver housing within a sustainable location with the town centre within walking / cycling distance. From here, there are good rail links (including to Manchester, London) and buses to other local / key service centres. There are local amenities nearby, and social infrastructure such as schools, hairdressers, gyms, employment etc. The development to provide residential units in a sustainable location aligns with the general principles of national policy, local policy and emerging neighbourhood policy.

The development would contribute to the Borough's housing requirements through the provision of 11 no. additional market dwellings. In accordance with these policies, there is no objection in principle to new dwellings in this location, subject to compliance with the other relevant development plan policies

Residential Mix

Policy SC4 of the Cheshire East Local Plan 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.”* PNP policy HOU 6 repeats this aim with the additional statement that *“The provision of smaller units to meet local needs should be given priority subject to compliance with other housing policies”*. The mix of two bed apartments and three bed dwellings located within a residential area would contribute to the mix of housing sizes and types and would complement the existing provision within the area.

The Cheshire East Local Plan (CELP) and the Council’s Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified ‘windfall’ sites of 15 dwellings or more or larger than 0.4 hectares in size.

This is a proposed development of 12no. dwellings with a site area of 0.26 hectares, therefore no Affordable Housing is required to be provided.

Design and Impact on Character of the Area

NPPF paragraph 127 notes that planning decisions should ensure that developments are: visually attractive as a result of good architecture and layout; are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change; establish or maintain a strong sense of place, and create attractive and distinctive places to live, work and visit. Paragraph 130 notes that permission should be refused for poor design that fails to take the opportunities for improving the character and quality of an area.

Local Policy SD 2 notes that development will be expected to contribute positively to an area’s character and identity, creating or reinforcing local distinctiveness in terms of height, scale, form and grouping, choice of materials, external design features, massing of development, and relationship to neighbouring properties, street scene and the wider neighbourhood. Policy SE 1 notes that development proposals should make a positive contribution to their surroundings by:

- Ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements
- Encouraging innovative and creative design solutions that are appropriate to the local context

PNP policy HOU11 states that *“Any new housing development should achieve a high standard of design and new development should be compatible with the existing character of Poynton”*.

There is a great deal of variation in age of properties and architectural styles in the immediate vicinity. The proposal to demolish the existing house and replace it with a greater number of close to the centre of Poynton is accepted. The location of the apartment block is accepted too, sitting as it does on the footprint of the existing house. Similarly, the principle of having further homes to the rear of the site is also acceptable given the size of this very large plot.

The design of the front elevation of the apartment block has been amended, in line with the comments from the Council’s Design Officer, with alterations to the roof form to provide a more

traditional 2.5 storey building as opposed to the Mansard roof approach initially proposed. The apartment building is now a simpler and more contemporary style to better reflect the varied surrounding character.

The increase in soft landscaping to the front boundary, replacing the existing stark boundary wall with a new lower boundary wall with hedge and additional tree planting, in addition to the significant setback of the apartment block from the road allow the scale of the proposal to sit comfortably within the street scene.

The building line created by no. 41 and 45 London Road has also been reflected in the positioning of the apartment building. This has allowed frontage parking to be comfortably accommodated behind the new frontage boundary planting.

To the rear, the dwellings are subservient to the main apartment building, with the lower land level also helping in this regard. These would be positioned a significant distance from public vantage points and would have very little impact on the character of the area.

Saved Macclesfield Local Plan policy DC41, relating to infill housing states:

‘The garden space should reflect the typical ratio of garden space within curtilages in the area and the location, size and shapes should be suitable for the intended purpose’. Policy HOU15 of the PNP echoes this guidance stating for back land and tandem development; *“The plot size of the proposed dwelling should be appropriate to the size of the dwelling and the character of the immediate local area.”*

The plot to building ratios of the surrounding dwellings vary widely, however the dwellings would enjoy plot ratios consistent with adjoining development.

Overall, for the reasons set out above, it is considered that the proposal comprises an appropriate design for this very varied area and relates positively to the character of the area, in accordance with policies SE1 and SD2 of the CELPS and HOU 11 and HOU 15 of the PNP.

Open Space

As noted above, part of the site is allocated within the MBLP as an area of Existing Open Space, the retention of which is promoted by policy RT1 of the MBLP. This policy states that areas of recreational land and open space as shown on the proposals map will be protected from development. RT1 does however accept that development of a building footprint which does not harm the integrity of the open space will normally be permitted.

Paragraph 97 of the Framework states that existing open space should not be built on unless:

- “a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

These tests are reflected in policy SC1 of the CELPS which seeks to protect and enhance existing leisure and recreation facilities, unless a needs assessment has clearly proven them

to be surplus to requirements to local community needs or unless alternative provision, of equivalent or better quality, is to be made. However this policy also seeks to support and promote the provision of better leisure, community and recreation facilities, where there is a need for such facilities, the proposed facilities are of a type and scale appropriate to the size of the settlement, are accessible and support the objectives of the Local Plan Strategy. Similarly, policy SE6 of the CELPS seeks to protect green infrastructure and protect and enhance existing open spaces.

Policy EGB2 of the PNP states that *“areas of recreational land and existing open spaces within Poynton including within the housing estates which characterise the village identity shall be preserved and protected from development. PNP/C32 lists the locations of the sites with accompanying maps”*. The site is not identified in document PNP/C32 as a location to be preserved and protected and does not ‘characterise the village’.

The proposed dwellings will be constructed on an area of Existing Open Space as identified in the MBLP, and it has not been demonstrated that the open space is surplus to requirements; it is not being replaced by equivalent or better provision, and the development is not for alternative sports and recreational provision. Accordingly, whilst there is no direct conflict with policy EGB 2 of the PNP, the proposal does conflict with policy RT1 of the MBLP, SC1 of the CELPS and paragraph 97 of the Framework.

Public Open Space and outdoor sport & recreation requirements

Policy SE6 of the Cheshire East Local Plan requires 60sqm per family dwelling for the provision of public open space (POS) and recreation / outdoor sport (ROS) facilities. It appears that this cannot be provided on site and therefore financial contributions will be required for off site provision in line with policy SE6 of the Cheshire East Local Plan.

Based on 12no. dwellings of two or more bedrooms the required contribution would equate to £36,000 for POS and £12,000 for ROS. The POS commuted sum would be used to make additional improvements and enhancements of existing POS facilities at Poynton Park and Glastonbury Drive.

The ROS contribution would be used to make additions improvements and enhancements of existing sports facility at Deva Close in line with the Playing Pitch Strategy.

Policy SE6 of the CELPS sets out all open space requirements from residential development, which includes provision for allotments. Given that this cannot be provided on site, a contribution is required towards local allotment sites. For 12 dwellings this contribution amounts to £6,750. A s106 agreement will be required to secure these contributions.

Amenity

Saved Macclesfield Borough local Plan policy DC3 seeks to ensure development does not significantly injure the amenities of adjoining or nearby residential properties through a loss of light, overbearing effect or loss of sunlight/daylight with guidance on space distances between buildings contained in saved policy DC38 of the Macclesfield Borough Local Plan and guidance within the Cheshire East Design Guide.

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 13m to 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties and these are set out in Policy DC38. The policy includes provisions to increase these distances in circumstances when development exceeds two-stories in height.

It should also be noted that the Cheshire East Design Guide SPD also includes reference to separation distances and states that separation distances should be seen as a guide rather than a hard and fast rule.

The Design Guide identifies the following separation distances;

21 metres for typical rear separation distance

18 metres for typical frontage separation distance

12 metres for reduced frontage separation distance (minimum)

The objections have been carefully considered. The adjacent property to the north of the site contains a side facing secondary lounge window at ground floor and a secondary first floor bedroom window. The proposed apartment block to the front of the site has been stepped away from the boundary at the rear to ensure that the closest point directly facing these side facing windows measures approx. 15m. The only side facing windows within the development facing number 45 would be non-habitable en-suite windows, one at ground floor and one at first floor.

Whilst the development may lead to some loss of light to the side facing windows of number 45, these windows are secondary and the affected rooms of number 45 do benefit from other sources of light to compensate for any loss.

To the south, number 41 is positioned away from the boundary meaning the distance from the proposed side elevation and the closest point of number 41 is over 14m. The proposed side elevation facing number 41 contains kitchen windows and secondary bedroom windows. It is considered appropriate to include a condition obscuring glazing these windows to ensure no loss of privacy is suffered by number 41.

To the rear the distance between the rear of number 52 Milton Drive and the side elevation of the closest semi-detached dwelling would be approx. 15m at its nearest point with only windows serving the stairs/landing facing the boundary. These can be conditioned to be obscurely glazed in order to prevent any overlooking.

The rear of plot 12 would be positioned approx. 15.5m from the rear elevation of number 50 at its nearest point, however the angle between the two properties is oblique meaning that there would be no direct overlooking between the two properties.

Number 48 would be a minimum of 20m from the rear of the proposed detached dwellings and number 46 would be a minimum of 30m to the rear of the detached dwellings. Although three storeys the rear of the detached dwellings would not contain a dormer window so would appear as two storeys.

The gap between the buildings, together with the oblique angle ensures that the relationship between existing and proposed dwellings is within acceptable limits, and ensures an adequate

degree of space, light and privacy is maintained in accordance with policies DC3 and DC38 of the MBLP.

Highways

No comments have been received from the Head of Strategic Transport in relation to the amended plans, however the proposal contains 2 parking spaces per unit as required by the parking standards in the CELPS for key service centres such as Poynton. Further information has also been provided by the applicant showing a delivery vehicle can enter and exit the site in a forward gear. The consultation response from Highways will be reported as an update.

Arboriculture and Forestry

Policy SE 5 of the CELPS outlines that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands (including veteran trees or ancient semi-natural woodland), that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives.

The application is supported by an Arboricultural Implications Assessment which includes a Tree Survey and Method Statement. The Assessment identifies 6 individual trees and 7 groups of trees located in or immediately adjacent to the application site. One Moderate (B) category tree, a semi mature Maple (T6) and a linear group of early mature Cypress trees (G5) are proposed to be removed to accommodate the development.

None of the trees within the site, including those proposed for removal are protected by a Tree Preservation Order or lie within a designated Conservation Area. The proposed removals do not have a significant adverse impact on the wider amenity of the area.

An existing moderate (B) category mature Beech located at the front of the property close to the highway is a prominent feature of the site and is shown for retention. Details will need to be provided on the protection of this tree during the development process should the application be approved, and the extent of any pruning required to allow access for construction vehicles.

Two groups of Cypress and Yew (G6 and G7) to the northern boundary provide an effective screen to adjacent residential development and are shown for retention and should be adequately protected during the development process.

Reference is made in the Assessment to some minor encroachment into the Root Protection Area (RPA) of a low (C) category Maple (T4) which has been heavily reduced in the past. The minor encroachment is not considered significant and the tree provides only a limited contribution to the wider amenity.

The use of a cellular confinement system has been recommended where the driveway/car parking slightly encroaches in to into the root protection area of retained trees. This broadly complies with the design requirements of BS5837:2012 and is acceptable. No objections are raised by the Council's Arboricultural Officer, subject to a condition to provide tree protection

measures and a method statement. The proposal is therefore considered to comply with policy SE 5 of the CELPS.

Nature Conservation

No evidence of roosting bats was recorded during the submitted survey and the existing buildings were identified to have only low potential to support roosting bats. I advise that roosting bats are not reasonable likely to be present or affected by the proposed development. No further survey effort in respect of bats is therefore required.

The submitted ecological assessment has identified the potential presence of hedgehog on site, although no evidence of this species was recorded. Hedgehogs are a biodiversity action plan priority species and hence a material consideration.

No objections are raised by the Council's Nature Conservation Officer. No significant ecological concerns are therefore raised subject to conditions relating to features for hedgehogs, nesting birds and securing an ecological enhancement in the form of introducing features for nesting birds into the development in order to comply with the biodiversity protection and enhancement requirements of policy SE 3 of the CELPS.

Flood Risk

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.

Policy EGB1 of the PNP states, *"Poynton is at risk of flooding due to a number of factors. The management of flood risk and management and maintenance of all culverts, streams and brooks within the town should be co-ordinated into a local Flood Risk Mitigation Plan by the relevant authorities."*

The site currently sits within flood zone 1, however there is an area of surface water flood risk (topographic low spot) present onsite. Poynton Town Council have raised concerns over flood risk within the neighbouring area as this has previously been affected by flooding. The LLFA therefore advise that it is crucial that the flood risk present both on and off site is managed effectively through an appropriate SUDs scheme. Furthermore, finished flood levels should be set at a level which protect the new dwellings from surface water flood risk.

The LLFA also note that the applicant is proposing to use underground attenuation storage and an existing connection to the surface water sewer system as their means of surface water drainage. Careful consideration should be given to the storage volume required onsite to account for the 1 in 100 yr + 40% Climate Change event. Conditions are therefore recommended relating to surface water drainage, a ground investigation survey to establish any potential ground water issues on site and to determine the type of attenuation storage structure required, and finished floor levels.

Subject to these conditions the proposal will reduce flood risk and comply with policies SE13 of CELPS and EGB1 of PNP.

HEADS OF TERMS

If the application is approved a Section 106 Agreement will be required, and should include:

- Public Open space contribution of £36,000
- Recreation & outdoor sports contributions of £12,000
- Allotments contribution of £6,750

Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now 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 public open space is 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.

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

The rear part of the application site is located on an area of Existing Open Space in the MBLP, and it has not been demonstrated that the open space is surplus to requirements, it is not replaced by equivalent or better provision, and the development is not for alternative sports and recreational provision, as required by policy SC 1 of the CELPS and the Framework. As such there is some conflict with the development plan, which weighs against the proposal.

However, policy EGB 2 of the PNP, which seeks to preserve and protect open spaces which characterise the village identity, does not refer to this site in the list of locations to be protected under this policy. The PNP is the most up to date development plan document and as such carries significant weight in the determination of the application.

In addition, the application site, as with all the adjoining site that fall under this open space allocation in the MBLP, is in individual private ownership, is surrounded by other private dwellings, and therefore public access to it is restricted. In visual terms, the site has very limited benefits to the wider area due to it being at the rear of the existing property, and landlocked by other private properties. As such its visibility, and appreciation as a public amenity, from public vantage points is very limited. Therefore, in terms of the function of the land as open space as it currently stands, there are not considered to be any significant physical or visual benefits to it.

The site is in a very sustainable location and the proposal would provide a residential development of 12 units within the key service centre of Poynton, very close to the public transport facilities, shops and services within the town centre. As noted above, the proposal

raises no significant issues relating to the impact upon the living conditions of neighbouring properties, the character of the area, trees or flood risk.

Therefore, whilst acknowledging the conflict with the development plan, subject to the receipt of comments from Highways, the proposal accords with the requirements of the most up to date policy document, the Poynton Neighbourhood Plan, and having regard to the details set out above, it is considered that the identified policy conflict is clearly outweighed by other considerations, and the proposal represents a sustainable form of development.

CONCLUSIONS

Whilst the comments from the Town Council and local residents are acknowledged, the matters raised within the objection letters have been considered in the preceding text, and for the reasons set out above a recommendation of approval is made subject to the conditions listed below and the prior completion of a s106 agreement to secure:

- Public Open space contribution of £36,000
- Recreation & outdoor sports contribution of £12,000
- Allotments contribution of £6,750

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A23GR - Pile Driving details to be submitted
5. A01LS - Landscaping - submission of details
6. A04LS - Landscaping (implementation)
7. A12LS - Landscaping to include details of boundary treatment
8. A17LS - Submission of landscape management plan
9. Nesting bird survey to be submitted
10. Incorporation of gaps for hedgehogs
11. Tree protection - method statement to be submitted
12. Electric vehicle infrastructure to be provided
13. Flood risk - drainage
14. Flood risk - finished floor levels
15. Incorporation of features for nesting birds
16. Flood risk - ground investigation survey required

17.Imported soil to be tested

18.Contaminated Land - unexpected contamination

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chairman (or in his absence the Vice Chairman) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

