

Application No: 21/4669M

Location: Land West Of, ALDERLEY ROAD, WILMSLOW

Proposal: Approval of Reserved Matters (layout, landscaping, appearance and scale) following Outline Approval 17/5837M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space

Applicant: Ms Siobhan Sweeney, Story Homes Limited

Expiry Date: 12-Aug-2022

## **SUMMARY**

The principle of erecting up to 60 dwellings on this site has been approved by Cheshire East Council by Outline Planning Permission 17/5837M (which included matters of Access). This remains extant. This application considers the acceptability of the remaining reserved matters, namely: Layout, Scale, Appearance and Landscaping.

Following extensive negotiations and the receipt of various sets of revised and further plans, it is now deemed that the layout, scale and appearance of the application proposals is acceptable. It is considered that the scheme achieves the correct balance between respecting the specific design characteristics of Fulshaw Park and its gateway location as well as providing a good mix of properties in order to create a sustainable community. The provision of solar panels, water butts and the already required electric charging points ensure that the scheme can demonstrate strong green credentials.

The scheme is deemed to satisfy the requirements of the Council's Highway's Officer and would result in no notable concerns regarding neighbouring amenity or ecology subject to conditions.

Securing the relevant amount of affordable housing and mitigating the development's impact upon local education provision, health and flood risk were resolved or secured at outline stage.

With regards to landscape and open space, the technical detail of this part of the scheme is yet to be finalised/agreed.

Subject to the satisfactory receipt of outstanding consultee responses of these consultees, the application is recommended for approval.

## **RECOMMENDATION**

**APPROVE** subject to satisfactory receipt of outstanding consultee responses and conditions

## **REASON FOR REFERRAL**

This application is referred to Northern Planning Committee as it represents a residential development of between 20-199 dwellings. In this case, 54 dwellings are proposed.

## **SITE DESCRIPTION**

The application site consists of a largely rectangular parcel of land located to the west of Alderley Road, Wilmslow. Alderley Road forms the eastern boundary of the site. Beyond the northern, western and part of the southern boundaries are dwellings accessed via Donkey Lane, Fulshaw Park and Fulshaw Park South.

The site rises in ground level from Alderley Road towards the residential properties beyond the application site to the west. A number of trees are located within the site, some of which are protected, and a hedge is located along the boundary with Alderley Road.

## **DETAILS OF PROPOSAL**

Reserved Matters approval is sought for; Layout, Scale, Appearance and Landscaping following the approval of Outline permission ref: 17/5837M. The Outline permission granted approval for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space.

The application proposes 54 dwellings, comprising of 38 market dwellings and 16 affordable dwellings (30%). Condition 16 on the outline permission restricted any reserved matters application to '*no more than 60 dwellings*'.

The proposed housing mix is as follows:

### Detached

- 5-bed (x4)
  - *Lyme* house type – 2.5-storey – x4

- 4-bed (x13)
  - *Capesthorne* house type – 2-storey – x5
  - *Tabley* house type – 2-storey – x3
  - *Gawsworth (Bay)* house type - 2.5-storey – x4
  - *Gawsworth* house type - 2.5-storey – x1
- 3-bed (x15)
  - *Dunham* house type – 2-storey, detached – x9
  - *Adlington* house type – 2-storey, detached – x4
  - *Walton* house type – Bungalow – x2

#### Semi-detached

- 3-bed (x4)
  - *Arley* house type – 2.5-storey – x4
- 2-bed (x2)
  - *Bollin* house type - 2-storey - x2

#### Mews/Apartments (affordable units)

- 3-bed (x3)
  - *Tatton* house type - 2-storey – x3
- 2-bed (x7)
  - *Moreton* house type - 2-storey, x6
  - *Bramall* house type – 2-storey, x1
- 1-bed (x6)
  - *Bramall* house type – 2-storey – x2
  - *Mere* house type – 2-storey – x4

### **RELEVANT HISTORY**

**22/1330M** – Non-material Amendment to 17/5837M - Outline permission for residential development, with all matters reserved except for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 5<sup>th</sup> July 2022

*Note: Above permission granted approval for the further amendment to the Parameter's Plan approved by permission 17/5837M. This was in order to a) account for the construction of the footpath/cycleway improvement scheme on Alderley Road undertaken by Cheshire East Council so the scheme aligns and b) update the plan to show which trees are to be retained.*

**21/5744M** – Advertisement Consent – Under consideration

**21/3907M** - Non-material amendment of 17/5837M - Outline permission for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 26<sup>th</sup> July 2021

*Note: Above permission granted approval to amend Condition 24 from 17/5837M. The condition required the submission/approval of a Design Principles Document that specified certain requirements. It was proposed that this condition wording be amended to simplify the condition. This was approved.*

**21/2927D** - Discharge of Condition 24 on approval 17/5837M for Outline permission for residential development with all matters reserved expect for means of access off Alderley Road together with associated infrastructure and open space – Approved 8<sup>th</sup> August 2021

**20/1435M** - Non-material amendment to application 17/5837M - Outline permission for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 28<sup>th</sup> April 2020

*Notes: Above permission amended conditions 3 (approved plans) and 4 (submission/approval of a detailed drainage scheme). This allowed the detailed drainage plan, required by Condition 4, to no longer have to rely on an older outline drainage strategy, which was linked to the wider Royal London site, as set-out within the condition. It was proposed that the drainage for the application site come forward independently so the various parts of the Royal London site where not held-up by their conjoined drainage strategy. Condition 3 was updated to refer to an update Parameters Plan, removing any reference to the minimum development levels, influenced by the older drainage strategy, and the older outline drainage strategy itself.*

**17/5837M** - Outline permission for residential development, with all matters reserved expect for means of access off Alderley Road, together with associated infrastructure and open space) – Approved 1<sup>st</sup> October 2018

**17/4833S** - EIA scoping opinion for residential development of up to 70 units – Approval required 11<sup>th</sup> December 2018

## **ADOPTED PLANNING POLICIES**

The relevant aspects of the Cheshire East Council development plan to the application proposals include: the Cheshire East Local Plan Strategy (CELPS), the made Wilmslow Neighbourhood Plan (WNP) and the saved policies within the Macclesfield Borough Local Plan (MBLP).

Cheshire East Local Plan Strategy 2017(CELPS)

LPS 54 – Royal London, including land west of Alderley Road, Wilmslow

MP 1 – Presumption in favour of sustainable development, PG 1 – Overall Development Strategy, PG 2 – Settlement hierarchy, PG 7 – Spatial Distribution of Development, SD 1 – Sustainable Development in Cheshire East, SD 2 – Sustainable Development Principles, IN 1 – Infrastructure, IN 2 – Developer contributions, SC 1 – Leisure and Recreation, SC 2 – Outdoor Sports Facilities, SC 3 – Health and Well-Being, SC 4 – Residential Mix, SC 5 – Affordable Homes, SE 1 – Design , SE 2 – Efficient Use of Land , SE 3 – Biodiversity and Geodiversity, SE 4 – The Landscape , SE 5 – Trees, Hedgerows and Woodland, SE 6 – Green Infrastructure, SE 12 – Pollution, Land Contamination and Land Instability, SE 13 – Flood Risk and Water Management, CO 1 – Sustainable Travel and Transport, CO 4 – Travel Plans and Transport Assessments

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

#### Wilmslow Neighbourhood Plan (October 2019) (WNP)

LPS1 – Sustainable Construction, LPS2 – Sustainable Spaces, LPS3 – Sustainable Transport, NE1 – Countryside around the Town, NE2 – River Valley Landscapes, NE3 – Green Links, NE4 – Countryside Access, NE5 – Biodiversity Conservation, TH1 – Gateways into Wilmslow, TA1 – Residential Parking Standards, TA2 – Congestion and Traffic Flow, TA4 – Access to Schools, TA5 – Cycling in Wilmslow, CR4 – Public Open Space, H2 – Residential Design, H3 – Housing Mix

#### Macclesfield Borough Local Plan Policy (MBLP)

NE3 – Protection of Local Landscapes, NE11 – Protection and enhancement of nature conservation interests, NE17 – Nature Conservation in Major Developments, RT5 – Open Space Standards, DC3 – Amenity, DC6 – Circulation and Access, DC8 – Landscaping, DC9 – Tree Protection, DC15 – Provision of Facilities, DC17 – Water Resources, DC35 – Materials and Finishes, DC36 – Road Layouts and Circulation, DC37 – Landscaping, DC38 – Space Light and Privacy, DC40 – Children’s Play Provision and Amenity Space. DC41 – Infill Housing Development

#### **Other Material Policy Considerations**

- National Planning Policy Framework 2021 (NPPF)

Of particular relevance are chapters in relation to; Achieving sustainable development, Decision making, Delivering a sufficient supply of homes, Building a strong, competitive economy, Ensuring the vitality of town centres, Promoting healthy and safe communities, Promoting sustainable transport, Making efficient use of land, Achieving well design places, Protecting Green Belt land, Meeting the challenge of climate change, flooding and coastal

change, Conserving and enhancing the natural environment and Conserving and enhancing the historic environment.

- National Planning Policy Guidance (NPPG)
- The Cheshire East Design Guide Supplementary Planning Document (SPD) – *Adopted*
- Housing Supplementary Planning Document (SPD) – *Adopted*
- The Three Wilmslow Parks Supplementary Planning Guidance (SPG) (2004) – *Adopted*
- The Royal London Development Framework (2017) – *Approved Guidance*
- Emerging Cheshire East Site Allocations and Development Policies Document (“SADPD”)

The Revised Publication Draft SADPD was submitted to the Secretary of State on 29 April 2021. Following the examination hearings and report from the Inspector, Main Modifications were published for consultation between 19 April 2022 and 31 May 2022. The Council has recently published its report of consultation and the Inspector will take the representations into account in preparing his Examination report, which will be issued to the council in due course. The following policies are considered to carry moderate weight in the assessment of the application:

PG9 - Settlement Boundaries, GEN1 - Design principles, GEN5 - Aerodrome safeguarding, GEN6 - Airport public safety zone, ENV1 - Ecological network, ENV2 - Ecological implementation, ENV3 - Landscape character, ENV5 - Landscaping, ENV6 - Trees, hedgerows and woodland implementation, ENV7 - Climate Change, ENV12 - Air quality, ENV14 - Light pollution, ENV15 - New development and existing uses, ENV16 - Surface water management and flood risk, ENV17 - Protecting water resources, HER1 - Heritage assets, HER3 - Conservation Areas, RUR6 - Outdoor sport, leisure and recreation outside of settlement boundaries, HOU10 - Amenity, INF1 - Cycleways, bridleways and footpaths, INF3 - Highways safety and access, INF6 - Protection of existing and proposed infrastructure and INF9 - Utilities

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

**Head of Strategic Transport (CEC Highways)** – No objections, subject to a condition requiring the submission/approval of a Construction Management Plan (CMP)

**Environmental Protection (CEC)** – No objections, subject to a number of conditions including implementation of submitted noise mitigation and the implementation of electric vehicle charging infrastructure. It is advised that conditions relating to dust management, a travel plan and contaminated land imposed as part of the outline permission be carried forward.

**Lead Local Flood Risk Authority (CEC)** – No objection in principle

**Public Rights of Way (CEC)** – No comments received at time of report (*note: there are no PROW impacted by the proposed development*)

**Education (CEC)** - No comments received at time of report (*note: Education was considered as part of the Outline permission*)

**Housing (CEC)** – No objections

**ANSA Greenspace (CEC)** – Unable to support the application proposals for various reasons including:

- Location of the proposed play area
- Lack of surveillance due to location of play area that can also lead to anti-social behaviour
- Concerns about the siting of the play area within a flood zone
- Proximity of site to a highway without a gate
- Lack of maintenance access
- How will the site be accessible all year round in all weather?
- Unsatisfactory access to the play area from the development site
- Insufficient detail provided for the play area itself, including specifications
- Concerns regarding the proposed surfacing material to be used in the play area
- A detailed management and maintenance plan is required for the open space and play area

**NHS CCG** - No comments received at time of report (*note: Health was considered as part of the Outline permission*)

**Environment Agency** - No comments received at time of report

**United Utilities** – Advise that they note the outstanding requirement for drainage details to be agreed as per Condition 4 on the outline and wish to be consulted on these when submitted. It is also advised that the revised layout overcomes initial concerns regarding access to public sewers being obstructed but wish to reiterate the point as an informative that UU will not allow building over or in close proximity to a water main.

**Cadent Gas Ltd** – Recommend the developer contact Cadent prior to the commencement of development in order to receive authorisation from the relevant network

**Network Rail** – ‘No comments’

**Ramblers Association** – No comments received at time of report



**Wilmslow Town Council** – Object to the proposals for the following summarised reasons:

- Contrary Wilmslow Neighbourhood Plan Policy TH4 (Three Parks) as the elements of scale, massing and topography have not been adequately considered and incorporated
- Contrary to Wilmslow Neighbourhood Plan Policy TH1 (Gateways to Wilmslow) as it fails to deliver development of exceptional quality and architectural design required for such a key gateway
- Proposed tree lining along Alderley Road is inadequate
- Contrary to Wilmslow Neighbourhood Plan Policy TH3 (Heritage Assets) as proposal fails to demonstrate how it will lessen the impact on the setting of important heritage assets, in particular assets 15, 16 and 17 (Fulshaw Park, Chorlton House, Rostherne and Inglewood). Flats proposed on highest part of the site impacts these assets to a maximum. Any buildings in this part of the site should not exceed two-storey's in height
- Contrary to Wilmslow Neighbourhood Plan Policy H2 as it fails to respect the local character, the types of houses and their distribution within the wider area
- Surface water drainage should be dealt with within the defined site. Concerned that no SuD's plan accompanies the application
- Inadequate green infrastructure provision and the impact of on-going management is questionable
- Cannot see that the proposed development has demonstrated a net-gain in biodiversity (as per Wilmslow Neighbourhood Plan Policy NE5).
- Consider that the layout of the affordable homes within 3 areas is contrary to Wilmslow Neighbourhood Plan Policy SC5.
- Housing Mix - Concerned that the affordable houses are the only small houses proposed on site

## **REPRESENTATIONS**

In response to the re-consultation exercise inviting comments on the revised scheme, comments have been received from 17 residential addresses including 3 local interest/resident's groups. All consultation responses raise objections or concerns relating to the following matters:

### Principle

- No pressing need for the number of houses allocated to be built-out

### Design & Heritage

- Design does not reflect its positions as a gateway site & fails to respond to the existing local character in scale, massing and design



- Scale – Provision of 3-storey development adjacent to two-storey development; changes in levels will mean some units (e.g. 2.5-storey units) would appear considerably taller
- Overdevelopment of site / density too high - contrary to Three Parks SPG
- Poor housing mix, lack of bungalows
- Impact of the development upon Fulshaw Park. The Three Parks SPG, which refers to Fulshaw Park, has been totally ignored. Larger individual houses with larger gardens. No semi-detached or terrace or anything above two-storey, insufficient landscaping
- Proximity of development to a Locally Listed Building (Chorlton House)
- Pressure for extensions within small rear gardens that would extend development even closer to the boundaries

### Highways

- Insufficient parking provision, resulting in overspill
- Where will people park for the play area
- Increase in traffic as a result of the proposals

### Amenity

- General proximity to neighbouring land and concerns that extensions built under permitted development rights would exacerbate the concern
- Garden depths of Fulshaw Park boundary – loss of light as a result of boundary trees
- Loss of privacy for properties on Fulshaw Park and Broadacres, to the north of the site due to proximity and provision of 2.5 storey dwellings
- Concerns over proposals to plant a new tree on southern boundary due to loss of light
- Loss of privacy as a result of positioning of proposed play area to the south of the site
- Overbearing impact and overlooking (3, 4 & 5 Heathfield)

### Flood Risk and Drainage

- Alderley Road notably susceptible to flooding
- The Alderley Road drainage solution (attenuation lake) is not working
- No surface water attenuation proposed as part of this development
- Any re-direction of surface water to the southern side of the site will worsen matters as its already boggy.
- Proposals will lead to an increase in flooding. Site already floods

### Open Space

- Play area in a poor position as drainage is bad

- How will play area and adjacent land be managed/maintained?
- Attraction of anti-social behaviour and youth congregation

### Landscape

- Insufficient green infrastructure
- Future pressures to cut-back western boundary with Fulshaw Park due to short garden depths

### Ecology

- The application is not supported by a Biodiversity Gain Analysis

### Affordable Housing

- Not 'pepper potted' throughout the site
- 'Affordable' housing in name only

### Sustainability

- Local schools and doctors are oversubscribed and pressures on dentists

### Policies

- The following policies have been quoted by objectors that they consider the proposals be contrary to:
  - CELPS – LPS54 (Strategic Site Allocation), SE3 (Biodiversity and Geodiversity), SE6 (Green Infrastructure), SD2 (Sustainable Development Principles), SE1 (Design)
  - MBLP – DC3, DC38, DC41
  - WNP – NE5 (Biodiversity Conservation), TH1, TH4
  - Three Parks SPG
  - Royal London Development Plan – Key Principle 2 (Landscape) and 6 (Ecology)
  - Emerging SADPD – ENV2

### Other matters

- Northern boundary hedge is not within the ownership of the applicant.
- That the committee report relating to the outline permission did not refer to the Three Parks SPG
- Loss of view (*note: not a material planning consideration*)
- Concerns over maintenance of hedgerow near Post Box on the corner of Alderley Road and Fulshaw Park South

The following positive comments have also been received about the application proposals:

- Welcome the provision of a 'pocket park' (Design)
- Improved access to the proposed Play Area (Design / Open Space)

In response to the original consultation, objections were received from 21 addresses, including 3 local interest/resident's groups, raising the following concerns.

#### Procedural matters

- Planning permission has now expired
- Inaccuracies on plans along northern boundary – missing trees, missing neighbouring dwelling (Orchard Villas)

#### Principle

- Housing targets have already been met
- Loss of Green Belt land

#### Design & Heritage

- Appearance – Style not reflective of the surrounding area in this gateway location (Policy TH1 of Wilmslow NP), unimaginative. Contrary to Policy H2 of Wilmslow NP – fails to enhance and reinforce local character
- Contrary with the Three Wilmslow Parks SPG in terms of the space between the proposed houses
- Scale – 3-storey properties are out of character, scale does not appear to have been designed in consideration of levels changes on site
- Mix - No bungalows proposed which would free-up family homes; the form is not reflective of the local area which consists of large, detached dwellings; Concerned about the presence of semi-detached units (not in keeping)
- Density – character is large dwellings on large plots, proposal does not reflect this
- Contrary to Neighbourhood Plan policy TH4 *"All new development should reflect the existing form of Fulshaw Park."* In addition, density is not commensurate with the local area
- Layout – Provision of an unrelieved line of houses on western extremity of site too close to boundary; density too high; suggest a footpath/cycle link via to the north-western boundary into Fulshaw Park or The Stablings
- Heritage – depreciate the value of local historical buildings

#### Amenity

- Loss of light and privacy due to proximity of properties that back onto the Rostherne / Heathfield area.

- Difference in levels in conjunction with the siting of 2.5-storey properties in particular, resulting in loss of privacy/overlooking and loss of light
- Lack of boundary treatment between Point A and B compounds problem
- Future occupiers – poor light for those that back onto Fulshaw Park due to mature trees; small gardens
- Air and noise pollution as a result of increased traffic
- Impact of construction traffic – noise and vibrations
- Creation of anti-social behaviour (dog fouling and drug dealing) as a result of providing public open space

### Flood Risk & Drainage

- Site within a designated flood zone, concerned that proposals will lead to increased flooding
- More could be proposed with regards to Sustainable Urban Drainage (SuDs)
- No strategic drainage solutions proposed on Land to the West of Alderley Road which suffers from surface water flooding
- Photographic evidence that suggests the Drainage Solution to the East of Alderley Road is not working which in turn, is still resulting in the flooding of Alderley Road

### Highways

- Impact upon traffic volumes
- Traffic 'hot spot'
- Road users will seek to utilise 'rat runs' as a result such as Fulshaw Park
- Suggest the provision of an extra car park at the top of Harrington House
- On-street parking will impact visibility from existing driveways and pedestrians
- No public parking for the play area/open space

### Landscaping

- Existing trees and shrubs should be retained and any development should include a high proportion of soft landscaping
- Park area will be located on marsh as it currently drains poorly

### Open Space

- Only single access to proposed POS is through the housing development. Difficult to access for existing residents

### Ecology

- No biodiversity net-gain analysis has been provided to ascertain whether any biodiversity off-setting will be required

- Loss of wildlife as a result of proposals
- Suggested mitigation deemed insufficient
- Suggest corridor to rear of site

#### Affordable housing

- Social housing should not be provided on this site, but elsewhere. Compromises the density of the site
- Insufficient information provided in relation to the Affordable housing mix
- Affordable housing is not 'Pepper Potted'
- Lack of justification as to how the provision meets the local affordable housing need

#### Other matters

- Breaches of existing covenants regarding the land being built upon
- Social housing should not be provided on this site, but elsewhere
- Loss of agricultural land
- Impact upon doctors, dentists and school places
- Impact upon house prices
- Land included within 'red dotted line' not in ownership of Story Homes
- Existing vegetation has been cut-back

Positive comments received include:

- Welcome the Landscape buffer along Alderley Road
- Welcome more homes into the area

### **OFFICER APPRAISAL**

#### **Procedural Matters**

Several objector's have raised the question whether the outline permission to which this Reserved Matters application relates (17/5837M) has time expired. The only time limit condition attached to the outline permission was:

*1. The development hereby approved shall commence before whichever is the later of the following dates:*

*(a) within three years of the date of this permission, or*

*(b) within two years of approval of the last of the reserved matters to be approved.*

The 3 years expired on the 1<sup>st</sup> October 2021 meaning that 1(a) above became redundant, leaving just 1(b). Works therefore need to commence within 2 years of the approval of the last reserved matters. However, there is no further time limit condition which sets out when the Reserved Matters needs to be submitted by.

Upon closer review, Section 92 of the Town and Country Planning Act refers to Outline Planning Permissions. It states:

*‘(2) Subject to the following provisions of this section, where outline planning permission is granted for development consisting in or including the carrying out of building or other operations, it shall be granted subject to conditions to the effect—*

*(a) that, in the case of any reserved matter, application for approval must be made not later than the expiration of three years beginning with the date of the grant of outline planning permission; and*

*(b) that, in the case of outline planning permission for the development of land in England, the development to which the permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved;*

*(3) If outline planning permission is granted without the conditions required by subsection (2), it shall (subject to subsections (3A) to (3D)) be deemed to have been granted subject to those conditions.’*

The condition required by (2) (a) above was omitted on the Outline permission. However, it automatically applies according to the Act. As such, an application for approval of the reserved matters must be made within 3 years of the expiration of the outline. Outline permission 17/5837M expired on the 1<sup>st</sup> October 2021. The application currently under consideration was received and registered by the Council on the 3<sup>rd</sup> September 2021, within the required window.

As such, the associated Outline permission is not deemed to have time expired.

### **Principle of development**

This application shall consider the acceptability of the proposed development in the context of the reserved matters as the principle of erecting up to 60 dwellings on the site has been approved by the Council under the extant permission 17/5837M.

In this instance therefore, consideration of the Layout, Scale Appearance and Landscaping are the principal considerations, along with the consideration of any detail required to be submitted with the reserved matters as detailed by condition on the outline permission.

### **Design (Including Heritage)**

The reserved matters sought for assessment relate to: Layout, Scale and Appearance, all of which are design considerations.

## Policy context

There are numerous design policies within the development plan and within supplementary planning guidance that are relevant in the assessment of this scheme.

Within the adopted Cheshire East Local Plan Strategy (CELPS) are the following relevant, principal design policies: SE1 (Design), SD2 (Sustainable Development Principles) and SC4 (Residential Mix). In addition, the Strategic Allocation policy relating to this particular site (LPS54) includes design considerations. These policies were all adopted in 2017.

Within the Wilmslow Neighbourhood Plan (WNP), 'made' in 2019, are the following relevant design policies: LPS1 (Sustainable Construction), LPS2 (Sustainable Spaces), TH1 (Gateways into Wilmslow), TH4 (The Three Wilmslow Parks), H2 (Residential Design), H3 (Housing Mix).

In addition to the above is the following supplementary planning guidance; The Cheshire East Design Guide SPD, the recently adopted Cheshire East Housing SPD, The Three Wilmslow Parks SPG (2004) and the Royal London Development Framework (2017).

Design policies within the emerging SADPD, the NPPF and guidance within the NPPG are also material planning considerations.

It should be noted from the outset that given the number of relevant design policies that apply, there are instances where some conflict with one another. As such, consideration needs to be given to the weight afforded to the relevant policies that apply.

In addition to these policies, the Reserved Matters are controlled, to an extent, by the Parameters Plan approved as part of the Outline permission. This plan effectively sets a series of basic parameters that any future reserved matters application, such as the application proposals, would need to adhere too. It specified which part of the site where matters of 'Access' were approved, it identified that the extent of the land where the residential development would be located and the location and extent of the land that is allocated to be Public Open Space. In addition, it specified which trees would be retained, the location of existing and enhanced landscape buffers, an area of potential future residential development and the area that would form part of the outline drainage strategy for the site. A non-material amendment application subsequently tweaked this plan under 22/1330M. The plan was amended to account for the Cheshire East cycleway/footpath improvement works on Alderley Road and remove reference to x3 trees that were previously shown for retention. As such, the parameters plan that needs to be adhered to by this application is currently ALD-AHR-00-ZZ-DR-A-90-PL402 Rev 3.

## Assessment

### *Layout*



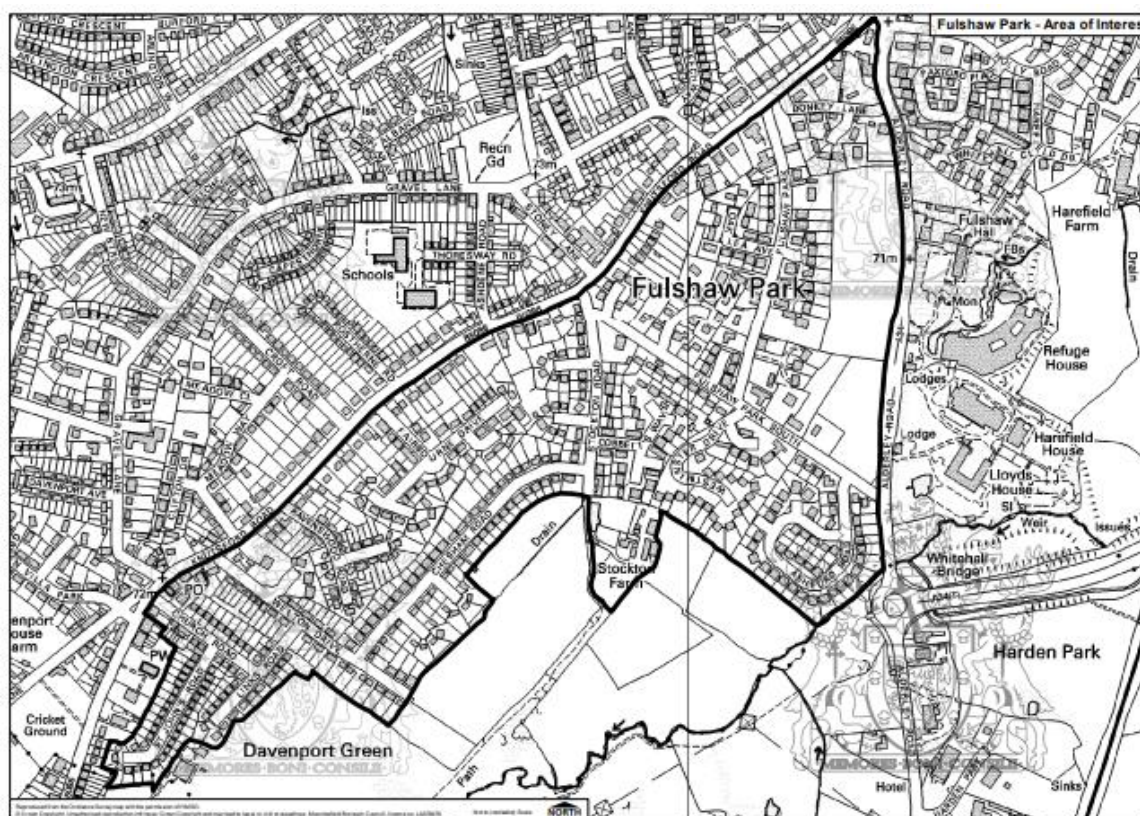
The application site is currently an open, largely rectangular shaped field located immediately adjacent to Alderley Road, Wilmslow. The plot narrows at its southern end when approaching the junction between Alderley Road and Fulshaw Park South. There are variations in levels on the site.

Surrounding the site is predominantly residential development (north, west and south), Alderley Road itself to the east, beyond which is the Royal London campus, which also falls within the Strategic Allocation for development under Policy LPS 54.

With regards to the existing surrounding character, the Landscape Character Assessment undertaken as part of the Neighbourhood Plan, identifies the area as 'Urban', outside of any defined character areas.

As demonstrated within the Neighbourhood Plan and the Three Parks SPG, the application site falls within Fulshaw Park, an identified area of specific characteristics. These characteristics are set-out within the Three Parks SPG.

Fulshaw Park covers a triangular area as set out below with the application site, currently shown undeveloped, to the far right-hand side:



The Three Parks SPG goes into great detail about the design characteristics of this area. The general character is set-out below.

- Park is essentially a quiet residential area

- Has many mature trees and landscaping, creating green tunnels of foliage over the roads in places
- Dwellings are mostly 2-storey, detached houses. However, there are also examples of 3-storey dwellings, purpose-built apartments, detached bungalows, semi-detached houses and apartments
- There are a mixture of periods and occur in groups with some having direct access onto the road and some being accessed via a cul-de-sac

The Three Parks SPG sets out that any proposed development should generally:

- Reflect the identified characteristics from density through to materials
- Proximity to highway
- Boundary treatments
- Medium-to-large detached, single-family dwellings. There are some semi-detached houses in the south which are modest. There are also bungalows in clusters.

The more up-to-date Neighbourhood Plan Policy TH4 sets out that any future development within the Fulshaw Park area should *'reflect the existing built form from Fulshaw Park which consists of medium to large detached single family dwellings and a small number of modest, semi-detached and bungalow properties in clusters.'*

With regards to layout, the access details have already gained approval as part of the outline permission (17/5837M). The extent of the level of 'Access' approved is controlled by the approved parameters plan.

The proposed road layout, beyond the approved access arrangements, represents a series of cul-de-sacs which extend from a main 'T'- shaped road, that itself extends west from the access point with Alderley Road, then travels in a north-to-south direction.

Within the Three Parks SPG, specific reference is made to road layouts within Fulshaw Park. Other than Alderley Road to the immediate east of the site (which travels north-to-south and vice versa), the closest roads are Fulshaw Park which lies to the west. Fulshaw Park runs effectively parallel and follows a similar north-to-south axis as Alderley Road to the east as well as one of the principal roads proposed by the application layout.

The SPG goes on to state that all the main roads *'...have cul-de-sacs leading off them with developments of varying numbers of houses.'* In a similar vein, the road layout of the application proposals also propose this arrangement, reflecting the character of the layout of Fulshaw Park. The use of shared surfacing concept proposed away from the main routes is welcomed. For these reasons, the road layout of this application is deemed to be acceptable.

With regards to density, Policy LPS54 allocated *'around 75 [dwellings] on land West of Alderley Road'*. The approved outline permission granted approval for no more than 60 dwellings. The application proposals seek permission for 54 dwellings. As such, below the

figure the Council has already accepted for this site and in particular, within this parcel of the site as controlled by the approved parameters plan.

Comparing the density visually on the proposed site plan, between the application site and the closest relatable developments to the west (Fulshaw Park) and the north, whereas these relatable plots generally comprise of dwellings with relatively large footprints on large plots, the application proposals comprise generally of buildings of large footprints but positioned within smaller plots. The applicant has consolidated much of the built form by revising the scheme during the application process in order to try and respect the surrounding built form's footprint as much as possible following officer advice. This has been achieved by introducing semi-detached units and the removal of a number of detached garages and garage blocks. In addition, the applicant is only seeking permission for 54 dwellings on site as opposed to the 60 permitted by the Outline permission. As such, the density is deemed acceptable.

With regards to the position of built form, it is noted that whilst some of the proposed dwellings are proposed to be constructed close to the edge of some of the internal roads, as revised, it is considered that a decent amount of green infrastructure is now achieved. This is particularly the case along the internal main road of the site that travels north to south. This offers a degree of relief from the built form. As such, no particular concerns are raised relating to the general position of the built form within the site from a design perspective.

In consideration of off-street parking provision, different solutions are proposed throughout the site. This includes frontage parking, parking down the side of properties and the provision of parking courtyards. Although frontage parking is not welcomed, it is not uncommon to Fulshaw Park. As such, the parking solutions are deemed acceptable from a design perspective.

There are no vehicular linkages through the site. The site would comprise of a single vehicular access in and out of the site. However, pedestrian/cycle access is proposed in 3 instances onto Alderley Road where bus services can be accessed (No.130 that travels from Macclesfield to Wythenshaw). In addition, pedestrian access is proposed to the south of the site so access is gained to the associated, proposed Public Open Space (POS), including the children's play area. Unfortunately, only a mown footpath can be provided from the residential part of the site down to the play area. This is due to the presence of a restrictive covenant preventing any built form between the site sought for housing and the play area.

It is proposed for there to be x2 pedestrian accesses to the POS and children's play area. One would be onto Fulshaw Park South, to the south of the site, and another onto Alderley Road to the east. It is deemed that these linkages act as suitable alternative for the occupiers of the residential part of the site to access the children's play area to the south in the winter months where the mown footpath is not suitable. Overall, the sites linkages are deemed acceptable.

In consideration of vistas, dwellings have been generally positioned so they are central to the end of a notable road therefore offering strong viewpoints/points of reference.

CELPS Policy LPS54 requires the incorporation of green infrastructure (GI) and the provision of POS at the southern end of the site, pedestrian and cycle links and high-quality landscaping including the retention and enhancement of features of amenity value such as tree and hedge lined frontages to Alderley Road. It is deemed that these requirements have been satisfactorily achieved.

For the above reasons, it is considered that the layout of the application proposals, as revised, reflect the general character of how Fulshaw Park is laid out that of straight main roads with cul-de-sacs leading off. The overall layout of the application proposals is considered to be acceptable for a combination of the above reasons.

### *Form & mix*

With regards to form, as noted above, both the Three Parks SPG and Policy TH4 (The Three Wilmslow Parks) of the Neighbourhood Plan set out that any new residential development should reflect the existing built form of Fulshaw Park which comprises of medium-to-large detached, single, family dwellings and a small number of modest, semi-detached units and bungalow properties in clusters.

The application proposals seek a mixture of detached, semi-detached and mews/apartments style properties. The break-down of this mix based on the number provided is as follows:

- Detached – 32 units (59.3%)
- Semi-detached – 6 units (11.1%)
- Mews/apartments – 16 units (29.6%)

This range is deemed to largely adhere with the character of Fulshaw Park insofar that the majority of the units, comprise of detached, medium-to-large properties. It is noted that the properties chosen to be positioned to the far west of the site extending in a linear north-south pattern to reflect the arrangement of properties beyond to the west are predominantly the larger, detached units to reflect the closest, relatable Fulshaw Park arrangement. This is welcomed.

The presence of a smaller percentage of semi-detached units is also deemed to be in line with the defined character of the area as referred to within the Three Parks SPG and Policy TH4 of the WNP.

The provision of Mews and apartments is not particularly characteristic of Fulshaw Park according to Policy TH4 of the WNP. However, it is noted that within the Three Parks SPG that there are examples of '*purpose-built apartments*' and '*apartments formed by subdividing large detached houses.*' Importantly, consideration needs to also be given to the housing mix Policy of the CELPS (SC4). This sets out that new residential



developments should provide to a mix of housing tenures, types and sizes to help support the creation of a mixed, balanced and inclusive communities.

As such, there is a tension between the design policies in this instance with regards to housing mix. On one hand, the more localised policies suggests that the overwhelming form should be that of detached units, whereas the wider, Cheshire East Plan sets out that more of a mix should be achieved.

As such, the applicant has sought to attempt to address both policies as best they can. They have ensured that the majority of the site comprises of detached dwellings, but also introduced a small percentage of semi-detached, mews properties and apartments. Furthermore, a pair of detached bungalows are proposed adjacent to each other. Both Policy TH4 of the WNP and the Three Parks SPG refer to the presence of clusters of bungalows within Fulshaw Park. Although these are 1.5 storeys, the floor plans of these show the provision of two of the three bedrooms in each to be at ground floor level. This will assist in satisfying Policy SC4 of the CELPS criteria, supported by the Housing SPD that a form should be included that would be capable of meeting and adapting to the long-term needs of an ageing population.

It is deemed that as proposed, the built form of the dwellings proposed would largely respect the prevailing character with the provision of detached units, whilst also achieving a mix as per CELPS policy SC4. The form of the proposals is therefore deemed to be acceptable.

### *Scale*

With regards to scale, the application proposals comprise of a mixture of one-and-a-half storey, two-storey or two-and-a-half storey development. A break-down of the scale is as follows:

- One-and-a-half storey: 2 units (3.7%). Max Height 6.4 metres
- Two-storey: 39 units (72.2%). Max Height range between 8.4 and 8.8 metres
- Two-and-a-half storey: 13 units (24.1%). Max Height range between 9.7 and 10.4 metres

*Note: these max heights exclude chimneys and ground level changes.*

The Three Parks SPG sets out that dwellings within Fulshaw Park are mostly 2-storey, but there are some examples of 3-storey dwellings, purpose-built apartments, semi-detached units and bungalows. Policy TH4 of the WNP, which specifically relates to the Three Wilmslow Parks does not specifically refer to scale when referring to Fulshaw Park. With regard to form, it sets out that the character is that of medium to large, detached and a small number of modest, semi-detached and bungalows in clusters.

As the vast majority of the development proposed would be two-storeys in scale, this would tie-in with the prevailing two-storey character. Whilst the development would comprise of

2 ½ storey development, this represents a low proportion of the scheme. In addition, dormers have been removed from the majority of these house types during the application process in order to reduce their mass and bulk. It should also be recognised that the presence of a few taller units adds a degree of interest to the streetscene and that 2 ½ storey units can be found immediately adjacent to the site beyond its northern boundary. The Parameter's Plan approved on the associated outline permission, which this development should adhere to, includes an annotation that the building heights are to be up to 2.5 storeys on the developable part of the site.

Consideration is also necessary as to how the variation of ground levels will impact the design. Within the submitted Finished Floor Levels Plan (FFL's), it is shown that the ground floor levels of the properties proposed will range between 71.8 and 74.5 AOD, a variation within the site of 2.7 metres. In general terms, the lower positioned development would be on the eastern, Alderley Road, side of the site and the higher positioned development towards the western boundary, with the highest part of the site being to the south-west corner. This variation in FFL's largely reflects where the existing site level changes occur at present albeit to a lesser degree.

As advised, the figures quoted in the above table do not account for changes in levels. In order to demonstrate how the differences in both ground levels, in conjunction with the varying heights will influence the design, a proposed spot levels plan and a series of streetscene plans have been provided. These demonstrate that the scheme achieves sufficient variation to create its own character as a result of the level changes that largely reflect the existing levels on site

With regards to footprint, the scale of the developments are not hugely dissimilar to the surrounding footprints. Overall, the scale of the development is deemed to be acceptable.

### *Appearance*

The Three Parks SPG sets out some of the main appearance characteristics of dwellings found within Fulshaw Park. These include:

- Varied roof forms – simple dual-pitched, gable-ended, simple hips to more complex forms of Victorian villas. Sometimes flat roofs to single-storey areas such as porches and garages
- Walls – Victorian buildings – either half-timbered or brick. Brick buildings have been rendered and have black timbers and either white render or white painted brick panels. Most post-Victorian housing is basically of brick construction though some have been rendered either fully or partially
- Built features – Most of the properties on Fulshaw Park have at least one chimney of brick construction
- Windows – Only a few houses on Fulshaw Park have dormer windows and these are mainly later additions. Usually are in the side elevations and provide light to first-floors. Dormers have not been inserted to make use of the loft space of 2-storey dwellings

- Detailing – mock-tudor detailing has been picked up on newer developments further down Fulshaw Park South. Many dwellings incorporate tile-hung details or white, painted tongue-and-groove boarding. Some dwellings have more brick detailing such decorative band courses at first-floor level, window and door head cills and brick quoins

The application proposals seek the creation of 14 different house types/variations, a degree of variation that is welcomed. Noted, re-occurring characteristics of the proposed house types that tie-in with the above characteristics include:

- Dual-pitched roofs with a small amount of hipped and Mansard style roof styles
- Either exposed brick or render finishes
- Decorative brick such as brick band course (*Tatton, Arley*), quoins (*Dunham, Walton, Bollin, Tabley, Adlington, Moreton*)
- Chimneys (*Dunham, Arley, Bollin, Capesthorne*)
- Mock tudor painted timber beams (*Arley, Tabley, Gawsworth, Capesworth*)
- Within proposed Gawsworth house types x2, small dual-pitched dormer windows within the principal roof elevations are proposed (5 units in total)
- Either individual, dual-pitched canopy porches or front doors covered be elongated, horizontal lean-to features

As part of the application process, the applicant notably reduced the number of dormer windows proposed as it was acknowledged that these were not a characteristic of Fulshaw Park as specified within the Three Parks SPG. Now, only 5 dwellings are proposed with dormer windows. This limited number is deemed to add a degree of interest. In addition, the SPG does state that there are a few houses already with dormer windows in Fulshaw Park.

More flat-roofed features were added also during the application process in order to respect the local character as described by the Three Parks SPG. More specifically, flat-roofed single-storey outriggers have been added to the Tabley house type.

Concerns were raised about the degree of ‘dead frontage’ where blank elevations were highly visible within the streetscene. As such, the applicant has updated a number of the plots to either include additional openings or dummy openings. It is considered that these amendments overcome this concern.

For the above reasons, subject to a condition to ensure that the specific detail of the materials to be used on the facing walls and roofs of the buildings are to an acceptable standard, the appearance of the application properties is deemed to be acceptable.

#### Other design considerations

##### *Green credentials*



In consideration of sustainable development / green credentials, the outline planning permission conditioned the requirement to provide electric vehicle charging infrastructure. The detail of this has been advised as being acceptable by the Council's Environmental Protection Officer, subject to it being ensured it applies to each property with off-road parking.

Other than this, the scheme as originally proposed was lacking in this regard. As such, during the application process it was agreed that each dwelling be fitted with Solar PV panels and each dwelling be provided with a water butt for rainwater harvesting. This detail is shown on the submitted 'Green Credentials Layout' plan which would be secured by condition in the event of approval. These additions are welcomed and indeed represent a notable benefit of the scheme as a whole.

### *Heritage*

Policy SE7 of the CELPS refers to matters of heritage. The crux of Policy SE7 is to conserve and enhance the character, quality and diversity of the historic environment of Cheshire East. Emerging Policy HER1 of the SADPD is also a material consideration.

In consideration of designated heritage assets, the site lies on the opposite side of Alderley Road to Fulshaw Hall, which is a grade II listed building, and the grade II listed former stables and coach house (now a staff Restaurant to Royal London).

The Council's Heritage Officer, having considered the historic map evidence, advises that there is no designed or ownership relationship between the site of the listed buildings and the application site.

The listed Hall sits within a mature landscaped setting and is approached via a new entrance drive. The historic entrance lodge (South Lodge - curtilage listed) is now hidden in undergrowth. The gate lodge, stables / coach house and the Hall share this garden setting and the Council's Heritage Officer advises that the new development does not affect the setting of either building, either how they are appreciated or their significance.

Alderley Road is a generous width, with wide verges, and the application has preserved the character of the hedgerow which lies along the eastern boundary of the site. There are no impacts on designated heritage assets.

In consideration of non-designated heritage assets, the site also lies adjacent to two Locally Listed buildings. These are Chorlton House on Fulshaw Park and Rostherne, also on Fulshaw Park. Both of these are detached villas sit within large, landscaped grounds. They share boundaries with the application site. The Council's Heritage Officer has advised that these properties were laid out with views to the west and south, and positive views to the east (towards the application site), but these views appear to be contained to their large gardens and are deemed not to have a designed relationship with the application site. The gardens to each of these villas were planted with the mixed planting and large mature trees of their day. The Council's Heritage Officer advises that it is important that there is some recognition of the existing canopy but also provide

opportunities to supplement the boundaries if the trees are over-mature or if there have been losses.

Upon closer review, the Council's Landscape Officer has advised that there isn't scope to plant large trees within the small gardens along the western site boundary. As such, this suggestion cannot be carried forward. However, it is not considered that this lack of additional landscaping would result in harm to the setting of these assets to a level sufficient to warrant refusal of the application.

### *Parameters Plan*

The proposed layout is considered to adhere with the requirements of the latest approved parameter's plan.

### *Original Urban Design Officer issues*

The Council's Urban Design Officer raised a number of issues with the original scheme submitted for consideration and advises that these concerns remain as part of the revised scheme. The section below sets-out the main concerns raised and how the scheme, as revised, is deemed to overcome these concerns.

- Lack of information: More specifically a lack of detailed analysis of how the scale, massing and density of the scheme responds to the local context and setting of listed buildings. In addition, sought street hierarchy plans that highlight and match boundary treatments plans required within the design guide

Response: It is considered that a judgement of scale, massing and density can be made based on the information as submitted. The Council's Heritage Officer did not request the submission of any further information to assist their comments. The Council's Landscape Officer, as referred to later in this report has raised no objections in principle to the scheme, subject to conditions.

- Layout: Various concerns including:- position of Public Open Space and Children's Play area being remote from development and within the area of the highest flood risk; that the proposed affordable housing is clustered rather than 'pepper potted'; lack of external storage; that the density of the development proposed not reflective of local character; in terms of linkages, that connections could be improved by creating 'loop' routes / more to link the cul-de-sacs; that much of the proposed building line is too linear and should be more organic; that the position of the access be amended to avoid tree loss and finally the lack of private outdoor amenity space proposed for the affordable dwellings.

Response: Policy LPS54 of the CELPS sets out that '*A new public open space at the southern end of land west of Alderley Road*' should be provided. The position of this POS was fixed by the Parameter's Plan approved as part of the outline planning permission. The position of the Children's Play area was also fixed by the

S106 Agreement associated with the outline approval to fall within the POS. As such, these elements cannot be re-visited as part of this application. Matters of flood risk are considered in the flood risk section of this report.

The affordable housing is located in three areas of the site, the far north, a small area centrally and the far south. As per Policy SC5 of the CELPS, supported by the recently adopted Housing SPD, affordable housing should be dispersed throughout the site. In this instance, the affordable housing is not all congregated together, but split up into 3 areas. This distribution is deemed to be acceptable. Furthermore, the Council's Housing Officer advises he has no objections to the position of the affordable housing within the site.

The amount of outdoor amenity space proposed for the affordable dwellings is deemed acceptable and commensurate with the size of the units. All affordable units have either a private or shared area of open space dedicated to that property.

An external storage layout plan has been provided as part of the revisions. This shows the position of external storage buildings (e.g. sheds) for all plots apart from plots 17-20 and 41-43 which include shared bin/cycle storage facilities. This plan also shows the bin storage positions of all plots. This plan is deemed to address this concern.

Matters in relation to density have already been addressed and are deemed acceptable for the reasons already set out. With regards to linkages, the applicant advises that due to 3 pedestrian/cycle links proposed along Alderley Road and the main access that these effectively act as a link and also enables more soft landscaping within the site. This is accepted.

With regards to the linear building line being overly formal, as set out within the report, it is considered that the road layout respects the road layout of the adjacent Fulshaw Park and is therefore deemed to be acceptable.

The position of the access cannot be amended as it is fixed by the outline permission.

- Scale: that a flat roofscape is proposed as the site being levelled, need to work with existing levels more

Response: As advised, there is a proposed variation in levels across the site and this largely reflects the levels on the site at present, albeit with the variation in levels proposed to be reduced. Nonetheless, as demonstrated by the proposed streetscene plans, it is deemed that the proposed levels add to the character of the proposed development.

- Appearance: That distinctive house types should be placed at junctions as a memorable locator and that a uniform approach should be taken to corner plots

Response: It is deemed that distinctive house types have been placed at the main junctions that not only create attractive vista's looking along the highway, but also include double-fronted properties to add to the degree of interest. Where previously blank elevations fronted the streetscene, these have been updated to include windows or dummy openings in order to avoid dead frontages.

- Green credentials: Sustainable drainage solutions have not been provided and should be integral. Green possibilities re: green roads, rainwater butts, swales etc...

Response: This is deemed to now have been addressed with the revised submission. A 'green credentials' layout plan has been provided which sets out that each unit would include solar panels and a water butt. In addition, electric vehicle infrastructure is already secured for each dwelling with an off-road parking space by the outline permission.

- Landscaping/trees: Lack of green infrastructure, position of trees, potential loss of trees

Response: These matters are considered/addressed within the landscaping/tree section of this report based on the comments of the Council's Landscape and Tree Officer's.

### Design conclusions

The proposed development, as revised, is deemed to be of an acceptable layout, form, scale and appearance and would therefore be acceptable when considered against the design policies of the development plan. It should be recognised that there is tension between the design policies applicable, but it is considered that the revised scheme has, as closely as possible, managed to achieve a scheme that adheres with them all, namely adhering with the local character as well as delivering a good mix of dwellings in order to create sustainable communities.

### **Landscaping**

Matters of 'Landscape' are sought by this application. This includes the consideration of tree impacts.

### Landscape

Policy SE4 of the CELPS refers to Landscape. The crux of the policy is to conserve the landscape character and quality and where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. Emerging Policy ENV5 of the SADPD is also a consideration.

As part of the outline approval (17/5837M), a number of landscape related conditions were imposed. These comprised of - that any future reserved matters be accompanied by finished floor levels (Condition 9); the submission/approval of boundary treatment prior to occupation (Condition 15) and that any landscaping plan approved as part of any future reserved matters application shall be implemented in accordance with various 'standard' requirements (Condition 23).

The Council's Landscape Officer has reviewed a revised set of information submitted during the application process.

In response to satisfying the condition requirements on the outline, the application is supported by a finished floor levels plan (Condition 9). This is deemed to be acceptable, and Condition 9 ensures that this detail is secured.

Condition 15 of the outline required the submission/approval of boundary treatment 'prior to the occupation' of any of the hereby approved development. As such, it is not necessary to assess this information at this stage. Nonetheless, the applicant has submitted this detail with a previous set of revised plans. However, the latest version of this plan has not been updated to reflect the latest set of revised plans. Furthermore, the previous version showed the provision of black and white Cheshire Railing detail. The Council's Landscape Officer advises that this detail should be updated when it comes to addressing this condition so it shows all-black estate railings with a straight top, not curved. As such, this condition on the Outline remains outstanding at this time. However, this detail does not need to be agreed at this stage. The submitted, outdated boundary plan will not form part of the approved plans list in the event of approval.

Condition 23 sets out that a landscaping plan, approved as part of any future reserved matters application, will be implemented in accordance with a set of standard requirements.

In response to the various landscaping detail submitted, the Council's Landscape Officer still seeks further amendments and clarification in relation to matters such as; planting details, ground levels, retaining wall details and hard surfacing.

There is insufficient time for this revised and further detail to be submitted and assessed prior to committee and as such, the acceptability of any further detail will be reported to committee in the form of a written update.

Subject to these conditions and the subsequent acceptability of the detail submitted, the proposals are deemed to adhere with the relevant landscape policies of the development plan.

### Trees

Policy SE5 of the CELPS states that development which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands, that

provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted. Emerging Policy ENV6 of the SADPD is also a consideration.

As part of the outline approval to which this Reserved Matters application relates, the following conditions were either directly or indirectly tree related: Condition 3 (Approved plans – *Parameter Plan*) and Condition 7 (Reserved Matters to be accompanied by an updated Arboricultural Impact Assessment (AIA), Tree Protection Scheme and Method Statement).

In accordance with Condition 7, the application is supported by the abovementioned tree documentation, updated to reflect revisions provided during the application process. As such, this condition is satisfied.

### *Protected Trees*

The Council's Tree Officer advises that all protected trees within the residential section of the site have, over time, died or been removed for other reasons. x4 trees remain on site that are subject to a Tree Preservation Order (TPO). These are located to the south of the proposed development beyond the land subject to the housing and are shown to be retained within the area designed as open space.

### *Impact on other trees*

X6 trees and sections of hedgerow require removal to facilitate the development for various reasons. This includes x1 high value tree (T11 - Cat A), x4 moderate value trees (Cat B) and x1 tree in a poor condition (T3 - Cat U). The hedgerow removal includes x5 sections of moderate value (Cat B) hedgerow, totalling approximately 52 metres. These are proposed to facilitate vehicular and pedestrian access. It is advised that the remaining trees which form most of the site's tree cover will be retained as part of the development and protected during construction.

The Council's Tree Officer advises that the poor-quality tree (T3 - Sycamore) and one of the moderate value trees (T2 – Oak) require removal irrespective of the development proposal due to disease.

Two of the moderate trees (T7 – Plane and T8 – Oak) to the north of the proposed access and the high category tree (T11 – Plane) will require removal to either accommodate construction of the access or due to conflicts with the proposed surface water drainage. The remaining moderate category tree sought for removal T41 (Ash), is sought for removal to accommodate a retaining wall.

### *Impact of level changes*

Changes in levels are proposed throughout the site. A Moderate Category Plane Tree (T4) will be subject to land level rises within the RPA which would not accord with best practice.

The reason for the changes in this location is to accommodate large diameter pipes for drainage reasons. The Council's Tree Officer is satisfied that alternative solutions to raising these levels are not available.

Changes in levels around the site access will broadly accord with best practice. A moderate (B) quality Sycamore (T1) is proposed for retention within the proposed pocket park. It is shown that levels will be raised around the stem base of this tree and that drainage is proposed to drain away any surface water within this space that may be created due to level changes.

### *Parameter Plan*

In terms of how the application proposals align themselves with the Parameter's Plan, this plan has been varied since the determination of the original permission. Permission 22/1330M recently granted approval to amendments to the parameters plan for x3 trees originally required for retention to no longer be retained. The application proposals with regards to trees now broadly align with the updated Parameter's plan.

### *Tree conclusions*

It is noted that approximately 105 new trees are proposed as part of the development. The Council's Tree Officer advises that this will go some way to ensuring that higher canopy tree cover along the Alderley Road boundary will be maintained and strengthened in the longer term. Whilst concerns in terms of the impacts to retained tree cover, the trees affected are not afforded any statutory protection and the Council's Tree Officer advises that these are not considered worthy of formal protection and the identified impacts to trees.

In the event of approval, the Council's Tree Officer recommends tree conditions be imposed. These include a) the submission/approval of an updated AMS which makes provision for hand excavation under arboricultural supervision where any excavation and all drainage (foul and surface water and sand silt land drainage systems) are proposed within the RPA of any tree shown for retention on the site and b) that the development be carried out in accordance with the submitted, updated AIA and Tree Protection Plan. The application proposals are therefore deemed to adhere with Policy SE5 of the CELPS and emerging Policy ENV5 of the SADPD.

## **Other Matters**

### Highways

A number of objections have been received in relation to highway matters.

Matters of 'Access' to the site have already been approved in the outline permission 17/5837M which includes any off-site impacts resulting from the scheme. This reserved matters application concerns the design of the internal infrastructure only.



### *Highway Design*

There is a single access point to the site that connects to Alderley Road that has a ghost right turn lane. The internal roads are a mix of 5.5m and 4.8m carriageways and there are a number of private shared drives off the proposed adopted internal roads within the site. The road layout design is a standard format with linear roads although the design is largely dictated by the shape of the site and having the central single access point. The Council's Highway's Officer has advised that the proposed road design is acceptable and is suitable for adoption, turning heads are provided for refuse vehicles at the end of the cul-de-sacs.

### *Car Parking*

There are mix of units proposed on the site ranging from 1 bed apartments to 5 bed houses totalling 54 units. Car parking has been provided mainly using driveways with some units having integral garages. Overall, the level of car parking provision across the development complies with CEC parking standards.

Neighbours have questioned the lack of parking available for the play area/open space to the south of the site for members of public which may seek to drive to the site from further afield. In response, given the small scale of the play area and space, it is deemed unlikely that members of public from beyond walking distance would regularly visit the site. However, for the occasional visitor, road-side parking is possible on nearby residential roads.

### *Accessibility*

The internal roads are a mix of shared surface and roads with footways on both sides. The main access has a segregated footway on both sides and connects with the shared pedestrian/cycleway on the frontage along Alderley Road. The Council's Highway's Officer has advised that given that vehicles will be travelling at low speeds, it is not considered necessary to provide segregated paths internally. There are two additional footway connections to Alderley Road provided to the north and south of the site.

### *Highway Summary*

The proposed internal road layout is acceptable in terms of meeting highway standards for adoption. There are a number of private drives that will not be adopted but are suitable to serve the small number of units proposed. The level of car parking provision conforms with CEC standards.

Subsequently, the Council's Highway's Officer raises no objections subject to a condition requiring the submission/approval of a Construction Management Plan (CMP). Although a cycle parking condition was also originally proposed, details of external storage for each property has now been provided.

## Amenity

Policy DC3 of the MBLP states that development should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses due to (amongst other considerations); loss of privacy, sunlight and daylight, an overbearing impact and environmental considerations. Policy DC38 provides the recommended separation standards. The CEC Design guide is a more up-to-date document and also provides separation standard guidance. Emerging Policy HOU10 from the SADPD is also a material planning consideration.

Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

### *Neighbouring amenity*

The closest neighbouring dwellings to the application site comprise of the occupiers of the properties beyond the site to the north and those beyond the site to the west (and south-west). The impact of the proposed development upon the occupiers of all these neighbours are considered in detail below.

#### No.1 Orchard Villas (north):

This neighbouring property is the southern-most unit of a pair of semi-detached properties which were only relatively recently constructed. The side elevation of this property would lie parallel with the application site. The gap between the side wall of this property and the application site boundary is approximately 9.8 metres. This property is 2 ½ storeys tall. The main, two-storey side elevation of the properties proposed on the most north-eastern plot would oppose approximately half of the side elevation of No.1 Orchard Villas and would be approximately 13.5 metres away.

Within the side elevation of the closest proposed dwelling to this neighbouring property, no openings are proposed other than a solid door at ground floor level. As such, it is not deemed that the occupiers of No.1 Orchard Villas will be impacted by the development in terms of a loss of privacy.

Within the directly opposing part of the side elevation of No.1 Orchard Villa's are openings over two floors. These comprise of a utility room door at ground-floor level and a secondary bedroom window (with Juliet) and a small en-suite window at first floor.

As none of these neighbouring openings that would directly oppose the side elevation of the closest of the proposed windows represent sole windows to principle habitable rooms it is not deemed that the occupiers of No.1 Orchard Villas would be directly, unacceptably impacted by the proposed development with regards to a loss of light or an overbearing impact. It is also not deemed that the occupiers of this neighbouring property would be impacted by any openings on the front or rear on the closest neighbouring unit proposed to their property due to the off-set relationship.

The dwelling proposed on Plot 21 would be offset from the neighbouring dwelling itself and would lie parallel to the rear garden of No.1 Orchard Villas. It is measured that the two-storey rear wall of the dwelling proposed on plot 21 would be approximately 18.7 metres away from the rear garden of No.1 Orchard Villas. This is deemed far enough away not to cause concerns regarding overlooking/loss of privacy from this proposed dwelling into this neighbour's rear garden.

#### Broadacres (north):

Broadacres is a detached, 2 ½ storey dwelling located approximately 13 metres to the north of the site boundary (and to the rear of No.1 Orchard Villas). The principal elevation of Broadacres faces the application site. Directly opposing this elevation, the only elevated built form proposed is a single-storey, detached garage which would serve the dwelling proposed on plot 24. The remainder of the elevation of this neighbouring dwelling would front onto the front garden of the dwelling proposed on plot 24 and the side garden of the dwelling proposed on plot 23. The rear elevation of the proposed garage would be approximately 16.7 metres from the principal elevation of Broadacres. Given this distance and the single-storey nature of the proposed outbuilding it is not deemed that this, or any of the development proposed would result in any loss of amenity, light or an overbearing impact to Broadacres.

The two-storey rear elevation of the dwelling proposed on plot 23 would be approximately 10.9 metres from the boundary with Broadacres. Directly opposing the rear elevation of the dwelling proposed on plot 23 would be part of Broadacres driveway.

Within the side elevation of the dwelling proposed on plot 24, which also partly faces the garden of Broadacres, any first-floor window can be obscurely glazed, eliminating any overlooking/loss of privacy concerns onto the private amenity space of Broadacres.

#### Chestnut Cottage (north):

The rear elevation of No.3 Chestnut Cottage would be approximately 13.6 metres from the northern boundary of the site. However, the closest proposed dwelling (Plot 24) would be offset from this neighbour's rear elevation. At its closest point, the dwelling proposed on plot 24 would be approximately 18.4 metres away from Chestnut Cottage.

As advised above, subject to the obscuring of any first-floor window windows within the northern side elevation of plot 24, no loss of privacy concerns are raised. For a combination of the above reasons, it is not deemed that the occupiers of Chestnut cottage would be detrimentally impacted by the proposed development in terms of loss of privacy, light or an overbearing impact.

#### Neighbours beyond western boundary:

Chorlton House, Springfield, Barnfield, No's 3-6 Westgate, No's 3-5 Heathfield, Uplands Cottage and Rostherne all back onto the application site beyond the western boundary.

The impact of the proposed development upon the amenity of these neighbouring occupiers is also therefore a consideration.

All of these properties are in excess of the minimum separation standards away from any of the proposed dwellings. The closest of the relationships being that between No.3 Westgate and the dwellings proposed on plots 29 and 30. At this juncture, the two-storey development is at least approximately 32.7 metres apart. The policy minimum as set out within saved Policy DC38 of the MBLP is 25 metres in the case of 2-storey development or 32 metres in the case of 3-storey development. As such, at the proposed distances the development is not deemed to result in any notable amenity issues for the occupiers of the dwellings to the west of the site in terms of loss of privacy, light or visual intrusion.

A series of sections have been provided during the application process including a few that show the relationship of the closet dwellings to the properties on Fulshaw Park to the west. These demonstrate that these neighbouring properties are either located at a similar level as these neighbouring properties or at a lower level. As such, level differences do not alter the conclusions that the application proposals should not injure the amenity of the occupiers of the dwellings to the west with regards to loss of privacy, light and visual intrusion.

Beech House (south-west):

Beech House is a detached dwelling located approximately 10.3 metres from the south-western corner of the application site. The closest part of the development proposed to this neighbour would be the mews/apartments on plots 41-43. This proposed built-up form would be approximately 30.8 metres away from Beech House and would be notably offset from the dwelling itself. As such, Beech House itself is not deemed to be detrimentally impacted by the proposed development in terms of loss of privacy, light or visual intrusion. The first-floor windows within plots 41-43 would be positioned approximately 16.7 metres away from the garden of Beech House and they too, would be offset from this space. As such, it is not deemed that the development would create any concerns with regards to a loss of privacy for the private amenity space of Beech House.

Overall, it is not deemed that the proposed development would result in any unacceptable loss of neighbouring amenity.

#### *Environmental amenity*

In consideration of environmental amenity, Environmental Protection were consulted on the proposals at outline stage and as part of that approval, the following conditions were imposed: Travel plan to be submitted/approved prior to occupation (Condition 6), Submission/approval of a Construction Environmental Management Plan prior to commencement of development (Condition 10), Submission/approval of electric vehicle charging infrastructure prior to occupation (Condition 17), Submission/approval of a Phase II contaminated land report prior to commencement (Condition 18), submission/approval of a soil verification report prior to its importation (Condition 19), Works to stop if

contamination is identified (Condition 20) and that any future reserved matters be accompanied by an updated Noise Impact Assessment, including mitigation (Condition 22).

Of these conditions, which still apply, the only condition that required details to be submitted with the Reserved Matters application was Condition 22. This required the submission/approval of an updated Noise Impact Assessment (NIA). This accompanies the submission. This has been reviewed by the Council's Environmental Protection Officer who agrees with the findings. The proposed mitigation (inclusion of acoustically rated ventilator units and mechanically assisted ventilation) shall be secured by condition in the event of approval as this was not controlled by the original condition.

The application is also supported by electric vehicle charging infrastructure details as set-out within the submitted Design & Access Statement. The Council's Environmental Protection Officer has advised that this detail is acceptable. However, as a plan detailing the location and type of infrastructure has not been provided, this condition remains outstanding at this time and will require subsequent approval. This is controlled by the outline approval.

No other comments are made by the Environmental Protection Team other than the acknowledgement that the conditions imposed on the outline still apply, unless altered by this permission.

#### *Amenity of future occupiers*

In consideration of the amenity of the future occupiers of the dwellings themselves, consideration needs to be given to the proximity/relationship of the proposed dwellings to the existing surrounding properties as well as their private amenity spaces. Consideration also needs to be given to the amount of private amenity space provided for each property. The relationships between the proposed properties themselves is a further matter.

The closest existing elevated built form to the application site is beyond the site to the north. Due to there being no windows within the side elevation of the closest dwelling proposed to the far north-east of the site, the future occupiers of this unit itself, would not be impacted in terms of loss of privacy, light or visual intrusion as a result of the application proposals. However, consideration needs to be given to whether the private amenity space of this unit would suffer from an unacceptable degree of overlooking from the occupiers of No.1 Orchard Villas.

The shared private amenity space would be 9.1 metres away from and would directly oppose the side elevation of No.1 Orchard Villas. Within the directly opposing side elevation part of Orchard Villas, at first-floor level is a double window to a bedroom suite and a window with a Juliet balcony to a dressing room. At second floor level is a double-window to another bedroom.

In response to this concern, the applicant has advised that landscaping could be proposed to shield this shared private garden from being overlooked by the occupiers of No.1

Orchard Villas. An indicative section has been provided to demonstrate this. In addition, an updated landscaping plan has been provided. These show the presence of a tree on the common boundary that would be retained in the event of approval. Whilst this mitigation would not completely screen the gardens of No's 17-20, it would provide a degree of screening. For this reason, along with the fact that the shared garden space is relatively large so a degree of relief can be achieved, it is not deemed that this relationship is sufficiently harmful to warrant refusal of the application.

Due to the off-set relationship between Broadacres and No.3 Chestnut Cottage to the north to the remainder of the proposed dwellings along the northern boundary, it is considered that these dwellings are either sufficiently offset from the closest gardens within the development or are a sufficient distance away not to cause concern.

Due to the distance of the dwellings beyond the site to the west and south-west from the development proposed, in conjunction with the levels details provided, it is not deemed that any of the dwellings proposed or their private amenity spaces would be impacted by the neighbouring units.

All 54 of the dwellings/apartments proposed would benefit either from a private or a shared private amenity space. There are no policy minimum standard and these spaces are deemed sufficient to allow the future occupiers to perform normal duties such as sit out, dry washing etc.

Within the site itself, minimum separation standards are generally met. However, there are various instances where they are not. However, the separation standards vary within adopted planning policy and there is an accepted degree of flexibility within development sites in order to achieve suitable design. There is also a degree of buyer beware. As such, subject to various openings being conditioned to be obscurely glazed, it is deemed that these relationships are acceptable in this instance.

### *Amenity conclusions*

For the above reasons, subject to the above-mentioned conditions, it is considered that the development would adhere to the requirements Policy DC3 and DC38 of the MBLP and the amenity aspect of Policy SE1 of the CELPS and emerging Policy HOU10 of the SADPD.

### Nature Conservation

Matters of ecology were considered at outline application stage. The Council's Ecologist raised no objections to the development, subject to conditions. These conditions were added to the outline permission and include the following requirements:

- Condition 11 (Reserved Matters to be accompanied by a detailed lighting scheme) (bats)



- Condition 12 (Reserved Matters to include details of how the existing hedgerows will be retained)
- Condition 13 (Reserved Matters should be supported by a strategy to enhance the biodiversity value of the site)
- Condition 14 (Prior to commencement of development a 10-year habitat management plan) shall be submitted and approved
- Condition 21 (Reserved Matters to be accompanied by an updated badger survey)

#### *Condition 11*

A lighting scheme has been submitted as required by this condition. The Council's Nature Conservation Officer advises that although there would be some localised light-spill onto vegetation along Alderley Road, this is not likely to have an adverse impact on bats due to the existing levels of artificial light associated with the road. This detail is therefore deemed to be acceptable. The implementation of this detail is controlled by this old condition.

#### *Condition 12*

Hedgerows are a priority habitat and hence a material consideration. Based upon the submitted Arboricultural Impact Assessment (AIA), the proposed development will result in the loss of a number of sections of existing hedgerow to facilitate access and drainage connections. A further section of hedgerow is also now lost on the northern corner of the site due to the construction of a shared private drive. The current landscape proposals include proposals for replacement native hedgerow planting, which the Council's Nature Conservation Officer advises is sufficient to compensate for that lost, if the loss is unavoidable which is deemed to be the case in order to deliver an acceptable scheme.

#### *Condition 13*

The Council's Nature Conservation Officer advises that an acceptable, revised, Biodiversity Enhancement Strategy, produced by Urban Green (May 22 version 04) has now been received to satisfy the requirements of this condition. In the event of approval, it is proposed to add a condition that this be implemented.

#### *Condition 21*

An 'other protected species' survey has been submitted as required by this condition. No evidence of activity was recorded during the submitted survey. Nothing further is required, and this condition is now deemed to be satisfied.

#### *Bats*

A number of trees are proposed for removal as part of the development. Further bat surveys of these trees has been undertaken. No evidence of roosting bats were recorded and the Council's Nature Conservation Officer advises that roosting bats are not reasonably likely to be present or affected by the proposed development.



### *Nesting birds*

In the event of approval, a condition to protect nesting birds is recommended. This was not included on the outline permission.

### *Ecology conclusions*

In the event of approval, it is proposed that the detail submitted to satisfy Condition 13 on the outline application be conditioned to be implemented and a condition imposed to protect nesting birds. Subject to these conditions, it is considered that the proposal would not result in any ecology concerns and the development would adhere with the ecology requirements of the development plan policies.

### Flood Risk and Drainage

Flood Risk has been raised as a concern by a number of objectors as well as the Council's ANSA Greenspace Officer.

According to the Environment Agency maps, the site falls entirely within a Flood Zone 1, which represents the parts of the country subject to the very lowest flood risk with less than 0.1% chance of flooding.

Matters of flood risk have already been considered as part of the Outline Planning permission (17/5837M) for this site. As part of the outline assessment, a Flood Risk Assessment (FRA) accompanied the submission which was considered by both the Environment Agency and United Utilities.

It was concluded that there were no flood risk concerns, subject to conditions recommended by United Utilities that required the submission/approval of a detailed strategy for surface water drainage. This was added as Condition 4 to the decision notice. The Condition sets out that the strategy should be in accordance with the submitted FRA (and associated statement).

Since the determination of the outline permission, a revised, overall drainage solution for the wider Royal London site, across the road has been approved. Cheshire East Council's Strategic Planning Board granted planning permission (20/3107M) for drainage works in December 2020 to enable the independent delivery of residential planning permissions subject to this current application (Land to the West of Alderley Road) and the site also subject to housing (Land to the East of Alderley Road).

This is because prior to the approval of 20/3107M, the land subject to the current application had a drainage strategy intrinsically linked to a strategy approved on another residential scheme on 'Land to the East of Alderley Road' which meant that both sites could not be independently delivered.

The residential permission for 'Land to the West of Alderley Road' (17/5837M) has already been updated by a further permission (20/1435M) in order to ensure that its future drainage strategy is no longer linked to the older approved drainage details and as such, is free of the previously approved intrinsically linked strategy. This current application seeks to now provide its own drainage solution.

No formal drainage documentation accompanies the application proposals, just an indicative layout to assist the Council's Landscape Officer in their assessment of the scheme. However, Condition 4 on the outline, amended by permission 20/1435M, remains outstanding. This condition, as amended, still requires the submission/approval of an updated Flood Risk Assessment, Surface Water Drainage Strategy and an associated management and maintenance plan, prior to commencement of development. As such, both the Council's Flood Risk Officer and United Utilities have advised that they have no objections at this stage.

The application is therefore considered to adhere with Policy SE13 of the CELPS and emerging Policy ENV16 of the SADPD.

### Affordable housing

Policy SC5 of the CELPS sets out that in residential developments, affordable housing will be provided where 15 or more dwellings are proposed. In such circumstances, 30% of the development proposed should comprise of affordable dwellings.

As part of the outline planning permission to which this application relates (17/5837M), matters of affordable housing for this site were considered. As part of 17/5837M a S106 legal agreement accompanied the permission which secured the policy required 30% on-site provision. More specifically, it secured:

- 30% of the provision would be affordable
- That the split of the affordable housing provision would be 65% social rented and 35% intermediate housing

As part of the application proposals, a plan showing the layout of each tenure has been submitted. This has been reviewed by the Council's Housing Officer who raises no objections. The Officer also raises no objections to the spread/position of the affordable dwellings within the site. As such, the proposals are deemed acceptable with regards to affordable housing requirements.

### Open Space

Matters in relation to Open Space were considered as part of the Outline application. As part of this, the Council's ANSA Greenspace Officer raised no objection to the scheme, subject to a financial contribution being agreed in respect of recreation open space, indoor recreation provision and the detailed layout going forward providing a LEAP and the required amount of open space within the site based on the number of units proposed.

The applicant agreed to this detail which was all subsequently included within a S106 Agreement that accompanied the permission.

As part of the S106 Agreement, the location of the play area within the site was fixed to be located within the far southern part of the site.

Condition 26 of the outline permission required details of the children's play area and how the wider open space will be laid out to accompany the reserved matters application.

The Council's ANSA Greenspace Officer objects to the application proposals for various reasons as summarised within the consultation section of this report. Many of these concerns relate to the location of the play area. More specifically concerns relating to its detachment from the proposed housing, its subsequent lack of surveillance and its position in an area that is claimed to flood.

In response, as advised, the location of the play area is fixed by the legal agreement and cannot now be altered by this application. As such, whilst these concerns are understandable, these concerns cannot be overcome at this stage.

The Council's ANSA Greenspace Officer also raises concerns about the fact that a mown path is proposed leading from the proposed housing through the Open Space to the play area. The Officer considers that such a proposal is unsuitable as it is not inclusive or accessible for all and during winter months may well be inaccessible due to bad weather. Again, this concern is agreed with. However, between the part of the site where the housing is proposed and the play area to the far south of the site, a third-party restrictive covenant exists which prohibits the erection of any built form. As such, it is not an option to lay a more formal path. Those persons with limited mobility and those wishing to access the play area during winter months can access this part of the site via the pavement on Alderley Road onto which pedestrian/cycle access is being created. This is deemed to be an acceptable alternative solution.

According to Environment Agency mapping, all of the application site falls within Flood Zone 1, land assessed as having a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%). Furthermore, the Council's Flood Risk Officer, the Environment Agency and United Utilities have not raised any objections in principle to the scheme on flood risk grounds. A drainage scheme for the wider site is still to be agreed by condition and this detail will not be approved unless the detail is satisfactory.

In response to the more technical matters raised such as the surfacing material of the play area, the lack of gates, maintenance access for vehicles, more detail relating to the play area itself, including specifications and a management and maintenance plan, the applicant has subsequently provided updated details in an attempt to address these concerns. At the time of writing this report, the Council's ANSA Greenspace Officer had not provided updated comments on the acceptability of this further detail. A written update on the acceptability of this detail will be provided to committee.

#### Education and Health

How the proposals would impact local education and health provision/capacity were considered as part of the associated outline planning permission. As part of this outline, commuted sums were secured to compensate for both.

### Other matters

The proposals have no direct impact upon Public Rights of Way's or Network Rail infrastructure.

### **Conclusions**

The principle of erecting up to 60 dwellings on this site has been approved by Cheshire East Council by Outline Planning Permission 17/5837M (which included matters of Access). This remains extant. This application considers the acceptability of the remaining reserved matters, namely: Layout, Scale, Appearance and Landscaping.

Following extensive negotiations and the receipt of various sets of revised and further plans, it is now deemed that the layout, scale and appearance of the application proposals is acceptable. It is considered that the scheme achieves the correct balance between respecting the specific design characteristics of Fulshaw Park and its gateway location as well as providing a good mix of properties in order to create a sustainable community. The provision of solar panels, water butts and the already required electric charging points ensure that the scheme can demonstrate strong green credentials.

The scheme is deemed to satisfy the requirements of the Council's Highway's Officer and would result in no notable concerns regarding neighbouring amenity, or ecology subject to conditions.

Securing the relevant amount of affordable housing and mitigating the development's impact upon local education provision, health and flood risk were resolved or secured at outline stage.

With regards to landscape and Open Space, the technical detail of this part of the scheme is yet to be finalised/agreed.

Subject to the satisfactory receipt of outstanding consultee responses of these consultees, the application is recommended for approval.

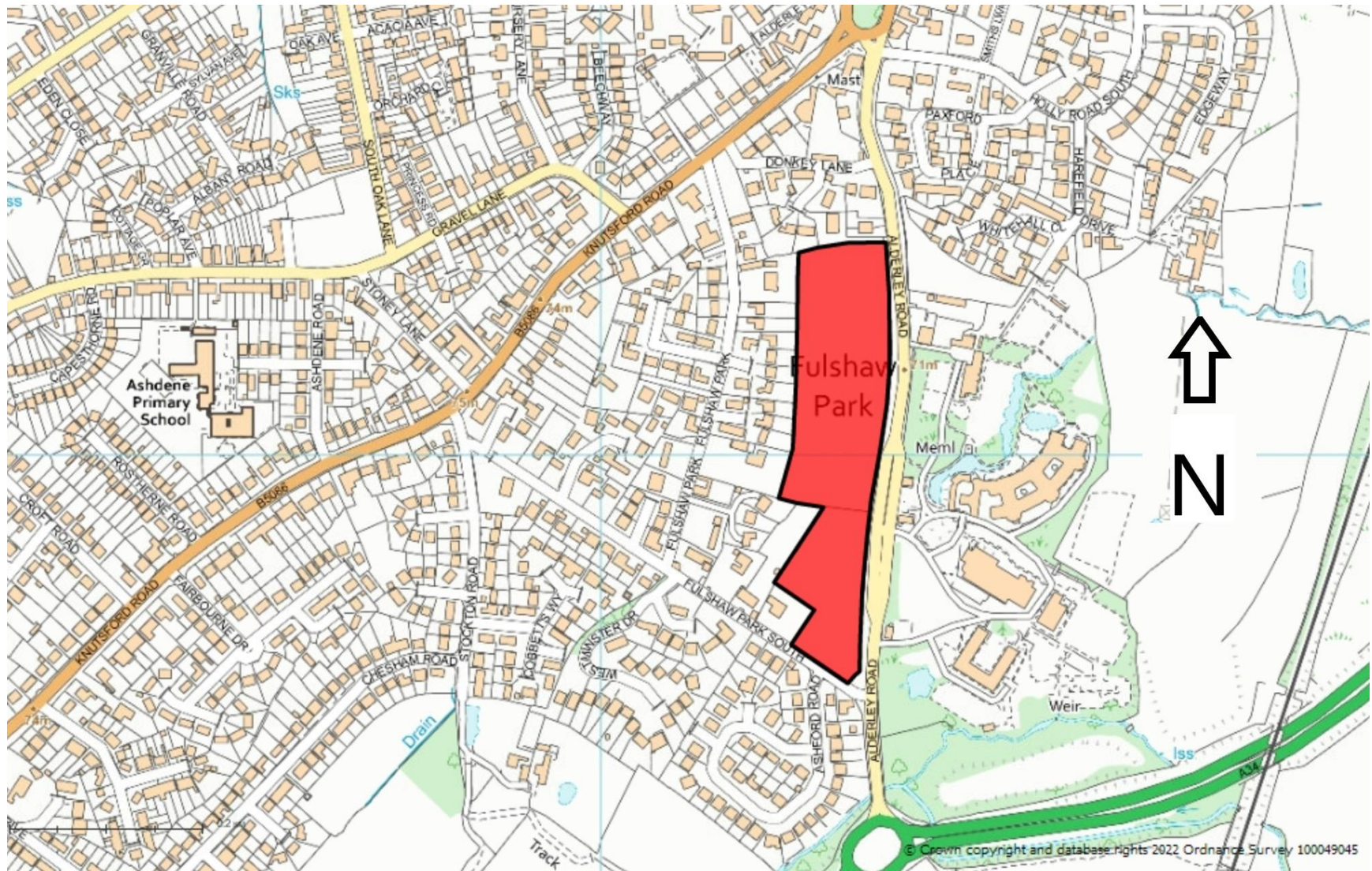
### **RECOMMENDATION**

**APPROVE subject to the satisfactory receipt of outstanding consultee responses and the following conditions:**

- 1. In accordance with Outline**
- 2. Plans**
- 3. Submission/approval of facing and roofing materials**
- 4. Submission/approval of a Construction Management Plan**
- 5. Implementation of Biodiversity Enhancement Strategy**
- 6. Nesting birds**
- 7. Implementation of Tree Protection Plan and AIA**
- 8. Submission/approval of an updated AMS**
- 9. Obscure glazing - various**
- 10. Implementation of Noise Mitigation**
- 11. Submission/approval of a Landscape Management Plan**
- 12. Submission/approval of details re: storage and re-use of soil**

*In order to give proper effect to the Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice*





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