

Henbury Parish Council: Key Points of Objection to 19/5582M

Henbury Parish Council have submitted detailed objections to the development on this site throughout its passage through the planning process. We remark particularly that the proposed development is in an area of special interest to Henbury, since the designation of the site for building has seriously reduced the Green Belt between Macclesfield and Henbury and encroaches on the Cock Wood SBI.

The site needs to be considered in conjunction with the directly neighbouring sites 19/3097M, 19/3098M and 19/3816M which will impact collectively on the local area and therefore cannot be viewed in isolation.

The key areas of concern are considered below.

Flood Risk and Drainage

There are serious shortcomings in the flood risk and drainage assessments provided for this and the neighbouring developments, which all lie within a Critical Drainage Area known for flooding in parts. The Weetwood report commissioned by Henbury Parish Council (and already submitted) contains the following key matters relating to this application:

14. Appendix C of the Cheshire East Council Strategic Flood Risk Assessment (SFRA, August 2013) indicates that the sites are located within a Critical Drainage Area (CDA), which is defined using the following information:

- Historic data on surface water flooding, where available;
- Government surface water flood maps;
- Topographic data (LiDAR and FEH catchment boundaries);
- Sewer networks; and
- Sewerage drainage area maps

15. The SFRA recommends that these areas should be investigated in detail with a specific focus on the potential impacts of development and identifying appropriate surface water management approaches. Neither 18/0294/M nor **17/4034/M** make any reference to the CDA designation.

19. The flood risk assessments identified limited flood risk to the sites, with **no specific mitigation measures subsequently proposed**.....

21. The drainage strategy for 17/4034/M also proposes to discharge runoff from a proportion of the site to a public surface water sewer in Chelford Road to the north and Bromley Road to the east; the former ultimately outfalling to the watercourse to the west ..

23. The approach outlined in paragraph 20-22 would appear acceptable in principle; however, **each site** is proposing to discharge surface water to a watercourse (whether directly or indirectly via public sewer) **that has an existing propensity for flooding both within the vicinity of the site and downstream (including a contribution to flows through Cock Wood, an ancient woodland, which is designated as a Local Wildlife Site).**

24. Furthermore, and as detailed previously, **no assessment or consideration** appears to have been given to the condition, capacity and riparian ownership implications of the watercourses in order to establish whether these are suitable receptors.

26. In the absence of such information the developers have not adequately

demonstrated how flood risk would be managed now and over the lifetime of the proposed development, ensuring that it does not increase flood risk elsewhere, in accordance with national and local planning policy.

28. It is also acknowledged that the proposed site layout submitted in support of the reserved matters application for **17/4034/M (19/5582M)** **appears to omit any above ground attenuation. It is not clear how surface water will therefore be attenuated; if below ground any storage tanks could be excessive and costly thereby affecting the viability of the scheme.**

30. Events exceeding the design of the surface water drainage network should also be considered with flows resulting from rainfall in excess of the 1:100 annual probability rainfall event including an allowance for climate change being managed on-site. Given the existing flood risk issues within this area **this is an important consideration, which does not appear to have been accounted for at any site.**

And when concluding:

35. We would expect these to be addressed by the developers (or their appointed consultants) for each site **prior to any reserved matters permissions being granted** in order to ensure that these **can be developed safely, without increasing flood risk elsewhere and in accordance with national and local planning policy.**

Based on this analysis it is clear that significant further work is required by the developer to demonstrate that increased flood risk will not result. Detailed consideration of the impact on the drainage at the Gawsorth Rd end of Pexhill Rd is required – this area including a number of houses have experienced surface water flooding in recent years (including this summer) and it is logically expected that this situation will be degraded further when increased surface water results. **All analysis should consider the four outstanding applications together if it is to be fit for purpose, as they are all hydrologically connected**. Without this CEC is surely placing itself at risk in case of flooding, which is increasingly likely with climate change.

Air Quality

The development is adjacent to Broken Cross which is designated as an AQMA (air quality management area)

Defra state "It is vital that action is taken in the shortest time possible to improve air quality in those areas where air pollution is above the legal limit."

The history of the Broken Cross AQMA is as follows:

Dec 2016 - we learnt that Broken Cross was to be declared an AQMA - having recorded the highest levels of Nitrogen Dioxide in Macclesfield

Jan 2017 - workshops held with residents to start to develop an Action Plan (did these happen? Henbury PC not consulted, no output seen)

July 2017 - Local Plan signed off

July 2017 (Next Day) - Discrepancies in Air Quality monitoring data announced, which included Broken Cross

October 2017 - Broken Cross officially declared an AQMA (why did it take 10 months?)

March/April 2018 - Planning Applications to be decided (on an individual basis) for large developments feeding additional traffic through Broken Cross

April/May 2018 - workshops to be held to develop an Action Plan for Broken Cross AQMA (i.e. AFTER the planning decisions have been made)

In short, CEC took far too long to a) designate Broken Cross as an AQMA and b) subsequently produce a detailed Action Plan for it. To determine planning applications prior to implementation of a detailed Action Plan could potentially allow CEC to be classed as negligent, and even a target for legal challenge. It is important to note the following words from Environmental Health as regards the air quality situation and 17/4034M:

“Taking into account the uncertainties with modelling, the impacts of the development could be significantly worse than predicted.”

and

“any increase in concentrations.. is directly converse to our local air quality management objectives, the NPPF and the Council’s Air Quality Action Plan.”

Regarding the proposed change in junction layout at Broken Cross (signals replacing the roundabout), the assumption is made in developer-submitted information that because traffic modelling has shown a reduction in peak-hour queuing a reduction in pollution will follow. This is simply not correct. Traffic queuing would be created throughout the day as a result of the signals and this will degrade air quality at these times, irrespective of the peak-hour traffic levels. From hourly data around 80% of traffic through the junction is not in the rush hours, and this contains a significant amount of the most polluting HGV traffic. Research documentation generally shows that traffic signals actually create more pollution than roundabouts for a given junction.

Mitigation by provision of electric vehicle charging points will have no impact on the extra pollution caused by the passing non-EV traffic that is subject to increased delay because of the development site traffic. This is therefore very weak mitigation.

It is therefore critical that detailed modelling is undertaken to understand the net impact before any permissions can be granted, using accurate inputs and micro-simulation.

Regarding the Air Quality Assessment provided for the outline application 17/4034M, the modelling suggested that the NO₂ levels around 50 Broken Cross (location of tube CE91) without development are less than 50% of the actual measurements taken there when the tube was in place, which leads to a gross underestimation of the severity of any impact of development. This location is clearly sensitive to local traffic and does not fit the modelling used for the local area well. Results of this location were removed in the AQA which gives high risk that the entire AQA is not fit for purpose and this goes against the relevant guidance.

As the health and wellbeing of residents at stake we feel that this is simply unacceptable.

The benefits to queuing traffic from the proposed signalisation of the junction have been derived with unrealistically high pedestrian crossing intervals. Also, the pedestrian survey was done when almost half

of Fallibroome Academy were at home in a study period for exams, leading to inaccurate measurements. This point is critical as mentioned in the section on transport.

It is important to note that the Broken Cross roundabout is part of the walking route to Fallibroome School for the students living around the Broken Cross/Weston areas and that large numbers walk along the approach roads during the morning and afternoon rush hour periods. They are therefore subjected to the poor air quality on an almost daily basis.

Traffic

The main issue lies with the proximity to the Broken Cross roundabout and the extensive queuing at this junction. Henbury PC have highlighted deep flaws in the developer's Transport Assessment – based on a single day's survey. It then commissioned its own independent survey and analysis, which were submitted (17/4034M), and acknowledged as realistic by CEC Highways. The expert analysis concluded that... " it is reasonable to say that the applications should be put on hold or withdrawn until agreed surveys/queues are used and AQMA mitigation needs understood"

Subsequently, a proposal for modified junction layout was provided by the developer with modelling results showing that peak-hour congestion was reduced. It is essential that any modelling takes account of all outstanding planning applications affecting the area (17/4034M, 17/4277M, 18/0294M, TA Centre/Bollin Meadow and the Kings' School relocation) – and since this has not been done then there can be little confidence in the output. It should be noted that the access is via a proposed new roundabout on Chelford Rd – and that this location is typically within the normal weekday rush-hour queue on the Broken Cross approach. It is therefore still the case that permissions should not be provided until a longer-term traffic survey is available (measuring all approaches, including Pexhill Road and Princes Way) and modelling performed that is then subjected to expert independent scrutiny.

The presence of the very busy Tesco express store and other business accesses on the roundabout approach is also a critical factor – and this has simply not been considered.

Furthermore, when the site was granted outline permission at the SPB, the CEC Transport recommendation omitted to pass on the following information to the Planning Board that had been provided by the Atkins analysis that it commissioned, i.e. " .. **it is evident that the junction will remain very sensitive to the number of pedestrian calls.**" As it was known that the pedestrian survey was unrepresentative this was a very serious withholding of information that could have led to a different decision being made. **As such it is questioned whether CEC followed due process.**

Sustainable Access

The transport infrastructure around the site is completely unsuitable. Cycle access would be onto the very busy Chelford Rd (A537) and a section of Pexhill Rd that forms a dangerous bend. As most activity will be into Macclesfield the cyclists/pedestrians would also be crossing the Broken Cross junction which is the above-mentioned AQMA, and therefore subject to illegal air quality levels. This situation will be exacerbated by the school traffic concerns, as secondary school places are not locally available. The design of the footpath along Pexhill Road is also queried as it is not clear whether it follows the required

safety standards.

The developer should produce a detailed submission on sustainable access including an assessment of practicality and safety at peak hours from the site to the key destinations (railway station, schools, doctors, leisure centre etc). Without this there can be little confidence in the suitability of the proposals.

Public transport is currently a major concern. The bus route serving Henbury (130) is about to be cancelled, although re-instatement with a less frequent service is under discussion. This would make public transport generally impractical for most purposes with the new residents more likely to favour car transportation – which will again cause degradation of the road network and air quality locally.

Infrastructure

The outstanding planning applications on this and the neighbouring sites cover more than 400 properties, and none deal effectively with the question of infrastructure. Each application must be considered in combination with the other proposed developments when assessing local infrastructure, which includes schools, health care, utility supply etc. This has not been done, and the submissions for 17/4034M are very poor in this regard. CEC must take the time to produce a strategic infrastructure plan prior to permissions being granted, or, for example, we will be left with children requiring secondary school places when that volume of places is not available (as would be the case if the houses were built now).

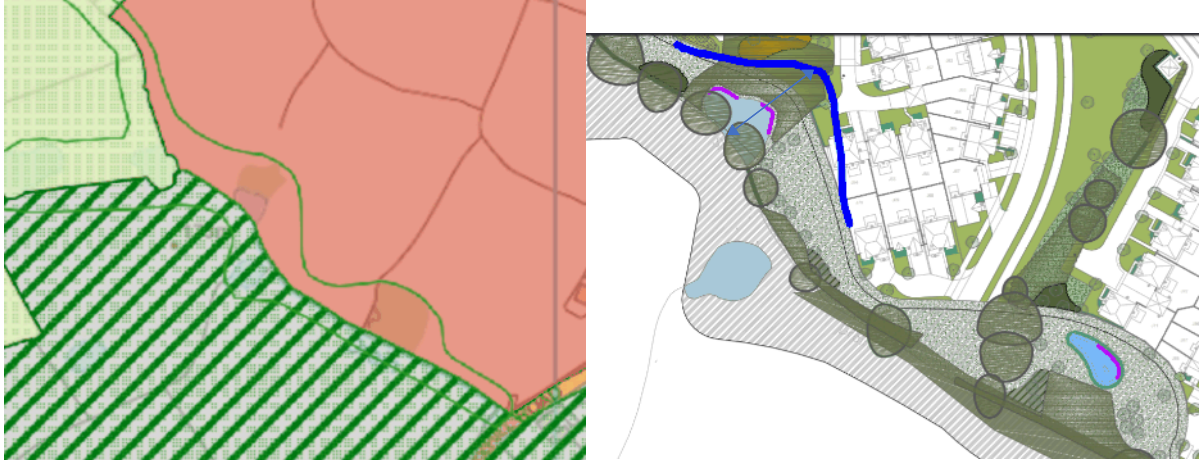
We are concerned that any infrastructure improvements would follow on from the development after S106 monies are finalised, rather than before or during the development. This would lead to a deterioration in services at least until such works are done.

The A537 is also a concern. Increasing traffic on this route, which appears not to be considered in any Strategic Plan, will affect the accessibility of Macclesfield, its safety and the quality of life of those using it.

Environment

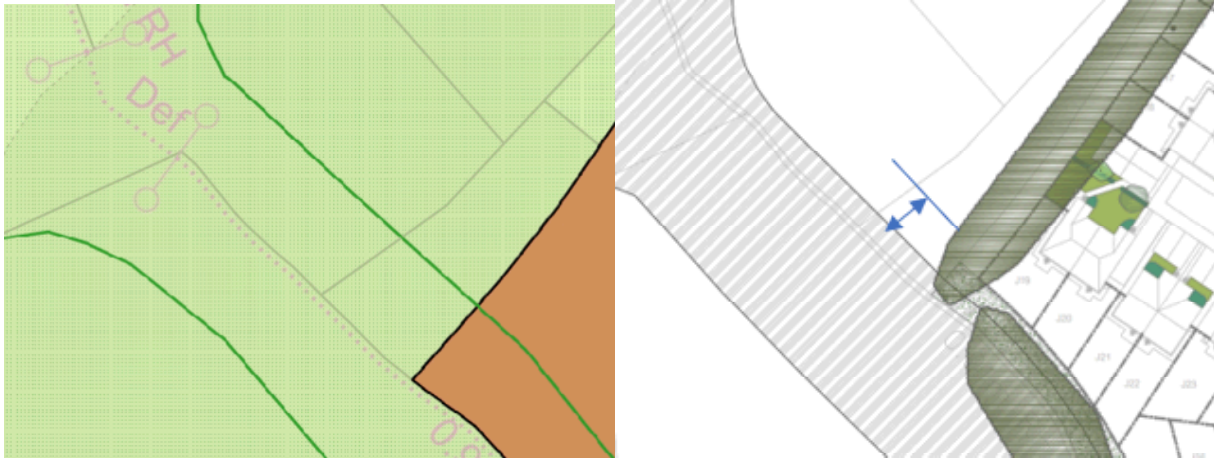
The site includes part of the Cock Wood Local Wildlife Site (also, Site of Biological Importance – or SBI), which would be seriously affected by the proposed development. Sufficient mitigation is not provided for the habitat loss that would occur with the planned layout. Cheshire Wildlife Trust's response to 17/4034M sums up the situation: " Within the NPPF sustainable development is viewed as moving from a 'net loss of biodiversity to achieving net gains for nature'. The current proposals do not appear to be producing a net gain for nature."

The latest masterplan, while purporting to allow a 3m buffer around the SBI, actually appears to allow a reduction in its size. Comparison of the below images shows the effect most prevalent around the northern pond in the images where the area of marshy grassland within the SBI is reduced.



Actual SBI layout (left, green line) and masterplan (right, SBI in grey). The blue line added on the right is a closer representation of the SBI boundary and this should be followed in the design with added 3m buffer, else the SBI is compromised.

A further example is at the western extremity of the development, below. CEC's local plan mapping is again on the left with SBI boundary in green, and the site masterplan to the right. A significant reduction in the size of the SBI has resulted.



We therefore request that CEC closely review all the proposed changes around the SBI and ensure that any plans do not reduced its size, or content, but instead increase the size via the agreed buffering.

The ancient woodland component of the SBI is bisected by a stream, Bag Brook. It has not been mentioned in any of the applications (this, 19/5582M, and 19/3097M, 19/3098M and 19/3816M) that surface water run-off from all will feed into this stream either via watercourse or surface water sewers. This is detailed in the technical note 'Review of Surface Water Drainage and Flood Risk' produced for Henbury Parish Council by Weetwood, and submitted to the CEC portal. No assessment had been made in any of the applications on the risk that this places on flooding on the downward stream and potential erosion and pollution. This is a major concern, and against the principles of NPPF.

From the perspective of climate change it is noted that there is no reference to renewable energy on any

of the housing. This is a major shortcoming and an opportunity missed. CEC should, within their capacity, be encouraging, if not forcing, developers to use renewable energy sources on new developments.

Conclusion

Based on the information provided above Henbury Parish Council do not consider this application ready for approval. There are simply too many unknowns in critical areas and much more analysis is required to show that the development would not result in an unsafe environment locally. The sustainability of the site and the neighbouring developments is seriously questioned as the required information that would justify this is simply not provided.

The fact that an Environmental and Climate Emergency has been declared also weighs very heavily against the proposals, and must be given due consideration.