

<b>Planning Reference No:</b>	10/4189C
<b>Application Address:</b>	Land adjacent to 5 Middlewich Road, Cranage
<b>Proposal:</b>	Reserved Matters Application for Approved Application 07/0662/OUT - Ten Dwelling Houses
<b>Applicant:</b>	Cranage Parish Council
<b>Application Type:</b>	Reserved matters application
<b>Ward:</b>	Cranage
<b>Earliest Determination Date:</b>	9 <sup>th</sup> December 2010
<b>Expiry Dated:</b>	24 <sup>th</sup> January 2010
<b>Date Report Prepared:</b>	16 <sup>th</sup> December 2010
<b>Constraints:</b>	Jodrell Bank Consultation Zone Area of Special Control for Advertisements

**SUMMARY RECOMMENDATION:** Refuse

**MAIN ISSUES:**

The key issues that Members should consider in determining this application are:

- Principle of development
- Housing land supply
- Affordable housing
- Design and visual impact
- Landscaping
- Public Open Space provision
- Amenity
- Highway safety

**1. REASON FOR REFERRAL**

This application proposes the erection of more than 10 dwellings and is therefore a small-scale major development.

**2. DESCRIPTION OF SITE AND CONTEXT**

This application relates to a 1.25-acre parcel of land located at the junction of Middlewich Road and Knutsford Road in Cranage. The site lies entirely within the Open Countryside and is in the freehold ownership of Cranage Parish Council.

This is a rural site currently used for grazing and is highly prominent within the surrounding area. The site is bound to the west by residential properties, to the north and

south by Open Countryside, and to the east by Knutsford Road followed by several residential properties.

The site is currently accessed from an agricultural access off Middlewich Road and the boundaries consist of traditional Cheshire railings and substantial trees and hedges.

### **3. DETAILS OF PROPOSAL**

A reserved matters application is made for the construction of ten affordable dwellings. The reserved matters for which approval is sought include access, appearance, landscaping, layout, and scale.

### **4. RELEVANT HISTORY**

Approved 16.10.2007                      Outline application for ten dwelling houses  
(07/0662/OUT)

### **5. POLICIES**

#### **National Policy**

PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPG13 Transport  
PPS23 Land Contamination  
PPG25 Development and Flood Risk

#### **Regional Spatial Strategies**

DP4 Make best use of resources and infrastructure  
DP5 Managing travel demand  
DP7 Promote environmental quality  
DP9 Reduce emissions and adapt to climate change  
RDF1 Spatial Priorities  
L4 Regional Housing Provision  
EM1 - Integrated Enhancement and Protection of the Region's Environmental Assets  
EM18 Decentralised Energy Supply  
MCR3 Southern Part of the Manchester City Region

#### **Local Plan Policy**

PS8 Open Countryside  
GR1 New Development  
GR2 Design  
GR3 Residential Developments of More than 10 Dwellings  
GR4 Landscaping  
GR6&7 Amenity & Health  
GR9 Accessibility, servicing and parking provision  
GR10 Managing Travel Needs  
GR126 Footpath, Bridleway , and Cycle Networks  
GR18 Traffic Generation  
GR19 Infrastructure

GR20 Public Utilities  
GR21 Flood Prevention  
GR22 Open Space Provision  
H1 & H2 Provision of New Housing Development  
H6 Residential Development in the Open Countryside and Green Belt  
H14 Affordable and Low Cost Housing  
NR1 Trees & Woodland  
NR2 Wildlife & Nature Conservation  
SPG1 Provision of Public Open Space in New Residential Developments  
SPG2 Provision of Private Open Space in New Residential Developments  
SPD4 Sustainable Development  
SPD6 Affordable Housing and Mixed Communities  
Cheshire East Draft Interim Planning Policy on the Release of Housing Land

### **Other Material Considerations**

Circulars of most relevance include:  
ODPM 05/2005 Planning Obligations; and 11/95 'The use of Conditions in Planning Permissions'.

Relevant legislation includes:

The EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994.  
Design compendiums include 'By Design' and Manual for Streets'

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

### **Highways:**

[30.11.2010] The Strategic Highways Manager notes that the proposed development offers a layout which does not meet adoptable standards in terms of its detail and proposed highway boundary.

The proposed junction with Middlewich Road does not show design geometry or visibility splays.

It is acknowledged that a solution is likely to be available, however as the application detail does not demonstrate satisfactorily the details required, the Strategic Highways Manager has no option but to recommend refusal at this time.

### **Senior Landscape Officer:**

[06.12.2010] The Senior Landscape Officer has concern in the following respects:

- The site plans do not show existing hedgerows, tree positions, or crown spreads accurately. This is inadequate to allow analysis of the impact of the development.
- As far as can be ascertained, the impact of the mature tree on the northern boundary on the gardens of plots 9 and 10 would be unacceptable as the crown spread of the tree would completely dominate both gardens.
- Landscape forms part of the application therefore full details should be provided.
- New timber fencing is not appropriate or sensitive to the location.

**Public Rights of Way Team:**

[11.11.2010] The department objects to the application as public bridleway Cranage No. 8 would be obstructed by the proposed development.

**Green Space Service:**

[15.12.2010] For the erection of 10 affordable dwellings based on 2.4 persons per dwelling in the absence of a housing schedule, if the development were to be granted planning permission in accordance with the submitted plan then there would be a deficiency in the quantity of provision, having regard to the adopted local standards set out in the Council's Open Space Study for both Amenity Green Space and Children and Young Persons provision.

**Amenity Greenspace**

Following the assessment of the existing provision of Amenity Greenspace accessible to the proposed development, having a quantity deficiency, it is acknowledged that 2 areas of POS would be provided on site - POS 1 measuring 475m<sup>2</sup> and POS 2 measuring 800m<sup>2</sup>, a total of 1275m<sup>2</sup> Amenity Greenspace. This is actually an over provision, but is welcomed and recognised when calculating and assessing the Children and Young Persons Provision.

The POS located to the North West (POS 1) of the site, would be a good location although not ideal for a small LEAP play provision with a standard play area site being a minimum of 400m<sup>2</sup>.

The other location (POS 2) that has been proposed, is not ideal being adjacent to both main roads of Middlewich/Knutsford Road and also adjacent to the main inlet road to the development. The Council's Supplementary Planning Guidance Note for the provision of Public Open Space in New Residential Developments 5.2 states new provision should be 'preferably centrally located' and 'the open space should not adjoin a main road or estate distributor road, which is expected to carry a significant amount of traffic'. It is appreciated there are restrictions with this small site and boundary treatments may provide a buffer, but this is difficult to assess as in the Design and Access Statement there are few details other than railings, trees and hedges.

The existing trees to the front and other boundaries of the site are being retained with new hedgerow planting to be included within the proposed landscaping scheme. These areas, including the additional buffer planting, should be considered in some depth in light of future maintenance implications, planting distances in relation to buildings, and species types of trees. Clarification would be required as to the intended end ownership of these areas due to any maintenance implications that may arise as a result of it. It is with this in mind therefore, that I suggest that consideration is made for the POS 2 to be transferred to a management company.

**Children and Young Persons Provision**

Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, if the development were to be granted planning permission there would be a deficiency in the quantity of provision, having regard

to the local standards set out in the Council's Open Space Study for Children and Young Persons Provision.

Consequently there is a requirement for new Children and Young Persons provision to meet the future needs arising from the development.

On site provision would be required as there is none in the local vicinity, the closest being over the 800m distance threshold set out in the Interim Policy Note for the Provision of new Open Space.

If a small Local Equipped Area for Play (LEAP) is provided located on the POS 1 area within the development, having at least 3 items of equipment (including a multi-unit) for the 6 and under age range, a ballpark estimate would be in the region of

New Provision: £51,000

Maintenance: £51,044 (25 years)

This would take into account play area infrastructure, equipment including elements of DDA equipment, safer surfacing and safety inspection. We would request that the final layout and choice of play equipment be agreed with CEC, and obtained from a supplier on the Council's select list, the construction should be to the Council's specification. Full plans must be submitted prior to the play area being installed and these must be approved in writing prior to the commencement of any works. We would also request landscaping is kept to a minimum. i.e. solely fencing or hedges as boundary treatments and grass or a tarmac area surrounding the equipments' safer surfacing. Again, plans should be submitted and approved by the Council prior to any commencement of works.

Whilst Green Spaces acknowledge that this would be the requirement following guidelines and policy, it also recognises the provision of this facility may make the development economically unviable, however this would be a planning decision.

As a potential alternative, although not preferred, the nearest existing play area is approximately 920m away, crossing the main Middlewich Road, along the A50 Knutsford Road to Needham Drive estate. The play area currently has little provision for DDA equipment or the older age range of children and investigation would have to take place to see if additional items could be possible with a view for a contribution in lieu being sought, again this does not follow policy and would be a planning decision.

**Jodrell Bank:**

No response was received at the time of report preparation.

**Ramblers Association:**

No response was received at the time of report preparation.

**Environmental Health:**

No response was received at the time of report preparation.

## **7. VIEWS OF THE PARISH / TOWN COUNCIL**

Cranage Parish Council has no comment to make due to a prejudicial interest.

## **8. OTHER REPRESENTATIONS**

A total of six letters of representation were received during the consultation period which highlighted the following issues of concern: -

- Other affordable homes have recently been constructed near to the application site. Due to a lack of interest, such are being sold on the open market and are not restricted to local people. This would indicate that there is no need for further affordable housing.
- Unnecessary development of a Greenfield site.
- Should develop available Brownfield sites as opposed to Greenfield sites.
- Increased traffic at dangerous cross road.
- Level of new housing is detrimental to Cranage which does not have the infrastructure for more dwellings.
- Development will necessitate use of the car to access local amenities.

## **9. APPLICANTS SUPPORTING INFORMATION**

Design and Access Statement

## **10. OFFICER APPRAISAL**

### **Principle of Development**

The principle of ten affordable dwellings on this site has already been agreed and approved at outline stage within application 07/0662/OUT on 16.10.2007.

The principle of the development is therefore acceptable subject to the proposal complying with other relevant policies of the Local Plan.

### **Housing land supply**

Again, it is noted that the level of housing on the site has already been agreed at outline stage however, the current position of the Local Authority in terms of housing provision will be outlined below for clarification.

National policy guidance states that Local Authorities should manage their housing provision to provide a five-year supply. With the introduction of agreed at the outline stage in 2007.

It is noted that no developer has been specified by the applicant (Cranage Parish Council) applicants and the Housing Needs Manager has identified that if the properties are to be built by anyone other than a Registered Social Landlord, it is the preferred option that the developer undertakes to provide any social rented element through a Registered Social Landlord who becomes a signatory to any Section 106 agreement.

A condition was attached to the outline consent requiring the completion of a Section 106 agreement relating to affordable housing and in the interests of consistency and

reasonableness, it is considered that such condition must also be attached to any new consent to secure the affordable housing.

### **Design and visual impact**

The site is highly prominent due to its corner location and as such any new development will need to take into account the visual prominence and sensitivity of the site.

In purely vernacular terms the design and scale of the proposed dwellings are considered to be acceptable as the proposed dwellings are attractive, well designed properties which would reflect aspects of other dwellings in the nearby vicinity. It is however, noted that there may be an opportunity to improve the design of the dwellings slightly with regard to the side elevations of plots 1 and 10 as it is considered that the proposed large blank elevations could be broken up with windows/brickwork detailing in order to improve the visual appearance of the dwellings from the wider area and/or improve natural surveillance of the site.

With regard to the overall layout of the site, it is appreciated that the proposed scheme has been progressed from the outline application however; there is significant concern that the proposed layout is not of a standard for which planning permission should be approved.

Whilst the positioning of the dwellings in a linear row of two's and three's is accepted, the concern is that the development would appear to be over engineered and lead to a development which would have an entirely car dominated frontage by virtue of the access and parking provision. The proposed access road would stretch approximately 80 metres across the frontage of the site and the arrangement has the potential for 20 cars to be parked along the frontage of the site. Such layout would detract from the quality of the proposed development and appear overly domestic and out of keeping with the character of what is otherwise a typically rural area. It is however, noted that it is considered that there is potential to explore re-arrangement of the site which could overcome such concerns.

The submitted plans show that new timber boundaries would be erected on the northern, eastern, and western boundaries of the site. Whilst it is appreciated that such treatment may be necessary to provide private amenity space, the replacement of the Cheshire railings with such a domestic style of boundary is considered unreasonable and would appear highly incongruous within the Open Countryside. Acceptable boundary treatment could be controlled via condition.

It is appreciated that the site would to some degree benefit from the shelter provided by the existing trees and hedgerows and additional planting has been identified (details of such have not however, been submitted) nonetheless, it is not considered that such screening would be sufficient to overcome the issues outlined above.

The visual impact of the proposed public Open Space will be discussed further on in this report.

### **Landscaping**

The northern boundary of the site is delineated by a mature mixed species hedge with two mature Oak trees. The hedge is thin at the base where stock have grazed, exposing the stems. To the west adjoining 5 Middlewich Road there is a length of hedge and close

boarded fence. To the east there is a short section of hedge at the northern end and the remainder is Cheshire Railing which continues round the corner to Middlewich Road. To the south the Cheshire railings on the corner adjoin a line of trees and bramble with a short remnant of hedge.

The landscape officer notes that the site plans do not show existing hedgerows, tree positions, or crown spreads accurately and the information is inadequate to allow analysis of the impact of the development.

### **Public Open Space provision**

The Green Space service has identified that there would be a deficiency in the quantity of provision of Open Space proposed having regard to the standards set out within the authority's Open Space Study for Amenity Green Space and Children and Young Persons provision.

However, given that the provision of Open Space within the development was not acknowledged within the original outline approval in 2007 nor was it secured by either condition or Section 106 Agreement, it would be wholly unreasonable at this reserved matters stage to expect the significant additional requirements suggested by the Green Space Service to be provided. This deficiency is therefore not considered to be a reason for which the application could be refused.

It is acknowledged that the applicant has still provided such open space regardless of this lack of control at the earlier outline stage and as such it is reasonable to consider how the proposed Open Space areas would be provided and maintained. It is considered that the acquisition and future maintenance of Open Space could be reasonably achieved within this application as although not covered at outline stage, new limited restrictions at reserved matter stage can be acceptable providing that such do not materially derogate from, alter the nature of, or otherwise nullify the principle of outline permission granted.

Given that it is within the scope of the outline framework to restrict layout to the details as now submitted for approval via reserved matters, it is considered that it will be reasonable and will not materially derogate from the principle of the outline approval to require that open space is laid out and landscaped and require that such areas to be used for no other purpose via condition. It would not be reasonable and would represent as substantial additional requirements should there be transfer of the Open Space to the Local Authority as there was no indication within the 2007 outline approval that such was ever considered.

With regard to future maintenance of the open space, this could be reasonably secured via an annual maintenance scheme condition to secure the future residential and visual amenity of the area. It would be expected for any future maintenance to be undertaken by future residents however, this would not represent any significant burden as it would not be significantly different to the typical schedules of the Local Authority's grass maintenance crew and would be a reasonable responsibility.

With regard to the quality and layout of the proposed Open Space, it is acknowledged that two areas of Open Space are proposed. One area is located to the north-west of the site and whilst the Green Space Service identifies that such would be a good location, it is not considered that locating open space in this area would benefit the site. The Open Space

would not benefit from natural surveillance as it would not be overlooked by the dwellings and would be in the corner of the site not adding any significant value to the wider visual amenity of the area.

The other location of Open Space within the development is located adjacent to Middlewich Road and would lie to the front of the proposed dwellings. Whilst there is typically a preference for Open Space to be centrally located within new development and for such not to adjoin main roads, the site is limited in its options for provisions of open space as it is relatively small in scale. In addition, it is considered that open space in this location would have good natural surveillance and would provide an attractive setting to the properties.

Overall it is not considered that the scheme for Open Space provision is ideal however, it is noted that an alternative layout could be achieved which could make better use of the open space provision ensuring that such space is more useable and contributes to the wider area and ensure that the development is less vehicular dominated.

### **Amenity**

In respect of the residential amenities afforded to neighbouring properties, the proposals would achieve the minimum interface distances as advised within SPG2. The scheme would not give rise to any direct overlooking or significant loss of sunlight or daylight to the properties situated to the east or west.

With regard to the amenities of the occupiers of the proposed units, the dwellings have been configured and arranged so as to ensure that there is no direct overlooking of principal windows. Each dwelling unit would benefit from its own rear garden and it is considered that the amenity space provided as part of the development would be acceptable for the size of units proposed. Subject to the removal of permitted development rights, the proposal is found to be acceptable in terms of residential amenity.

### **Highway safety**

Vehicular access would be provided to the site off Middlewich Road via a new adopted road running through the site however, the Strategic Highways Manager objects to the development as the details of the highways proposals are inadequate.

### **Other**

#### **Renewable energy**

It is noted that Regional Planning Policy aims to encourage the use of decentralised and renewable or low carbon energy in new development. Policy highlights that all residential development comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low carbon sources unless it can be demonstrated by the applicant, having regard to the type of development and its design, that this is not feasible.

However, it is not considered that it would be reasonable to request this from the proposed development given that renewables were not conditioned or otherwise controlled within the outline stage of the approval.

### Public Right of Way

The proposed development would block access to an existing public right of way. Whilst it is acknowledged that this issue could be overcome either by virtue of an altered layout or diversion of the route, neither solution has been adopted.

## **11. CONCLUSIONS**

The application, whilst acceptable in principle, fails to satisfy planning policies in terms of landscaping, highways, and design. It is considered that alterations could be made to the scheme in order to overcome such issues. However, the application must be judged on the current submitted information and as such is recommended for refusal.

## **12. RECOMMENDATION**

Refuse for the following reasons:

- 1. The proposal would be contrary to the interests of highway safety as the proposed development offers a layout which does not meet adoptable standards in terms of its detail and highway boundary and does not have sufficient geometry or visibility splays. The approval of the development would therefore be contrary to Policies GR1 and GR9 of the adopted Congleton Borough Local Plan First Review 2005.**
- 2. Insufficient information has been submitted with the application relating to existing trees and hedgerows in order to assess adequately the impact of the proposed development having regard to such. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with policies GR1 and GR4 of the adopted Congleton Borough Local Plan First review 2005.**
- 3. The proposed development fails to achieve an adequate quality of design to justify approval of planning permission. In reaching this conclusion regard was had to the proposed site layout including the proposed access and parking which would dominate the frontage of the site resulting in an overly domestic appearance within a rural area. The proposal would therefore detract from the character and appearance of the area, within which the site is located and be contrary to Policies GR1 and GR2 of the adopted Congleton Borough Local Plan First Review 2005 which seek to promote high quality and inclusive design.**
- 4. The proposed development fails to take into account an existing public right of way as access to such would be blocked by the proposed development. The proposal is therefore contrary to policies GR1 and GR16 of the adopted Congleton Borough Local Plan First Review 2005.**

Location Plan : Licence No 100049045

