

NORTHERN PLANNING COMMITTEE – 15 August 2012

UPDATE TO AGENDA

APPLICATION NO.

12/1532M

LOCATION

Land off Trouthall Lane, Plumley

UPDATE PREPARED

13 August 2012

CONSULTEES

Further comments have been submitted by the Parish Council following the submission of additional details since their original comments. They state:

The proposal is still not acceptable in principle, although some detail changes have been made. The applicants have still not provided any proof that there is a community need for the proposed houses; the Parish Council requested information such as the names and addresses of the proposed tenants, and why they need to live in Plumley on the 31st May, but Cheshire Peaks and Plains have not provided this information as yet. The site is Green Belt, Green Field, next to a Listed Building, and far too small for eight properties. No attempt has been made to consider other sites. The design and density of the development is not in keeping with the village, or the street scene and there is no provision for additional public space of which Plumley is already lacking. We do not see any reason to revise or remove our objections to the proposal.

Leisure Services - The Proposed development triggers the requirement for the provision of open space and in lieu of on site provision, as the site is unsuitable for the provision on of onsite public play and amenity facilities, a commuted sum for offsite provision will be required.

REPRESENTATIONS

A letter of support has been received from a local resident / business owner noting that:

- Of the 200 homes in Plumley at least 120 (60%) been built post 1945
- Many upgraded to high standards
- Property prices have inflated as a result
- Local people have been priced out of market
- Increase in local community will increase trade for local businesses
- In the right place, moderate developments can only enhance the village life both now and in the future.

At the time of writing, 10 further letters have been received objecting to the proposal on the following grounds:

- No attempt made to use renewable energy
- Inadequate car parking
- Appear to be no measures in place to avoid contamination of the watercourse
- Hedgerow survey undertaken by the developers took place outside the recommended time period for vegetation surveys and is inaccurate
- Wheelie bins are now likely to impede both the carriageway and sightlines
- Housing needs survey out of date
- Cascading shows there is no community need
- Not considered other sites
- Design and density out of keeping
- The proposed 6 metre sewer easement has been marked incorrectly on the plans
- Officer report to the Committee states that the setting of the listed building was not specifically mentioned in its listing. The setting does not have to be specifically noted when the building is listed the setting automatically forms part of the building.
- The housing will be at a considerably higher density than anything else in the Plumley area and will detract from the character of the locality
- Cascade Provision allows anybody who resides in East Cheshire to take residence in one of the proposed homes which is in direct conflict with the National Planning Policy Framework when related to Green Belt development.
- Insufficient need
- No letters of support on the website
- Detrimental to evidential and aesthetic value of Malt Kiln Farm (a heritage asset)
- Views to the north and north east of building disregarded in submitted statement
- Impact Assessment should be amended to assess the implications of the proposed development falling within the "curtilage" of the Grade II listed building.
- The removal of a large section of hedgerow will undermine the green network on site which currently offers a wide range of ecological benefits
- The application, considering the size of the local community, is more than a small scheme, not least because of the number of houses, but also because of its impact on the neighbouring properties, the openness of the Green Belt and the local ecology
- Although information has been requested to publically substantiate that the affordable houses are for the local community as defined in the NPPF, none has been provided
- The Cascade Conditions identify that potentially any resident in the Cheshire East borough could be eligible for affordable housing in Plumley. This contradicts the NPPF and Interim Planning Statement On Affordable Housing

- There are 27 existing affordable houses in Plumley, which do become available. What part do these properties play in satisfying the local community need before further developments are considered?
- Apart from a "drop in" session in April, 2012, there has been no consultation, as defined within the Localism Act and the NPPF, with the community to seek their views on an ongoing basis as the housing scheme was developed.

An ecological survey has been submitted on behalf of local residents. In summary this concludes:

- A full hedgerow survey should be carried out prior to the determination of planning in order to establish the importance of the hedgerows on site.
- The development and on-going use of the site has the potential to disturb any bat roost in a tree at the north west of the site (if present). Further survey work should be carried out prior to determination of planning in order to determine whether the tree is used by roosting bats.
- Further survey work should be carried out in order to establish the level of use of the hedgerows by commuting and foraging bats. The development has the potential to disturb bats using the hedgerows.
- Emergence and return to roost surveys of the timber shelter / structure on site should be carried out prior to the determination of planning. As the structure has been identified as a bat roost the surveys should determine the level of use of the roost, the type of roost and the species present.
- Prior to determination of planning further survey work is necessary in order to determine the presence or absence of GCN in proximate ponds.
- Further survey works are necessary prior to determination of planning in order to establish presence or absence of water voles.
- The shed in the northeast corner of the site has two nests in the roof structure; breeding birds will need to be considered prior to any planned demolition of the structure or works within close proximity of the nesting sites.

KEY ISSUES

Principle of Affordable Housing in this location

Representations suggest that this is not a small scheme, and therefore does not qualify as a rural exception site. The NPPF does not define what qualifies as a "small site". This is a proposal for 8 dwellings on a site area of just over 0.2 hectares. This is considered to be a small site in the context of Plumley village.

The development seeks to meet the local community need identified in the original committee report. The cascade provision is required to ensure that the homes do not stand empty in the future and meet the needs of the local community first.

There are 27 affordable homes (managed by Peaks & Plains) in Plumley, Toft and Bexton and there are 314 homes in this area. It is understood that since Cheshire Homechoice formed in April 2010 there have been 4 affordable homes that have become available. However 2 of these are homes that have a further restricted occupancy (for over 55's). The Strategic Housing Market Assessment, although not providing details down to a Parish level, gives the net affordable housing need for the Knutsford rural sub area and takes into account the expected turnover of existing stock. Therefore, whilst the availability and turnover of existing homes in the parishes assists it does not meet the need requirement.

Character and design

One of the letters of representation states that the housing will be at a considerably higher density than anything else in the Plumley area and will detract from the character of the locality, contrary to what is noted in the Committee report. This density concern is acknowledged, however, it is dependent on how the density of existing properties is measured. Whilst the specific reference to density might have been misleading in the original report, the key point to make is that there are other terraced properties close by, and such a form of housing is not out of keeping with the local area.

Setting of listed building

Having regard to the information submitted, the Conservation Officer is satisfied that significance and setting of the neighbouring Grade II Listed building would not be significantly affected by the proposal.

As noted in the original report, the materials will contribute greatly to the visual success of the scheme. The applicants have raised initial concern that timber windows may well affect their secure by design scores and code strategy rating. No further details have been received at this time, but a revision to condition 10 is recommended to now require window materials to be submitted and approved in order to allow for alternatives to be considered if necessary.

Ecology

At the time of writing the author of the ecological assessment was unknown. The name of the fieldworker/author of the report is required to ensure that they are suitably qualified to carry out surveys of this nature. This information has been requested.

The ecological assessment submitted on behalf of local residents is at odds with the assessment submitted by the applicant in terms of the number of native woody species present in the hedgerow to be removed. Subsequently, the assessments differ in whether the hedgerow is classified as "important" under the hedgerow regulations. This matter will be the subject to further investigation and will be reported to members as a verbal update.

The nature conservation officer advises that from a superficial inspection the building on site appeared to have only limited potential to support roosting bats. The ecological assessment submitted by the local residents however

states that there is evidence of roosting brown long eared bats being present. Despite the nature of building not being obviously suited to roosting bats, bats do turn up in unlikely places from time to time so a detailed bat survey and mitigation/compensation measures for the loss of this roost may be required if the report of a roost is reliable.

However, as with the hedgerows assessment the results of the survey submitted by the local residents cannot be given any weight until the details of the person who undertook this assessment are provided. Without this information it is impossible for the Council to determine the validity of the bat survey results.

The likelihood of great crested newts occurring within the two ponds that have habitat links with the proposed development site has been considered by the nature conservation officer, as well as the likelihood of great crested newts being present on the proposed development site. His view is that great crested newts are not reasonably likely to be present on the site or affected by the proposed development. No further survey for this species is required.

He also advises that water voles are not reasonably likely to occur at the stream to the north of the site. However as per his previous comments the stream should be protected by an 8m buffer.

Leisure Provision

Leisure Services have confirmed that the required commuted sum of £24,000 would be used towards works of addition, improvement and enhancement at the existing open space and play facilities at Moorcroft. However, should there be a new and appropriate open space / play facility within Plumley at the time of receipt, the council may choose to direct some or all of the commuted sum for the purpose of additions, improvements and enhancements at this new facility subject to the long term security and maintenance of the new facility.

Other considerations

It is acknowledged that pre-application consultation with the local community is good practice for developers. Whilst there are no prescribed consultation requirements for a development of this scale within the Localism Act or the NPPF in this case a community drop in event was carried out in April 2012.

Comments relating to the accuracy of the sewer easement on the plans are noted, however, United Utilities have raised no objections to the proposal. For the avoidance of any doubt it is suggested that this detail could be added to the requirements for the submission of drainage details under condition 9.

Correction

In the first line of the second paragraph on page 32 of the agenda "Ollerton" is mentioned. This should read "Plumley".

Similarly, in the conclusion on page 38 (first line) where it refers to "Ollerton with Marthall", this should read "Plumley with Toft & Bexton".

CONCLUSIONS

The ecological assessment raises some issues not identified in the applicant's assessment. However, as noted above, until the author is known, the amount of weight to attach to it cannot be determined. If the report of a bat roost is reliable, then further information may be required prior to a decision being made. Officers have requested this matter to be clarified and Members will be updated at the committee meeting.

In the event that the application proceeds with a recommendation of approval, subject to conditions and unilateral undertaking, as noted above, a small amendment to condition 10 is proposed:

Conditions

10. Window and door materials to be submitted