

Planning Reference No:	09/2035N
Application Address:	Land off Bunbury Lane, Bunbury, Cheshire
Proposal:	Demolition of Existing Industrial Workshop and Erection of 6 Affordable Dwellings for Rent including Associated Access, Parking and Amenity Areas
Applicant:	Equity Housing Group
Application Type:	Full Planning
Grid Reference:	356296 357501
Ward:	Cholmondeley
Earliest Determination Date:	21 st August 2009
Expiry Dated:	27 th August 2009
Date of Officer's Site Visit:	30 th July 2009
Date Report Prepared:	5 th August 2009
Constraints:	Open Countryside

SUMMARY RECOMMENDATION

Impact of the development on:-

The living conditions of neighbouring properties

Design and Impact upon the character and appearance of the area

Parking/Highway Safety

Need for Affordable Housing in Bunbury

Impact upon Trees

SUMMARY RECOMMENDATION

Approve with conditions and subject to:

The completion of a legal agreement to secure the development as affordable housing in perpetuity.

1. REASON FOR REFERRAL

This application was to be dealt with under the Council's delegation scheme. However Cllr Dykes has requested it to be referred to Committee due to concerns over drainage and access to the site.

2. DESCRIPTION OF SITE AND CONTEXT

The application site is located to the rear of newly built residential properties which front onto Bunbury Lane and is located within the open countryside adjacent to the Bunbury Settlement Boundary. The site is currently occupied by a single storey brick workshop and has areas of hardstanding to the front and rear. To the southern boundary of the site is a mature hedgerow which includes 3 large Oak trees, the most eastern of the three trees is protected by a TPO. To the northern of the site is a small field with a public footpath running through this field and past the western boundary of the site, beyond the field to the north are residential properties fronting Wakes Meadow. Access is gained through an existing access which runs between the newly built residential properties which front onto Bunbury Lane.

3. DETAILS OF PROPOSAL

This is a full planning application for the erection of 6 affordable houses all of which would be available for rent. This would comprise 1 pair of semi-detached dwellings (3 bedrooms) and a terrace of 4 dwellings (2 bedrooms). The dwellings would face north and would parking would be provided in two bays of 6 spaces to the eastern and western ends of the properties a shared access drive would run to the north of the proposed dwellings. The three Oak trees to the southern boundary of the site would be retained as part of the proposal.

4. RELEVANT HISTORY

P05/1309 - Demolish Existing Industrial Workshop Unit and Replace with a Single Storey Office Building (B1 Use). Refused – Appeal Lodged – Appeal Allowed 24th April 2007
P05/0640 - Demolition of Existing Workshop and Replace with 2 Storey Detached Dwelling and Double Garage. Refused 23rd August 2005
P03/0482 - Single Storey Office Building B1 Use. Approved 16th September 2003
7/14308 – Change of Use to Builders Merchant Selling to the Trade. Approved 23rd July 1987
7/14251 - Storage of Goods and Materials in the open. Approved 24th June 1987
7/13885 – Change of Use of Existing Builders yard to offices warehousing and light industrial. Approved 17th February 1987

5. POLICIES

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP). The relevant development plan policies are:

Regional Spatial Strategy

DP1 – Spatial Principles
DP2 – Promote Sustainable Communities
DP4 – Make the Best Use of Existing Resources and Infrastructure
RDF2 – Rural Areas
L5 – Affordable Housing

Local Plan Policy

NE.2 (Open Countryside)
NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)
RES.2 (Unallocated Housing Sites)
RES.3 (Housing Densities)
RES.8 (Affordable Housing in Rural Areas Outside Settlement Boundaries)

Other Material Considerations

Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)

6. CONSULTATIONS (External to Planning)

Highways: No objection. The highways authority will wish to adopt the access road as far as the turning head.

United Utilities: No objection to the proposal providing this site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway as stated on the application form and may require the consent of the Environment Agency

Housing: Support the scheme

Rural Housing Enabler: Fully support the application both in terms of numbers and mix of dwellings

Contaminated Land Officer: No objection but request a standard condition and informative regarding land contamination

7. VIEWS OF THE PARISH COUNCIL

Object to the application for the following reason;

- There is no proven need for additional affordable housing for rent;
- The case for sustainability in Bunbury is clearly flawed and the applicant's case not thoroughly researched;
- The development appears to be almost double government guidelines for site density at almost 60 houses per hectare;
- The case is not made for drainage and removal of surface water;
- Pedestrian access from Bunbury Lane to the front doors of these dwellings is insufficient with no dedicated pathway.

8. OTHER REPRESENTATIONS

Letters of objection received from the occupiers of 6 Wakes Meadow and Heather Manor, Bunbury Lane which raise the following points;

- Bunbury is not a sustainable location;
- Drainage problems;
- Overdevelopment & density;
- There are already 10 affordable houses planned for Wyche Lane. Is there a need for more?;
- The village has no mains gas, the proposed development will need to be accessed by HGV's delivering oil or LPG, it is not clear how this will be achieved. It should also be noted that heating a home with oil or LPG is more expensive than mains gas and this should be taken into account with other factors which will make living costs less affordable;
- Access is inadequate;
- The site can not be accessed by the fire brigade or emergency services;
- The development is out of character;
- Loss of privacy;

9. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement produced Nigel Thorns Planning Consultancy

- The proposal is previously developed Brownfield land where new development is encouraged
- The proposal produces a density of 32 dwellings per hectare which complies with the requirement of PPS3
- The proposed dwellings are all 2 storey in height in order to reflect and strengthen the character of the surrounding development
- The existing commercial building is run down and unsightly and detrimental to the visual amenity of the locality
- There are a number of different house styles along Bunbury Lane and in the absence of a clear local vernacular the proposed development has been designed to create a high quality traditionally based architectural style to complement the existing development
- The site is carefully designed to offer the maximum possible accessibility for users and visitors. This will include provision for a disabled person to approach and gain access into the buildings from the point of alighting from a vehicle
- Equity Housing Group is a registered social landlord who is active in this area and the wider region. The applicant has negotiated with the Local Planning Authority to determine a local need and an assessment has recently determined that there is a local need for social rented properties
- The 2005 Housing Needs Survey shows that the following housing is required:-
 - Existing Households need:
 - 12 x 3-bed properties for rent for those with incomes less than £20,000/year (Needing to move within one year)
 - 6 x 3-bed owner occupied properties for those with incomes between £40,000 and £50,000 (Need move in 1-2 years)
 - New forming households need
 - 6 shared ownership 1-bedroom (income of these respondents is £22,500 - £25,000)
 - 12 x 2-bed semis (income of these respondents is £10,000 - £15,000), also 6 x 2-bed semis (Income between £15,000 and £20,000). A mixture of shared ownership and rented would be needed
 - 6 rented 3-bed houses for those with incomes of less than £10,000
 - 12 owner occupied/shared ownership 2-bed houses for those with an income of £20,000 - £25,000
- The Supply and Demand Analysis 2005 (which combines the former Bunbury ward with the Peckforton Ward) shows a shortfall in affordable housing (68 dwellings). The greatest shortfall is in 2 bedroom (38 dwellings) and 1 bedroom (21 dwellings). There is also a shortfall of 3 bedroom properties (9 dwellings). This analysis does not specify house type but it is envisaged that the majority would be social rented
- The Housing Market Analysis 2005 highlights how access to the housing market has become increasingly difficult in Bunbury and Peckforton. An income of £44,300 is needed to purchase a 1 bedroom flat and £38,900 is required for a two bedroom terrace
- The recent Muir Housing Association project in Bunbury has provided a number of shared ownership properties. However this does not respond to the specific need for social rented properties which the current planning application proposes
- There is a demonstrable need for social rented properties within the village and the scheme provides 4 x 2 bedroom houses and 2 x 3 bedroom houses which seek to contribute to that need
- The site lies immediately adjacent to the settlement boundary of Bunbury which is listed as a suitable settlement for growth under Policy RES.4. The village has an excellent range

of services and facilities and there is clear support for sustainable development and providing uses close to existing facilities and services

- The existing workshop building was built in 1971/72 and has had a number of commercial uses. This raises a number of problems; the existing use has no controlling conditions and could impact significantly on residential amenity, there is a potential for noise nuisance to adjacent properties, the access runs close to residential properties, the site has little room for any business to expand, possible traffic generation
- The site has a fallback position for a B1 office building under application P03/0482 which has been implemented by the construction of the access and an extant permission under application P05/1309
- The buildings have been positioned and orientated in order to maximise the use of natural daylight and solar energy. The scheme includes the use of solar panels to the rear of the buildings
- The dwellings will be constructed to level 3 of the 'Code for Sustainable Homes'

Arboricultural Report produced by Tree Solutions

- The tree survey covers 14 trees, of these 3 are recommended for removal, 5 are of low quality and value, 3 are of moderate quality and value and the three Oak trees are of high quality and value with a life expectancy of over 40 years. The three Oak trees are therefore to be retained as part of the development
- The Report also suggests the required tree protection measures and a scheme of replacement planting

Highway Statement produced by Andrew Gough Development Consultant

- The proposals will have no significant demonstrable harm to the safe movement and free flow of traffic on Bunbury Lane or the wider network. The proposed shared access road is of sufficient width to cater for the development and satisfactory arrangements have been shown to allow for the safe movements of pedestrians

10. OFFICER APPRAISAL

Principle of Development

The site is located outside the Bunbury Settlement Boundary and within the Open Countryside, where Policy NE.2 carries a general presumption against new residential development.

Policy RES.8 of the Replacement Local Plan makes an exception to the general policy of restraint for affordable housing, subject to compliance with three criteria which states that:

- the housing will meet the needs of people previously shown to be in local need in a survey specifically undertaken for that purpose;
- the site is in a sustainable location immediately adjacent to an existing settlement boundary
- the scale, layout and design of the scheme are appropriate to the character of the settlement.

The site has a density of 38 dwellings per hectare (this calculation excludes the access to the site). This density is in accordance with PPS3 which encourages densities of over 30 dwellings per hectare and it is not considered that this density would be an overdevelopment of the site or out of character for this area of Bunbury.

Affordable Housing

This application has followed pre-application discussions between Spatial Planning, Housing and the applicant. The 2005 Housing Needs Survey shows that there is a need for affordable housing in Bunbury and the affordable housing figures stated above within the Design & Access Statement Section of this report are correct. Furthermore the application has support from Spatial Planning, Housing and the Rural Housing Enabler.

The Council's Housing Needs Study indicates that at least 40% of people living in Bunbury cannot afford to access the local housing market, and well over half of these households can only afford to access rented housing. The proposed development will provide 6 affordable properties for social rent, in perpetuity, to be delivered by Equity Housing Group.

As Equity Housing Group is a registered social landlord, the rented properties will be offered at social rent levels and so will be affordable.

In terms of eligibility, the Council would require nomination rights and an eligibility "cascade" to be incorporated into the S106 agreement. The cascade will give priority to applicants living in or having an established connection (employment or family) to the former Bunbury ward of Crewe & Nantwich Borough Council. Any properties remaining un-allocated will then be offered to applicants resident in or having a connection to the adjoining rural wards of Peckforton, Acton and Minshull of the former Crewe & Nantwich Borough Council. Any that still remained un-allocated after this would be offered to applicants from the rest of the former Borough of Crewe and Nantwich. This would be controlled via a S106 Legal Agreement.

Letters of objection refer to the fact that Bunbury is not a sustainable settlement. However it is considered that the proposal would meet the second point of Policy RES.8, as the proposal is immediately adjacent to Bunbury which is a settlement listed within Policy RES.4. Bunbury also contains a number of facilities such as a Co-op and Post Office, Fish and Chip Shop, 3 Public Houses (1 is closed but there is a current planning application for its extension and conversion of an outbuilding into guest rooms), School, Church, Medical Centre, Village Hall and sports facilities (Bowling, Tennis and Bowling).

Residents have also claimed that the village school is at capacity and could not take any further pupils. According to Cheshire East schools admissions team, a development of 6 houses in the village is unlikely to have a significant impact on the school. Their formula for new housing is: $0.026 \times \text{No. of Year Groups} \times \text{No. of Dwellings}$. Therefore the potential child yield from this development = $0.026 \times 7 \times 6 = 1.092$ additional pupils of primary age. The school currently has a net capacity of 210 places and they currently have 204 pupils giving a surplus of 6 spaces, by 2012 the number of surplus spaces is expected to rise to 16 and by 2014 there is a predicted surplus of 19 spaces. The data on catchment pupil numbers shows that there are 205 primary pupils living in the catchment area of which only 157 go to the school. The school should therefore be able to accommodate any additional pupils as a result of the proposed housing development.

Design

The proposal is for one pair of semi-detached dwellings and a terrace of four dwellings which would face north and would be accessed via a private driveway off Bunbury Lane. The shared access would run to the front of the dwellings and 2 bays of 6 car-parking

spaces would be retained to either end of the property, whilst small areas of landscaping/open space would surround the car parking areas. The siting and orientation of the properties which has been chosen to maximise the use of natural daylight and solar panels also faces the public footpath which is considered to be appropriate. The proposed dwellings are two-storey and are of a scale that is appropriate to this area of Bunbury.

The proposed dwellings would be 7.7 metres in height, which is considered to be acceptable given that the height of the new build dwellings which front Bunbury Lane varies from 7.2 – 8.4 metres.

The proposed dwellings are simple in terms of their design and it is considered that this design approach is appropriate on a backland site. The proposed dwellings would have pitched roofs and a brick finish which is appropriate in this area and would include features such as sloping roofed canopies to the front doors, arched brick lintels and sills and small pitched features to the large first floor windows which would break up the eaves line of the property. The design and layout of the proposed dwellings is therefore considered to be appropriate.

Amenity

The main properties that would be affected by the proposed development are the dwellings which front onto Bunbury Lane to the east of the site. There would be a separation distance of approximately 24 metres at the closest point between the properties which front onto Bunbury Lane and the nearest proposed dwelling. This separation distance exceeds the separation distance of 13 metres for principal elevations to side elevations as set out in the Councils Supplementary Planning Document and as a result there would be no significant impact upon the properties fronting Bunbury Lane through loss of light, overbearing impact and loss of privacy.

The access would run between two newly built properties which front onto Bunbury Lane (Orchard House & Rose Cottage). This access has been constructed to an adoptable standard and the road has a width of 4.1 metres. Given the width and design of the access and the fact that the application site has permission for a B1 use it is not considered that the proposal would have a significant impact upon residential amenity through noise and disturbance as to warrant the refusal of this application.

To the north of the site are residential properties fronting Wakes Meadow, these are approximately 45 metres from the proposed dwellings and as a result the proposal would not have a significant impact upon residential amenity through loss of light, privacy or over-bearing impact.

Drainage

The Parish Council has raised concern over the impact of the proposal upon the drainage utilities to the new build dwellings, which the Parish Council states run through the front portion of the application site. In response to this United Utilities have been consulted and raised no objection to the proposal. Furthermore the office building which has planning permission on the site encroaches closer to the existing dwellings fronting Bunbury Lane than this proposal. As a result the current proposal would have no greater impact upon underground utilities than the approved office scheme.

Highways

A number of local residents and the Parish Council have expressed concern regarding the potential traffic generation from the site and its impact on highway safety on Bunbury Lane. Whilst these concerns are acknowledged, it is noted that no objection has been received from the County Highway Authority. Therefore, it is not considered that a refusal on these grounds could be sustained. Objections have been made in respect of the width of the access. However the Highway Authority has confirmed that the access is to an adoptable standard and is therefore adequate.

Concern has been raised over the accessibility of the site for HGV's and emergency services. The requirements for emergency vehicles are generally dictated by the fire service requirements. Providing access for large fire appliances (including the need to be able to work around them where appropriate) will cater for police vehicles and ambulances. This issue will be dealt with as part of the Building Regulations application for the site and it is not considered appropriate to consider this as part of this planning application.

Trees

The three large Oak trees including the one covered by a TPO which are located on the southern boundary of the site would be retained and the canopies of these trees would be clear of the proposed dwellings. Conditions will be used to ensure that these trees are protected during construction and retained. Some other trees have been removed from the site, but these were not covered by a Tree Preservation Order and their loss is not considered to be an issue. As part of the landscaping condition replacement tree planting will be secured to the northern and western boundaries of the site.

The hedgerows which bound the site will be retained and a condition will be used to ensure that they are protected and maintained in the appropriate way.

11. CONCLUSIONS

The application has been subject to pre-application discussions and is supported by housing, spatial planning and the rural housing enabler. It has been demonstrated that there is a significant and longstanding need for affordable housing in Bunbury which had proved exceedingly difficult to address. The development is considered to be acceptable in terms of its impact on highway safety and the amenity of neighbouring residents and complies with the relevant local plan policies in this respect. Having considered carefully the proposed development in the light of local plan policies and having due regard to all other material considerations, it is concluded that, subject to the above provision, the proposed development is acceptable as an affordable housing scheme under the rural exceptions policy.

12. RECOMMENDATIONS

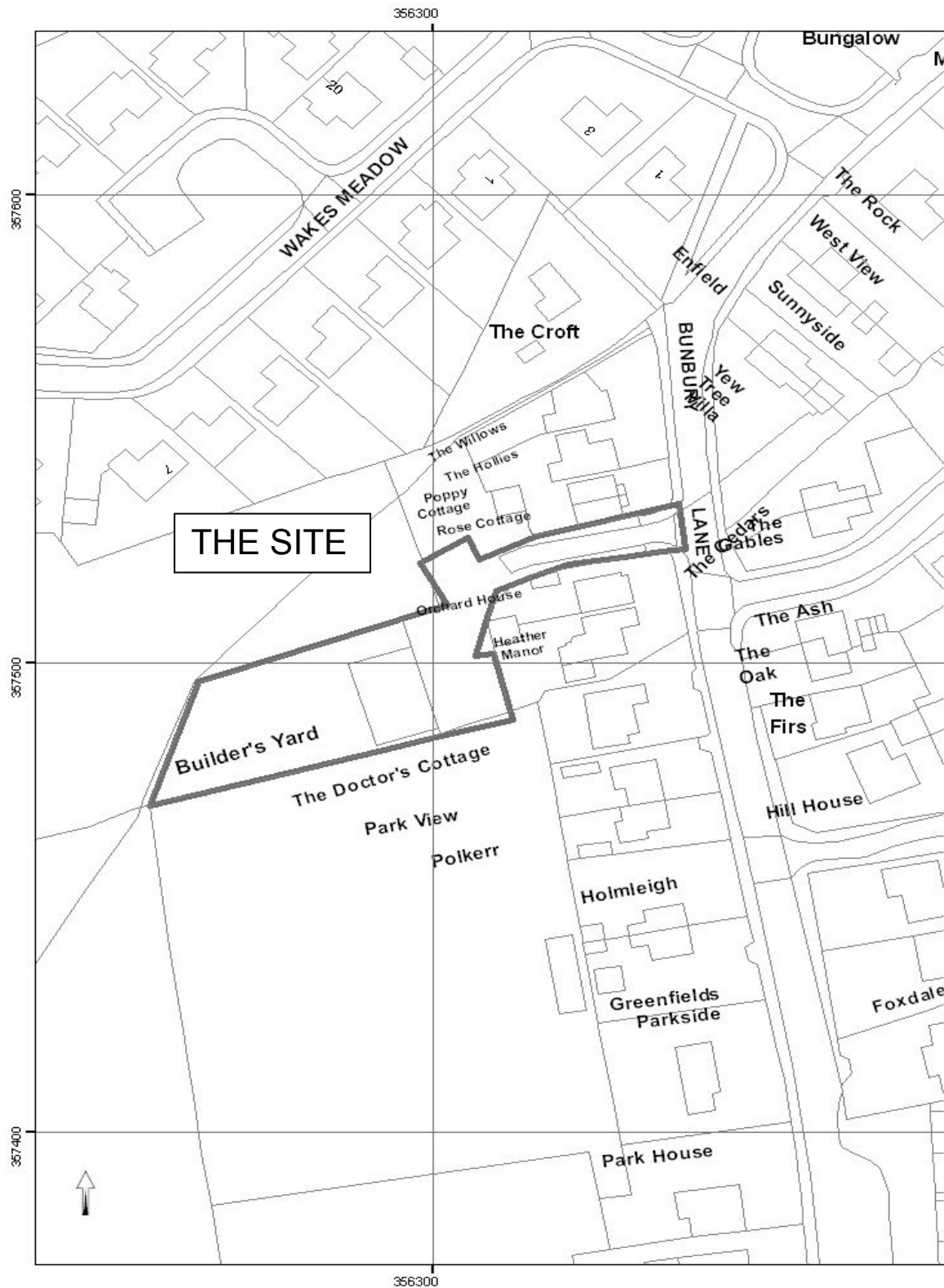
APPROVE subject to the completion of a S106 Agreement to secure the development as affordable housing for social rent, in perpetuity and the following conditions;

1 Standard time limit

2 Materials to be submitted and approved

- 3 Surfacing materials to be submitted and approved**
- 4 Tree retention and protection**
- 5 Drainage to be submitted and approved**
- 6 Landscaping to be submitted and approved including the planting of 7 trees to the northern and western boundaries**
- 7 Landscaping to be implemented**
- 8 Removal of PD Rights**
- 9 Bin storage details to be submitted and approved**
- 10 Boundary treatment**
- 12 Window Reveal**
- 13 Approved Plans**
- 14 Car parking provision to be provided prior to occupation**
- 15 Scheme for management and retention of boundary hedgerows**
- 16 Prior to the commencement of development details of solar panels to be submitted and approved**
- 17 Contaminated Land**

Location Plan



09/2035N – Land at Bunbury Lane Bunbury

N.G.R; - 356.283 357.494

Reproduced from the Ordnance Survey Map with the permission of HMSO.

© Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to legal or civil proceedings.

Cheshire East Council licence no. 100049045.

Not to Scale