

Southern Planning Committee

Updates (2)

Date: Wednesday, 6th April, 2011
Time: 2.00 pm
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

The information on the following pages was received following publication of the committee agenda.

Updates (Pages 1 - 10)

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APPLICATION NO: 11/0041N

PROPOSAL **Development of 14 Two Storey Affordable Dwellings**

ADDRESS: **New Road, Wrenbury.**

ADDITIONAL SUPPORTING INFORMATION

County Archivist

Criterion 1 The hedgerow does not form part of a boundary between two historic townships or parishes

Criterion 4a We have no evidence to suggest that it forms a boundary of a pre-1600 estate or manor

Criterion 5a There is evidence to suggest that the hedgerow in question forms an integral part of a field system pre-dating the Enclosure Acts.

County Archaeologist

I can confirm that this hedgerow is not covered under the criteria in paragraphs 1, 2, 3 and 4.

ADDITIONAL REPRESENTATION

A letter of objection has been received from Wrenbury Action Group making the following points

- The proposed development contravenes National and Regional Planning Policy and is against the policies in the adopted Local Plan. It can only be treated as a special “exception”, which means great care must be taken to avoid the danger of inappropriate development in the open countryside.
- There may be similarities drawn between this application and that recently made for Twemlow’s affordable housing. Whilst Wrenbury is different in that we have brownfield sites available, we are also of the understanding that the residents of Twemlow have notified the council of legal investigations which may lead to potential judicial review proceedings.
- The proposed development on New Road contravenes ALL relevant local, regional and national policies with the exception of the Crewe & Nantwich Replacement Local Plan 2011 Res8. Therefore we consider that any such development would have to unarguably comply wholly

with Res8 in order that an application is progressed. Wrenbury Action Group are resolute that the greenfield site on New Road cannot be sustainable, as required by Res8, given the availability of brownfield sites.

- If approved the New Road development would not only destroy valuable open countryside and high grade (3) agricultural land, but also blight one particular brownfield site (The Station Yard, Wrenbury) due to the requirements of policy E7.
- The Station Yard has remained derelict (for sale and rent) for in excess of five years. Furthermore, additional employment sites within the village remain undeveloped. If the Station Yard were to be ever considered for redevelopment, other than for employment use, it would be subject to policy E7. Policy E7 states that not only does this site have to prove that it is not required for employment use (see above), but that there is an overwhelming community benefit for the proposal. Affordable housing is the only foreseeable beneficial use for this site and the community. However, if the greenfield New Road development were to be approved this overwhelming community benefit would disappear and the brownfield Station Yard site would remain derelict.
- The owner of the Station Yard, Wrenbury submitted an outline planning application on 11th March 2011 (Planning Portal Ref: PP-01412064) to cater for Wrenbury's affordable housing requirements. This application has the full support of the Parish Council, Wulvern Housing and Wrenbury Action Group.
- Wrenbury Station Yard is directly neighbouring existing dwellings, with excellent vehicular/pedestrian/bus/train access to services, amenities and wider transport networks. It is worthwhile noting that in contrast to the New Road development this site is closer to the village school and medical centre, provides a safe pedestrian footpath for the entire length and is located on a two-way road.
- By submitting an outline application for the Station Yard we believe that these two sites should be directly compared when determining this application. The outline application submitted for the Station Yard is beneficial to the community given that it would permit full consultation with the Parish Council and local community in conjunction with Wulvern Housing who have formally expressed an interest in the proposal. The development of the Station Yard would bring into use a long-standing derelict site, provide the required affordable housing (types/numbers to be determined) and additional amenity parking for users of the rural train station. It is believed that this approach is more akin to the ethos of the provision and integration of affordable housing within an existing community, unlike the significant lack of consultation provided for the New Road proposals.

- Wrenbury also has a block of sheltered accommodation flats operated by Wulvern Housing, that has remained empty for a number of years. This building (Sandfield Court) is centrally located within the village, and we understand is due to be redeveloped as social housing bungalows. This redevelopment should subsequently make available approximately eight social houses within the village, thereby further contributing to any affordable housing requirements.
- Wrenbury Action Group does not consider that the Crewe & Nantwich Replacement Local Plan 2011, in particular Res8, should overrule the numerous national planning policies that direct ALL development away from greenfield in preference for brownfield sites.
- The New Road development site is located on high grade (3 according to the Defra classification) agricultural land. Policy states that all such land should be retained for agricultural purposes wherever possible. Planning Policy Statement 3 clearly states that ***“a key objective is that local planning authorities should make effective use of land by reusing land that has been previously developed.”*** Wrenbury has a number of brownfield, derelict, sites that such a development could utilise to deliver this type of housing whilst enhancing our village.
- Given the above abundance of redevelopment potential within the village we believe that the proposed development on New Road is not “sustainable” as required by the exception policy (Res8) on which this planning application wholly relies.
- Contrary to the applicant’s insistence, the New Road development site does not adjoin the existing development boundary – as confirmed within the Parish Council objection letter (see boundary map attached). This is due to the presence of a small-holding agricultural field, small orchard, and existing garden, between the existing development boundary and the proposal site. The development would therefore create an “infill” site between the proposed development and the existing development boundary.
- New Road is a narrow country lane. There is no footpath, nor road markings. The lane is frequented by a significant number of large agricultural vehicles, speeding motorists, local pedestrians (ranging from the elderly/disabled through to toddlers), ramblers/tourists, horse riders and cyclists (National Cycle Route 45). Within 100 metres of the site the lane narrows to effectively a single track lane. Please note that among our group we have experienced accidents on this lane in close proximity of the proposed development. Obviously attracting young families into this environment would greatly increase the risk of further incidents.
- We have concerns regarding the existing foul drainage in the area. There are existing problems with the foul drainage that have yet to be resolved within the village. Since application it is understood that the

development now proposes to discharge surface water to the nearby River Weaver. We believe that the Environment Agency has not been consulted with regard to this proposed connection.

- Wrenbury Action Group are concerned that the applicant refers to the availability of a gas main to serve the site. Wrenbury has never been served by mains gas. This raises questions regarding the impact that large, highly regulated, gas/oil storage facilities will have on the proposed design. This is of further concern as such a major oversight indicates the level of detail, and competence, that the authors of this planning application have applied to our highly valued community.
- The proposed layout is alien to the character of existing housing in Wrenbury and the adjoining Conservation Area. The design of the properties is suburban and formulaic in style and is out of character and appearance with existing properties.
- The lack of landscaping (on such a flat site) fails to integrate the development into the surrounding countryside and will significantly harm the views of the Conservation Area from the various adjacent rights of way (footpaths, canal, lanes, church – for which Wrenbury is renowned).
- Contrary to the developer's environmental impact assessment the site is frequented by protected species including Grass Snakes, Bats and Barn Owls that all use the site for foraging, habitat and as a bridging route between areas. The amount of hedge proposed to be ripped out is also of concern. Given the narrow nature of the lane considerable lengths of important ancient hedge habitat would have to be removed to facilitate safe vehicular access. Please note that the location of the hedge is recorded on the oldest maps we have available – beyond 1877.
- We question the information provided by the applicant regarding the agricultural land classification. The applicants email to Cheshire East claims that the land is agricultural grade 4. However, upon detailed inspection, the email from the consultant to the applicant actually states that the land is grade 4 bordering grade 3. Furthermore, the consultant's email states that a more detailed site survey could be undertaken. Natural England have advised Wrenbury Action Group that the survey provided to the applicant may simply rely upon a difference of professional opinion/interpretation (see attached email). Taking a precautionary approach it is therefore suggested that this land should remain classified as grade 3 and therefore subject to more stringent planning policies.
- In conclusion Wrenbury Action Group consider that the proposed scheme on New Road has been poorly managed with NO local consultation – contrary to the industry guidance - The Rural Housing Trust's "10 steps to achieving affordable housing on rural exception

sites” (see attached copy). During the local Parish meeting, held once the planning application had been submitted, Arena Housing asserted that this total disregard for local consultation was due to funding time constraints. Wrenbury Action Group have subsequently ascertained that Arena Housing have not been granted, nor bid for, funding (see attached emails). As such we consider the application purely opportunistic – clearly overlooking the brownfield sites available. The application replicates a formulaic approach that we have found present in a number of previous schemes (all coincidentally requiring 14 houses) and would cause harm to the adjacent Conservation Area. We consider that given the level of detail, and lack of prior consultation with the local community, this clearly demonstrates that the development proposal is purely profit driven, as opposed to genuine affordable housing. We consider that such schemes should be properly delivered in conjunction, and with full support of, the Parish Council. Such development, like that proposed at the Station Yard site, can subsequently be brought forward through the existing partnership between the Council and Wulvern RSL to enhance our existing brownfield sites, rather than destroy our precious open countryside.

Crewe and Nantwich Replacement Local Plan

- **NE2:** The proposed development is located in open countryside and is not in a small gap in an otherwise built up frontage, nor does it comprise of one or two dwellings.
- **NE.12** The development is proposed to be located on Defra Grade 3 agricultural land and could easily be accommodated on nearby brownfield sites.
- **BE.1** The development will significantly overlook and cause visual intrusion to the adjacent bungalows. Increased traffic will cause disturbance to bungalow owners as headlights pass through their bedrooms and increase the danger already felt by other road users. Failure to properly assess the foul water drainage available to the site is likely to result in increased pollution to the nearby watercourse.
- **BE.2** The proposed modern two-storey development will detrimentally effect the; neighbouring established designated Conservation Area, the adjacent low level bungalows and increase the risk to pedestrian and other significant numbers of non-motor road users
- **BE.3** The proposed development does not; provide a safe footpath to/from the site, provide enough parking to ensure that roadside parking is not increased, provide safe vehicular access due to the severely limited road width and already occurring roadside parking.
- **BE.4** The proposed development does not accurately assess the foul drainage system adjacent to the site (the foul sewer is not in the road, but in the field behind the adjacent houses) and the capacity within the nearby United Utilities pumping station (upheld as a point of objection on previous development). This point of objection also accords with Policy NE20 – Flood Prevention)

- **BE.7** The small, modern, dwellings proposed within the development would cause significant additional harm to the character and setting of the neighbouring Conservation Area.
- **RES.5** The proposed development is outside of the settlement boundary, does not fulfil the criteria of Policy NE2 (see above) and will not be restricted for those in agriculture or forestry employment.
- **RES.8** The proposed site is not in a sustainable location, it will cause the destruction of high grade agricultural land (Defra Grade 3) and does not utilise the available brownfield sites within the vicinity. The proposed development is neither immediately adjacent to an existing settlement boundary due to the presence of agricultural fields either side of the proposed development site.
- **TRAN.3** The development proposed is located on a narrow (15 feet), busy, lane with no footpath present. There are existing issues with speeding traffic, noted through correspondence with the highways department, and road width. Risk to pedestrians is already high with pedestrian users ranging from the elderly and disabled through to school children and toddlers. Present vehicles using the lane range from cars through to increasingly large agricultural vehicles chewing up what remains of the verge/hedge. The proposed development will increase the risk to pedestrians through increased vehicular movements and does not propose any improvements for pedestrian access. The installation of a footpath is also prohibitive as this would prevent vehicles from passing. This already exasperated situation prevents any further development on New Road.

Draft Interim Affordable Housing Statement

- The development does not adjoin the settlement boundary – it adjoins an agricultural field. As already demonstrated above, the development is not in accordance with other local plan policies.

Cheshire Structure Plan Alteration

- **GEN.1** The proposed development does not utilise the brownfield and previously developed land already available within the village. The development aims to destroy high grade (3) agricultural land and certainly does not provide as a minimum “no net loss”.
- **HOU.2** The proposed development does not utilise the previously developed brownfield land available that is; significantly better served by public transport (bus & rail), better served by public footpaths, is within 0.5 mile of the village shop and playground, is within 0.3 mile of the primary school. Please note that the distance from the proposed site to the train station is very near the upper limit of PPG13’s agreed maximum distance which people are generally prepared to walk to facilities – 1 mile. This is likely to put increased pressure on the use of cars, parking, the environment and escalate risk to pedestrians given that most jobs are in the local towns. This is also contrary to PPS13 – as it will increase isolation for those requiring affordable housing and cannot afford to run a car.

- **HOU.5** The proposed development is not essential to agriculture or forestry - the vast majority of jobs having migrated into the nearby towns.
- **TR.7** New Road is a dangerous narrow (15ft wide) lane on which two cars struggle to pass with no footpath. The proposed development will increase traffic significantly, and significantly increase the risk to pedestrians. The development is also located on the far side of the village in comparison to the nearest town – Nantwich. As such traffic will be increased through the village centre. It is worthwhile noting that the brownfield site in Wrenbury is adjacent to the railway, has a footpath into the village, is located off a wide road and is on the Nantwich side of the village.

LDF and Core Strategy

- The proposed development does not contribute to a “sustainable” Cheshire East by the proposed destruction of high grade open countryside. The proposed development fails to enhance the environment – not only destroying countryside, but also failing to utilise local brownfield sites through sensitive redevelopment. The proposed development will result in less high grade agricultural land and detract from the area in terms of tourism to the Conservation Area. The proposed development will degrade the landscape value of the area.

PPS7 – Sustainable Development in Rural Areas

- The development destroys greenfield and fails to utilise brownfield sites with better and safer transport links (vehicular, train, bus, pedestrian)

PPS13 – Transport

- The development is located nearly one mile from the nearest railway station – which services the major nearby centres of employment. This is contrary to the agreed maximum distance to such local transport links for environmental, safety, pressure and isolation stated within PPS13. The development site is also located on a very narrow lane with poor access and no pedestrian footpath. Furthermore the development fails to utilise the local brownfield sites which provide better and safer transport links (vehicular, train, bus, pedestrian)

PPS25 – Flood risk

- The proposed development has failed to undertake a formal “Developer Enquiry” to the utility company to ascertain whether the foul sewer system in the area has the capacity to accommodate the extra water generated from the proposed development. Until this is undertaken it is unknown whether the proposed development will increase the risk of sewer flooding to itself and the surrounding area. In addition the applicant has failed to gain consent from the

Environment Agency in order to discharge surface water to the adjacent River Weaver.

OFFICER COMMENTS

Hedgerow Regulations Information.

The consultation responses received indicate that the hedgerow is not significant in archaeological terms but in historical terms there is evidence to suggest that the hedgerow in question forms an integral part of a field system pre-dating the Enclosure Acts.

However, only a small opening is to be made in the hedge to facilitate access. The remainder is to be retained. Furthermore, the historic line in the landscape will be maintained by the line of the road itself. These factors, when coupled with the need to provide affordable housing in the public interest, are considered to outweigh the conflict with the Hedgerow Regulations.

At the time of report preparation ecological information remained outstanding. A further update on this matter will be given verbally at committee.

Resident's Group Objection.

- Whilst similarities are drawn with the Twemlow case, that application was determined under the Congleton Borough Local Plan, which contains a differently worded policy. Furthermore, each case must be judged on its own individual merits.
- Contrary to the group's claim, the application does not contravene all relevant policies. The main report sets out the way in which it broadly accords with all relevant policies. Any areas of conflict are appropriately identified and addressed in the report
- An application for affordable housing has recently been submitted for the Station Yard. However, it has yet to be registered and consultations undertaken. It is therefore too early in the process to determine whether or not planning permission is likely to be granted. It should therefore be afforded limited weight as a material consideration in respect of the issue of need. Furthermore, as set out in the main committee report, there is no requirement to undertake a "sequential assessment" of suitable sites in order to satisfy policy RES.8.
- The redevelopment of Sandfield Court has been taken into account by the Housing Section in their assessment of the supporting information relating to need, and notwithstanding the development of Sandfield Court they have concluded that the New Road proposal can still be supported.
- The applicant's survey has indicated that the land is predominantly Grade 4 rather than 3 as indicated in the objection.
- It is acknowledged that the site does not directly adjoin the settlement boundary and this issue is addressed in detail in the main report.
- Highway safety matters are addressed in detail in the report, as are drainage, flooding and utilities

- The residents note that the Environment Agency have not been consulted. As stated in the report, the application falls below the normal thresholds for consultation. However, given that the proposal now involves discharge of surface water to the watercourse, the Environment Agency has now been consulted. Their response was awaited at the time of report preparation and members will be updated accordingly at their meeting.
- Design and visual impact matters have been addressed at length in the report.
- With regard to ecology, the Council's Ecologist and Natural England have examined the report and have raised no objection.
- The Hedgerow issue has already been addressed above

Crewe and Nantwich Replacement Local Plan

- **NE2:** Policy RES.8 clearly states that affordable housing is an exception to the general policy of restraint in Policy NE.2
- **NE.12** The agricultural land issue has been addressed above
- **BE.1** It is considered that adequate separation has been provided between the new development and neighbouring dwellings to avoid any adverse impact on amenity
- **BE.2** The impact of the development on the conservation area and highway safety has been considered in detail in the main report and has been found to be acceptable.
- **BE.3** In the absence of any objection from the highway engineer it is not considered that a refusal on highway safety grounds could be sustained.
- **BE.4** In the absence of any objection from United Utilities it is not considered that a refusal on these grounds could be sustained.
- **BE.7** The impact of the development on the conservation area and has been found to be acceptable. The design of the properties is considered to be in keeping with both the traditional character of the conservation area and the more modern dwellings on the opposite side of New Road.
- **RES.5** Policy RES.5 is outweighed by the provisions of Policy RES.8
- **RES.8** The agricultural land issue, and the proximity to the settlement boundary has been addressed above
- **TRAN.3** In the absence of any objection from the highway engineer it is not considered that a refusal on highway safety grounds could be sustained.

Draft Interim Affordable Housing Statement

- The proximity to the settlement boundary has been addressed above.

Cheshire Structure Plan Alteration

- The Cheshire Structure Plan Alteration is no longer relevant as it has been superseded by the Regional Spatial Strategy.

LDF and Core Strategy

- The site is not considered to be “high grade” agricultural land. The establishment of sustainable communities includes providing a range of housing types to maintain the vitality and viability of local communities and the facilities that they support. The provision of affordable places to live forms part of delivering sustainable communities.
- The impact on the conservation area and landscape value of the area is discussed in detail in the main report.
- The issue of agricultural land has been dealt with above.

PPS7 – Sustainable Development in Rural Areas

- PPS7 encourages the provision of affordable housing in rural areas to create strong and diverse communities.

PPS13 – Transport

- The distance from the site to the railway station is 0.6 miles, which equates to 0.96km. Acceptable walking distance, according to PPG13 is 1.3km. Other facilities such as school, post office, health centre, etc. lie closer to the site.

PPS25 – Flood risk

- No objection has been received from United Utilities and the comments of the Environment Agency are currently awaited.

RECOMMENDATION

As per printed recommendation in main committee report.