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| Planning Reference No: | 11/0748C |
| Application Address: | Land adjacent to 5 Middlewich Road, Cranage |
| Proposal: | Reserved Matters Application for Approved Application 07/0662/OUT - Ten Dwelling Houses |
| Applicant: | Cranage Parish Council |
| Application Type: | Reserved matters application |
| Ward: | Cranage |
| Earliest Determination Date: | 28 th April 2011 |
| Expiry Dated: | 24 th May 2011 |
| Date Report Prepared: | 11 th April 2011 |
| Constraints: | Jodrell Bank Consultation Zone Area of Special Control for Advertisements |

SUMMARY RECOMMENDATION: Approve with conditions

MAIN ISSUES:

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

- a. Principle of development
- b. Housing land supply
- c. Affordable housing
- d. Design and visual impact
- e. Landscaping
- f. Public Open Space provision
- g. Amenity
- h. Highway safety

REASON FOR REFERRAL

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

DESCRIPTION OF SITE AND CONTEXT

This application relates to a 0.5 hectare 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, the north and south by Open Countryside, and the east by Knutsford Road followed by several residential properties.

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

DETAILS OF PROPOSAL

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

RELEVANT HISTORY

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

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|------------|------------|---|
| Withdrawn | | |
| (10/4189C) | 04.01.2011 | Reserved Matters Application for Approved Application 07/0662/OUT - Ten Dwelling Houses |

POLICIES

National Policy

PPS1 Delivering Sustainable Development
PPS3 Housing
PPS7 Rural Development
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
GR16 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

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'

CONSULTATIONS (External to Planning)

Highways:

No response was received at the time of report preparation however, Members will be provided with updated comments.

Public Rights of Way Team:

No response was received at the time of report preparation however, Members will be provided with updated comments.

Green Space Service:

No response was received at the time of report preparation however; previous comments received for the last withdrawn application (10/4189C) are as follows:

[15.12.2010] Based on the submitted information, 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

The identified areas of Open Space are actually an over provision, but is welcomed.

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 400m².

The other location (POS 2) that is 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.

Children and Young Persons Provision

Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, 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.

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)*

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.

Jodrell Bank:

No response was received at the time of report preparation however, Members will be provided with updated comments.

Ramblers Association:

No response was received at the time of report preparation however, Members will be provided with updated comments.

United Utilities:

No response was received at the time of report preparation however, Members will be provided with updated comments.

Environmental Health:

No response was received at the time of report preparation however, Members will be provided with updated comments.

VIEWS OF THE PARISH COUNCIL

No response was received at the time of report preparation however, it is noted that Cranage Parish Council is the applicant of the proposed development.

OTHER REPRESENTATIONS

No other representations were received at the time of report preparation.

APPLICANTS SUPPORTING INFORMATION

Design and access statement

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.

Affordable housing

The application is for the provision of 100% affordable housing. This has been agreed at the outline stage in 2007.

A condition was attached to the outline consent requiring the completion of a Section 106 agreement relating to affordable housing. As outline and reserved matters applications are read in conjunction, there is no need to replicate such condition.

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.

The opportunity has been taken to improve the design of the side elevation of plot 10 which faces onto Knutsford Road as the side flank elevation has been broken up with windows and render detailing.

With regard to the overall layout of the site, the positioning of the dwellings in a linear row of two and threes is accepted and the scheme has now been amended so that the site only has pedestrian access to the front with vehicular access to the rear of the site. Such would result in an attractive grassed/paved frontage which is considered to be appropriate for this prominent rural site.

The submitted plans indicate that the boundaries to the north and east of the site would consist of Cheshire railings which are appropriate for this rural location. It is indicated that a new timber fence would be erected upon the western boundary of the site however, such subject to the use of appropriate fencing would not appear inappropriate given that it would be located between the existing and proposed residential development.

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. To the west adjoining 5 Middlewich Road there is a length of hedge at the southern end and a length of 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.

Although landscaping forms part of the reserved matters application, the level of detail provided is insufficient. It is therefore considered reasonable to secure landscaping of the site by condition.

In order to secure the long term retention of existing trees and hedges on the site, conditions relating to tree/hedge protection and no-dig construction are also considered reasonable.

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 and has recommended that a sum of money is secured for LEAP provision.

However, given that neither the provision of Open Space or LEAPs 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 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 Authorities 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. The Green Space service identifies that such would be a good location for Open Space provision and it is noted that there would be a small level of natural surveillance over such 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.

On balance, the scheme for Open space provision is considered acceptable.

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 road running along the west of the site, providing access to the rear of the site where parking is located. No response has been received at the time of report preparation however, Members will be provided with the Strategic Highways Manager comments via an update.

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

No response has been received from the Public Rights of Way unit however; it does not appear that the existing bridleway would be blocked by the proposed development.

CONCLUSIONS

The principle of the development is acceptable, as is the proposals impact in terms of design, amenity, landscaping, and public open space provision. Providing that there is no objection from the Strategic Highways Manager in any update to be provided to Members, the application is recommended for approval subject to the following conditions: -

RECOMMENDATION

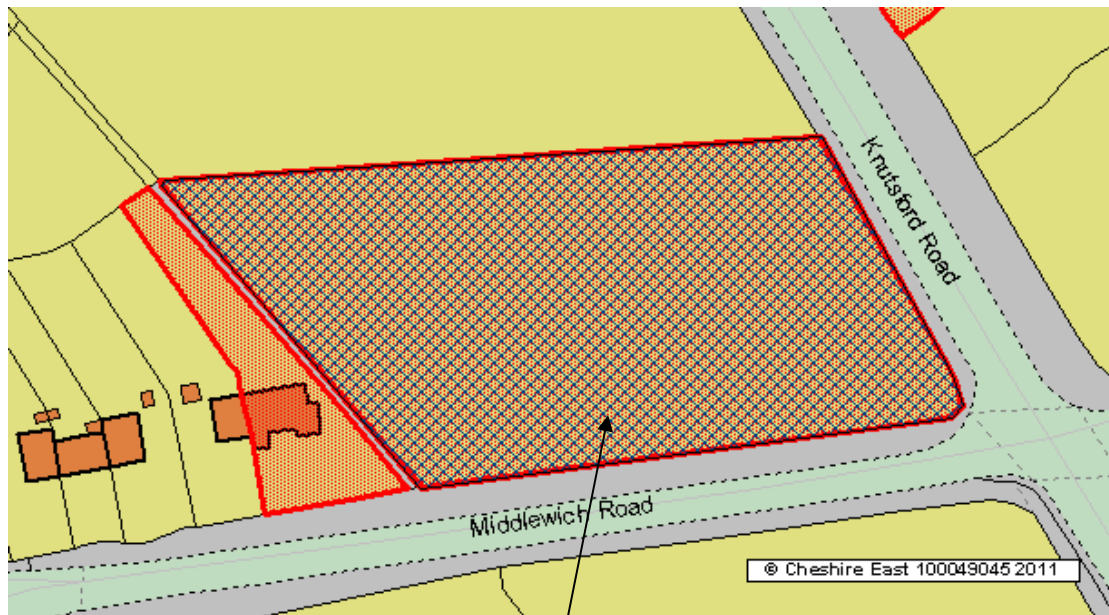
Request that the application is delegated to the Head of Planning and Housing for determination subject to additional consultation responses not raising any significant additional issues of concern.

Approve subject to the following conditions:

1. In accordance with submitted plans
2. All fenestration shall be set behind a reveal of 50mm unless otherwise agreed in writing by the Local Planning Authority.
3. Notwithstanding the submitted details, Prior to commencement of development, a scheme for the landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include details of hard landscaping, planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, plant sizes, the proposed numbers and densities and an implementation programme.
4. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without the prior written consent of

the Local Planning Authority. Any trees, shrubs or hedges removed without such consent, or which die or become severely damaged or seriously diseased within five years from the occupation of any building or the development hereby permitted being brought into use shall be replaced with trees, shrubs or hedge plants of similar size and species until the Local Planning Authority gives written consent to any variation.

5.
 - (a) Prior to the commencement of development or other operations being undertaken on site a scheme for the protection of the retained trees produced in accordance with BS5837 (Trees in Relation to Construction 2005: Recommendations), which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site, including trees which are the subject of a Tree Preservation Order currently in force, shall be submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place except in complete accordance with the approved protection scheme.
 - (b) No operations shall be undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until the protection works required by the approved protection scheme are in place.
 - (c) No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
 - (d) Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
6. Prior to the commencement of development or other operations being undertaken on site in connection with the development hereby approved (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and / or widening, or any operations involving the use of motorised vehicles or construction machinery) a detailed Construction Specification / Method Statement for no-dig construction techniques and permeable surfaces within the rooting area of the Oak tree to the north east of the site shall be submitted to and approved in writing by the Local Planning Authority. This shall provide for the long term retention of the tree. No development or other operations shall take place except in complete accordance with the approved Construction Specification / Method Statement.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or as may subsequently be amended or re-enacted) no extensions, alterations or buildings within the site curtilage normally permitted by Class F of Part 1 Schedule 2 to that Order shall be carried out unless a further planning permission has first been granted on application to the Local Planning Authority.



The Site