

Application No: 12/2309N

Location: Land adjacent to 4 Audlem Road, Hankelow, Cheshire, CW3 4AU

Proposal: Outline Planning Application - residential proposal comprising 10nr. two-storey residential units in total broadly; 8nr. semi-detached dwellings, circa 160 square metres with integral garages and 2nr. detached dwellings, circa 185 square metres with detached garages.

Applicant: Mr Chris Kidd

Expiry Date: 11-Sep-2012

**SUMMARY RECOMMENDATION –  
Delegate Authority to the Head of Development to refuse**

**MAIN ISSUES**

Principle of development

Highways

Appearance, Landscaping, Layout and Scale

Amenity

Ecology

Other Matters

**DESCRIPTION OF SITE AND CONTEXT**

The application site is situated on Audlem Road in the settlement of Hankelow. The application site is a square area of field sited adjacent to No.4 Audlem Road. The application site has a width of 100m. The site is located within the Open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The site is adjacent to a Public Right of Way to the south.

**DETAILS OF PROPOSAL**

The application seeks outline planning permission for 10no. dwellings; of which 8no. semi-detached dwellings and 2no detached dwellings. The application includes details of access with appearance, landscaping, layout and scale matters reserved.

**POLICIES**

**National Planning Policy**

National Planning Policy Framework

**Borough of Crewe and Nantwich Replacement Local Plan 2011**

NE.2 (Open Countryside)  
NE.5 (Nature Conservation)  
NE.9 (Protected Species)  
RES.5 (Housing in the Open Countryside)  
RES.8 (Affordable Housing in rural areas outside settlement boundaries (rural exceptions policy))  
TRAN.9 (Parking Standards)  
BE.1 (Amenity)  
BE.2 (Design)  
BE.3 (Access and Parking)  
BE.4 (Drainage, Utilities and Resources)  
BE.5 (Infrastructure)  
BE.6 (Development on Potentially Contaminated Land)

### **Other Material Considerations**

Revised Interim Planning Policy: Release of Housing land  
Interim Planning Statement: Affordable Housing

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

**Highways:** This is an outline planning application with all matters reserved except that of highway access.

The proposed junction is not shown in sufficient design detail for the Strategic Highways Manager to determine suitability and those dimensions shown for the visibility splays do not comply with highway standards. It is important that the junction design does meet an appropriate standard as the junction should not be over-designed.

Whilst this application is outline in nature there is sufficient detail provided to give an opinion of the proposed development. There does not appear to be sufficient parking provision for the house types which must be at 200% provision to comply with the emerging CEC parking standards in line with the Localism Bill directive.

The sustainability of this site remains in question and there is insufficient evidence in the application details to present a viable case on highway grounds. As a result the S.H.M. finds that this application does not provide adequate information upon which to judge the proposal in highway terms.

The Strategic Highways Manager recommends refusal of this application on lack of information.

**Housing:** Object to this application -

The site is located in Hankelow, so the affordable housing need for the Parish has been considered. For the purposes of the Strategic Housing Market Assessment 2010 Hankelow is located in the Audlem sub-area. The SHMA 2010 shows that for the Audlem sub-area there is a requirement for 6 new affordable units per year between 2009/10 – 2013/14, made up of a need for 1 x 1 bed, 5 x 3 bed, 1 x 4/5 bed and 1 x 1/2 bed older persons accommodation. The

SHMA 2010 identified a slight over-supply of 3 x 2 beds which results in the net requirement for 6 new units per year.

A rural housing needs survey was carried out in 2007 for the Audlem Ward, which included the Hankelow Parish. The survey was conducted by sending out a questionnaire to all the households in the Audlem Ward. The Audlem Rural Housing Needs Survey 2007 has identified that there is a need for at least 9 new affordable homes in the Hankelow Parish.

The site is in the open countryside in a rural Parish and the site should be classed as a Rural Exception site under the Crewe and Nantwich Local Plan, policy RES:8 and any development on a site such as this should be 100% affordable housing to meet the needs of local people identified from a survey undertaken specifically for that purpose.

The e-mail the Planning Agent has sent indicates that they could offer 1 x 4 or 5 bed affordable unit and 1 x 3 bed affordable unit as part of the proposed development, however even if the site is not classed as a Rural Exception site, the affordable housing being offered is not sufficient for a rural site to meet the requirements of the Interim Planning Statement: Affordable Housing.

The IPS: Affordable Housing states in section 3 under the heading Windfall Sites – Settlements of less than 3,000 population: PPS statement 3 'Housing' states that local authorities may wish to set lower minimum thresholds where viable and practical this approach is supported by the 2010 SHMA, subject to substantiating evidence.

If the site was just classed as rural rather than a rural exceptions site then the required affordable housing provision would be 30% of the total housing provision, which equates to 3 units for this proposal and should be split on a 65% social or affordable rent, 35% intermediate tenure - 2 units provided as social or affordable rent and 1 unit provided as intermediate tenure.

If the application is approved, any affordable housing provided should meet the following requirements -

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration. The affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency and should achieve at least Level 3 of the Code for Sustainable Homes (2007). The design and construction of affordable housing should also take into account forthcoming changes to the Building Regulations which will result in higher build standards particularly in respect of ventilation and the conservation of fuel and power.

Finally the Affordable Housing IPS states that no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.

The Affordable Housing Interim Planning Statement states that

**"The Council will require any provision of affordable housing and/or any control of occupancy in accordance with this statement to be secured by means of planning obligations pursuant to S106 of the Town and County Planning Act 1990 (as amended)**

It also goes on to state

**"In all cases where a Registered Social Landlord is to be involved in the provision of any element of affordable housing, then the Council will require that the Agreement contains an obligation that such housing is transferred to and managed by an RSL as set out in the Housing Act 1996.**

Any social rented or affordable rented units should be transferred to a Registered Provider to own and manage.

**Environmental Health:** Recommend refusal

Insufficient information has been submitted with the application relating to noise from the A529 Audlem Road affecting the proposed occupants. In order to assess adequately the impact of the proposed development having regard to road traffic noise, a suitable noise assessment needs to be undertaken and potential noise mitigation measures put forward. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with material planning considerations.

Reason: Insufficient information on noise and potential loss of amenity.

**Environmental Health (Contaminated Land):** No objection, Phase 2 investigation required by condition.

**Public Rights of Way:** No Objection, subject to informative regarding obstruction of PROW

## **VIEWS OF HANKELOW PARISH COUNCIL**

The following are the Parish Council's observation on the above planning application which is for a residential proposal comprising 10 two-storey residential units in total (eight semi-detached dwellings with integral garages and two detached dwellings with detached garages).

- (i) The development would be out of character with the housing density in the village;
- (ii) Planning permission had already been granted for 11 dwellings in the village, representing an increase of 10%. If Application 12/2309N were approved, it would represent a further increase of approximately 10%;
- (iii) The application referred to mains drainage, but there was no mains drainage in the village;
- (iv) The development was outside the village development boundary;
- (v) The application also referenced a school, public house and church, none of which were present in Hankelow; and
- (vi) There did not appear to be any provision for affordable housing or the breakdown of proposed ownership tenure.

## **OTHER REPRESENTATIONS**

Letters of representations have been received from the occupiers of 11 properties. The main issues raised are;

- The application site is outside the Hankelow settlement boundary, therefore open countryside,
- Application states that the new properties will feed into the main sewers; however there are no mains sewers in Hankelow.
- Parking provision is insufficient for 10 dwellings
- Over development of the site,
- 8 dwellings on the site would be more in keeping with the site area and surrounding village,
- Sustainable construction methods should be considered given the site is a green field site
- Large houses proposed on a small plots which is out of character with the surrounding development,
- There is no school, church or public house in the area, the application has been poorly researched,
- The area of open countryside is a habitat for local ecology,
- The proposal is unsustainable,
- If approved the development would set a precedence for future housing development in the area,
- Development will be on green belt land,
- 3 storey properties would not be acceptable in the site,
- The increase of 10 dwellings will increase the population of the village by 10%
- There is insufficient infrastructure to accommodate a further 10 dwellings,
- The adjacent road has heavy traffic and often travelling at a fast speed,
- The 'Crescent' on the opposite side of the road, are ex-councils houses and there are only 8 dwelling not 10, and was a scheme of affordable dwellings for the local residents not open market,
- Will the existing hedge be removed to create an open plan estate, which would also be out of keeping with the surrounding area?
- Residents have to drive to local amenities such as shops, petrol station etc. to Audlem or Nantwich
- No mention of lighting of the properties, 10 dwelling could significantly increase the light pollution of the area,
- 10 new dwelling would significantly increase the noise pollution in the area,
- At least one of the houses will need to be an affordable unit,
- Development of these size should be contained to the towns,
- No employment opportunities in the area
- There is no bus service on a Sunday
- A two storey property will adjacent to the boundary with Hillcrest will completely dominate the bungalow and overlook the garden and windows,
- Two storey properties will look out of keeping when approaching from Nantwich adjacent to bungalows,

## **OFFICER APPRAISAL**

## **Principle of Development**

### *Local Plan Policy*

The site lies in the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where policy NE.2 states that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result, it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”.

### *Affordable Housing*

Policy RES.8 permits the provision of affordable housing as an exception to Policy NE.2 where the housing will meet the needs of the 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, or exceptionally within or adjoin the built area of other rural settlements and the scale, layout and design of the scheme is appropriate to the character of the settlement.

As the site is within the open countryside and in a rural parish the proposal site could be considered as a rural exception site, provided 100% affordable housing is proposed. The affordable Housing Officer notes that The Audlem Ward Rural Housing Needs Survey has identified that there is need for affordable housing in the Hankelow parish. The application initially included no affordable units however, an email dated the 14<sup>th</sup> August 2012 from the agent indicates that they could offer 1 x 4 or 5 bed affordable unit and 1 x 3 bed affordable unit as part of the proposed development. However, even if the site is not classed as a Rural Exception site, the affordable housing being offered is not sufficient for a rural site to meet the requirements of the Interim Planning Statement: Affordable Housing.

The IPS: Affordable Housing states in section 3 under the heading Windfall Sites – Settlements of less than 3,000 population states that local authorities may wish to set lower minimum thresholds where viable and practical this approach is supported by the 2010 SHMA, subject to substantiating evidence.

It goes on to state:

Monitoring has shown that in settlements of less than 3,000 population the majority of new housing has been delivered on sites of less than 15 dwellings. The council will therefore negotiate for the provision of an appropriate element of the total dwelling provision to be affordable housing on all unidentified ‘windfall’ sites of 0.2 hectares or 3 dwellings or more in all settlements in the rural areas with a population of less than 3,000 population. The exact level of provision will be determined by local need, site characteristics, general location, site

suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion for any site will normally be 30%. This proportion includes the provision of social rented and/or intermediate housing as appropriate.

If the site was just classed as rural rather than a rural exceptions site then the required affordable housing provision would be 30% of the total housing provision, which equates to 3 units for this proposal and should be split on a 65% social or affordable rent, 35% intermediate tenure - 2 units provided as social or affordable rent and 1 unit provided as intermediate tenure.

### *National Planning Policy Framework*

Paragraph 47 of the NPPF requires that there is a five year supply of housing plus a buffer of 5% to improve choice and competition. The SHLAA has put forward a figure of 3.94 years housing land supply and once the 5% buffer is added, the Borough has an identified deliverable housing supply of 3.75 years.

The NPPF clearly states at paragraph 49 that:

*“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

*“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

Consequently, the application turns on whether the development is sustainable and whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in terms of additional housing land supply.

### *Sustainability*

The onus is placed onto the applicant to demonstrate that the proposal is considered sustainable development, in accordance with the National Planning Policy Framework. The applicant contends that the site is sustainable and is in close proximity to a number of services. However, as comments received from the Parish Council and local residents seem to suggest, the information submitted by the applicant is factually incorrect as there is no School, Public House or Church as is suggested in Hankelow. This suggests that access to services takes the form of the nearby village of Audlem which is over a mile away or Nantwich which is over 5 miles from the village.

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired

distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The toolkit sets maximum distances between the development and local amenities. These comprise of:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m), bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),
- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

The table below has been carried out by the Spatial Planning department using a traffic light system, and clearly denotes that the site is unsustainable when using the North West Development Agency toolkit.

Category	Facility	Land adjacent to 4 Audlem Road, Hankelow, CW3 4AU
<b>Open Space:</b>	Amenity Open Space (500m)	430m
	Children’s Play Space (500m)	2777m
	Outdoor Sports Facility (500m)	2382m
<b>Local Amenities:</b>	Convenience Store (500m)	2882m
	Supermarket* (1000m)	7418m (approx)
	Post box (500m)	575m
	Playground / amenity area (500m)	2777m
	Post office (1000m)	2767m
	Bank or cash machine (1000m)	2869m
	Pharmacy (1000m)	2770m
	Primary school (1000m)	2382m
	Secondary School* (1000m)	6881m (approx)
	Medical Centre (1000m)	2710m
	Leisure facilities (leisure centre or library) (1000m)	6881m (approx)
	Local meeting place / community centre (1000m)	2619m
	Public house (1000m)	2860m

	Public park or village green (larger, publicly accessible open space) (1000m)	2777m
	Child care facility (nursery or creche) (1000m)	2382m
<b>Transport Facilities:</b>	Bus stop (500m)	479m
	Railway station (2000m where geographically possible)	8010m
	Public Right of Way (500m)	80m
	Any transport node (300m in town centre / 400m in urban area)	80m

Paragraph 34 of the NPPF states that decisions should ensure that developments that generate travel movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. In order to access services, it is unlikely that future residents and travel movement will be minimised and due to its location, the use of sustainable transport modes maximised.

Paragraph 55 of the NPPF refers to the promotion of sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and Local Planning Authorities should avoid new isolated homes in the Countryside. The location of this proposal outside of the village suggests a more isolated location in the Countryside.

### *Conclusion*

This proposal is considered to be contrary to Policy NE2 and RES 5 of the Crewe and Nantwich Local Plan, however, it should also be considered in the context of the presumption in favour of sustainable development.

Whilst the Council accepts that it cannot demonstrate a 5 year supply of deliverable housing land and as a consequence the housing supply policies of the plan must be considered to be out of date, it remains of the opinion that this proposal would conflict with policy objectives of the NPPF, and that the adverse impacts of granting permission would outweigh the benefits.

It is therefore considered that the principle of development is unacceptable and therefore the development does not accord with the Crewe and Nantwich Replacement Local Plan of the National Planning Policy Framework.

### **Highways**

This outline application also includes details of access to be agreed at outline stage. The proposed seeks to create an access point from the centre of the plot creating a crescent design layout. The indicative plan shows one parking space to the front of each dwelling and indicates that 8no dwellings will have integral garages and 2no dwellings will have detached garages.

The Strategic Highway Manager states that the proposed junction is not shown in sufficient design detail for the Strategic Highways Manager to determine suitability and those dimensions shown for the visibility splays do not comply with highway standards. It is important that the junction design does meet an appropriate standard as the junction should not be over-designed.

Whilst this application is outline in nature there is sufficient detail provided to give an opinion of the proposed development. There does not appear to be sufficient parking provision for the house types which must be at 200% provision to comply with the emerging CEC parking standards in line with the Localism Bill directive.

The sustainability of this site remains in question and there is insufficient evidence in the application details to present a viable case on highway grounds. As a result the S.H.M. finds that this application does not provide adequate information upon which to judge the proposal in highway terms.

Whilst an increase in parking provision, and sustainable transport details can be included as part of the reserved matters stage of an application, the proposal at outline includes access details. Therefore given the comments received from the Strategic Highway Manager it is considered that the application should be recommended for refusal on lack of information with regards to the suitability of the access point, parking provision and sustainability.

### **Appearance, Landscaping, Layout and Scale**

As the application is outline, the appearance, landscaping, layout and scale of development would be covered in detail within the Reserved Matters application. The general layout proposed is considered acceptable as it loosely reflects the development on 'Park View' on the opposite side of the road. However the density is higher and, it is considered a lower number of dwelling on the site would sit more comfortably within the plot. However, it is considered that the details could be conditioned and therefore would not constitute a further reason for refusal.

Furthermore, 13m of hedge will be required to be removed to create the access point to the front of the site. Whilst it is considered unfortunate that this area of hedge would be lost, the access would be in keeping with the adjacent streetscene and further landscaping would be required in the reserved matters application to mitigate this loss.

### **Amenity**

#### *Neighbouring amenity*

A key consideration of the development would be the impact it would have on neighbouring amenity.

The indicative layout suggests that the dwelling to the south of the site will have a separation distance of 21m between the side elevation of proposed property and the side elevation of No.4 Swedish Houses. No.4 has a window on the side elevation. A separation distance of 21m meets the separation standards used between flank elevations and principal windows, of 13.5m and therefore a condition could be imposed to ensure the distance is retained and no windows are sited on the side elevation of the dwelling. No.4 also has a small side extension which would reduce the separation distance to 17.5m however there are no windows in the side elevation of the outshout. Therefore the separation distance would be acceptable. Although the property is suggested to be 2 storey no details of the height limit have been proposed. This can be limited as part of a condition.

To the north of the site the indicative layout suggest a lower separation distance of 11.5m between the side elevation of the property know as Hillcrest and the proposed two storey dwelling. The property known as Hillcrest has three windows on the side elevation, one at least appears to be a principal window and therefore a distance of 13.5m would be required between these two properties. As noted above as this is an indicative layout the details can be considered further in the reserved matters application with a condition attached to an outline permission ensuring no principal windows are sited on the side elevation facing Hillcrest and to ensure a separation distance of 13.5m is achieved.

To the front of the development there are several properties with a minimum separation distance of 45m. This exceeds the 21m between principal windows and opposing principal windows and is therefore considered acceptable.

### *Noise*

The Council's Environmental Health department have stated that there has been insufficient information submitted with the application relating to noise from the A529 Audlem Road affecting the proposed occupants. In order to assess adequately the impact of the proposed development would have with regard to road traffic noise, a suitable noise assessment needs to be undertaken and potential noise mitigation measures put forward. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with material planning considerations. Therefore the proposal will be recommended for refusal due to a lack of information.

### **Ecology**

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implemented the Directive by introducing The Conservation (Natural Habitats etc) Regulations 1994 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Local Plan Policy NE.9 (Protected Species) states that proposal for development will not be permitted which would have an adverse impact upon species specifically protected under Schedules 1, 5 or 8 of the wildlife and countryside Act 1981 (As amended) or their habitats.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

The NPPF encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

In this case the application includes a Phase 1 Habitat report carried out on the 1<sup>st</sup> December 2011. The report states that no protected species were identified at the time the survey was carried out although the site does hold some potential. The statement notes that the loss of any hedgerow to the front of the site would need to be carried out outside the bird breeding season (March – September). It also notes that the loss of any hedgerow is not recommended as they do hold high ecological values, however mitigation in the form of bird boxes should be erected on the site to compensate for any loss of nesting opportunities. This can be conditioned.

The report goes on to state that the badger activity found on site appears to be for commuting and foraging purposes only. Therefore the proposed redevelopment of the site will only have a minimal impact on the local badger population.

The Council's ecologist has examined the survey and commented that it is acceptable. No evidence of protected species was recorded during the surveys undertaken to inform the assessment.

To compensate for any loss of any existing hedgerows on the site a native species hedgerows and tree planting should be included in any landscaping scheme formulated for the site, and bird boxes should be erected on the site. If planning consent were granted conditions requiring safeguard breeding birds during March and September would also be required.

## **Other Matters**

### *Contaminated Land*

The applicant has submitted a Phase 1 Preliminary Risk Assessment for contaminated land which noted no sources of contamination were identified on or in the vicinity of the site. The consultant recommended a brief soil sampling exercise to confirm the low risk and therefore Environmental Health have requested a condition requiring a Phase 2 to be carried out. It is considered that this would be a reasonable condition.

### *Public Right of Way*

The site lies adjacent to the Public Right of Way. The PROW department have noted it is unlikely that the proposal would affect the PROW and therefore a note should be added to any permission to ensure the applicant is aware that during the development the PROW should not be obstructed.

### *Consultation Expiry Date*

The application was not originally advertised as a departure from the development plan this has subsequently been carried out. The consultation expiry date has been extended to 5<sup>th</sup> September 2012. Therefore the recommendation requests the decision be delegated to the Head of Development subject to any further information being received which may alter the decision after the 5<sup>th</sup> September in which case the application will be considered by a future Southern Committee meeting.

### *Drainage*

The applicant has stated within the application form/design and access statement that the development will be linked to the main sewage drainage for the Village. However it is clear from the letters of representations that this does not exist. However, as this application is for outline it would be possible to require details of sewage to be submitted as a detailed matter required by condition of an outline.

### *Land designation*

The proposal site is situated within the open countryside. The site is not designated as Green Belt Land.

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The application seeks outline planning permission for ten dwellings within the Open Countryside. This proposal is considered to be contrary to Policy NE2 and RES 5 of the Crewe and Nantwich Local Plan and does not meet the requirements of RES 8.

However, the proposal should be considered in the context of the presumption in favour of sustainable development as required by the NPPF. Whilst the Council accepts that it cannot demonstrate a 5 year supply of deliverable housing land and as a consequence the housing supply policies of the plan must be considered to be out of date, it remains of the opinion that

this proposal would conflict with policy objectives of the NPPF, and that the adverse impacts of granting permission would outweigh the benefits. It is therefore considered that the principle of development is unacceptable and therefore the development does not accord with the Crewe and Nantwich Replacement Local Plan of the National Planning Policy Framework.

Furthermore, the application fails to include a suitable amount of affordable housing for a rural site, and there is insufficient information submitted with the application with regards to Highways and Noise for the Council to determine the impact the proposal may have. It is therefore considered that the application is unacceptable and therefore recommended for refusal on the following grounds.

**Recommendation: Delegate Authority to the Head of Development to REFUSE for the following reasons subject to no new material information being submitted prior to the expiry of the publicity period.**

- 1. The proposal site is an unacceptable housing site by means of its sustainability and the adverse impact it would have on the open countryside. It is therefore contrary to Policy NE.2 (Open Countryside) and Policy RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Local Plan and does not meet the rural exception requirements of Policy RES.8 (Affordable Housing in rural areas outside settlement boundaries (rural exceptions policy)). The proposal has been considered in the context of the presumption in favour of sustainable development as required by the National Planning Policy Framework, and whilst the Council accepts that it cannot demonstrate a 5 year supply, the proposal conflicts with the policy objectives of the National Planning Policy Framework as it is not sustainable development, and the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits. The proposal is therefore considered to be contrary to Policies NE.2 (open Countryside) and RES.5 (Housing in the Open Countryside) of the Crewe and Nantwich Replacement Local Plan 2011 and the National Planning Policy Framework.**
- 2. An inadequate provision of affordable housing has been proposed on the site contrary to both Policy RES.5 (Housing in Open Countryside) and Policy RES.8 (Affordable Housing in rural areas outside settlement boundaries (rural exceptions policy)) of the Crewe and Nantwich Replacement Local Plan and the Interim Policy Statement: Affordable Housing.**
- 3. Insufficient information has been submitted with the application in relation to noise from the A529 Audlem Road affecting the proposed occupants. In order to assess adequately the impact of the proposed development having regard to road traffic noise, a suitable noise assessment needs to be undertaken and potential noise mitigation measures put forward. It is therefore considered that insufficient information on noise and potential loss of amenity has been submitted and therefore the application does not accord with Policy BE.1 (Amenity) of the Crewe and Nantwich Replacement Local Plan 2011.**
- 4. Insufficient information has been submitted in relation to the access to the site, car parking provision and sustainable transport. The proposed junction is not shown**

**in sufficient design detail for the Local Planning Authority to determine the suitability and note the dimensions shown for the visibility splays do not comply with highway standards. It is therefore considered that insufficient information has been submitted in relation to highway matters therefore the application does not accord with Policy BE.3 (Access and Parking) of the Crewe and Nantwich Replacement Local Plan 2011.**

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