

Application No: 12/3807C

Location: Land Adjacent to Rose Cottages, Holmes Chapel Road, Somerford, Congleton

Proposal: Proposed Residential Development Comprising of 25 no. Dwellings (inc. 7no. Affordable Units) Together with the Creation of a New Access

Applicant: Bloor Homes J Wilson S Owen Stracey & So, Joint Application

Expiry Date: 10-Jan-2012

SUMMARY RECOMMENDATION

Approve subject to conditions

MAIN ISSUES

Principle of Development
Housing Land Supply
Jodrell Bank
Residential Amenity
Ecology
Contaminated Land
Trees and Landscape.
Access and Highway Safety.
Affordable Housing
Design and Layout
Open Space

REFERRAL

The application has been referred to planning committee because it is for more than 10 dwellings and is therefore a major development.

1. SITE DESCRIPTION

The broadly rectangular site has an area of 1.15 ha and lies on the south western side of the main A54 Holmes Chapel Road. The site is abutted to the south by the modern residential development of Broomfield. A number of detached and semi-detached properties including Rose Cottages, Parkfield House, and stand on the opposite side of the road.

The site has a wide road frontage of 115 metres which then tapers back to 95 metres along the rear (west) boundary. The site has a depth of 110 metres long the southern boundary adjacent to Broomfields and a depth of 95 metres along the northern boundary.

The current use of the subject site currently comprises open agricultural land with field hedges / trees to the boundaries.

2. DETAILS OF PROPOSAL

The application seeks full planning permission for a proposed residential development comprising 25 dwellings (including 7 affordable units) together with the creation of a new access road and public open space. The proposed dwellings comprise a mixture of detached and mews properties. The scheme involves frontage development to Holmes Chapel Road with the remainder of the proposed in a cul-de-sac arrangement to the rear.

3. RELEVANT PLANNING HISTORY

- 35700/1 Outline application for the erection of 6 no. detached houses (two storey) - March 2003. (Refused / Appeal Dismissed)
- 10/4359C Outline application for the erection of up to 6 dwellings with all matters reserved except for the means of access at land off Holmes Chapel Road. - January 2006. (Approved subject to conditions.)

4. PLANNING POLICIES

National Policy

National Planning Policy Framework

Regional Spatial Strategy

DP1 – Spatial Principles

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

MCR4 – South Cheshire

Local Plan Policy

PS8 Open Countryside

NR4 Non-statutory sites

GR1 New Development

GR2 Design

GR3 Residential Development

GR5 Landscaping

GR9 Accessibility, servicing and provision of parking

GR14 Cycling Measures

GR15 Pedestrian Measures
GR17 Car parking
GR18 Traffic Generation
NR1 Trees and Woodland
NR3 habitats
NR5 Habitats
H2 Provision of New Housing Development
H6 Residential Development in the Open countryside
H13 affordable Housing and low cost housing
E10 Re-use and redevelopment of existing employment sites

Other Material Considerations

Cheshire East Interim Housing Policy
Cheshire East Interim Affordable Housing Policy

4. OBSERVATIONS OF CONSULTEES

United Utilities

- No objection to the proposal provided that surface water is not allowed to discharge to foul/combined sewer.

Environment Agency

- No objection in principle to the proposed development but would request that the following planning conditions are attached to any planning approval:
 - Submission of a scheme to limit the surface water run-off generated by the proposed development, in accordance with the Flood Risk Assessment (FRA)
 - Submission of further details/calculations will need to be provided at the detailed design stage to demonstrate that any proposed soakaways have been appropriately designed for up to the 1% annual probability event, including allowances for climate change.
 - The site is to be designed to contain any such flooding within the site, to ensure that existing and new buildings are not affected.
 - Submission of a scheme to manage the risk of flooding from overland flow of surface water,
 - Foul drainage should be connected to foul sewer

Highways

- Do not consider the site to be a sustainable one as it is almost wholly dependent on car. There are no facilities within walking distance, those within cycling distance require use of the A54 and the bus service is only hourly. However, the site has a previous permission 10/4359C for 6 houses and so presumably must be accepted. The previous permission would be served by a 4.8m access road with 2.4m by 120m visibility splays onto the A54. Conditions on the approval required the provision of a footway and street lighting at the developer's expense. These requirements are equally valid for the current application.

- For the greater number of properties now proposed, highways require the access road to be 5.5 metres for a minimum length of 10 metres from the highway boundary. A 2.4 metre by 160 metre visibility must be provided.
- Subject to the revision of the access as described, and carry-over of the previous conditions, there are no grounds for a highway objection.

Jodrell Bank

- No objection subject to installation of electromagnetic screening measures.

Environmental Health

- An outline application for 6 dwellings at this site was approved in 2010: 10/4359C. In addition a site in close proximity: 12/0763C for 11No. Residential Dwellings was approved 17th October 2012.
- The location and details (generators, security, lighting) of the site compound shall be submitted and agreed in writing with the LPA prior to the commencement of any site preparations.
- The hours of demolition / construction works taking place during the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs; Saturday 09:00 to 14:00 hrs; Sundays and Public Holidays Nil
- All Piling operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs; Saturday 09:00 – 13:00 hrs; Sunday and Public Holidays Nil
- In addition to the above, prior to the commencement of development the applicant shall submit a method statement, to be approved by the Local Planning Authority. The method statement shall include the following details:
 1. Details of the method of piling
 2. Days / hours of work
 3. Duration of the pile driving operations (expected starting date and completion date)
 4. Prior notification to the occupiers of potentially affected properties
 5. Details of the responsible person (e.g. site manager / office) who could be contacted in the event of complaint
- The piling work shall be undertaken in accordance with the approved method statement:
- Prior to the development commencing, an Environmental Management Plan shall be submitted and agreed by the planning authority. The plan shall address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase. In particular the plan shall show mitigation

measures in respect of noise and disturbance during the construction phase including piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes; Waste Management: There shall be no burning of materials on site during demolition / construction Dust generation caused by construction activities and proposed mitigation methodology.

- The Environmental Management Plan above shall be implemented and in force during the construction phase of the development.
- No development shall take place until a scheme to minimise dust emissions arising from demolition / construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The demolition / construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the .
- This site is within 250m of a known landfill site or area of ground that has the potential to create gas.
- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.
- As such, and in accordance with PPS23, this section recommends that the standard contaminated land conditions, reasons and notes should be attached should planning permission be granted.

Natural England

- This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.
- The protected species survey has identified that great crested newts, a European protected species may be affected by this application.
- The application should be determined in accordance with Natural England standing advice.

Greenspaces Officer

- With reference to the plans for the erection of 25 dwellings based on 2, 3 and 4 bedroom properties, if the development were to be granted planning permission (in accordance with the submitted Layout Plan, Drawing Ref Rose Cottages_01 dated 4 September 2012 there would be an excess of Amenity Green Space provision having regard to the adopted local standards set out in the Council's Open Space Study however, the developer appears to be providing additional on site.
- Within the Design and Access Statement there is little or no reference to the size or layout of the proposed POS therefore it is difficult to comment at this stage. However it

should be noted that the preferred location of the POS would be more central as it positioned in the North West corner of the site and looks as if only one property directly overlooks the area giving it a low level of natural surveillance.

- More detail is required before Streetscape could consider the maintenance of the POS, but as a guide a rate of £11.83 per square meter should be used. Full landscaping proposals should be submitted and approved in writing at the earliest opportunity where more detailed consideration by Streetscape will be given.
- It is appreciated that existing landscaping has been surveyed and will be respected and improved where possible with additional planting of trees, hedges and shrubs.
- It is recommended that any enhancement planting proposed which runs throughout the development site are designed with their eventual maturity in mind, given the maintenance implications and problems that may arise. Clarification would be required as to the intended end ownership of these areas due to any maintenance implications that may arise as a result of it.
- Following an assessment of the existing provision of Children and Young Persons Provision accessible to the proposed development, if the development were to be granted planning permission 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.
- As there is a quantity deficiency, on site provision would be required as there is little scope within the local vicinity, however due to the size constraints this may not be possible. The only facility serving Brereton Parish is the community space at School Lane, Brereton Green. This is over the 800m radius threshold, but is the only facility to serve Brereton. If contributions were sought from the developer to increase the capacity at Brereton Green community space instead of on site provision then contributions would be:
 - Enhancement: £ 8,241.30
 - Maintenance: £26,865.000 (25 years)
- If a small Local Equipped Area for Play (LEAP) is provided on site then it should have 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)
- The play facility would be provided by the developer and would take into account play area infrastructure, equipment including elements of DDA equipment, safer surfacing and safety inspection. We would request that the final layout and choice of play equipment be agreed with CEC, and obtained from an approved supplier to the

Council. The construction should be to the council's specification and full plans must be submitted prior to the play area being installed. These must be approved, in writing prior to the commencement of any works. We would also request landscaping is kept to a minimum i.e. solely fencing as a boundary treatment with a tarmac area surrounding the equipments safer surfacing. Again, plans should be submitted and approved by The Council prior to any commencement of works.

Education

- No comments received at the time of report preparation.

5. VIEWS OF THE PARISH / TOWN COUNCIL

Brereton Parish Council

Object on the following grounds :

- Against Cheshire East Council's housing policy since it is proposed to be in an inappropriate isolated rural settlement
- Too many houses proposed. A development of 25 houses is not in scale with the local area
- Not sustainable. The site only meets 2 out of the 16 sustainability criteria laid down by the Cheshire East Interim Planning Policy rather than the minimum of 5 required. There is no shop, post office, pub, primary school, children's nursery, local meeting hall, amenity area nor leisure facility, pharmacy, medical centre or railway station within the required distance.
- No local proven demand for these houses. The Cheshire East SHMAA says there is minimal demand for 4 or 5 bedroomed houses in this area. The recently approved applications at Loachbrook and on the old Fisons site at Holmes Chapel provide 440 houses within 3 miles of this proposed Bloor development
- Road safety issues. The A54 is a very busy road and these 25 proposed houses would generate considerable extra traffic. The traffic coming from this proposed development would cause road safety for existing residents at Rose Cottages and Broomfields when entering or exiting their houses.

Somerford Parish Council

- The site had 6 houses passed for planning approval and this should be the maximum allowed. It is a green field site and there are many better located brown field sites. The sustainability survey is flawed. The development provides the wrong houses in the wrong location. There are no doctors, local shops, public house or park. The primary school is over three miles away and no transport available unless children walk to Brereton Heath Lane along the busy A54 for half a mile where at times there are no footpaths unless the road is crossed. The school bus to the comprehensive is full, if over sixteen years pupils attend the local comprehensive funding has now been

withdrawn and car is the only method of transport. The local 42 bus is now under threat and may be withdrawn. There are no amenities available for children.

- The main A54 is narrow and even though highways surveys will have been conducted the proposed new access is going to be dangerous and lead to more unnecessary pressures when accessing and leaving the site. It has been opposed by every resident in Rose Cottages opposite.
- Even though Bloor Homes have consulted our members and the Parish Council pointed out that the houses are too close to the building line the proposed plans have not been changed. The houses are cramped and far too close to the road. The development is out of complete character with the existing developments of 'Broomfields' and 'Ivanhoe'.
- Both residents in Somerford and Brereton Parishes strongly oppose this development as it is a speculative development that can't be sustained.

6. OTHER REPRESENTATIONS

Local Residents Representations

40 representations have been received making the following points:

Principle of Development

- Speculative development.
- Development of Greenfield site
- Out of character with and will spoil the rural nature of the area
- It is Green Belt
- It was in use for agriculture until very recently
- Represents an increase of some 25% in the number of homes and 100 extra people
- Countryside will be spoilt
- Will set a precedent for further greenfield development here and elsewhere in Parishes of Brereton and Somerford
- It is planning by stealth
- There is no mention of what will become of the other field which is owned by the same person and has been included in previous applications.
- The concern about how far developments will spread is proved by the way developers leave a gap between houses or a road appearing to go nowhere that will ultimately provide access for further developments!
- Bloor Homes need to be more forthcoming with what their overall plans are.
- This is the latest in a recent flurry of executive homes developments in a space of less than ½ mile.
- There seems to be no long term plan for the future of the area - how Somerford will look in the future, with what amenities.
- The only plan seems to be by the developers like Bloor whose prime interest is profitability not sustainability.
- Use brownfield sites to meet Government targets.

- This is not a regeneration proposal
- Density of development is out of character with existing properties and also the later developments of 'Holycroft', 'Broomfields' and 'Ivanhoe'
- There is no requirement for the amount of houses in this Parish as Cheshire East have already passed the need according to SHMAA with the development on the old Fison site in Holmes Chapel and Loachbrook and Aventis developments
- No housing need has been demonstrated;
- The house sizes of the 18 proposed "non-affordable" houses is a mixture of 4 or 5 bedroomed houses which is inappropriate for this rural, agricultural area. A recent survey by Brereton Parish Council has shown that the average household size is 2.6 so local people do not need 4 or 5 bedroomed houses.
- There are a number of local properties currently on the market, some in excess of two years.
- Why was outline planning approval, under Delegated Authority, given in spite of four previous refusals, Brereton and Somerford Parish Councils' objections and significant opposition from local residents?
- Planning approval should be to serve public interest not support speculative development.
- The 25 proposed dwellings are vastly in excess of the six deemed appropriate in the Delegated Report prepared by the Case Officer. They are at variance with the concept of infilling or linear development as described in the said report (10/4359C). They constitute a housing estate.
- The proposal is for 25 houses which is wildly excessive for this 1.15 hectare site. If this is argued as infill then the number of houses should be no more than the 6 which was the subject of application 10/4359C from 2010 which related to this same site.
- The density of housing on either side of this 1.15 hectare field is considerably less than this 22 houses per hectare proposal. The field where these houses are proposed lies almost entirely in the parish of Brereton in the area of Brereton Heath and there are a number of houses nearby along the A54 and along Brereton Heath Lane. Almost all of these houses are on large plots with large gardens and are set back from the nearby roads.
- The usual density of housing in this area is a small fraction of 22 per hectare.
- Somerford has been eaten up by various developments over the last 35 years, all of which have placed a heavier burden on the general infrastructure of the village.
- People chose to live in the Somerford area because it is in the country and not a town.
- Pubs and shops are not needed here.
- Development should be rejected and all future proposals put on hold until East Cheshire consults the Parish councils and comes up with a proper strategy for balanced, sustainable long term development.
- This objection is not NIMBYism many other long term residents here would welcome change to make Somerford a proper village with local facilities.
- This proposal is one more step towards commuter belt.
- Properties on the A54 road frontage are to close to the road
- The planning department should be more thorough; they made an error in the recent planning application for the nearby Ivanhoe development where they simply forget to mention that the development was not sustainable.
- Some residents never received a notice,

- Some neighbours houses were not on the outline plans and the outline plans were vague and may well have been misleading to some of the general public. The Council should have insisted that a new outline plan was sent out.
- Concerns resulting from this proposed development were clearly voiced by many residents at a recent, specially convened, well attended meeting of Brereton Heath and Somerford Parish Councils covered by the local press: In excess of 50 local residents attended this meeting, and were unanimous in their objections to this destructive proposal. It should be noted that many in attendance were also unsure how to object to this application, as they felt ill informed (refer to the pitifully small number of 'neighbours notified' for a development of such impact), and didn't know how to make their thoughts known to planning authorities.
- Destroying isolated rural settlements is not the aim of responsible development, supported by Cheshire East Council's stated intent in the Interim Planning Policy to (re)develop existing town centres and regeneration areas, not to join them by destroying the countryside in between.
- Bloor's stepwise approach to destroying this area is designed to gain approval through stealth, avoiding the scrutiny of proper planning oversight, and preventing the evaluation of their clear intent to develop a significantly larger area in Somerford/Brereton Heath, as they know that authorities will only look on each development based on its own merits. However, this stepwise approach to developing the area influences future decisions by setting precedent for further development: In this particular case, it's obvious that Bloor Homes intend to enclose adjacent existing agricultural use, greenfield land that they have speculatively purchased, in anticipation that this will enable re-classification into brownfield, developable land in the near future. This could pave the way for a further 60 or so homes, and totally destroy the open countryside that currently provides the character and charm of this area.
- The number of houses in the area has grown steadily over recent years without the addition of any community facilities. These housing additions have been regeneration projects (most recently the Broomfields development on the site of a garage and the Ivanhoe development on the site of a dilapidated smallholding). This development goes way beyond that by proposing to build on green field agricultural land.
- The site has the benefit of an extant planning consent (10/4359C) for six houses which is an appropriate density and layout for the location. It is in keeping with the majority of the development in Brereton Heath and does not detract from the character of the area.
- Bloor homes have plans to build a "new" Somerford, are the Council considering changing the name from Somerford to "Bloorford"?

Planning Policy Considerations

- It is a well reported fact that Cheshire East Council do not have a 5 year housing land supply, however, this does not mean that potential developers should be encouraged to make residential applications on land in inappropriate isolated rural settlements such as Brereton Heath when clearly this is at odds with Cheshire East Council's housing growth strategy.
- The site is within the former CBC area and therefore Policy H2 applies, which states that Development should be focused in the Key Settlements of Congleton, Sandbach, Alsager & Middlewich, not isolated rural settlements, with limited services available, such as Brereton.

- The Council has recently consulted on a Revised Interim Policy on release of housing land. Again this is consistent with Policy H2 focusing new residential development at Macclesfield and the 9 Key Service Centres that have existing support services. In addition it makes it clear that any new development should be appropriate to the local character of an area in terms of use, scale and appearance.
- Application 12/3807C is out of keeping with the Guidance contained in both the Adopted Plan and Emerging Planning Policy and should be refused.

Sustainability / Facilities

- Development is unsustainable,
- Walking and cycling will not be the transport used, it will be more cars.
- The existing bus service does not fulfill the householders transport requirements.
- Cheshire East Council has an Interim Planning Policy. On page 3, in paragraph 2.2 re PPS3 Paragraph 10, Housing Policy Objectives, it says that an objective of the planning system is to deliver "... a good range of community facilities..." This proposal 12/3807C does not meet this objective.
- The interim policy says that residential development will be permitted in two areas. The first area is "adjacent to the settlement boundary of Crewe..." This proposed site is not in that area. The second area is "as part of mixed developments in town centers and regeneration areas to support the provision of employment, town centre and community uses". As previously mentioned this proposed site is not regeneration nor does it provide community uses. In addition it is not in a town centre and would provide no direct employment other than in the building of the houses.
- There are no local facilities, schools, doctors, public house or play areas.
- There's no guarantee of available places in any of the Congleton / Holmes Chapel schools.
- Local Internet connection is already inadequate
- The houses to be built are primarily aimed at affluent people who are likely to have young families.
- Additional housing would be better located on brownfield sites in Holmes Chapel and Congleton, where facilities such as schools, shops and work are available without the requirement to travel by car.
- No school transport services exist to the Congleton schools,
- Alternative 'non car' transportation methods are not available
- There will be additional pressures on utilities – electricity, there are already frequent power outages, sewerage (there has been a regular need for mechanical clearing of mains sewers on Brereton Heath Lane over the years) and fluctuations in water pressure.
- There is on average one power cut per week, causing damage to electrical equipment when the power supply is resumed, this will only worsen if more houses are built
- There is no employment opportunity nearby for the number of people related to 25 houses.
- Residents are happy not to have the amenities a larger population would demand
- The proposed new development would encourage affluent families (due to the size of the intended properties) who would commute out of the area each day, thereby not contributing to local economy

- Bloor have already begun to change the feel of this community by their development at Ivanhoe (12/0763C) which has only just begun: Although this application was approved prior to the sensible requirement for developments to only be approved if sustainable, these 11 houses will already put further strain on local and nearby facilities, and added risk to road users
- Accepting that the IPP may not be totally relevant here it is however consistent with the existing CBC H2 Policy and is the most recent attempt by CEC to define a sound test of sustainability. The site meets only 2 of the 16 Sustainability Criteria laid down in the IPP. 5 of the 16 listed criteria is the minimum acceptable number to allow approval to be granted. The 2 criteria present are a Bus Stop within 500m and a Post Box within 500m. Other than these two points the site does not have, within the specified maximum distances, the local services required under the Guidelines in respect of:-
 - A shop selling food/fresh vegetables, Post Office, Pub, Primary School, Children's Nursery, Local Meeting Hall/Community Centre, Public Park, Pharmacy, Bank or Cash Point, Children's Play Area, Amenity Area nor Leisure Activity Facility, Pharmacy, Medical Centre or Railway Station.
 - The local bus service, one of the two points, where this site does comply, is under threat of a reduction in service, as part of the latest cost cutting review being conducted by Cheshire East Council.

Affordable Housing

- The size, design and location of the affordable units are in-keeping with neither the spirit nor policy of the relevant guidelines. It is a tenet of Affordable Housing Policy that such houses should be representative of the house types and designs offered for open market purchase on the same site and that they should be pepper-potted throughout the whole site so as not to create obvious distinctions between the two. The affordable houses have an average floor area of 819 sq ft whereas the 6 No 5 bedded open market houses have an average area of 2356 sq. ft., the 12 No 4 bedded open market units have an average of 1615 sq ft. The affordable units are 2/3 bedded, are of a modern terrace design and shoe-horned together in one corner of the site.

Highways

- Increase in traffic
- Already dangerous traffic conditions noted on the main A54 highway and surrounding roads.
- A54 is a narrow road
- Existing properties do not take care when exiting onto the road
- There have been many accidents on this road, some of which have involved residents
- Traffic generated by Somerford Park Farm has grown considerably over the years as has the general farm traffic with more tractors spending time on the roads.
- The A54 only has a narrow pavement on one side.
- Road markings have been altered recently but drivers ignore them
- Near misses are not uncommon.
- Roadworks signs at the Ivanhoe site have been flattened by vehicles failing to stop
- This road is also the preferred route of the police to escort exceptional loads through the area.

- The reports included by Bloor say that cycling is appropriate from this proposed development. However, the A54 which is the only public road connected to this proposed site is not safe for cycling. An experienced cyclist with over 60,000 miles experience would not use this road and it is certainly not for young relatively inexperienced cyclists. This is because the road is busy but very narrow and twisting and is used extensively by high speed traffic including large heavy goods vehicles.
- Although there is a 50mph limit in the area it is frequently ignored by drivers with speeds of 60 to 70 miles an hour more common.
- The pavement proposed outside the site would not connect to any pavement on the Holmes Chapel side and only connects to a short pavement on the Congleton side. It does not even extend to the bus stop. So this site is inappropriate for children since they would not be safe to leave the site by cycle or by foot.
- The proposed access to the site is situated on a dangerous bend with limited visibility.
- Traffic generated will affect Brereton Heath Lane and Davenport Lane for any traffic wishing to use the M6 south.
- Brereton Heath Lane is already very busy with horse boxes, horses, walkers and cars.
- Horse boxes cause more over taking. Double white lines would have been a good idea but the road is too narrow for them.
- Highways Department should visit the between 7.30 am and 9am, and 5pm till 6.30pm to gauge the true scale of how dangerous this road is.
- The present Bloor development has endangered children walking to school on several occasions, with one pavement fenced off for road works, whilst a lorry is parked the other pavement forcing children to walk in the road at peak traffic times.
- There will probably be on average 3 cars for each of these houses, if the families have teenage children, this means the possibility of 75 cars per day
- The same stretch of road was referred to as "Hazardous" by the council in a meeting on Feb 28th 2006.
- There is only a narrow footpath to Congleton alongside a busy and dangerous highway, there is none to Holmes Chapel. This footpath is totally unsuitable for pushchairs and wheelchairs and dangerous for pedestrians.

Plus Dane

- Confirm their support
- Have been in discussion with Bloor Homes regarding the provision of affordable homes within the development and is currently seeking Board Approval to progress to exchange of contracts in respect of the acquisition of these affordable properties
- Affordable housing scheme as submitted by Bloor is in line with their requirements in terms of the unit types and tenures to be delivered
- Delivery of the units is anticipated in 2014 which their programme supports; the location of the units within the development layout is also supported by Plus Dane
- Plus Dane would welcome the opportunity to input into the drafting of the Section 106.

KC Cleaning

- Are a local business that operates in Somerford
- Confirm support for the application as this would be good for rural businesses in Somerford, Brereton Heath and should be welcomed.

Congleton Sustainability Group

Object to this application on the grounds set out below.

The development is unsustainable

- One of the key requirements for sustainable residential development identified with numerous references within the NPPF is the need for local services to be easily accessible by sustainable travel modes. There are no local facilities within the immediate vicinity of the site or anywhere in Somerford indeed the nearest are at Congleton and Holmes Chapel each about 6 miles away with the greater number of services available in Congleton.
- While appreciating that a bus service runs through Somerford we, nonetheless believe that most, if not all trips from the village will be car based, which is wholly unsustainable. In this respect we are concerned over the continued development of housing in Somerford – this application is just the latest of many developments over the years – which, as a result increase traffic within Congleton and elsewhere as residents have to access their everyday needs away from Somerford. With the level of development that has already occurred within Somerford we believe that the village has become of a size that warrants local services.
- As set out in the NPPF sustainable development requires significantly more than just providing housing that meets the current energy saving standards as set out in the Building Regulations. To this end we are dismayed at the statement by the applicant that they are not prepared to provide any local services, such as a shop or community centre, as part of the development, particularly as they are currently building other houses elsewhere within Somerford. If you were minded to approve this application we would ask that you require the developer to provide some form of community facility, preferably a shop as part of the development. At the very least they should provide the land and a contribution to the establishment of a shop under a S106 agreement.

Road Safety

- We note that currently there is a 50mph speed limit on the A54 through the village. With the increasing size of the village as noted above we believe this limit is too high. If you were minded to approve this development we would want to see the limit reduced to at least 40mph. While appreciating that a change in speed limit cannot be made a condition of approval, we nonetheless would require you, as a condition of any approval, to obtain the necessary funding to investigate and implement a reduced speed limit from the developer as part of any S106 agreement.

7. APPLICANT'S SUPPORTING INFORMATION:

- Flood Risk Assessment
- Design and Access Statement
- Tree Survey

- Planning Statement
- Statement of Community Involvement
- Tree Survey
- Drainage Appraisal
- Ecological Survey
- Great Crested newt Mitigation
- Sustainability Statement
- Transport Statement

8. OFFICER APPRAISAL

Principle of Development

The majority of the site lies within the Infill Boundary Line for the settlement of Brereton Heath, where, according to Policies PS6 and H6, limited development will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with the other policies of the local plan.

The sub-text to Policy H6 states that “*limited development is defined as the building of a single or small group of dwellings*”. Whilst no definition is provided for the term “*small group*”, it could be argued that 25 dwellings does not constitute “limited development” and that there is some degree of conflict with Policy H6.

A narrow triangle of land at the rear of the site lies outside the infill boundary line as shown on the local plan map. This also represents a minor departure from adopted local plan policy although given that this area of land is proposed predominantly for use as public open space and garden, with the gable end of plot 8 being the only built form within this part of the site, the impact on the openness of the countryside is comparatively minor.

Furthermore, 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*”. The most important consideration in this case is the National Planning Policy Framework (NPPF).

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. It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) which was adopted in March 2012.

The SHLAA has put forward a figure of 3.94 years housing land supply. 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 main issues in the consideration of this application are the sustainability of the site and whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in terms of housing land supply.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

Accessibility is a key factor of sustainability that can be measured. According to the Applicant’s submissions, in terms of sustainable access to public transport, the proposed site is ideally situated to allow residents access to the public transport network. The closest bus stop to the proposed development is located approximately 200 metres from the site on the A54 (Holmes Chapel Road). The bus stop links the site to Holmes Chapel, Congleton, Sandbach, Northwich, Nantwich, Knutsford and Altrincham. The following services are available:

- Rural Rider Service 41 (Congleton-Holmes Chapel-Sproston-Middlewich- Leighton Hospital-Nantwich)
- Service 49 (Sandbach-Holmes Chapel-Goostrey-Northwich)
- Service H50 (Sandbach-Holmes Chapel-Goostrey-Knutsford-Altrincham)
- Service 319 (Sandbach-Goostrey Circular via Holmes Chapel, Cranage, Allostock, Goostrey and Twemlow Green)

Increasing the number of dwellings in this location will help to sustain this rural bus service, and it is noted that letters of support have been received from the bus company which operates the route.

The proposed development site is served by existing pedestrian infrastructure and the internal highway infrastructure has been designed to guidance within Manual for Streets 2, this ensures vehicular speeds through the site will be low. The design of the internal

infrastructure will ensure a pedestrian friendly environment with areas of pedestrian priority to ensure safe and efficient movement for pedestrians through the site.

Cycling opportunities exist within the local area linking the proposed site to nearby amenity facilities. Holmes Chapel and Congleton Town centres are just three miles from the site, a distance that the vast majority of people will find acceptable by means cycle and provides the opportunity to commute to a place of work using a non-car mode of transport.

An alternative methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and relates to current planning policies set out in the North West Regional Spatial Strategy for the North West (2008).

The Checklist can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

The North West Sustainability Checklist is supported by Policy DP9: Reduce Emissions and Adapt to Climate Change of the Regional Spatial Strategy for the North West, which states that:

“Applicants and local planning authorities should ensure that all developments meet at least the minimum standards set out in the North West Sustainability Checklist for Developments (33), and should apply ‘good’ or ‘best practice’ standards wherever practicable”.

The Regional Spatial Strategy for the North West currently remains part of the Development Plan for Cheshire East.

The criteria contained within the North West Sustainability Checklist are also being used during the Sustainability Appraisal of the Cheshire East Local Plan. With respect to accessibility, the toolkit advises on the desired distances to local facilities 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 results of an accessibility assessment using this methodology are set out below.

Category	Facility	Land opp. Rose Cottages, Somerford
Open Space:	Amenity Open Space (500m)	482m
	Children’s Play Space (500m)	0m
	Outdoor Sports Facility (500m)	6115m
Local Amenities:	Convenience Store (500m)	4184m
	Supermarket* (1000m)	4184m

	Post box (500m)	200m
	Playground / amenity area (500m)	0m
	Post office (1000m)	5310m
	Bank or cash machine (1000m)	4184m
	Pharmacy (1000m)	1815m
	Primary school (1000m)	4506m
	Secondary School* (1000m)	6115m
	Medical Centre (1000m)	5310m
	Leisure facilities (leisure centre or library) (1000m)	5310m
	Local meeting place / community centre (1000m)	4506m
	Public house (1000m)	4506m
	Public park or village green (larger, publicly accessible open space) (1000m)	482m
	Child care facility (nursery or creche) (1000m)	4184m
Transport Facilities:	Bus stop (500m)	200m
	Railway station (2000m where geographically possible)	4666m
	Public Right of Way (500m)	965m
	Any transport node (300m in town centre / 400m in urban area)	4666m
<i>Disclaimers:</i>		
<i>The accessibility of the site other than where stated, is based on current conditions, any on-site provision of services/facilities or alterations to service/facility provision resulting from the development have not been taken into account.</i>		
<i>* Additional parameter to the North West Sustainability Checklist</i>		
<i>Measurements are taken from the centre of the site</i>		

Rating	Description
	Meets minimum standard
	Fails to meet minimum standard (Less than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).
	Significant failure to meet minimum standard (Greater than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).

On the basis of the above assessment the proposal does not appear to be sustainable. However, at an Appeal in Clitheroe, an Inspector stated that

“accessibility is but one element of sustainable development; it is not synonymous with it. There are many other components of sustainability other than accessibility. The concept includes such matters as meeting housing needs in general and affordable housing in particular; ensuring community cohesion; economic development; ensuring adequate provision of local health facilities and providing access for recreation in the countryside”.

Policy DP9 of the RSS relates to reducing emissions and adapting to climate change. It requires:

- proposals to contribute to reductions in the regions' carbon dioxide emissions from all sources;
- take into account future changes to national targets for carbon dioxide and other greenhouse gas emissions
- to identify, assess and apply measure to ensure effective adaptation to likely environmental social and economic impacts of climate change.

RSS (Policy EM18) policy also necessitates that, in advance of local targets being set, large new developments should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated that this is not feasible or viable.

The supporting documentation submitted with the application indicates *“that the proposed development will take the approach of providing the best solution to reducing CO2 emissions associated with the retail unit over its lifetime. energy efficiency of the building should be the priority when looking to reduce CO2 emissions. Only once the building energy efficiency has been maximised, should the use of on-site renewable and low carbon energy sources be explored.....This low carbon ‘building fabric-led’ approach aims to reduce the levels of CO2 emissions associated with the development by reducing need and improving the energy efficiency of each building. This is achieved through significantly upgrading the building fabric and results in a reduction in energy demand and associated CO2 emissions up to and beyond the requirements of regulatory compliance, throughout the lifetime of the building.*

As part of this approach, Bloor Homes design and material specifications will deliver dwellings with inherently low energy demand and provide the following benefits:

- *Improved levels of thermal insulation*
- *Highly efficient double glazing window units*
- *Improved detailing of junctions between build elements to limit thermal bridging heat losses*
- *Improved detailing to limit air leakage heat losses through air permeability*

The proposed ‘building fabric-led’ approach will ensure the provision of the residential units will be inherently energy efficient and therefore, the energy demand reductions will be delivered throughout the lifetime of the building. Accordingly, reducing CO2 emissions should be prioritised and will provide greater environmental benefit in the longer term.

The result will be buildings that are in line with the 2010 Building Regulations Part 1LA, that reduces CO2 emissions by 25% over 2006 regulations, while providing a sustainable building that does not require renewable technology and their subsequent on-going maintenance which may result in significant costs or a reduction in the level of renewable energy supplied throughout the lifetime of the building.”

The information submitted by the developer indicates that it is viable and feasible to meet the requirements of the RSS policy and a detailed scheme can therefore be secured as part of the reserved matters through the use of conditions.

With regard to the issue of economic development, an important material consideration is the Written Ministerial Statement: Planning for Growth (23 March 2011) issued by the

Minister of State for Decentralisation (Mr. Greg Clark). It states that “*Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.*”

The Statement goes on to say “*when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.*” They should, inter alia, consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession; take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing; consider the range of likely economic, environmental and social benefits of proposals; and ensure that they do not impose unnecessary burdens on development.

The proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Similarly, the NPPF makes it clear that “*the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.*”

According to paragraphs 19 to 21, “*Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Investment in business should not be overburdened by the combined requirements of planning policy expectations.*”

In summary therefore, in terms of its location, and accessibility, the development is fundamentally unsustainable. However, previous Inspectors have determined that accessibility is but one element of sustainable development and it is not synonymous with it. There are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development, which this proposal will help to do. Therefore, the current lack of a five year housing land supply, the fact that this site is located predominately within the infill boundary line, and the economic growth benefits are considered, on balance, to outweigh the limited conflicted with local plan policy in terms of the scale of development, and the lack of sustainability in locational terms, the adverse impacts of which are not considered to be significant or demonstrable.

Jodrell Bank

In the absence of any objection from the University of Manchester, subject to appropriate conditions, it is not considered that a refusal on the grounds of the impact on Jodrell Bank could be sustained.

Residential Amenity

The surrounding development comprises modern residential cul-de-sac development to the south side, open countryside to the rear, a large detached dwelling to the north and a mixture of large detached and semi-detached dwellings, within substantial plots on the opposite side of Holmes Chapel Road. The Council's Supplementary Planning Guidance (SPG) recommends that minimum distances of 21.3m be maintained between principal elevations and 13.7m between a principal elevation and a flank elevation.

Distances in excess of those recommended in the SPG will be achieved between the proposed dwellings and those on the opposite side of Holmes Chapel Road. A distance of over 30m will be maintained between the dwelling to the north and the nearest dwelling on the proposed development. 13.7m will be maintained between the rear elevation of the proposed dwelling on plot 7 and the flank elevation of the existing property at 11 Broomfields. A distance in excess of 30m will be retained between the rear elevation of proposed plot 56 and the front of the property at 7 Broomfields. The separation between the rear of proposed plot 4 and the side elevation of 3 Broomfields varies between 10m and 13m. Whilst this is below the recommended 13.7m, given that the two elevations are not directly opposing, this is not considered to be problematic.

To turn to the levels of residential amenity to be provided within the development, distances of 21.3m would be achieved between all the principal elevations, and 13.7m will be maintained between all flank and principal elevations, with the following exceptions. The distance between the front of plot 3 and the front of plot 24 will be reduced to 17m. However, this is considered to be desirable in urban design terms, as it will provide a tightly defined "gateway" and sense of enclosure to the development. The distance between the front elevations of plot 10 and plot 25 and plot 11 and plot 15 will be reduced to between 14m and 18m. However, given that the principal elevations of these dwellings are not directly opposing, this is considered to be permissible.

The Council's SPG advocates the provision of 65sq.m of private amenity space for all new family dwellings. All of the proposed plots will include significantly more than 65sq.m with the exception of the terraced houses on the frontage, which will each benefit from a rear garden area of between 40 and 50sqm. They will also have small, gardens to the front, although it is acknowledged that these will be of limited amenity value. Notwithstanding this point, however, it is considered that a smaller area of amenity space can be justified for these dwellings, as they are much smaller, predominantly two bedroom properties, and are therefore less likely to be occupied by families with children.

Therefore, in the majority of cases the minimum standards set out in the Council's Supplementary Guidance would be exceeded and in cases where they are not, it is considered that there are other mitigating factors. Therefore it is not considered that a refusal on amenity grounds could be sustained.

Ecology

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places. Art. 16 of the Directive provides that if there is no satisfactory alternative and the derogation is not detrimental to

the maintenance of the populations of the species at a favourable conservation status in their natural range, then Member States may derogate *"in the interests of public health and public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the environment"* among other reasons.

The Directive is then implemented in England and Wales The Conservation of Habitats and Species Regulations 2010. ("the Regulations"). The Regulations set up a licensing regime dealing with the requirements for derogation under Art. 16 and this function is carried out by Natural England.

The Regulations provide that the Local Planning Authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of their functions.

It should be noted that, since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must have regard to the requirements for derogation referred to in Article 16 and the fact that Natural England will have a role in ensuring that the requirements for derogation set out in the Directive are met.

If it appears to the planning authority that circumstances exist which make it very likely that the requirements for derogation will not be met, then the planning authority will need to consider whether, taking the development plan and all other material considerations into account, planning permission should be refused. Conversely, if it seems from the information that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements will be met or not, a balanced view taking into account the particular circumstances of the application should be taken and the guidance in the NPPF. In line with guidance in the NPPF, appropriate mitigation and enhancement should be secured if planning permission is granted.

In this case, the Council's Ecologist has examined the application and a small population of great crested newts has been recorded breeding at a pond a short distance from the proposed development. The application site however supports habitat which is of relatively limited value for amphibians.

In the absence of mitigation the proposed development will have a low impact on great crested newts due to the small size of the population present and the relatively low value of habitat lost

In order to compensate for the loss of great crested newt habitat the applicant has proposed the management/enhancement of an area of land to the south of the proposed development. This area of land is in close proximity to the breeding pond. To mitigate the risk of newts being killed/injured during the works the applicant's ecologist has proposed the capture and exclusion of newts from the proposed development site using standard 'best practice' methodologies.

I advise that the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of great crested newts

If planning consent is granted the proposed mitigation must be secured by means of a condition stating that the development shall proceed in accordance with the recommendation made by the submitted Great Crested Newt Mitigation Proposals dated April 2012.

It should be noted that the proposed ecological area appears to be located outside the boundary of the current application. A section 106 agreement will therefore be required to secure the proposed mitigation. This should include a 10 year management plan for this area.

If planning consent is granted, standard conditions will be required to check for breeding birds prior to development and to provide nesting boxes within the completed scheme.

Contaminated Land

The proposed end use of the site is considered to be a "sensitive" use, and therefore an appropriate condition to secure a full ground investigation and any necessary mitigation measures is considered to be necessary. Subject to compliance with this condition it is considered that the proposal will accord with the requirements of Policy GR.8 of the local plan and the NPPF in this regard.

Trees and Landscape.

The Senior Landscape Officer has examined the proposals and commented that the proposed development would result in the loss of the hedgerow and trees on the Holmes Chapel Road frontage. The submitted tree survey schedule affords the trees a C2 (low quality) category and suggests that the feature be removed and replaced with a new hedge and specimen trees.

As stated, the proposed development would result in the loss of the hedgerow on the Holmes Chapel Road frontage.

Where proposed development is likely to result in the loss of existing agricultural hedgerows which are more than 30 years old, it is considered that they should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. Should any hedgerows be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

The Regulations require assessment on various criteria including ecological, archaeological and historic value. The County Archivist has confirmed that the hedgerow did not form part of a boundary between two historic townships or parish, there is no evidence to suggest that it formed the boundary of a pre-1600 estate or manor and there is no evidence to suggest that the hedgerow in question formed an integral part of a filed system pre-dating the Enclosure Acts.

Ecological and archaeological information was awaited at the time of report preparation and a further update will be provided on this matter to Members prior to their meeting.

Only indicative tree symbols are shown on the Planning Layout plan and no detailed landscape proposals are provided. However, these details could be secured by condition. Initially there was concern that the layout sites buildings close to Homes Chapel Road and shows no hedge or shrub planting and only one indicative tree in this area. Should the principle of development be deemed acceptable, in order to mitigate for the loss of the existing hedge and trees on the road frontage, a greater separation from the road would be preferable in order to make provision for replacement roadside hedge and tree planting with sufficient space for future growth and management.

This has been brought to the attention of the developer and amended layout has been submitted showing the frontage dwellings moved back by 1m and the provision of a native hedgerow to the front boundary. A comprehensive landscape scheme and appropriate boundary treatment can be secured by condition.

Highway Safety.

A Transport Assessment has been submitted with the application which concludes that:

- The site is accessible by sustainable modes of travel with a bus service running directly past the site;
- There is an established network of footways located within the vicinity of the site providing links to the surrounding residential areas;
- Appropriate servicing facilities and car parking can be catered for within the development site.
- Vehicular access to the site will be utilised via an already consented residential vehicle access design.
- Traffic generated by the proposed development will have a negligible impact on Holmes Chapel Road and the surrounding highway network.
- There is no demonstrable accident problem on the assessed stretch of Holmes Chapel Road.

The Strategic Highways Manager has examined the application and commented that he has no objection subject to conditions relating to the provision of a footway, street lighting and an appropriate visibility splay. Therefore, whilst residents concerns are noted, in the absence of any objection from the Strategic Highways Manager, it is not considered that a refusal on highway safety grounds could be sustained.

Affordable Housing

As this proposal is in a rural area that has a population of fewer than 3,000 and the site is larger than 0.2ha and includes more than 3 dwellings, there is a requirement for affordable housing to be provided as per the Interim Planning Statement: Affordable Housing.

The site crosses over 2 parishes Somerford and Brereton. Somerford is located in the Congleton Rural sub-area and Brereton is within the Sandbach Rural sub-area in the Strategic Housing Market Assessment 2010 (SHMA). The SHMA identified a need for 10

new affordable units per year in the Congleton Rural sub-area, made up of a need for 1 x 1 bed, 2 x 2 beds, 3 x 3 beds and 1 x 1/2 bed older persons units, and a net requirement for 1 new affordable unit per year in the Sandbach Rural sub-area. In addition to this information there are also 10 applicants on the housing register who have selected Brereton or Someford for their first choice. The breakdown of the number of bedrooms required by these applicants is 1 x 1 bed, 5 x 2 bed and 2 x 3 bed.

The affordable housing being offered comprises of 3 x 2 bed & 2 x 3 bed for rent and 2 x 3 bed as intermediate tenure. This would be acceptable as it goes towards meeting some of the identified housing need. This equates to provision of just under 30% affordable housing. However the tenure split is 70% rented and 30% intermediate and, as the SHMA 2010 identified a tenure preference for rented affordable housing, Housing Officers have no objection to this provision.

The affordable housing is located in a cluster rather than being “pepper-potted” throughout the site. However it does have open market housing around it and given the small scale of the development site as a whole, this is considered to be acceptable.

It is the Council’s preference that the affordable housing is secured by way of a S106 agreement, which requires the developer to transfer any rented affordable units to a Housing Association and includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy. This is in accordance with the Affordable Housing IPS which 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 that

“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”

The Affordable Housing Interim Planning Statement requires that the affordable homes should be provided no later than occupation of 50% of the open market units. This can also be secured through the Section 106 Agreement.

Design and Layout

The dwellings on plots 1 to 3 and 18 to 24 provide an active frontage to Holmes Chapel Road, with pedestrian access out on the pavement. However, car parking will be to the rear of these properties which will avoid creating a car dominant frontage. The corner properties on plots 4 and 24 also include bay windows and large hall / landing windows, to create a dual aspect to break up the mass of the gables and “turn the corner” into the proposed development.

The dwellings to the rear are laid out in around 2 cul-de-sacs similar to the existing developments at Broomfields, Ivanhoe, and Hollycroft. This layout helps to create a sense of enclosure and community as well as natural surveillance of the parking and turning areas. This sense of enclosure is enhanced by the fact that the dwellings on plots 4 and 24 are stepped forward slightly to create a “gateway” and sense of transition between the frontage development and the cul-de-sac to the rear, which make up the two parts of the site and have differing and distinct characters.

The proposed dwellings are 2 stories in height which reflects the surrounding developments to either side. It is therefore considered to be acceptable in street scene terms. Furthermore, it will help to knit together the two recent developments at Broomfield and Hollycroft, to create a continuous frontage to Holmes Chapel road and to help to consolidate the nucleus of the settlement which has developed over recent years around the junction of Brereton Heath Lane and Holmes Chapel Road.

To turn to the elevational detail of the scheme, the properties are traditional gabled and pitched roofed dwellings which incorporate many features such as canopy porches and window head details that are typical of many farmhouses and traditional cottages in the vicinity. Similar designs have been employed on the neighbouring developments at Hollycroft and Broomfield and it is considered that the proposed dwellings would be appropriate for the site and in keeping with the character of the surroundings.

Open Space

The Greenspaces Officer has commented that there is an excess of general amenity green space in the vicinity but the developer appears to be providing more on site. However, there is a deficiency in the existing provision of Children and Young Persons Provision accessible to the proposed development which the proposal would exacerbate. The nearest play area which could be upgraded through an off-site contribution is at School Lane, Brereton Green. This is outside the 800m threshold from the site, and is therefore considered to be too far away to be suitable for off-site provision. Given the excess of amenity green space, it is considered to be appropriate to provide a small Local Equipped Area for Play (LEAP) is provided on site.

Greenspaces have advised that it should have at least 3 items of equipment (including a multi-unit) for the 6 and under age range. The play facility would be provided by the developer and would take into account play area infrastructure, equipment including elements of DDA equipment, safer surfacing and safety inspection. The final layout and choice of play equipment should be agreed with CEC, and obtained from an approved supplier to the Council. The construction should be to the council’s specification and full plans must be submitted prior to the play area being installed. These must be approved, in writing prior to the commencement of any works. Landscaping should be kept to a minimum i.e. solely fencing as a boundary treatment with a tarmac area surrounding the equipments safer surfacing. Again, plans should be submitted and approved by The Council prior to any commencement of works. The facility should be maintained and managed by a private management company. This can be secured through the Section 106 Agreement.

Greenspaces have expressed a preference for the POS to be it positioned more centrally, rather than in the North West concern of the site, to improve natural surveillance of the area. This issue was discussed at the pre-application stage and planning officers were concerned that the consequence of the overall layout of this arrangement was a significant increase in the length of road and hard-surfacing required to gain access to all of the properties, which created a form of development which was less in keeping with the rural setting of the site, and less sustainable in terms of increasing surface water runoff and fewer opportunities for sustainable drainage.

Furthermore, it was considered that locating the POS at the rear of the site also provided a “softer” edge to the open countryside, particularly given that this part of the site is located outside the Infill Boundary Line.

9. CONCLUSION

In summary, the proposal is considered to be acceptable in principle, as it lies predominantly within the infill boundary line as designated in the local plan. It will assist the Council in meeting its requirement for a 5 year housing land supply and will promote economic growth. It is the view of officers that these considerations outweigh the site’s lack of sustainability in locational terms, and the minor conflict with adopted local plan in terms of the small triangle of the site which lies outside the infill boundary line and the scale of the development, which it could be argued is too great to constitute “limited” infilling. Furthermore, it is considered that any harm arising from these issues would not be substantial or demonstrable, and therefore the presumption in favour of development, under paragraph 14 of the NPPF applies.

The proposal is acceptable in terms of its impact on Jodrell Bank and residential amenity. The Contaminated Land issue can be adequately addressed through conditions and the affordable housing requirement is being met on site. The design and layout is also considered to be acceptable and will respect the character and appearance of the surrounding area. The proposal will be acceptable in terms of its impact on ecology, trees and landscape, highway safety and open space. It will also assist in meeting local affordable housing needs.

Therefore in the absence of any other material considerations and having due regard to all other matters raised, the proposal is considered to be acceptable and accordingly is recommended for approval subject to appropriate Section 106 Agreement and conditions.

10. RECOMMENDATION

APPROVE subject to signing of a Section 106 agreement making provision for:

- **Provision of off-site ecological mitigation**
- **Affordable Housing comprising:**
 - **3 x 2 bed & 2 x 3 bed for rent and 2 x 3 bed as intermediate tenure**
 - **developer to transfer any rented affordable units to a Housing Association**
 - **local connection criteria**

- the affordable homes should be provided no later than occupation of 50% of the open market units.
- **Local Equipped Area for Play (LEAP) is provided on site to include:.**
 - At least 3 items of equipment (including a multi-unit) for the 6 and under age range.
 - Play area infrastructure,
 - Elements of DDA equipment,
 - Safer surfacing and safety inspection.
 - The final layout and choice of play equipment should be agreed with CEC, and obtained from an approved supplier to the Council.
 - Construction to the council's specification
 - Full plans to be submitted and approved prior to the play area being installed.
 - Solely fencing as a boundary treatment with a tarmac area surrounding the equipments safer surfacing.
 - The facility to be maintained and managed by a private management company.

And the following conditions:

- 1. Standard**
- 2. Plans**
- 3. Materials to be submitted and approved**
- 4. Submission / approval and implementation of scheme of electromagnetic screening**
- 5. Submission / approval and implementation of details of site compound**
- 6. Submission / approval and implementation of piling method statement**
- 7. Hours of construction restricted to: Monday – Friday 08:00 to 18:00 hrs; Saturday 09:00 to 14:00 hrs; Sundays and Public Holidays Nil**
- 8. Submission / approval and implementation of environmental management plan**
- 9. Submission / approval and implementation of scheme to minimise dust emissions**
- 10. Submission of contaminated land investigation**
- 11. No discharge of surface water to foul sewer**
- 12. Submission of a scheme to limit the surface water run-off generated by the proposed development, in accordance with the Flood Risk Assessment (FRA)**
- 13. Submission of further details/calculations will need to be provided at the detailed design stage to demonstrate that any proposed soakaways have been appropriately designed for up to the 1% annual probability event, including allowances for climate change.**
- 14. The site is to be designed to contain any such flooding within the site, to ensure that existing and new buildings are not affected.**
- 15. Submission of a scheme to manage the risk of flooding from overland flow of surface water,**
- 16. Foul drainage should be connected to foul sewer**
- 17. Provision of a footway and street lighting**
- 18. Access road to be 5.5 metres for a minimum length of 10 metres from the highway boundary.**
- 19. A 2.4 metre by 160 metre visibility**

- 20. Provision of carparking**
- 21. Construction of access**
- 22. Provision of 10% renewables unless unviable / impractical**
- 23. Scheme of energy saving features to be incorporated into dwellings**
- 24. Mitigation to be carried out in accordance with submitted statement**
- 25. Survey to check for breeding birds prior to commencement in nesting season**
- 26. Provision of nesting boxes**
- 27. Landscaping to be submitted and approved**
- 28. Implementation of landscaping**
- 29. Implementation of boundary treatment**

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