

Application No: 13/1305N

Location: Land to the West of Close Lane and North of Crewe Road, Alsager, Cheshire, ST7 2TJ

Proposal: Outline planning application for a mixed residential scheme to provide affordable, open market, and over 55's sheltered accommodation, open space and new access off Close Lane (76 family dwellings comprising one to four bedrooms and 56 dwellings for the over 55's comprising 1 and 2 bedrooms).

Applicant: Muller Property Group

Expiry Date: 25-Jun-2013

#### **SUMMARY RECOMMENDATION**

- **REFUSE**

#### **MAIN ISSUES**

**Planning Policy And Housing Land Supply  
Affordable Housing,  
Highway Safety And Traffic Generation  
Landscape Impact  
Hedge and Tree Matters  
Ecology,  
Amenity  
Open Space  
Drainage And Flooding,  
Sustainability  
Education**

#### **REFERRAL**

The application has been referred to Strategic Planning Board because it is a largescale major development and a departure from the Development Plan.

#### **1. SITE DESCRIPTION**

The application site is located to the west of Alsager, adjoining the existing settlement boundary of Alsager. The site however is located in the Oakhanger ward and is covered by the Crewe and Nantwich Borough Local Plan, the boundary of Alsager being Close Lane. However, it is considered that the site is most closely related to the Alsager settlement and that possible residents of the site would utilise services and facilities within the Alsager area.

The application site is currently rough grassland subdivided into a number of small paddocks, abutted to the north by an area of woodland and to the west by the wider agricultural landscape and beyond this the M6 motorway. To the south the site is bound by the residential development at Delamere Court, Close Lane forms the eastern boundary of the site, to the east of which is an extensive area of residential development. Footpath 48 Haslington is located along much of the western boundary of the application site and links with Footpath 20 Haslington, which is located slightly further to the west.

The eastern side of Close Lane features the mixed 1960's onwards bungalow and housing development of Alsager.

The site contains a single Tree Preservation Order identified as CNBC (Delamere Close Lane Alsager) Area 1 located within the south eastern corner of the site with the Order served in 1984.

## **1. DETAILS OF PROPOSAL**

The application seeks outline planning permission for 76 family (1 to 4 bed) dwellings and 56 dwellings for the over 55's (1 and 2 beds) with all matters reserved. All matters, including the access onto Close Lane, are reserved for future consideration. An illustrative site layout is provided in support of the application which indicates access, however, the scheme has been amended to remove the access point. Thus all matters are now reserved.

The illustrative masterplan indicates development zones for the 76 family sized units of which 23 are required to be affordable/shared ownership homes (one to three bed) adjoining the existing modern developments in Delamere Court and Kensington Close. A further zone of sheltered market and affordable units is indicated to the north of the site. Overall there is 1.28 hect of open space, including a play area. A undeveloped zone comprising the Yew Tree Farm Local Wildlife Site (formerly Site of Biological Importance) forms part of the site adjoins the proposed Public Open Space and play area to the western part of the site.

30% of the dwellings and sheltered accommodation are proposed to meet affordable housing criteria in accordance with policy requirements. .

## **2. RELEVANT PLANNING HISTORY**

There are no relevant previous planning applications relating to this site.

## **4. PLANNING POLICIES**

## **Crewe and Nantwich Local Plan Policy**

NE.2 (Open countryside)  
NE.5 (Nature Conservation and Habitats)  
NE.9: (Protected Species)  
NE.20 (Flood Prevention)  
NE.21 (Land Fill Sites)  
BE.1 (Amenity)  
BE.2 (Design Standards)  
BE.3 (Access and Parking)  
BE.4 (Drainage, Utilities and Resources)  
RES.5 (Housing In The Open Countryside)  
RT.6 (Recreational Uses on the Open Countryside)  
TRAN.3 (Pedestrians)  
TRAN.5 (Cycling)

## **Other Material Policy Considerations**

National Planning Policy Framework

Interim Planning Policy: Release of Housing Land (Feb 2011)

Interim Planning Statement: Affordable Housing (Feb 2011)

Strategic Market Housing Assessment (SHMA)

North West Sustainability Checklist

Strategic Housing Land Availability Assessment

Draft Development Strategy

## **4. OBSERVATIONS OF CONSULTEES**

### **Environment Agency**

No objection in principle to the proposed development but requests that the following planning conditions are attached to any planning approval.

- The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. The submitted FRA demonstrates that the maximum discharge rate is to be restricted to approximately 5 litres/second, which is acceptable in principle. For discharges above the allowable rate, attenuation will be required for up to the 1% annual probability event, including allowances for climate change.

The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate

- A 5 metre wide undeveloped buffer zone alongside the *watercourses* shall be provided
- A scheme to manage the risk of flooding from overland flow of surface water shall be

approved

- The Indicative Masterplan indicates that access will be gained over the ordinary watercourses in several places. It is unclear if it is intended to use culverts. The Agency seeks to resist the use of culverts. If culverting can not be avoided then it should be as short a length as possible. The plans should demonstrate to our satisfaction what impact the proposed culverting would have and how compensatory works would address this. Full details of working methods and timing, treatment of bed material would be required.

## **Greenspaces**

### Public Open Space

On site provision is located to the southern part of the site adjoining the local wildlife site, and in a linear strip through the central portion of the site.

It is not the Council's policy to take transfer of areas of POS that have water bodies located in, around or running through them due to the additional liabilities and maintenance implications associated with such areas. Therefore it is recommended these areas of POS be transferred to a management company.

### Children and Young Persons Provision

For a development of this size a LEAP as detailed below is required.

The play area should be of a LEAP size and should include at least 5 items of equipment, using play companies approved by the Council. The Greenspace Division would request that the final layout and choice of play equipment be agreed with CEC, the construction should be to the Council's satisfaction. Full plans must be submitted prior to the play area being installed and these must be approved in writing prior to the commencement of any works. A buffer zone of at least 20m from residential properties facing the play area should be allowed for with low level planting to assist in the safety of the site.

The future maintenance would require a management plan and regime.

## **United Utilities**

No objection to the proposal subject to the following conditions:

- This site is drained using a total separate system with only foul drainage connected into the public sewerage system.
- Surface water should discharge directly in to the watercourse crossing the site which may require the consent of the Local Authority.
- For the avoidance of doubt, no surface water flows shall communicate with the public sewerage system via direct or indirect means.

## **Strategic Manager Highways**

Recommends that the application is refused on sustainability grounds. The site is some distance from day to day services which are in the town centre. Public transport accessibility is poor along Close Lane.

The access has been reserved for future assessment, however, the Strategic Highways Manager recommends that the site can be satisfactorily accessed.

## **Environmental Health**

No objection subject to standard conditions including hours of development, air quality, contamination and the provision of acoustic 2m high fencing to those boundaries of the site closest to the motorway.

## **Adult Services**

No objection to the provision of sheltered accommodation for the over 55's

## **Education**

A development of 76 dwellings will generate 14 primary and 10 secondary aged pupils.

The primary schools within 2 miles and the secondary schools within 3 miles have been considered for capacity. The primary schools are showing that there are forecast to be 48 unfilled places by 2016 and 52 unfilled places by 2016. The secondary school is showing 166 unfilled places by 2019.

Currently there are a number of planning applications within the Alsager area, with an application on Crewe Road approved and generating 11 primary aged pupils and an application in on the former Twyfords site having a resolution to approve subject to conditions generating 54 primary aged pupils. By including these pupil numbers then a contribution will be required towards primary education. The required contribution is therefore  $14 \times 11919 \times 0.91 = £151,848$

No contribution will be required towards secondary education as there is sufficient capacity in the local secondary school.

## **PROW UNIT**

Footpath Haslington No 48 runs through part of the site.

Inclusion of the Public Footpath within the Public open space of the site would appear a sensible proposal should the development proceed. The route could be left as a grass-surface path to be maintained within the Open Space management arrangements. The suggestion of a line of trees on the boundary of the site adjacent to the public right of way is viewed with caution, as tree limbs and roots may impede on the public footpath and will require more management.

The link from Close Lane to the public footpath across the top of the site would be supported as it would provide both new and existing residents with a connection to the wider public rights of way network.

The proposal for pedestrian and cyclist access on to Close Lane would match with prospective users' main desire lines to the town centre.

The legal status of new routes would require agreement with the Council as Highway Authority and the routes would need to be maintained as part of the Open Space Management arrangements.

## **5. VIEWS OF THE PARISH / TOWN COUNCIL**

Haslington Parish Council objects on the following grounds -

The majority of the proposed development site is based on Grade 2 "best and most versatile land" which is outside the settlement boundary for Alsager and located in the open countryside of Oakhanger.

The proposed development is in open countryside, is not infilling a small gap or essential for agriculture etc. and therefore contrary to Crewe & Nantwich Borough Council policy NE.2

The site is not identified in the 2012 SHLAA, it is not included as a development site in the agreed Alsager Town Plan. Cheshire East state that they have in excess of the required 5 years supply of land identified in the SHLAA, so the Close Lane site is not required for residential development.

The proposed development includes properties very close to the existing dwellings in Delamere Close and Kensington Close contrary to policy BE.1 Amenity

The houses indicated in the Landscape Visual Impact Assessment appear to be very "boxy", they appear to be contrary to policy BE.1 Amenity and BE.2 Design Standards, they adversely impact the streetscene by reason of scale, height and proportions. The inclusion of hipped or half-hipped roof would reduce the impact on existing neighbours.

The proposed development is not in Alsager, but is in the rural community of Oakhanger, part of the parish of Haslington. The rural area is not in need of development on the proposed scale, the urban area of Alsager has available brownfield sites that should be developed before greenfield land in adjoining rural communities is considered for development.

The Flood Risk Assessment details several open and culverted ditches that accept water from surrounding land, road drains and a United Utilities (UU) pumping Station. The UU plans in Appendix 5 in the report show only foul sewers feeding the Close Lane pumping station, which has a consent to pass water into the adjoining ditch. Appendix 8 shows photographs of various ditches around the site, photo 4 shows the ditch closest to the Close Lane pumping Station with discoloured water flowing into the site. The implication is that this is overflow from the foul sewerage pumping station i.e. untreated domestic sewage. The plans shown in Appendix 7 show the outfall from the pumping station to flow through the development via the

area proposed for sheltered housing, alongside the SUDS and through the public open space and play area into adjoining fields. So the application proposes to run untreated sewage through most of the watercourses within the development which must be considered a health risk and unacceptable design.

The single access point to the proposed development would become the 5th road junction on Close Lane within 250m, adding to road safety concerns for pedestrians, cyclists and motorists.

The proposed location of affordable homes and those aimed at more elderly residents requiring sheltered accommodation, so far away from the main shopping, health services and schools towards the centre of Alsager seems perverse and unsustainable.

### **Alsager Town Council :**

Strongly objects to the proposed development on the following grounds:

1. The site is not contained for development within the approved Alsager Town Strategy which is being used as an evidence base to inform Cheshire East Council's developing Local Plan. Alsager Town Council has gone through the Town Strategy process and followed the correct approach and strategy to this process and Cheshire East Council and HM Government should recognise this is of key importance and give weight to it as a material planning consideration with particular regard to the Localism Act, which empowers local people to have a say in the development of their local area.
1. The application is an intrusion into the surrounding countryside and no development should take place on Greenfield sites in Alsager before all brownfield sites are exhausted, to ensure that greenfield sites, which gave access to the countryside, are protected and preserved against residential development. It is the Town Council's policy contained in the Alsager Town strategy that sustained development should take place on existing brownfield sites and there are enough brownfield sites in Alsager to meet the towns future needs.
2. Cheshire East Council in its document "Cheshire East Local Plan – Draft Development – Strategy and Policy Principles" state that Town Strategies are intended to inform the Cheshire East Local Plan and that consequently the Development Strategy endeavours to reflect the approved documents deposited with Cheshire East and reflects the wishes and aspirations of its residents This Strategy clearly accepts the need of the housing growth but strongly emphasises that the towns brownfield site should be fully utilised before greenfield sites are developed which is sympathy with Cheshire East Report.
3. The Town Council contend that once Greenfield sites are developed they are gone forever, and therefore Greenfield sites should be saved in order to protect our local environment, open spaces and wildlife.
4. A fundamental aim of Greenfield sites is to prevent urban sprawl by keeping land permanently open. Their essential characteristics are openness and permanence and as such Greenfield sites safeguard the countryside and prevent joined up settlements.
5. This particular application, in conjunction with other current large resident development applications in Alsager. If approved would have a serious detrimental impact on the town highway infrastructure, education doctors surgeries, medical centre, local facilities

and amenities. Such applications, if approved would be a threat to the character and atmosphere to the town as a whole.

6. The Cheshire East Development Strategy Document indicates that the authority must protect as much of our natural environment as possible and safeguard the best of Cheshire countryside. The Town Strategy accepts that an additional 1,000 homes will be required by 2030, an average of 55.6 per year but planning applications have recently been approved for 400 homes, which equates to a 7.2 year supply of housing land which more than satisfies the requirements of the National Planning Policy Framework. Therefore, as far as housing development in Alsager is concerned all necessary consultation has been completed and the Alsager Town Strategy should already be considered as the Emerging Plan for the purposes of considering planning application which conflict with that Adopted town strategy.
7. The Town Council have concerns that there is insufficient information in the application relating to the impact of the development on Local Air Quality.
8. The Town Council request that a site inspection be arranged before Cheshire East Council makes a decision on this application.

## **6. OTHER REPRESENTATIONS**

662 individual representations have been received making the following points:

### ***Policy Issues***

- Contrary to the Alsager Town Strategy policy to build on brownfield sites (such as MMU and Twyfords)
- There is sufficient brownfield land in Alsager to accommodate new houses that need to be built without any greenfield or open space being used

### ***Lack of Need***

- This proposed development is excessive in its use of green land, would produce excessive traffic nuisance on Close Lane and would create a precedent of free for all and reckless development of the Cheshire countryside.

### ***Sustainability***

- The area is also too far from the nearest facilities such as shops, pubs and post office, meaning residents would be reliant on cars
- Poor bus service on Close Lane limit opportunities for the residents of the any new development to travel by public transport.

### ***Ecology***

- The site is home to a diversity of wildlife including protected species, inc Great Crested Newts
- There are several healthy oak trees which deserve protection.



- The proposed development would restrict normal access to this corridor from open farmland/countryside, thus diminishing its attraction to such wildlife.

### ***Compromises Road Safety / Traffic Generation***

- Close Lane is a country lane that is badly in need of repair. There is no footpath in many parts including outside my own property. There are bad bends and in parts it is not possible for 2 vehicles to pass. I regularly walk in Close Lane and feel extremely vulnerable because of this. The road is used by residents of Close Lane, Dunnocksfold Road and all the Housing Estate behind these. It has never been adapted to accommodate the level of traffic pedestrians and children walking to school so how can this country lane possibly accommodate a new housing estate?

## **7. APPLICANT'S SUPPORTING INFORMATION:**

- Statement of Community Involvement
- Utilities Statement
- Geo-Environmental Statement
- Flood Risk Assessment
- Development Concept Plan
- Design and Access Statement
- Transport Assessment
- Agricultural Land Classification Assessment
- Open Space Assessment
- Affordable Housing Statement
- Planning Statement
- Ecological Surveys
- Tree Survey
- Landscape and Visual Impact Analysis

This are all available to view on the case file. In precise, it is the Applicants case that the Council does not have a deliverable 5 year supply of housing; that in previous agreed Statements of Common Ground that this has been accepted by the Council, there is a significant benefit in the form of the sheltered accommodation for which there is a need in the area and that these factors weigh significantly in favour of the proposal. The Applicant also considers that the site is sustainably located.

## **8. OFFICER APPRAISAL**

### **Main Issues**

The main issues in the consideration of this application are the suitability of the site, for residential development having regard to matters of planning policy and housing land supply, affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding, sustainability and education.

## **Principle of Development**

### ***Policy Position***

The site lies in the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011. Policies NE.2 and RES.5 state 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. Residential development will be restricted to agricultural workers dwellings, affordable housing and limited infilling within built up frontages.

The proposed development would not fall within any of these 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*”.

The National Planning Policy Framework endorses and reinforces the system of statutory development Plans. Paragraph 12 states that the:

*“National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.”*

The NPPF also sets a distinction between development plans adopted “since 2004” (paragraph 214) and other Plans in use. By implication 2004 is a benchmark date in considering whether plans are ‘out of date’ or not. All the plans listed below were adopted since the start of 2004 – and therefore should not fall within the category of being, necessarily, out of date in the context of Paragraph 14 of the framework

The following Development Plans in use in Cheshire East have been adopted since 1 January 2004. They are:

Macclesfield Local Plan  
Congleton Local Plan  
Crewe & Nantwich Local Plan  
Cheshire Waste Local Plan

When considering the weight to be attached to development plan policies, paragraphs 214 and 215 enable ‘full weight’ to be given to Development Plan policies adopted under the 2004 Act. The Cheshire East Plans policies, although saved in accordance with the 2004 Act are not adopted under it.

Consequently following the guidance in paragraph 215;

*“due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”*

The issue in question is whether the policy in the Plan of relevance to this proposal is in line with the NPPF.

Members should note that on 23<sup>rd</sup> March 2011 the Minister for Decentralisation Greg Clark published a statement entitled ‘Planning for Growth’. On 15<sup>th</sup> June 2011 this was supplemented by a statement highlighting a ‘presumption in favour of sustainable development’ which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

*“The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. 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”.*

### **Housing Land Supply**

National Planning Policy Framework (NPPF) reiterates at paragraph 47 the requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

*“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.*

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government’s overall ambitions for affordability.

Whilst the Regional Spatial Strategy has now been revoked, the figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire

East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum.

In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved. In December 2012, the Cabinet agreed the Cheshire East Local Plan Development Strategy for consultation and gave approval for it to be used as a material consideration for Development Management purposes with immediate effect. This proposes a dwelling requirement of 27,000 dwellings for Cheshire East, for the period 2010 to 2030, following a phased approach, increasing from 1,150 dwellings each year to 1,500 dwellings.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the emerging Strategic Housing Land Availability Assessment (SHLAA) February 2013. The SHLAA has put forward a figure of 7.15 years housing land supply. This document was considered by the Strategic Planning Board on 8<sup>th</sup> February and adopted by the Portfolio Holder on 11<sup>th</sup> February 2013.

Policy change is constantly occurring with new advice, evidence and case law emerging all the time. However, the Council has a duty to consider applications on the basis of the information that is pertinent at any given time. Consequently, it is recommended that the application be considered in the context of the 2013 SHLAA.

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 NPPF advocates a greater 20% buffer where there is a persistent record of under delivery of housing. However, for the reasons set out in the report which was considered and approved by Strategic Planning Board at its meeting on 30<sup>th</sup> May 2012, these circumstances do not apply to Cheshire East. Accordingly, once the 5% buffer is added, the 2013 SHLAA shows that the Borough has an identified deliverable housing supply of 7.15 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.”*

However, given that Cheshire East can now demonstrate a five year supply of housing land it is not considered that policy NE.2 and RES.5 of the Crewe and Nantwich Local Plan which protect Open Countryside are out of date and furthermore, the provisions of paragraphs 49 and 14 do not apply in this case.

Paragraph 35 of the NPPF states,

*'Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. However this needs to take account of policies set out elsewhere in this Framework, particularly in rural areas.'*

- *Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to*
- *accommodate the efficient delivery of goods and supplies;*
- *give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;*
- *create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;*
- *incorporate facilities for charging plug-in and other ultra-low emission vehicles; and*
- *consider the needs of people with disabilities by all modes of transport.*

It is considered that the NPPF and Local Planning policy are consistent as both seek create development which will be sustainable in terms of accessibility to a choice of means of transport.

Therefore, the presumption in favour of the development from the NPPF does not apply, but the presumption against the development under the adopted local plan policy is still applicable. On this basis the application should be refused.

### ***Emerging Policy***

Whilst the site is within the area of the Crewe and Nantwich Local Plan, the site is closer to Alsager and would be served via schools, services etc within Alsager.

The Draft Alsager Town Strategy identified a selection of Potential Development Options within and adjacent to Alsager, these were consulted on between 2nd March and 2nd April 2012. The application site was included in the Strategy consultation as part of 'Site H: Radway Green North'. 222 responses were received in relation to this consultation and these were reported, including a number of alternative sites, to the Stakeholder Panel in June 2012. Following this Stakeholder Panel meeting it was decided to take forward, a 6 sites within the town, including 2 parts of site H (H1 Employment and H3 – Residential). However, the area being considered for development as part of this application does not fall within either area.

The Cheshire East Development Strategy approved by Strategic Planning Board as a material consideration, directs additional housing in Sandbach to three strategic sites:

- **Twyfords** - Circa 450 new homes, Employment development and retention of existing B1 development, A local centre with community facilities and retail space (2-300sqm)
- **Former Manchester Metropolitan University Campus** - Circa 400 new homes, A local centre with community facilities and retail space (2-300sqm)
- **Radway Green** - Circa 10 hectares of employment land

These sites have now been carried forward into the Draft Local Plan (development strategy) now the subject of consultation. The NPPF consistently underlines the importance of plan –led development. It also establishes as a key planning principle that local people should be empowered to shape their surroundings. Regrettably, the Secretary of State has often chosen to give less weight to these factors within his own guidance – and comparatively more to that of housing supply.

In the recent Secretary of State decisions in Doncaster MBC (APP/R0660/A/12/2173294 refers), it was found that a development was to be premature even though the Development Plan was still under preparation. Important to this decision was the finding that a five year supply of housing land was available. There is nothing in national guidance to suggest prematurity and housing supply should be linked in this way, and logic might question how the two are interlinked, but this factor was evidently influential in this case. Given that the Council now has a 5 year supply of housing, it is considered that a prematurity case can be defended in this case.

### **Conclusion**

- The site is within the Open Countryside where under Policy NE.2 and RES.5 there is a presumption against new residential development.
- The NPPF states that where authorities cannot demonstrate a 5 year supply of housing land, relevant local plan policies are out of date and there is a presumption in favour of development 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.
- The 2013 SHLAA shows that the Borough has an identified deliverable housing supply of 7.15 years and therefore the presumption in favour of the proposal does not apply.
- The proposal does not accord with the emerging Development Strategy. Previous Appeal decisions have given credence to such prematurity arguments where authorities can demonstrate a five year supply of housing land.
- Consequently, on this basis the application should be refused.

### **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. A 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 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.

The toolkit sets maximum distances between the development and local amenities.

These comprise of:

- post box (500m),
- local shop (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).

- secondary school (2000m)
- Public Right of Way (500m)
- Childrens playground (500m)

In this case the development site meets the following sustainability distances:

Amenity Open Space - on site  
 Children's Play Space - on site  
 Playground / amenity area - on site  
 Bank or cash machine - 960m  
 Primary school - 660m  
 Secondary School - 1580m  
 Public house -1000m  
 Public park or village green -950m

A 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) exists in respect of the following:

Convenience Store	900m
Post box	850m
Outdoor Sports Facility	1580m
Supermarket	1650m
Dentist	1580m
Post office	2450m
Pharmacy	1900m
Medical Centre	2580m
Railway station	2650m
Nursery	1650m
Local meeting place / community centre	2350m
Library	2250m

On the basis of the above assessment the proposal to be generally unsustainable in purely locational terms.

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.

According to the Design and Access Statement, the construction of these dwellings in accordance with the approach of the energy hierarchy will aim to reduce energy consumption and maximise energy efficiency. Dwellings will for the most part face south, south east or south west, SUDS will be used. The Over 55's units will be Lifetime Homes.



Whilst the above comments are noted, the Design and Access Statement does not provide any indication as to how these principles of sustainable development would be met within the development. Nevertheless, this is an outline application and a detailed scheme to achieve this could be secured 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:

- 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;
- ensure that they do not impose unnecessary burdens on development.

No economic benefit analysis has been provided as part of the application, however, it is accepted that the construction of a housing development of this size would bring economic benefit to local shops, potentially provide local employment opportunities in construction and the wider 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 conclusion, however, the lack of locational sustainability and the inevitable reliance on the private car that the lack of access to everyday goods and services brings, the loss of open countryside, when there is no need in order to provide a 5 year (plus buffer) housing land supply requirement are all reasons why this proposal is contrary to policy as expressed in the NPPF and the local plan. Further, it is considered that these policy contraventions outweigh any benefits of the scheme that might accrue by virtue of the delivery of affordable housing and sheltered housing (over 55') .

## **Loss of Agricultural Land**

Policy NE12 of the Local Plan states that proposals which involve the use of the best and most versatile agricultural land (grades 1, 2 and 3a based on the ministry of agriculture fisheries and food land classification) for any form of irreversible development not associated with agriculture will only be permitted where all of a number of criteria are satisfied.

However, the National Planning Policy Framework highlights that the use agricultural land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

The applicant has submitted an agricultural land classification study which concludes that 2.9 hectares of the site (5.2 hect in total) is an area of Grade 2 land along the northern edge of the site, including the northern part of the eastern field. The remaining land is likely to comprise a mix of Grade 5 and non agricultural land, the latter confined to a woodland and Local Wildlife site (formerly SBI) located within the site.

Given the proposal involves the loss of an element of Grade 2 land, it is necessary to refer to the other tests in Policy NE12. Given that the Council now has a housing land supply in excess of 5 years it is not considered that the circumstances and need for development are supported in the local plan. However the proposal does not break up a viable agricultural holding or holdings, and given that only a very limited amount of grade 2 land is involved and that Inspectors have previously attached only very limited weight to the matter of agricultural land, it is not considered that an additional reason for refusal on these grounds could be substantiated.

## **Affordable Housing**

The Council's Interim Planning Statement for Affordable Housing (IPS) states that the Council will seek affordable housing on all sites with 15 units or more, and the general minimum proportion of affordable housing for any site will be 30% of the total units.

The IPS also sets out that the preferred tenure split of the affordable is 65% social rent (affordable rent would also be acceptable in Alsager), 35% intermediate tenure, this tenure split was identified as part of the Strategic Housing Market Assessment 2010.

As the proposals for both the family dwellings and over 55's dwellings contain more than 15 units there is a requirement for affordable housing on both.

The site is located in Haslington ward. However it is directly adjacent to Alsager and the built up area of Haslington is physically remote from the site at the opposite side of the parish. The affordable housing need for Alsager has been considered;

The Strategic Housing Market Assessment 2010 identified a net requirement for 36 new affordable homes each year between 2009/10 – 2013/14, made up of a need for

13 x 2 beds  
12 x 3 beds  
12 x 4/5 beds

10 x 1/2 bed older persons dwellings.

(The SHMA identified an over-supply of 12 x 1 bed dwellings resulting in the net requirement for 36 affordable homes)

There are currently 220 active applicants on the waiting list with Cheshire Homechoice, these applicants have stated they require 83 x 1 bed, 76 x 2 bed, 41 x 3 bed & 5 x 4 bed properties (15 applicants did state how many bedrooms they needed).

The total affordable housing requirement the SHMA 2010 identified over the 5 year period is 180 affordable homes. 81 affordable homes are anticipated due to planning approvals / resolutions to approve, however none have been delivered yet.

The affordable housing requirements for this site are 30% of the family dwellings and 30% of the over 55's dwellings, based on the numbers on the application this would equate to a requirement for 23 affordable family dwellings, 15 of which should be social or affordable rent & 8 intermediate tenure and a requirement for 17 affordable over 55's dwellings, 11 should be social or affordable rent & 6 intermediate tenure.

The applicant has given an indicative mix of affordable housing as 6 x 1 bed and 5 x 2 bed social/affordable rented dwellings, 3 x 2 bed and 3 x 3 bed intermediate dwellings and 11 x 1 bed over 55's social/affordable rented dwelling, 6 intermediate over 55's dwellings. Although the SHMA 2010 identified a slight over supply of 1 bed dwellings in Alsager there are more applicants who require 1 bed properties than any over type in Alsager on the Homechoice waiting list and the Housing Strategy Manager accepts this indicative mix.

The IPS requires that the affordable homes should be provided no later than occupation of 50% of the open market units, unless the development is phased and there is a high degree of pepper-potting in which case the maximum proportion of open market homes that may be provided before the provision of all the affordable units may be increased to 80%.

All 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 Affordable Homes should also be integrated with the open market homes and not be segregated in discrete or peripheral areas.

It is the Housing Strategy Managers' 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 the requirement for the affordable house scheme to be submitted at reserved matters and also 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"*

In terms of the over 55's dwellings, the IPS recognises that some innovative models of private sector housing for older people have been developed, including retirement and extra care villages. These schemes are characterised by the availability of varying degrees of care, 24 hour staffing and ancillary facilities. The Council recognises that such models can contribute to meeting affordable and special needs housing, thus the Council will seek an affordable housing contribution (30%) from these schemes. The Applicant considers that this part of the scheme adds weight in the planning balance, although the application details do not elaborate upon the nature of the sheltered accommodation.

### **Air Quality**

The site is not located within or close to any designated Air Quality Management Areas. Nevertheless, given the proximity of the M6 and the size of the site at the request of Environmental Health Officers, an Air Quality Assessment has been submitted by the developer and was being considered by Environmental Health at the time of report preparation.

### **Flood Risk and Drainage**

The majority of the application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps. A Flood Risk Assessment (FRA) has been submitted as part of this application.

United Utilities and the Environment Agency have considered the report and raised no objections subject to the imposition of appropriate planning conditions. It is therefore concluded that the proposed development will not adversely affect onsite, neighbouring or downstream developments and their associated residual flood risk.

### **Design**

The revised application is fully outlined with details of access, scale, layout, appearance and landscaping to be determined at a later date. In support of this planning application, a Design and Access Statement has been provided.

Access, originally having been applied for but later reserved for future consideration given the original position of the access which would require removal of two Oak trees of high amenity value. The removal of the trees would have been necessary for visibility reasons. It is

considered that there are suitable points where access can be achieved along the Close Lane frontage of the site which would not compromise high value trees.

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

*“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”*

In this case the density of the site is appropriate and is consistent with that of the surrounding area. The indicative layout shows that the properties on the site would overlook the highway, parking areas and the public open space /children’s play area. The properties located at corner plots have the potential for dual-frontages.

To the Close Lane frontage the dwellings would be set behind a hedgerow and mature high amenity trees along the frontage are retained to act as a green buffer to the proposed development. According to the indicative plan, the open space would be located centrally and along the stream which would act as green corridor along the eastern boundary of the site. The indicative layout is therefore considered to be an appropriate coverage of the site in principle.

## **Amenity**

The layout and design of the site are reserved matters. The SPD also requires a minimum private amenity space of 65sq.m for new family housing. The indicative layout indicates that this can be achieved, although this will need to be considered further via reserved matters, if the principal of development is accepted It is therefore concluded that a development could be designed to be acceptable in amenity terms and would comply with the requirements of Policy BE.1 of the Local Plan.

## **Landscape Impact**

The site itself is open farmland with a pattern of hedgerows, a Site of Biological Importance and has a small woodland area associated with it and there are also a number of trees along the northern boundary in particular, as well as a mature Oak and a Pine located

There is no landscape designation on the application site. The baseline information does include reference to the National Character Areas as defined by Natural England in their revised study of the countryside Character Series (1998), where the application area is defined as Character Area 61; Shropshire, Cheshire and Staffordshire Plain.

The assessment also refers to the Cheshire Landscape Assessment 2008, adopted March 2009 which identifies that this site is located in Landscape Type 10: Lower Farms and Woods; within this character type the application site is located within the Barthomley Character Area: LFW7. As part of the assessment the area has been further characterised into a number of smaller character types including LCT 1: Settlement, LCT 2: Urban Edge

Horsiculture Farmland, LCT 3: Mixed Agricultural Fringe, LCT 4: Transport Corridors, LCT 5: Peat workings and LCT 6: Undulating Rural Plain. The site is identified as being within the LCT 2: Urban Edge Horsiculture Farmland type.

There are a number of farmsteads and more isolated residential dwellings surrounding the site, including Yew Tree Farm, Moss End Farm, Orchard Cottage and Ashfields. Footpath 48 Haslington is located along much of the western boundary of the application site and links with Footpath 20 Haslington, which is located slightly further to the west.

The application site is an attractive relatively level agricultural landscape, characterised by hedgerows and a number of mature hedgerow trees and woodland, but influenced by the surrounding residential developments. The site has the landscape capacity to accommodate future residential development, providing that this is well planned and designed and takes due account of the existing landscape characteristics and features of the site.

This is an outline application and although an Indicative Masterplan has been included, the Landscape Architect that in the site Masterplanning, a number of objectives should be addressed, namely:

- Respect existing landscape and townscape characteristics of the site (principally the mature trees and hedgerows) ;
- Conserve and enhance the vast majority of the existing mature trees and any notable hedgerows as an integral and structuring part of the Landscape Framework;
- Minimise any potential adverse landscape or visual effects through the application of best practice design principles and careful attention to design through all stages of the development process – particularly, attention to design and specification of landscape boundary treatments to the existing surrounding properties.

Overall, subject to the retention in important features and consideration of the sensitive receptors within the site (such as the PROW Haslington FP48) the site has the landscape capacity to accommodate future residential development of the scale indicated, providing that it is well planned and designed and takes due account of the existing landscape features of the site.

## **Trees and Forestry**

There are a number of trees and lengths of hedgerow are within the site. Two high amenity value Oak trees and a high amenity Pine tree would be affected by the proposed site access.

The application is supported by a Tree Survey Report. The report indicates that the survey has been carried out in accordance with the recommendations of British Standard BS5837:2005 Trees in Relation to construction.

BS 5837:2005 has been superseded by *BS5837:2012 Trees in relation to design, demolition and Construction – Recommendations*. The new standard now places an emphasis on 'evidence based planning' and accords with standard RIBA work stages. The standard now requires higher levels of competency and a more precautionary approach to tree protection.

The Standard requires a greater level of robustness and confidence to ensure the technical feasibility of a development in respect of the successful retention of trees.

The Council's Tree Officer is satisfied that a layout can be accommodated on this site which can adequately safeguard protected and trees of high amenity value to the Close Lane frontage.

## **Ecology**

The site contains a non-statutory Local wildlife site Yew Tree Farm Local Wildlife Site (formally known as Sites of Biological Importance). Policy NE8 states that permission will only be granted for development on such sites which adversely affect such sites will only be granted where the reasons for the development outweigh the nature conservation value and subject to appropriate mitigation

In this instance it is being proposed that the Local Wildlife Site be incorporated into the open space provision for the development. This approach is acceptable to the Council's Ecologist provided that the proposed usage of the open space is low key and restricted to informal foot paths or similar and secondly that outline proposals for the enhancement and ongoing management of the SBI are adhered to. These proposals could then be made the subject of a condition if consent was granted. Appropriate long term management may include low level grazing by traditional breed cattle. No tree planting should be proposed within the boundary of the local wildlife site.

### Great Crested Newts

No evidence of this species was recorded during the submitted surveys and the Ecologist is satisfied that the proposed development is not reasonably likely to have an adverse impact on this species.

### Reptiles

A grass snake has been recorded on site. This species is likely to range over much of the site, however only a certain proportion of the site is likely to provide habitat of any particular value. In the absence of mitigation the proposed development poses the risk of killing or injuring any animals present on site when the works are undertaken and the proposed development would also result in the loss of foraging opportunities for the species.

Reptile mitigation proposals have been submitted. Mitigation for the loss of foraging habitat be compensated for by the construction of a pond designed to provide breeding habitat for frogs, a major prey item of the species. A hibernacula and compost heap (for egg laying) should also be provided. The compost heap could potentially be created with grassland arisings generated by the management of the proposed open space area.

The reptile mitigation should be located adjacent to but not within the SBI.

### Botanical Survey of field adjacent to SBI

After considering the survey information submitted in respect of this application the Ecologist is satisfied that this field is not of significant enough ecological value to present a constraint on the proposed development.

### WaterVole

The submitted Phase One habitat survey identifies a ditch in the south eastern corner of the site as having potential to support water voles. To avoid the need for a full water vole survey is suggested that an undeveloped 8m buffer zone be provided along the ditch. This matter could be secured by condition

### Hedgerows

Hedgerows are a Biodiversity Action plan priority habitat and hence a material consideration. The hedgerow along the western boundary of the site should be retained and enhanced and additional new native species hedgerows should be incorporated into any open space provision.

### Breeding Birds

Standard conditions are required to safeguard breeding birds.

### **Highway Safety and Traffic Generation.**

This application is an outline form. Access is also reserved for future consideration, having been withdrawn by the Applicant to address Officer concerns regarding trees on the frontage.

The site's road layout details are not yet provided and would be dealt with via a reserved matters application

Policy BE3 states that proposals for development requiring access, servicing or parking facilities will only be permitted where a number of criteria are satisfied. These include adequate and safe provision for suitable access and egress by vehicles, pedestrians and other road users to a public highway.

*Paragraph 32 of the National Planning Policy framework states that:-*

*'All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that any plans or decisions should take into account the following;*

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;*
- safe and suitable access to the site can be achieved for all people; and*
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development.*
- Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.*



A Transport Assessment has been submitted. The Strategic Highways Manager is of the opinion that the site can be appropriately and safely accessed via Close Lane .

Although Close Lane is a narrow road, the Strategic Highways Manager is of the opinion that it would be extremely difficult to justify a traffic impact reason for refusal given the low traffic generation figures from the development and that Close Lane already serves a large quantum of development.

This is also the case for the wider impact of the development on the road network where the very small increase in trips is not sufficient to warrant a severe impact on the highway in NPPF terms.

However, the locational sustainability of the site is considered poor, the site is a considerable walking distance from the town centre and local facilities. Public transport provision in the local area is very infrequent and only limited destinations can be reached. The bus service on Close Lane itself only runs after 10 am on a weekday until mid afternoon. Therefore, it is likely that this development would be a fully car reliant development and is not consistent with policy concerning sustainable development.

No mitigation has been put forward, however, it is likely that an extension to the bus service to run during peak times and at weekends, and an increase in the frequency of buses that serve Close Lane for a meaningful period of time to enable patronage to be established by future residents would require significant monies from the developer via S106 which potentially would have impacts upon the viability of this scheme.

## **HEADS OF TERMS**

If the proposal were to be approved the following Heads of Terms comprising a s106 legal agreement would be necessary -

**1 Provision of 48 (30%) affordable housing units – (31 units) 65% to be provided as social rent/affordable rent with (17 units ) 35% intermediate tenure.**

**2 The provision of a LEAP (min of 5 pieces and public open space to be maintained by a Private residents management company. The private management company to maintain all Amentiy Greenspace, public footpaths and greenways within the site, play areas, and other other areas of incidental open space not forming private gardens or part of the adopted highway'**

**3. Education contribution in respect of primary provision of £151,848**

In most cases, where an Appeal is submitted, it is usually sufficient for the Appellant to submit a Unilateral Undertaking, to the Planning Inspectorate, with their Appeal paperwork to make the usual provisions for affordable housing, financial contributions to open space, highways, education etc.

## **Community Infrastructure Levy (CIL) Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The development would result in increased demand for school places at the primary schools within the catchment area which have very limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards primary education is required based upon the maximum units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

As explained within the main report, POS and children's play space would help to make the comply with local plan policies and the NPPF.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

## **CONCLUSIONS**

The site is within the Open Countryside where, under Policy NE.2, there is a presumption against new residential development. The NPPF states that where authorities cannot demonstrate a 5 year supply of housing land, relevant local plan policies are out of date and there is a presumption in favour of development. However, the 2013 SHLAA shows that the Borough has an identified a deliverable housing supply of 7.15 years and therefore the automatic presumption in favour of the proposal does not apply.

It is considered that the NPPF and Local Planning policy are consistent as both seek to avoid unsustainable development.

The site relates more to the settlement of Alsager than it does to Haslington. The proposal does not accord with the emerging Development Strategy for the Alsager area. Previous Appeal decisions have given credence to such prematurity arguments where authorities can demonstrate a five year supply of housing land.

The proposal would have a significant landscape and visual impact given that a rural landscape will change, however, a development could be accommodated provided that existing landscape features are sympathetically treated, particularly from within the sensitive receptors adjoining the site such as the PROW network and Close Lane. It is inevitable that the proposal would affect the visual character of the landscape by building upon it.

This proposal will subject to an appropriate access being accommodated on Close Lane can safeguard trees that contribute to the amenity of the area.

In terms of sustainable design, the scheme does not demonstrate its performance in terms of climate change mitigation and adaptation. However, as this is an outline application, this could be dealt with by condition.

Subject to a suitable Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements and monies towards the future provision of primary school education.

The proposal is considered to be acceptable in terms of its impact upon residential amenity, drainage/flooding. It therefore complies with the relevant local plan policy requirements for residential environments

The site does not meet the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit for a significant number of those amenities/facilities. Whilst the Checklist does not require full compliance, such are the distances involved, on a road that has only limited bus services, that all such facilities are considered inaccessible to site.

The proposal will result in the loss of Grade 2 agricultural land. The sequential approach to the development of agricultural land as set out in the NPPF has not been complied with.

The proposal does not accord with the emerging Development Strategy. Previous Appeal decisions have given credence to such prematurity arguments where authorities can demonstrate a five year supply of housing land.

## **RECOMMENDATION**

### **REFUSE for the following reasons:**

1. The proposal site is an unacceptable housing site by means of its lack of accessibility to sustainable forms of transport, its isolation and the loss of agricultural land within 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). In addition, the Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework, and as such the application is also premature to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Management and Building Control has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

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