

Application No: 14/1534N

Location: Land off Rope Lane, Rope Lane, Shavington, Crewe, Cheshire, CW2 5DA

Proposal: Variation of condition 1 (plans) attached to planning application 13/1021N.
Land off Rope Lane, Shavington, Crewe, Cheshire CW2 5DA
Development proposed for the erection of up to 80 dwellings.

Applicant: Wainhomes (North West) Ltd

Expiry Date: 19-Jun-2014

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- **Main Issues**
- **Design and Layout**
- **Highways**
- **Ecology**
- **Amenity**

REFERRAL

The application has been referred to Strategic Planning Board because it relates to the variation of a planning condition attached to application 13/1021N which was a major application determined by the Strategic Planning Board.

1. SITE DESCRIPTION

The site comprises 3.7ha of gently undulating undeveloped agricultural land located on the north western edge of Shavington. The site is defined by Vine Tree Avenue and Northfield Place to the south and Rope Lane to the west. Open Countryside lies to the north and east and a public footpath traverses the site close to its southern boundary. It is bounded by existing hedgerows, some of which contain trees. In addition, there is one hedge which bisects the site which also contains a small number of trees.

Existing residential development lies to the south and west of the site. The wider site context includes the A500, beyond the field to the north, with further agricultural land on the opposite side. Further west lies Shavington high school and leisure centre and Rope Green Medical Centre.

2.DETAILS OF PROPOSAL

Members may recall that outline planning permission for the erection of up to 80 dwellings was refused by Strategic Planning Board in 2012, and subsequently allowed at Appeal. Approval was also sought for means of access with all other matters, reserved for a subsequent application.

A reserved matters application 13/1021N was subject to an appeal for non-determination and the Strategic Planning Board 'minded to refuse' the application at the meeting on 17th July 2013. This was allowed at appeal.

This application seeks a minor variation to the approved plans condition attached to the reserved matters application to secure an amendment to the garage to serve plot 1. The amendment would see a slight increase to the size of the garage by approximately 0.5 metres to the south facing elevation and 0.5m to the east facing elevation.

3.RELEVANT PLANNING HISTORY

13/1021N - Approval of details of the appearance, landscaping, layout and scale as required by condition 1 of 11/4549N attached to the outline planning permission - Refused. Appeal allowed.

11/4549N - Outline application for up to 80 dwellings including access – Refused. Appeal allowed.

4.PLANNING POLICIES

National Policy

National Planning Policy Framework

Local Plan Policy

NE.2 (Open countryside)
NE 4 (Green Gap)
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 Considerations

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

Interim Planning Statement Affordable Housing

Interim Planning Statement Release of Housing Land

Cheshire East Development Strategy

Cheshire East SHLAA

SHMA Update 2013

Cheshire East Local Plan Strategy – Submission Version

PG2 – Settlement Hierarchy

PG5 - Open Countryside

PG6 – Spatial Distribution of Development

SC4 – Residential Mix

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE3 – Biodiversity and Geodiversity

SE5 – Trees, Hedgerows and Woodland

SE 1 Design

SE 2 Efficient Use of Land

SE 4 The Landscape

SE 5 Trees, Hedgerows and Woodland

SE 3 Biodiversity and Geodiversity

SE 13 Flood Risk and Water Management

SE 6 – Green Infrastructure

IN1 – Infrastructure

IN2 – Developer Contributions

4. OBSERVATIONS OF CONSULTEES

Environment Agency: No objection

5. VIEWS OF THE PARISH / TOWN COUNCIL

Rope Parish Council: No comments received

Shavington Parish Council: No comments received

6. OTHER REPRESENTATIONS

No representations received.

7. APPLICANT'S SUPPORTING INFORMATION:

No supporting information received.

8. OFFICER APPRAISAL

Main Issues

Given that the principle of development has been established by the granting of outline planning permission this application does not represent an opportunity to re-examine the appropriateness of the site for residential development. The detailed design has also been approved as part of a recent appeal decision. This application relates to a minor change to the size of the garage on Plot 1 and this report will consider this issue only.

Design and Layout

This application relates to a very small increase in the garage located on plot 1 to serve a marketing suite as part of the proposed development. Although the garage would be slightly larger to the front of the site there would still be the provision of a landscape strip of between 2 metres and 3.5 metres to the front of the site.

This minor amendment would not affect the street-scene and complies with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan.

Access

This minor change to the house type on plot 1 would not raise any highway implications and would comply with Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan.

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.

This variation to the approved plans condition would raise no additional ecological impacts.

Amenity

Although the garage on plot 1 would be slightly larger it would have a separation distance of 12 metres to the side elevation of Rose Cottage to the west and 25 metres to 65 and 67 Rope Lane opposite. Therefore the proposal is considered to comply with the requirement of policy BE1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan.

9. CONCLUSIONS

Outline and Reserved Matters approval has already been given for residential development on this site.

The proposed minor amendment to the size of the garage on plot 1 would not raise and amenity, design, highways or ecology issues and is considered to be acceptable.

The conditions attached by the Inspector at the appeal for application 13/1021N are included within the recommendation.

10. RECOMMENDATIONS

Approve subject to the following conditions:

- 1. Approved Plans**
- 2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the houses hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**
- 3. All hard and soft landscape works shall be carried out in accordance with the approved details. All planting, seeding or turfing shall be carried out in the first planting seasons following the completion of the development, and any trees or shrubs that die, are removed or become seriously damaged or diseased within a period of 5 years from the completion of the landscaping scheme shall be replaced in the next planting season with others of a similar size and species, unless the local planning authority gives written consent to any variation.**
- 4. Notwithstanding the details shown on the approved landscaping scheme, the large gap in the hedgerow to the north of the open space area shall be planted up with a hedgerow of native species before the open space area is brought into use.**
- 5. Before development commences the design of the proposed balancing pond shall be submitted to and approved in writing by the Local Planning Authority and shall be constructed in accordance with the approved scheme before the first house is occupied.**
- 6. Notwithstanding the details shown on the approved plans, further details of the positions, materials and design of boundary treatments shall be submitted to and approved in writing before development commences and shall be constructed as approved before the first house is occupied.**

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