

Application No: 14/3167N

Location: THE GRANGE, WYCHE LANE, BUNBURY, CW6 9PD

Proposal: Outline Application for demolition of existing derelict house and outbuildings. Construction of two storey apartment block consisting of 4 apartments, 6 detached two storey houses & 4 affordable houses.

Applicant: Mr & Mrs McCormack

Expiry Date: 03-Oct-2014

SUMMARY

The application site lies entirely within the Open Countryside as determined by the Borough of Crewe and Nantwich Local Plan.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policy NE.2. The proposed development does not fall within any of the listed categories and as such, it constitutes a "departure" from the development plan and there is a presumption against the proposal.

The proposal remains contrary to Open Countryside policy regardless of the Council's 5-year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be "flexed" in order to accommodate additional housing growth.

In this case, the visual impact on the landscape and open countryside would not be severe owing to the site characteristics and with the provision of a suitable landscaping scheme (the reserved matter).

The proposal would bring positive planning benefits such as a boost to the local economy and a social benefit via the provision of the required affordable housing. In addition the site is located in a relatively sustainable location with regards to its physical relationship to existing built form and with regards to its distance from local facilities.

The proposal would represent a sustainable form of development and would be limited in terms of its scale in accordance with the emerging policies of the draft Bunbury Neighbourhood Development Plan.

The detrimental impact of the development would be the loss of a green field and the minor loss of hedgerow which although regrettable, would not be significant enough to warrant refusal of this application,

As a result of the above reasons, it is considered that the proposal would represent sustainable form of development and is therefore recommended for approval.

RECOMMENDATIONS

APPROVE subject to conditions & S106 Agreement

PROPOSAL

This application seeks outline planning permission for the erection of 14 dwellings with open space and access taken from Wyche Lane. Details of access, appearance, layout and scale have been provided with this application, with details of landscaping reserved for approval at a later stage.

SITE DESCRIPTION

This application site relates to 2 fields situated on the southern side of Wyche Lane, Bunbury, within the Open Countryside. The site comprises of largely grassed areas which are bound by hedgerows. To the east, there are some further fields / paddocks owned by the applicant, to the south there are some larger agricultural fields and to the west there some football sports pitches. The site is bound to the north by an existing detached property referred to as 'The Grange'. The site is outside of the settlement boundary of the village as designated in the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 and is not allocated for any other purpose within the Local Plan.

RELEVANT HISTORY

None

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14 - Presumption in favour of sustainable development, 47-50 - Wide choice of quality homes, 55 - Isolated dwellings in the countryside, 56-68 - Requiring good design, 69-78 - Promoting healthy communities and 217 Implementation

Development Plan

The Development Plan for this area is the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011, which allocates the site, under Policy NE.2, as Open Countryside.

The relevant Saved Policies are:

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)
BE.6 (Development on Potentially Contaminated Land)
TRAN.9 (Car Parking Standards)
NE.2 (Open Countryside)
NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)
RES.5 (Housing in the Open Countryside)
RES.7 (Affordable Housing)
RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

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

Draft Bunbury Neighbourhood Development Plan

The following are considered relevant material considerations as indications of the emerging neighbourhood plan:

H1 – Housing Development
H2 - Scale of Housing Development
H3/H4 – Affordable Housing
H5 - Design
LC1 - Built Environment

LC2 – Landscape
ENV2 – Countryside & Open Views

Other Material considerations:

SPD2 – Development on Backlands and Gardens
The EC Habitats Directive 1992
Conservation of Habitat & Species Regulations 2010
Interim Affordable Housing Statement: Affordable Housing
Bunbury Village Design Statement

CONSULTATIONS

Head of Strategic Infrastructure (Highways)

No objection – subject to conditions that the access is to be constructed in accordance with the approved plans, the footpath along the frontage of the site is 2 metres in width and an informative notifying the applicant that the developer will have to enter into a S184 Agreement under the Highways Act 1980.

Environmental Protection

No objections, subject to a number of conditions. These conditions include; A restriction on the hours of piling; the prior submission of a piling method statement, the prior submission of any external lighting and the prior submission of a dust mitigation scheme. Informatives sought relate to; hours of construction and contaminated land are also sought.

United Utilities – No objections, subject to conditions relating to foul water and surface water

Education

No objection – There is sufficient capacity in the local primary school to accommodate the pupils generated by the proposed development.

Bunbury Parish Council

Bunbury Parish Council is minded not to object to this application, but has some concerns. The Parish Council appreciates the need to demolish the existing building which is in a perilous state and that this is partly a brownfield site. However there are the following concerns:-

- Scale of development
- As this is an outline application, the Parish Council would like to discuss the design of the development to ensure that it reflects the character of the village.
- The fact that the additional housing goes into open countryside and breaks the Settlement Boundary
- Impact on the vista
- Loss of old hedgerow
- Highways issues - in particular parking and narrowness of the road

- Pedestrian safety issues - the PC would suggest the Developer consider offering to facilitate the development of a route that safeguards children and vulnerable adults
- The need for a contribution to support affordable housing

REPRESENTATIONS

Representations have been made by more than 40 properties objecting to this proposal on the following grounds:

- Principle of the development / outside of village boundary
- Premature to the Neighbourhood Plan
- Loss of open countryside and greenfield site
- Not appropriate in this rural setting
- No need for additional housing
- No need for affordable housing
- Design – Size and scale of development, impact upon local character including conservation area
- Development not in keeping with area
- Highway Safety – inadequate access / visibility splays, additional traffic, increased impact upon highway safety, impact upon parking, safety for pedestrians, transport statement inadequate, pressure on Wyche Lane / Vicarage Lane junction
- No public transport available in the village
- Impact upon the landscape
- Impact upon hedgerows
- Impact upon ecology
- Contrary to Bunbury Village Design Statement
- Proposal would sever the existing visual green sword / green corridor within the village
- Scheme does not accord with village feedback from consultation event
- Lack of infrastructure
- No footpaths
- Loss of hedgerows
- Inadequate bat surveys and impact of wildlife
- Sewerage, surface water and drainage can't cope
- SHMAA does not indicate that housing is needed
- Development is unsustainable
- Play area is proposed near to the site which new residents may object to
- The Grange should be listed
- A full planning application should be submitted to assess full impact of proposals
- Already too many applications in the village

APPRAISAL

The key issues are:

- Principle of the development
- Bunbury Neighbouring Development Plan
- Housing land supply

- Impact upon the Open Countryside
- Sustainability
- The acceptability of the design
- Impact on residential amenity
- The impact upon highway safety
- The impact upon ecology
- The impact upon the landscape, trees and hedgerows
- The impact upon flooding and drainage
- Affordable housing
- Residential Amenity

Principle of Development

Policy NE.2 of the Local Plan advises that: *‘within the Open Countryside 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.*

An exception may be made where there is the opportunity for the infilling of a small gap with one or two dwellings in an otherwise built up frontage.’

Policy RES.5 of the Local Plan advises that *‘Outside settlement boundaries all land will be treated as open countryside. New dwellings will be restricted to those that; a) Meet the criteria for infilling contained in Policy NE.2; or b) are required for a person engaged full time in agriculture or forestry...’*

The proposed development does not meet any of the above exceptions and as such, the proposal 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 issue in question is whether the development represents a sustainable form of development and whether there are other material considerations associated with this proposal, which are a sufficient to outweigh the conflict with the development plan.

Bunbury Neighbourhood Plan

Bunbury Parish Council has prepared a draft Neighbourhood Plan (NP) for the Parish of Bunbury. The consultation period for the plan will run until 21st May 2015.

The National Planning Practice Guidance (NPPG) states that an emerging neighbourhood plan may be a material consideration. The NPPG also states that *‘refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process’.*

With respect to housing development, the Bunbury NP seeks to limit the number of houses that by only permitted small development of no more than 15 houses. The draft policies also seek to prevent 'co-location' of development in order to protect the character of the village.

In this case a development of 14 dwellings would be in conformity with the draft neighbourhood plan, namely Policies H2 and H5 which aims to limit development to sites of up to 15 dwellings. Consequently, it is considered that the scale of this development would not prejudice the outcome of the neighbourhood plan making process.

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of Five Year Housing Supply has two components – the housing requirement – and then the supply of housing sites that will meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The current Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of Objectively Assessed Housing need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector has now published his interim views based on the first three weeks of Examination. He has concluded that the Council's calculation of Objectively Assessed Housing Need is too low. He has also concluded that following six years of not meeting housing targets, a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, we no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Council is currently considering its response to these interim views.

Any substantive increase of housing need above the figure of 1180 homes per year is likely to place the housing land supply calculation at or below five years. Consequently, at the present time, our advice is that the Council is unable to robustly demonstrate a five year supply of housing land. Accordingly recommendations on planning applications will now reflect this position.

Open Countryside Policy

In the absence of a 5-year housing land supply we cannot rely on countryside protection policies to defend settlement boundaries and justify the refusal of development simply because it is outside of a settlement, but these policies can be used to help assess the impact of proposed development upon the countryside. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply. Policy NE.2, seeks to protect the intrinsic character and beauty of the countryside.

Therefore, the proposal remains contrary to Open Countryside policy regardless of the 5 year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be “flexed” in order to accommodate additional housing growth.

In order to assess the impact upon the Open Countryside, a significant consideration is the impact the development would have upon the landscape which is considered below.

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. One methodology for the assessment of the locational sustainability of the site is the use of the North West Sustainability Checklist, which considers the walking distances to nearby public facilities.

The criteria contained within the North West Sustainability Checklist is 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 accessibility of the site shows that following facilities meet the minimum standard:

- Public house (1000m) - 205m
- Child care facility (1000m) – 248m
- Bus stop (500m) – 500m
- Public right of way (500m) – 100m
- Primary School (1000m) – 573m
- Bank or Cash Machine (1000m) – 291m
- Outdoor Sports Facility – (500m) – 85m
- Post Office (500m) – 291m
- Medical Centre (1000m) – 278m
- Convenience Store (500m) – 291m
- Children’s Play space (500m) – 253m
- Amenity open space (500m) – 480m
- Local meeting place (1000m) – 248m
- Leisure Facilities (Leisure Centre or Library) (1000m) – 619m

Where the proposal fails to meet the standards, the facilities in question are still within a reasonable distance of those specified and are therefore accessible to the proposed development. Those facilities are:

The following amenities/facilities fail the standard:

- Railway station (2000m) – 20921m
- Pharmacy (1000m) – 5793m
- Supermarket (1000m) – Over 1000m
- Secondary School (1000m) – 4000m

In summary, the site complies with the majority of the standards advised by the NWDA toolkit. As such, it can be considered that the site is locationally sustainable.

Inspectors have determined that locational accessibility is but one element of sustainable development and it is not synonymous with it. The NPPF determines that sustainable development comprises of three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

These roles should not be undertaken in isolation, because they are mutually dependent.

Environmental role

Landscape Impact

The site has no national landscape designation. In the Cheshire Landscape Character Assessment the site is within the East Lowland Landscape Type, ELP1 Ravensmoor Character Area. In this area the landscape type is represented by generally flat agricultural land where the prevailing field pattern and condition of the hedgerows can account for subtle differences in landscape character.

The village of Bunbury is separated into four distinct areas, Bunbury Commons, Bunbury Heath, Upper and Lower Bunbury. The area of the site which is currently undeveloped forms part of an

area of land which provides separation between Upper and Lower Bunbury. Maintaining separation between these areas is a specific recommendation in the Bunbury Village Design Statement.

The development of the paddocks to the south and south east of the main house would erode the area of agricultural land currently separating upper and lower Bunbury and in this respect has the potential to impact on the landscape character of the village. When viewed from Wyche Lane, the introduction of an access road and associated footways would alter the character of this section of the lane.

Existing vegetation to the south and west which is identified for retention would provide some containment to the site; nevertheless, much of the vegetation is deciduous with reduced screening properties in winter. Roadside vegetation and a section of established hedge line running north/south through the site would be removed.

The development would impact on visual receptors including a number of residential properties, road users and pedestrians on Wyche Lane, and users of the community playing field. However, owing to the existing field boundaries, shape of the site and surrounding features, the proposed development would be relatively contained and as such, any harm would not be significant enough to sustain a refusal on the grounds of landscape impact. The reserved matter application (landscaping) could secure a comprehensive landscaping scheme to mitigate the visual harm in this case.

Trees

The proposed site layout identifies a number of B and C category trees (Cypress, Cherry and Sycamore) that require removal to facilitate the configuration of the internal access and position of the proposed development. None of these trees are formally protected by a Tree Preservation Order (TPO) and given their relatively limited contribution to the wider amenity; it is not considered that a TPO would be considered expedient to protect them as they are not of high landscape value.

There are a number of A and B category mature Oak and Sycamore identified in the supporting Tree Survey and Constraints Report located on the western site boundary which are not protected and are shown for retention on the site layout plan.

The application states that the trees within the site offer little contribution to the green infrastructure and landscape. However, a number of mature Oak and Sycamore are located along the western boundary and a protected Sycamore (Tree 7 on the Wych Lane frontage) have been categorised as A2 and B2 (BS5837:2012 Landscape Qualities with particular visual importance and higher collective rating).

Sycamores 11 and 12 (B2 category) appear to be in close proximity to the proposed three storey apartment building, although the relationship/social proximity is probably no worse than what exists with the current building, it is likely that shade and sunlight issues would lead to requests to severely prune or fell these trees. As a TPO is unlikely to be an option here, consideration must be given to appropriate landscaping and forward tree replacement planting to mitigate for any future losses.

The area of Car Parking serving the two-storey apartment block appears to conflict with the root protection area (RPA) of two Sycamores (13 and 14). In this regard it is accepted that such matters

could be dealt with using an Engineer designed reduced or no-dig construction technique in accordance with the requirements set out in the British standard. In the event that the application is approved, the decision should be subject to a condition requiring the submission of a Method Statement/ Construction Specification detailing how such methods should be implemented.

With respect to the offsite Sycamore (tree 7) which is protected by the Nantwich Rural District Council (Bunbury) TPO 1973, the Council's Tree Officer is satisfied that this can be dealt with by condition with a suitable engineer designed reduced/no dig construction. Subject to conditions, it is considered that the proposal is acceptable in terms of its impacts on trees.

Ecology

The application is supported by an Extended Phase 1 habitat survey. The Council's Nature Conservation Officer (NCO) has reviewed the submitted information and advised that no evidence of protected species were recorded at the site and the proposals would not affect them. The NCO has however commented that some existing ponds need to be retained as they are a Local BAP priority Habitat and hence a material consideration. The proposal as amended would allow for the retention of the existing ponds and would remain unaffected. As such, it is considered that the proposal would not affect species protected by law and would accord with Policy NE.9 of the Local Plan.

Design Standards

Policy BE.2 of the Local Plan advises that new development should respect the pattern, character and form of the surroundings and not adversely affect the streetscene by reason of scale, height, proportions or materials used. Policies SD2 and SE1 of the emerging Cheshire East Local Plan Strategy – Submission Version and H5 of the emerging Bunbury Neighbourhood Development Plan largely support this local plan policy.

The proposed scheme would see the existing property and outbuildings demolished. The front part of the site would then accommodate the access road serving the development accessed directly off Wyche Lane. Further, to the right hand side (west) of the access road, the proposal includes a building accommodating 4 apartments. Initially, it was proposed that this building be three storeys, but following discussions, amended plans have been secured which have reduced the height down to two-storey. Following the amendments, the proposed apartment block, which would serve as the gateway to the site, would form an attractive entrance point with a dual frontage and parking tucked away towards the rear. The style of the building would be high quality and would be well articulated with gables and chimney features.

The site is quite narrow in width, therefore the units would be arranged in a linear pattern. The units would be arranged around a central core of open space with the units all fronting out over this focal point. The majority of the units would comprise of large detached two-storey dwellings with generous separation. Towards the north-eastern corner of the site, to the rear of rough ground that abuts properties fronting Wyche Lane and Tweddle Close, the layout would accommodate the proposed 4 affordable houses. These would comprise of a pair of semi-detached units. It is considered that the overall layout of the development would be acceptable.

With respect to the detailed design of the dwellings, all would be of similar style and character, but would differ in terms of their architectural detail. This would provide some visual interest. The village

hosts a range of house types and architectural forms and as such the proposal would not deviate from the character or appearance of the area. As such, subject to the conditioning of materials, it is considered that the development would be of an acceptable design which would adhere with Policy BE.2 of the Local Plan and policies SD2 and SE1 of the emerging Cheshire East Local Plan Strategy – Submission Version and Policy H5 of the Bunbury draft Neighbourhood Development Plan

Access

Access to the site is to be taken from a new priority controlled junction with Wyche Lane. The proposed visibility splays have been informed following a vehicle speed survey undertaken on Wyche Lane in the vicinity of the proposed site access. The survey results indicate 85th%ile wet weather speeds of 23.5mph for vehicles travelling from the south-east and 27.5mph for vehicles travelling from the north-west. Based on these speeds, guidance provided in Manual for Streets indicates that the proposed visibility splays are appropriate for safe access. In terms of junction geometry, layout and visibility the access proposals are considered to be an acceptable solution to serve a development of 14 dwellings.

In terms of traffic generation, the Head of Strategic Infrastructure (HSI) has confirmed that a development of just 14 dwellings (a net increase of 13), would not be expected to have a material traffic impact on the adjacent highway network. Parking for each unit would accord with standards and would not result in a displacement of parking.

Taking into account the above, the HSI has no objection to the scheme subject to conditions that the access is to be constructed in accordance with the approved plans and condition requiring the provision of a footway along the frontage of the site. Subject to this, the scheme is found to be acceptable in terms of highways and parking.

Flood Risk and Drainage

The application site does not fall within a Flood Zone and is not of a scale which requires the submission of a Flood Risk Assessment.

United Utilities have also reviewed the application and advised that they have no objections, subject to a number of informatives relating to the provision of water metres and general drainage advice.

Conclusion

Whilst the proposed development would result in the loss of a green space outside of the settlement boundary for the village, the Council's Landscape Officer has advised that its impact upon the wider landscape will not be significant. Owing to the size, shape and characteristics of the site, subject to appropriate landscaping (which would be secured at the reserved matter stage), a refusal on grounds of landscape impact / open countryside would not be sustainable.

Subject to conditions relating to trees, hedges and ecology and materials, it is not considered that the proposed development would create any significant environmental concerns and as such on balance, is considered to be environmentally sustainable.

Economic Role

It is accepted that the construction of a housing development of this size would bring the usual economic benefit to the closest shops in Bunbury for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services. As such, it is considered that the proposed development would be economically sustainable.

Social Role

The proposed development would provide new housing in a sustainable location including the provision of the requisite affordable units which would be to the benefit of the local area. It is considered that this offers social benefit in consideration of the sustainability of the application.

Affordable Housing

The Interim Planning Statement: Affordable Housing (IPS) states that in areas with a population of less than 3,000 the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 3 dwellings or more than 0.2 hectare in size.

Initially, the applicant proposed a contribution in lieu of affordable housing on site. However, this was not acceptable to the Council's Strategic Housing section and as such, the scheme has now been amended to include on site provision. This would comprise of a 50 / 50 tenure split on the advice of the Strategic Housing Manager, as it is acknowledged that it would be difficult for a Registered Provider to manage a single intermediate tenure unit in isolation. Consequently, it is proposed and accepted that the scheme would provide for 2 affordable / social rent and 2 intermediate tenures properties.

Residential Amenity

Policy BE.1 of the Local Plan advises that development shall only be permitted when the proposal would not have a detrimental impact upon neighbouring amenity in terms of overlooking, overshadowing, visual intrusion or environmental disturbance.

The closest residential properties to the site in question would be the occupiers of the properties referred to as 'Wyche Burro' / 'Athletic House' and the nearest properties occupying Tweddle Close to the northeast.

For the erection of new houses, the proposal would be expected to adhere to specified separation distances between the proposed new dwellings themselves and the surrounding properties.

The Council's *'Development on Back lands and Gardens Supplementary Planning Document.'* details these minimum standards. Paragraph 3.9 of the SPD advises that *'As a general indication, there should ideally be a distance of 21 metres between principal elevations (e.g. between properties fronting and backing onto each other), 13.5 metres between a principal elevation with windows to habitable rooms and blank elevations (e.g. the front and rear of dwellings and the side of other properties)...*'

In this case, the proposal would more than exceed the minimum separation with the nearest neighbours (at least 22 metres). Owing to this generous separation distance, it is not considered that the occupiers of the nearest properties would be detrimentally impacted by the proposed development in terms of loss of overlooking, overshadowing or visual intrusion.

The private amenity areas for all of the proposed units would adhere with the 50 metres squared minimum standard detailed within the Development on Backlands and Gardens Supplementary Planning Document. As such, subject to conditions, it is considered that the proposed development would adhere with Policy BE.1 of the Local Plan.

Other Social Considerations

The applicant has offered to gift the remaining paddock land to the east of the site to Bunbury Parish Council. This would allow the Parish Council to provide a recreational use on the paddock thereby realising some community benefit for the local residents. However, this would not necessarily be required in order to make the development acceptable in planning terms and difficult to secure on the back of any planning permission. It would in effect be a separate civil matter between the landowner and the Parish Council. Thus, whilst this attribute of the scheme would offer some social benefit, it would fall outside of the remit of the planning process to secure this land transaction. Accordingly, this is considered to offer limited weight in the overall planning balance.

Planning Balance

The application site lies entirely within the Open Countryside as determined by the Borough of Crewe and Nantwich Local Plan.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policy NE.2. The proposed development does not fall within any of the listed categories and as such, it constitutes a "departure" from the development plan and there is a presumption against the proposal.

The proposal remains contrary to Open Countryside policy regardless of the Council's 5-year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be "flexed" in order to accommodate additional housing growth.

In this case, the visual impact on the landscape and open countryside would not be severe owing to the site characteristics and with the provision of a suitable landscaping scheme (the reserved matter).

The proposal would bring positive planning benefits such as a boost to the local economy and a social benefit via the provision of the required affordable housing. In addition the site is located in a relatively sustainable location with regards to its physical relationship to existing built form and with regards to its distance from local facilities.

The proposal would represent a sustainable form of development and would be limited in terms of its scale in accordance with the emerging policies of the Bunbury Neighbourhood Plan.

The detrimental impact of the development would be the loss of a green field and the minor loss of hedgerow which although regrettable, would not be significant enough to warrant refusal of this application,

As a result of the above reasons, it is considered that the proposal would represent sustainable form of development and is therefore recommended for approval.

RECOMMENDATION

APPROVE subject to S106 Agreement making provision for:

Affordable Housing comprising:

- **4 units on site 2 for social / affordable rent and 2 for intermediate tenure**

and for the following conditions:

- 1. Standard Outline Time Limit**
- 2. Submission of Reserved Matters**
- 3. Plans**
- 4. Prior submission of facing and roofing material details**
- 5. Prior submission of surfacing material details**
- 6. Boundary treatment**
- 7. Tree protection – Implementation**
- 8. Hedgerow planting**
- 9. Nesting birds**
- 10. Features for breeding birds to be incorporated**
- 11. Access to be constructed in accordance with approved plans**
- 12. Footways of 2 metres to be provided along site frontage**
- 13. Accordance with recommendations of ecological report**
- 14. Hours of piling**
- 15. Prior submission of a piling method statement**
- 16. Prior submission of any external lighting**
- 17. Prior submission of a dust mitigation scheme**
- 18. Retention of Pond to south of site**
- 19. Drainage to be connected to foul sewer**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

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