

Application No: 15/0053C

Location: BIG STONE CATTERY, GOOSTREY LANE, CRANAGE, CHESHIRE,  
CW4 8HE

Proposal: Construction of 4 new houses

Applicant: Mr Robert Newton

Expiry Date: 04-Mar-2015

## **SUMMARY**

**The application site lies entirely within the Open Countryside as defined by the Congleton Borough Local Plan First Review.**

**Within such locations, there is a presumption against development, unless the development falls within one of a number of acceptable categories. The proposed development does not fall within any of the listed categories and as such, it constitutes a “departure” from the development plan.**

**Paragraph 49 of the NPPF states that 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 and that where this is the case, housing applications should be considered in the context of the presumption in favour of sustainable development.**

**It is therefore necessary to make an assessment as to whether the proposal constitutes sustainable development in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social, environmental).**

**In this case, the site is adjacent to existing housing and the proposal would bring positive social and economic benefits such as the delivery of additional housing and a boost to the local economy. In addition the site is considered to be located in a relatively sustainable location.**

**These benefits need to be balanced against any environmental impacts including the loss of the Open Countryside.**

**In this case it is considered that the proposed dwellings are well contained visually and are unlikely to appear as encroaching into the open countryside.**

**On this basis, it is considered that the proposal represents a sustainable form of development and paragraph 14 is engaged. The adverse impacts of the development are significantly and demonstrably outweighed by the benefits. Accordingly the application is recommended for approval.**

#### **RECOMMENDATION**

**APPROVE subject to conditions.**

#### **PROPOSAL**

Full planning permission is sought for the erection of 4 detached dwellings on land at Big Stone Cattery. Access to the dwellings is from the existing access serving the cattery which is located off Goostrey Lane.

#### **SITE DESCRIPTION**

The application site forms part of the grounds to Big Stone Cattery which is located on the corner of Knutsford Road and Goostrey Lane in Cranage. The site is bound to the north by the access road to Big Stone Gardens and to the south and east by the gardens of adjacent dwellings. The application site is approximately 0.3 ha in size wrapping around the dwelling at Big Stone Cattery. Access to the site is gained off Goostrey Lane. The site is located within the open countryside.

#### **RELEVANT HISTORY**

None relevant

#### **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, 17 – Core planning principles, 47-50 - Wide choice of quality homes, 55 – Isolated new houses in the countryside and 56-68 - Requiring good design

Planning Practice Guidance

##### **Development Plan**

The Development Plan for this area is the Congleton Borough Local Plan First Review.

The relevant Saved Policies are:

PS8: Open countryside  
GR1: New development  
GR2: Design  
GR5: Landscape

GR6: Amenity and Health  
GR7: Pollution  
GR9: Access and parking  
H1: Provision of new housing development  
H2: Housing supply  
H5: Residential development in villages  
H6: Residential development in the open countryside.

The saved Local Plan policies (except those concerned with housing land supply) 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:

PG5 - Open Countryside, SC4 - Residential Mix, SC5 - Affordable Homes, SC6 - Rural Exceptions Housing for Local Needs, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, SE1 - Design, SE2 - Efficient Use of Land, SE3 - Biodiversity and Geodiversity, SE4 - The Landscape, and SE5 - Trees, Hedgerows and Woodland

### **Supplementary Planning Documents:**

Interim statement on the provision of affordable housing requirements

### **CONSULTATIONS**

**Strategic Infrastructure Manager** – No objections subject to the closure of the access onto the A50 and an informative to require the developer to enter into a S184 agreement for the access closure.

**Nature Conservation** – No ecological issues associated with this site

**Environmental Protection** – No objections subject to conditions with regards to details of any piling for foundations, a dust control scheme, contaminated land, implementation of acoustic insulation scheme and an informative with regards to hours of construction.

**United Utilities** - No objections, subject to the prior submission of a foul and surface water drainage plan.

**Jodrell Bank** – no objections subject to electromagnetic screening measures.

**Cranage Parish Council:** Object to the proposal on highway safety grounds. They comment that the junction has a reputation of many accidents, with near fatalities in 2013 and 2014. The houses would result in more pressure to a dangerous junction. The Parish Council request that a roundabout be installed to alleviate the situation. The exit is far too close to the junction. The houses would cause more movements at peak times.

## **REPRESENTATIONS**

1 representation has been received. The reasons for concern can be summarised as follows:

Impact upon highway safety and the proximity of the access to the junction given the history of road traffic accidents. The additional traffic generated would create additional problems and the entrance to the site appears undersized for refuse vehicles.

Lack of screening between the development and Big Stone House during the development and post completion.

## **APPRAISAL**

The key issues are:

- The principle of the development
- Housing Land Supply
- Open Countryside
- Sustainability

### **Principle of Development**

Crange is a dispersed settlement that does not have the benefit of a defined settlement boundary and as such, the site is by definition within the open countryside. Policy PS8 of the Congleton Borough Local Plan sets out the broad types of development that are likely to be acceptable and Policy H6 adds further detail by detailing the specific circumstances in which new residential development will be permitted, namely;

1. Accommodation for an agricultural or forestry worker
2. Replacement dwellings
3. Conversions of rural buildings
4. Change of use or redevelopment of an employment site
5. Limited development within the infill boundary line of specified settlements;
6. Affordable housing 'exceptions sites'

The proposal would not fall into the above categories and as such the development would be contrary to Policy H6 and PS8 of the Local Plan.

### **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.

The calculation of Five Year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help 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.

Following the suspension of the Examination into the Local Plan Strategy and the Inspectors interim views that the previous objectively assessed need (OAN) was 'too low' further evidential work has now taken place and a fresh calculation made.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account 'persistent under delivery' of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

### **Open Countryside Policy**

Countryside policies in existing local plans can be considered as consistent with NPPF and are not housing land supply policies in so far as their primary purpose is to protect the intrinsic value of the countryside in accordance with paragraph 17 of the NPPF– and thus are not of date, even if a 5 year supply is not in evidence.

However, it is acknowledged that where the Council cannot demonstrate a 5 year supply, open countryside policies may be considered out of date in terms of their geographical extent, in that the effect of such policies is to restrict the supply of housing.

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, the site is in an area where the settlement boundary should be "flexed" in order to accommodate additional housing growth.

### **Sustainability**

Paragraph 34 of the NPPF states that decisions should ensure that developments that generate travel movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

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

The application site is located within a small group of dwellings running along Goostrey Lane and Knutsford Road and visually, the site does not have the appearance of being visually isolated.

Sustainability was considered by the Inspector in considering an appeal for a new dwelling on land at Briarwood, Goostrey Lane, Cranage (13/4501C refers). This site bounds the application site to the south-east.

The Decision Letter contains relevant information in terms of the sustainability of this area. The Inspector noted that Cranage is very dispersed in nature and has a limited range of facilities. However, a wider range of facilities, including a primary school, train station and limited range of shops are found within Goostrey which is approximately 1.5km from the site. The Inspector commented that while the road linking the site to Goostrey had no pavements, it was not unduly narrow and it was relatively lightly trafficked. The lack of pavements was not in this case considered to be a deterrent to walking or cycling. A greater range of facilities can also be found in Holmes Chapel which is approximately 3km away. A limited bus service exists close to the site which means that facilities can be accessed by means other than the private car. The Inspector found the development at Briarwood to be a sustainable form of development.

It is considered that on balance there are enough facilities within proximity of this site to support this limited housing development. However locational sustainability is only one factor to be weighed in the planning balance. The NPPF determines that sustainable development includes 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 and they are mutually dependent.

### Environmental role

#### *Landscape Impact*

The site is situated in open countryside and forms the grounds to the Big Stone Cattery. To the north there is an access drive to a recently constructed affordable housing development at Big Stone Gardens. To the west lie the long rear gardens of dwellings located on Goostrey Lane.

To the south lies the existing house at Big Stone Cattery with Access House and then beyond this, the gardens of the houses on Goostrey Lane. To the immediate east lies the A50 Knutsford Road.

The site is mainly laid to lawn with trees and hedging primarily around the boundaries. There are some cattery buildings and associated structures within the grounds. The site is well screened from the adjacent A50 and from a wider landscape value it is well contained by existing housing and infrastructure. Visually, it is considered that the development of this site would not have the effect of eroding the open countryside because it is well contained. The impact upon the wider landscape is unlikely to be significant having regard to Policy GR5.

#### *Trees and Hedgerows*

An arboricultural survey report has been submitted with the application. This identifies the trees to be removed to facilitate the development. The majority of the trees around the boundary of the site will be retained. The survey has been reviewed by the Council's Forestry Officer who has noted that the majority of trees for removal are of low quality. A condition is suggested to require adherence to the tree works specification and the protection measures in the method statement.

#### *Design*

The local area is mixed in character with houses of different designs and sizes, including bungalows, semi-detached and detached dwellings. The proposed dwellings are detached, providing 4 bedrooms and each is of a different design and constructed of brick, render and clay tiles. The houses are sited so that three dwellings are located parallel to Knutsford Road, set behind the existing planting.

It is considered that the design of the dwellings is acceptable and that the proposal is unlikely to have a significant impact upon the streetscene having regard to Policy GR1 and 2.

#### *Access*

Access will be taken off Goostrey Lane and the houses will be served by an internal access road. Concerns have been raised over the adequacy of the access and the impact upon the local highway network, particularly the junction with Knutsford Road. The Council's Head of Strategic Infrastructure has reviewed the proposal and has commented that the access, internal layout and parking are considered acceptable. The site is in a relatively sustainable location with a range of facilities being within cycle distance and there are some unmarked bus stops on the A50 adjacent to the site. The amount of traffic generated from the proposal would not be expected to have a material impact upon the wider highway. Given the limited scale of this development is unlikely that any residual impacts upon the local highway network would be severe and as such it is considered that the development accords with guidance within the NPPF and Policies GR1 and GR9.

#### *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 been consulted and advise that they have no objections subject to the prior submission of a foul and surface water drainage plan.

As such, subject to these conditions, it is considered that the proposed development would adhere with Policy GR1 of the Local Plan.

### *Conclusion*

The proposed development would not create any significant landscape, tree or hedgerow issues, access, design flooding or drainage concerns subject to conditions.

As such, it is considered that the proposed development can be considered to be environmentally sustainable having regard to the three dimensions of the NPPF.

### Economic Role

It is accepted that the construction of a housing development of this size would contribute in the short term to local economic activity 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. Notwithstanding this, it would not otherwise contribute to economic dimension of sustainable development.

### Social Role

#### *Residential Amenity*

Policy GR6 of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance.

The closest neighbouring properties to the application site include the applicant's property, Access House, to the south of the site, and the properties on Goostrey Lane.

In terms of the relationship between the applicant's house and the proposed dwellings, Access House is a single storey dwelling which has its front elevation facing west. The closest dwelling to the existing house is House No.1 which is set further to the west than the existing dwelling with the corner of the house being about 10m from the nearest corner of the bungalow. The gable end will be visible from the bungalow. It is considered the staggered nature of the proposal and its position to the north of the existing dwelling will ensure that no unacceptable loss of privacy or amenity will result. House No.3 is about 20m away from the side elevation of the dwelling and there will not be any significant loss of privacy to any existing ground floor windows within the bungalow. It is noted that concerns have been raised over the lack of any boundary at present between the development site and Access House and it is considered that this can be addressed through appropriately worded conditions.

Elsewhere, houses on Goostrey Lane have the benefit of good sized gardens, with the rear elevations of Houses 3 & 4 being around 28/30m away from the rear elevations of these dwellings.

In terms of the amenity of the future occupiers of the proposed dwellings, while the gardens are modest, they are considered to have sufficient space would be available for each dwelling to have sufficient outdoor private amenity to perform normal tasks such as; hang out washing, sit outside etc. However in the interests of ensuring that sufficient space is retained in the future, it is recommended that permitted development rights are removed for extensions and outbuildings.

With regards to Environmental disturbance, the Council's Environmental Protection Team have advised that they have no objections, subject to a number of conditions including; a restriction over the hours of piling, the prior submission of a piling method statement, the prior submission of a dust mitigation scheme, a phase I contaminated land condition and the implementation of the acoustic insulation scheme. Informatives regarding hours of construction and contaminated land are also sought.

As such, subject to the above recommendations, it is considered that the proposed development would adhere with Policy GR6 of the Local Plan.

#### *Affordable housing*

No provision is made for affordable housing on the application site. The Council's Interim Planning Statement on Affordable Housing sets the threshold for negotiations on affordable housing in settlements of less than 3000 population to 30% on schemes of 3 dwellings or more. Since the adoption of this guidance, National Planning Practice Guidance has been updated. The NPPG details that affordable housing should not be sought on sites of 10 units or less and which have a combined floorspace of less than 1000sq metres. Following national guidance no on site affordable housing provision, or contribution in lieu, is required.

#### **Planning Balance**

The application site lies entirely within the Open Countryside as determined by the Congleton Borough Local Plan First Review Alteration. Cranage does not have the benefit of a defined settlement boundary within this plan.

Within such locations, there is a presumption against new residential development unless it falls into specific categories, none of which are relevant in this instance. The proposal therefore constitutes a "departure" from the development plan.

Paragraph 49 of the NPPF states that 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 and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development.

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes "sustainable development" in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would deliver additional housing and help to sustain the local community and provide a boost to the local economy. In addition the site is relatively sustainably located.

Balanced against these benefits is the limited loss of open countryside.

The application is acceptable in terms of highway safety and impact. The impact on residential amenity of the occupiers of the adjoining properties is within acceptable limits and complaint with policy.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits.

**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 Planning (Regulation), 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.**

**RECOMMENDATION - Approve subject to the following conditions**

1. Time Limit
2. Development in accordance with approved plans
3. Prior submission of facing and roofing material details
4. Prior submission of surfacing material details
5. Prior submission of a foul and surface water drainage scheme
6. Hours of Piling and prior submission of a piling method statement
7. Prior submission of a dust mitigation scheme
8. Implementation of acoustic insulation scheme
9. Prior submission of land contamination report (Phase I)
10. Prior submission of boundary treatment details
11. Submission of landscaping scheme and implementation
12. Development to proceed in accordance with tree works specification and tree protection measures
13. Electromagnetic screening measures for Jodrell Bank
14. Scheme for the provision of high speed broadband
15. Withdrawal of permitted development rights for extensions and outbuildings

