

Planning Reference No:	09/1663C
Application Address:	Land adjacent Poolwood Cottages, Holmes Chapel Road, Somerford.
Proposal:	The construction of 10 new affordable houses and new access road.
Applicant:	Plus Dane Group
Application Type:	Full Planning Permission
Ward:	Congleton Rural
Registration Date:	4 th June 2009
Earliest Determination Date:	10 th August 2009
Expiry Date:	2 nd September 2009
Date report Prepared	25 th November 2009
Constraints:	Open Countryside

SUMMARY RECOMMENDATION

Approve with conditions and a Section 106 Agreement

MAIN ISSUES

Principle of the development, impact on protected species, affordable housing need and design.

1. REASON FOR REFERRAL

Major development.

2. DESCRIPTION AND SITE CONTEXT

The application relates to a field 0.48 hectares in size, situated to the west of Congleton. Adjacent to the site are 4 domestic dwellings and Youngs Animal Feeds and Industrial Units. The land is designated in the local plan as being within the open countryside.

3. DETAILS OF PROPOSAL

The proposal is for 10 affordable houses for rent and shared ownership and the applicant is the Plus Dane Group, which is a registered social landlord. The dwellings would take the form of 2 bedroom semi-detached properties of a simple repetitive design with gardens to the front and rear, accessed from Holmes Chapel Road.

4. RELEVANT HISTORY

None

5. POLICIES

National Guidance

PPS7 – Sustainable development in Rural Areas

PPS9 – Biodiversity and Geological Conservation

Congleton Local Plan 2005

The site is not allocated in the Local Plan but the following policies apply:

PS8 – Open Countryside

H1 & H2 – Provision of New Housing Development

H13 – Affordable and Low Cost Housing

H14 – Rural Exception Sites

GR1 – New Development

GR2 & GR3 – Design

GR6 – Amenity and Health

GR9 – Parking and Access

GR22 – Open Space Provision

SPG1 – Provision of Public Open Space in New Residential Development

SPG2 – Provision of Private Open Space in New Residential Developments

SPD6 – Affordable Housing and Mixed Communities

6. CONSIDERATIONS (External to Planning)

Housing:

Having spoken to a representative from the proposed RSL, it is anticipated that the development will include an element of both social rented and shared ownership accommodation. There is a demonstrated need identified through our housing needs waiting list for 2 bedroom social rented houses in Congleton. Whilst I would question the viability of shared ownership in the current market, I can appreciate that the market may change and that when the site is developed there may be a need for this product.

I am willing to support a mixed tenure development on this site.

Environmental Health:

Require that prior to commencement of development a scheme for sound insulation at the properties is submitted for approval by the Local Planning Authority. The information submitted relating to land contamination meets the requirements of the planning process and no further assessment is required, however should adverse ground conditions be discovered during construction then the developer should contact the Environmental Health Department. Conditions should be imposed limiting hours of construction and pile driving.

Cheshire Police Crime Reduction Advisor:

The fences in the front gardens should be a minimum of 900mm. All boundaries directly abutting the parking areas should be visually permeable (e.g. railings) so that the vehicles can be overlooked from the houses. The private space of each dwelling should be enclosed. Any communal alleyways running to the rear of dwellings should be gated at their outer-most point, to prevent unauthorised access to these hidden, vulnerable areas. Defensible planting should be considered at the gable end of the property to reduce the vulnerability of this area.

United Utilities:

No objections provided that the site is drained on a separate system with only foul drainage connected to the foul sewer. Surface water should discharge to the pond/lake as stated on the application form.

Highways:

A satisfactory design has been achieved which meets the required standards and is acceptable. A condition should be imposed requiring a detailed suite of design plans for the proposed access road and junction.

Senior Landscape and Tree Officer

There is one existing Ash tree on the site, and an Oak close to the northern boundary. Subject to protection measures, there should be no impact on the Oak. The Ash tree is likely to be affected by the proposed main access and realignment of the boundary wall. The tree is not exceptional and its loss would not have significant impact on visual amenity. Replacement planting could mitigate the loss.

The submission does not include details of proposed landscape and gives minimal detail of boundary treatments. Strengthening of the boundaries to the north and west with hedge planting would be desirable and particular consideration needs to be given to the eastern boundary of the plot adjacent to the access road. In addition, the existing stone boundary wall to Holmes Chapel Road is a prominent feature and the proposal to form 9 individual pedestrian accesses through the wall is a concern. On Holmes Chapel Road this style of wall is a common feature possibly related to a former estate. It would be preferable to retain this feature with as few breaks as possible.

Nature Conservation Officer:

The ecologist who undertook this survey is known to me and despite his often unconventional report writing style he is very well qualified and experienced in undertaking this type of survey. Whilst, the time of the year means that a full survey cannot be undertaken in accordance with the natural England guidelines I feel that enough evidence has been gathered between this and the earlier survey (and my own visit to the site) for the Council to be satisfied that great crested newts are not 'reasonably likely to be present or affected by the proposed development'.

Included with the report is a plan showing the location of two new ponds. The construction of these additional ponds would lead to a significant gain for nature conservation from the proposed development in accordance with PPS9, particularly as ponds are now a Local and National Biodiversity Action Plan priority habitat.

Natural England

Natural England objects to this application on the grounds that there could be an adverse impact on the River Dane SSSI, because of drainage of surface water into Loach Brook. In addition they point out that consent under S28E of the Wildlife and Countryside Act would be needed for any discharge into this area. The drainage report states that there could be an alternative by using the adjacent pond and it is recommended that if consent is granted a condition is imposed requiring this method to be used.

University of Manchester (Jodrell Bank):

Request that measures for electromagnetic screening be implemented in the construction of the dwellings.

7. VIEWS OF TOWN/PARISH COUNCIL

The Council feel this would put even more pressure on the A54 where there are already many serious accidents. The road is very busy and another access they feel would not be suitable from a safety point of view. Somerford has little infrastructure and no village facilities to offer people coming into the area. Young people they do not feel would be encouraged into the area as there no public house, no shop or post office.

8. OTHER REPRESENTATIONS

Three letters objection have been received in relation to this application raising the following issues:

- The development is isolated from existing services
- Highway safety
- Impact on trees
- Impact on wildlife
- Lack of public transport
- Building over drains from Somerford Farm which pass under the site
- Disruption to the rural environment
- Inadequate drainage
- Loss of a feeling of security
- Property devaluation

9. APPLICANT'S SUPPORTING INFORMATION

- Contaminated land survey
- Bat, Barn Owl and Nesting Bird Survey
- Great Crested Newt Assessment
- Drainage Assessment
- Code for Sustainable Homes Pre-Assessment Report
- Highway Statement
- Design and Access Statement

10. OFFICER APPRAISAL**Principle of Development**

This application seeks a development of 10 affordable houses on a site within the open countryside; the developer is the Plus Dane Group, which is a registered social landlord. Residential development would not normally be acceptable on a site such as this, however Policy H14 allows for such developments if they can be demonstrated to meet a local need, comprise a site close to existing or proposed facilities, comprise a small scheme, the scale, layout and design of which is appropriate to the locality, consist in its entirety of low cost housing in perpetuity in partnership with an RSL and be supported by a housing needs survey. In the case of this proposal is supported by a housing needs survey, is small scale and of a suitable design and could be retained as low cost housing in perpetuity by entering

into a Section 106 Agreement. The Housing Needs Survey was carried out in October/November 2008 and this identified a recognised need for 23 affordable for rent houses in the Parish of Somerford. In addition Dane Housing have stated that there are 21 applicants for 2 bedroom houses in the Somerford Parish area.

With regard to being close to existing or proposed services and facilities, the site is in close proximity to Congleton and the facilities and services available would be within a short distance of the site. In addition it is proposed in the Highway Statement that a new bus stop to serve the existing Rural Rider bus service is to be provided and this could be secured in the Section 106 agreement.

The Spatial Planning Section has commented that if housing need can be confirmed that the proposal is acceptable in affordable housing terms. In addition they do not consider that approval of the application would materially affect the housing land supply figures.

Having regard to the issues outlined above it is considered that the proposal is acceptable in principle.

Highways

The Strategic Highways Manager states that negotiations have taken place with the applicant's highway consultant regarding the design and geometry of the proposed junction, the road design and layout and the definition of an adoptable boundary, he concluded that a satisfactory design has been achieved which meets the required standards and is acceptable. Having regard to this advice it is considered that the proposal is acceptable in terms of highway safety.

Affordable Housing

The proposal is for 10 new affordable houses, which would, be a mixture of social rented and shared ownership. As outlined in the section relating to the principle of the development, Policy H14 allows for developments such as this if a local housing need can be demonstrated, and this advice is also given in PPS7. The Housing Department have stated that they are aware of a need for properties of this type and that they would support the proposal. Having regard to the compliance with local and national policy and the support of the Housing Department, it is considered that the proposal is acceptable; it is recommended that a condition be imposed requiring the developers to enter into a Section 106 Agreement

Ecology - Protected Species & Nature Conservation

Reports were submitted with the application relating to Great Crested Newts, bats Barn Owls and nesting birds. No evidence of bats or Barn Owls were found and the report makes reference to the need to take measures to avoid disturbing nesting birds. With regard to Great Crested Newts, the original submission surveyed the pond/lake to the north of the site but not the one to the west and this was considered to be necessary to make an informed assessment. A subsequent report was submitted which concluded that there are no habitats capable of supporting Great Crested Newts in the vicinity of the application site and that no further surveys are required. The Nature Conservation Officer has stated that the Council is satisfied that this is the case.

Layout

The proposal is for a row of semi-detached cottages, which would face onto Holmes Chapel Road, with an access road located at the eastern end of the site. The access road would lead to the rear of the properties where parking would be to the rear of the gardens and behind it would be an area of open space for play and recreation.

Appearance

The proposal is for a row of semi-detached properties of a simple design similar to that of early 20th century rural council housing. It is considered that the repetition of a simple design and absence of 'landmark' features, would allow these buildings to sit reasonably quietly in the background and the natural materials would work well to integrate the housing unobtrusively into the background rural landscape. It is considered that subject to approval of the external materials used in the construction of the development, that the design of the buildings is acceptable.

Impact on Existing Amenity Levels

The nearest residential property to the application site is number 4 Poolwood Cottages, which is situated to the east. This property would be in excess of 28m from the proposed new dwellings and as such it is considered that there would be no significant impact on the amenities of this or other residential properties in the vicinity.

11. CONCLUSIONS AND REASONS FOR THE DECISION

In conclusion, it is considered that the proposal meets the requirements of the national policy and the development plan in terms of the issues addressed above and therefore approval of this application is recommended subject to the following conditions.

12. RECOMMENDATION

APPROVE subject to the following conditions

- 1. Commence development within 3 years**
- 2. Development in accordance with agreed drawings**
- 3. Developers entering into a Section 106 Agreement relating to local occupancy and provision of the bus stop**
- 4. Submission of details/samples of external materials**
- 5. Submission of details of drainage into the pond**
- 6. Submission of noise insulation scheme**
- 7. Limits on hours of construction**
- 8. Limits on hours of piling**
- 9. Submission of detailed access and junction plans**
- 10. Submission of landscaping scheme**
- 11. Implementation of landscaping scheme**
- 12. Submission of details of boundary treatments**
- 13. Submission of details of electromagnetic screening**

LOCATION PLAN:

