

Application No: 16/0420N

Location: LAND TO REAR OF SOUTH VIEW, NANTWICH ROAD, CALVELEY,  
CW6 9JN

Proposal: One pair of semi detached houses

Applicant: Mr & Mrs A Beeston

Expiry Date: 24-Mar-2016

## **SUMMARY**

**The application site lies entirely within the Open Countryside as determined by the Borough of Crewe and Nantwich Replacement Local Plan 2011.**

**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 Policies NE.2 and RES.5. The proposed development does not fall within any of the listed categories and as such, there is a presumption against the proposal unless material considerations indicate otherwise.**

**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 consider 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).**

**The boost to housing supply is an important benefit – and this application achieves this in the context of a deliverable, sustainable housing land release.**

**Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety, amenity, and landscape.**

**In this instance, it is considered that the economic and social benefits of the scheme would outweigh the dis-benefits by virtue of the loss of designated open countryside.**

**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. Accordingly it is recommended for approval.

## **RECOMMENDATION**

**APPROVE subject to conditions**

## **REASON FOR REFERRAL**

This application is referred to Southern Planning Committee as it proposes housing in the Open Countryside. This would represent a departure from the Development Plan.

## **PROPOSAL**

This application seeks outline planning permission for the construction of a pair of semi-detached dwellings with all matters reserved for subsequent approval. The proposal therefore merely seeks to establish whether the construction of two dwellings in this location would be acceptable as a matter of principle.

The scheme has been supported by a basic indicative layout to show two demi-detached dwellings on the land to the rear of South View.

The adjacent parcel of land has an extant planning permission for its redevelopment with two semi-detached dwellings. A further planning application on that adjacent plot, 16/0424N, is also under consideration.

## **SITE DESCRIPTION**

The site relates to a parcel of land which is located to the rear of a property known as South View adjacent to the settlement boundary of Calveley. South View is a two storey semi-detached property which is located on a corner plot location on the junction of Nantwich Road and an unmade track. South View benefits from a linear garden adjacent to the single lane track. The application site would be accessed via the track. To the south of the site is the Chester to Crewe railway track which is located within a cutting. The Alphraham Footpath 17 runs along the adjacent track.

## **RELEVANT SITE HISTORY**

None relevant on site

## **LOCAL & NATIONAL POLICY**

### **Borough of Crewe and Nantwich Replacement Local Plan 2011**

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011, which allocates the site, under Policy NE2, as Open Countryside

The relevant Saved Policies are;

NE.2 Open Countryside  
BE.1 Amenity  
BE.2 Design Standards  
BE.3 Access and Parking  
BE.4 Drainage, Utilities and Resources  
BE.5 Infrastructure  
RES.5 Housing in the Open Countryside  
RT.9 Footpaths and Bridleways

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

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

Policy SD1 - Sustainable Development in Cheshire East  
Policy SD2 - Sustainable Development Principles  
Policy SE1 – Design  
Policy SE2 - Efficient Use of Land  
Policy SE4 - The Landscape  
Policy SE5 - Trees, Hedgerows and Woodland  
Policy SE9 - Energy Efficient Development  
Policy SE12 - Pollution, Land Contamination and Land Instability  
Policy IN1 – Infrastructure  
Policy PG1 - Overall Development Strategy  
Policy PG2 - Settlement Hierarchy  
Policy PG5 - Open Countryside

### **National Policy**

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

7 – Achieving Sustainable Development; 14 - Presumption in favour of sustainable development; 17 – Core planning principles; 32 – Promoting sustainable transport; 47-50 - Wide choice of quality homes; 55 - Isolated dwellings in the countryside; 56-68 - Requiring good design; 69-78 - Promoting healthy communities; and, 109-111 – Conserving and enhancing the natural environment.

The National Planning Practice Guidance (NPPG)

### **CONSULTATIONS**

**CEC Highways** – No objections

**Canal and River Trust** – No consultation requirement.

**Environmental Protection** – Insufficient information with respect to noise and vibration. Recommended conditions relating to Pile Driving (if proposed) and contaminated land.

**Strategic Housing (Cheshire East Council)** – No objection due to the reintroduction of the NPPG rules of Affordable housing for development under 10 units and below 1,000Sqm.

**United Utilities** – No objection subject to conditions

**Pubic Right of Way Officer** - No objection

**Calveley Parish Council** - With respect to Planning Application 16/0420N relating to South View, Nantwich Road, Calveley Parish Council has no fundamental objections to this development. However the Parish Council demand a Section 106 contribution that, when combined with the other S106s from the immediate area, for a pelican crossing (which has already been mooted) and traffic lights to cover vehicular access to the A51 from both sides tied into the pelican crossing.

This will allow both local residents and visitors to the area to cross the dangerous A51 in relative safety and so make it possible for local use of the canalside facilities and amenities.

We continue to record our concerns about the access from the track onto the A51 at a point where visibility is limited - especially towards the Railway Bridge. In the D & A Statement provided by the applicant it is noted that the development of the outbuildings at Clays Farm are already completed - they are NOT completed and therefore the volume of traffic is going to increase along this track. We request that Cheshire East Highways Department - who have already responded to this application with no adverse comment - make a clear and categoric statement about the point at which they will become concerned about the increasing volume of traffic joining the A51 from this track. If they always say "two more houses is not a significant increase...." after 10 applications, each for two houses, they will have allowed 20 dwellings. If this has come as one application I am sure that something would have been said

**Alraham Parish Council** – No adverse comments

## **REPRESENTATIONS**

None received at time of writing report

## **APPRAISAL**

The key issues are:

- The principle of the development
- The sustainability of the proposal, including its; Environmental, Economic and Social role
- Planning balance

## **Principle of Development**

The site is designated as being within the Open Countryside where Policy NE.2 (Open Countryside) of the Borough and Crewe and Nantwich Replacement Local Plan states that development will only be permitted if it falls within one of a number of categories. In accordance with NE.2 and RES.5 housing development is acceptable where it represents infilling of a small gap in an otherwise built up frontage. Policy PG5 of the emerging Cheshire East Local Plan Strategy – Submission Version identifies that housing development will only be acceptable where it is the subject of a number of criteria.

The proposed development does not represent an opportunity for infilling or any of the other categories set out in Policies NE.2 or RES.5 of the Local Plan. As a result, the proposed development constitutes a “departure” from the development plan and emerging plan and as such, there is a presumption against the proposal.

The issue in question is whether the development represents sustainable development and whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection. These are considered below.

### Housing Land Supply

Following the receipt of the Further Interim Views in December 2015, the Council has now prepared proposed changes to the Local Plan Strategy (LPS), alongside new and amended strategic site allocations, with all the necessary supporting evidence. The proposed changes have been approved at a Full Council meeting held on the 26 February 2016 for a period of 6 weeks public consultation which commenced on Friday 4 March 2016.

The information presented to Full Council as part of the LPS proposed changes included the Council’s ‘Housing Supply and Delivery Topic Paper’ of February 2016.

This topic paper sets out various methodologies and the preferred approach with regard to the calculation of the Council’s five year housing land supply. From this document the Council’s latest position indicates that during the plan period at least 36,000 homes are required. In order to account for the historic under-delivery of housing, the Council have applied a 20% buffer as recommended by the Local Plan Inspector. The topic paper explored two main methodologies in calculating supply and delivery of housing. These included the Liverpool and Sedgefield approaches.

The paper concludes that going forward the preferred methodology would be the ‘Sedgepool’ approach. This relies on an 8 year + 20% buffer approach which requires an annualised delivery rate of 2923 dwellings.

The 5 year supply requirement has been calculated at 14617, this total would exceed the total deliverable supply that the Council is currently able to identify. The Council currently has a total shortfall of 5,089 dwellings (as at 30 September 2015). Given the current supply set out in the Housing Topic Paper as being at 11,189 dwellings (based on those commitments as at 30 September 2015) the Council remains unable to demonstrate a 5 year supply of housing land. However, the Council through the Housing Supply and Delivery Topic paper has proposed a mechanism to achieve a five year supply through the Development Plan process.

National Planning Policy Guidance (NPPG) indicates at 3-031 that deliverable sites for housing can include those that are allocated for housing in the development plan (unless there is clear evidence that schemes will not be implemented within five years).

Accordingly the Local Plan provides a means of delivering the 5 year supply with a spread of sites that better reflect the pattern of housing need. However, at the current time, the Council cannot demonstrate a 5 year supply of housing.

This is a material consideration in support of the proposal.

## **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”*

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 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;

**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

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

The issue in question is whether the development represents sustainable development and whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection. These are considered below.

## **Environmental role**

## Locational Sustainability

Accessibility is a key factor of sustainability that can be measured. One 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 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.

A locational sustainability assessment has not been provided by the applicant for this scheme. Notwithstanding this, planning permission has been approved for the construction of two dwellings immediately adjacent to the site where it has been accepted as being a locationally sustainable site. Furthermore, planning permission has been approved on the land immediately to the north of the site as a departure to the Local Plan and again, accepting that it is locationally sustainable. The site lies 60m from the settlement boundary for Calveley. Given recent permissions, and particularly given the modest scale of the proposed development, it is considered that the proposed is sustainably located with reasonable access to services and facilities.

## Landscape Impact

The site is well contained visually, being opposite Station House and South View to the north. The site will read as being part of the cluster of dwellings located on the south side of the A51. Due to the contained nature of the site, it is unlikely that the proposal will result in any wider landscape impact.

In terms of the application is in outline only with all matters reserved. It is however considered feasible to erect a pair of cottages on this site which would respect the character of the area. There are many such semi-detached properties in the vicinity of the site.

## Design

The application is in outline with all matters reserved including scale, layout and appearance. Notwithstanding this, an indicative layout shows the provision of up to 2 new dwellings within the site along with the provision of a pair of semi-detached dwellings considered under 16/0424N on the adjacent plot. The indicative layout shows that the development can be accommodated on the site without representing an overdevelopment of the site.

Provided the dwellings are appropriately designed it is unlikely that the proposal will have a detrimental impact on the character and appearance of the area and, the indicative layout is deemed to be acceptable in principle.

Details of existing and proposed levels would be necessary as there are slight land level changes between the application site and the lane.

## Access

The submitted indicative layout plan provides no details on the means of access to the site, although there is already an existing access into the site serving South View. Access can only be achieved off the lane to which the site has a frontage. It is unlikely that traffic speeds will be high on the lane along the frontage of the site as vehicles will be slowing down as they reach the junction with the A51 or entering the lane from the A51. It is considered that the traffic movements associated with 4 dwellings will be limited and the impact upon safety would not be severe. It is considered that it should be possible to achieve an access with sufficient parking and turning at reserved matters stage.

Calveley Parish Council have suggested that a financial contribution should be made for the delivery of pedestrian crossing facilities across the A51, as sought on other developments within the area. CEC Highways have stated that they do not consider that a contribution for the scheme would be justified as no contribution was sought for the adjacent development. It is therefore considered that a financial contribution towards the delivery of pedestrian crossing facilities would be necessary to make the development acceptable in planning terms, and as such would fail to meet the tests for planning obligations.

### Environmental Conclusion

It is not considered that the proposed development would create any significant environmental impacts with regards to; the landscape, highway safety, and design, subject to conditions.

As a result of the above reasons, it is not considered that the proposed development would be environmentally neutral.

### **Economic Role**

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

*'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'.*

Given the countryside location of the site, consideration must also be given to one of the core principles of the Framework, which identifies that planning, should recognise:

*'the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'.*

Specifically, in relation to the rural economy the Framework identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

*‘support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings’*

The economic benefits of the development need to be balanced against the impact upon the open countryside.

With regard to the economic role of sustainable development, the proposed development will help, albeit in a small way, to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits, to Calverley, and the surrounding villages, including additional trade for local businesses, jobs in construction and economic benefits to the construction industry supply chain. The proposal, although small, will generate economic benefits to the area.

## **Social Role**

The proposed development would provide two open market dwellings which in itself, would be a social benefit.

## Amenity

Policy BE.1 (Amenity) of the Local Plan, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties in terms of overshadowing, overlooking, visual intrusion, noise and disturbance, odour or in any other way.

The proposed indicative layout shows the proposed semi-detached dwellings to be sited in line with the building line of the adjacent extant planning permission. The indicative layout demonstrates that the proposed development can be sited accommodated on the site without resulting in any overshadowing or overbearing on adjoining properties. To the east and west of the site is agricultural land, there would be no overlooking or loss of privacy issues arising on that land.

The site can be developed whilst providing an appropriate level of private amenity space for the proposed dwellings.

The site is located close to a railway line and the A51. Environmental Protection have stated that insufficient information has been provided to support the application to determine the noise impact from existing infrastructure on the proposed development. The adjacent site has been granted planning permission without the requirement for a noise survey, while the land to the rear has also been granted planning permission for 5 dwellings without such a requirement, whilst being subjected to the same sources of noise. The redevelopment of the Davenport Arms on the opposite side of the A51 required the submission of a Noise Assessment by way of condition. It is therefore considered that it would be appropriate to secure this detail by condition in this instance.

## **Planning Balance**

The application site lies entirely within the Open Countryside as determined by the Borough of Crewe and Nantwich Replacement Local Plan 2011.

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 Policies NE.2 and RES.5. The proposed development does not fall within any of the listed categories and as such, there is a presumption against the proposal unless material considerations indicate otherwise.

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The boost to housing supply is an important benefit – and this application achieves this in the context of a deliverable, sustainable housing land release.

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In this instance, it is considered that the economic and social benefits of the scheme would outweigh the dis-benefits by virtue of the loss of designated open countryside.

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. Accordingly it is recommended for approval.

## **RECOMMENDATION**

**Approve subject to conditions;**

- 1. Submission of Reserved Matters (Access, Appearance, Landscaping, Layout and Scale)**
- 2. Time Limit for submission of reserved matters**
- 3. Time limit for outline permission**
- 4. Development in accordance with approved plans**
- 5. Details of materials to be submitted for approval**
- 6. Tree Protection Measures**
- 7. Landscaping**
- 8. Details of Piling to be submitted if required**
- 9. Land Contamination Risk Assessment**
- 10. Dust Control Measures**
- 11. Noise Assessment**
- 12. Existing and Proposed Site Levels**
- 13. Drainage scheme to be provided**

**In order to give proper effect to the Board`s/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 her 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.**

