

Application No: 16/1940N

Location: LAND TO THE REAR OF AND INCLUD, 481, CREWE ROAD, WINTERLEY

Proposal: Outline Planning Application for Proposed Residential Development of 12 Number Dwellings on the land to the rear and including 481 Crewe Road Winterley Cheshire CW11 4RF Including the Demolition of 481 Crewe Road and alterations to the existing Road Access.

Applicant: Mr John Pass

Expiry Date: 26-Aug-2016

SUMMARY

The site is not located within a settlement boundary and is located in the Open Countryside as designated in the 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 Policies NE.2 and RES.5

In this instance the proposal is not listed as an appropriate form of development and it is not considered capable of being an infill development. As a result, it constitutes a "departure" from the development plan and emerging plan and as such, there is a presumption against the proposal.

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 planning dis-benefits are that the proposal constitutes an inappropriate form of development in the open countryside.

However the proposal would bring positive planning benefits such as provision of market housing, a minor boost to the local economy and on balance is considered to be locationally

sustainable given the location to the bus stop and the siting which borders the settlement boundary and would therefore be viewed as an extension to the existing settlement.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

RECOMMENDATION

Approve

PROPOSAL

The proposal seeks outline consent for the demolition of 481 Crewe Road and the erection of 12 dwellings including alterations to the existing Road Access. All matters are reserved except access

The proposal seeks to provide 6 affordable units and 6 for open market sale. However the affordable housing requirement based on the 12 dwellings proposed is just for 4 affordable units.

SITE DESCRIPTION

The application site comprises both the plot currently housing No.481 Crewe Road and the land to the rear. The plot is sited with the open countryside with residential properties to the north, east and south.

The settlement boundary immediately borders the site. Boundary treatment consists of 2m high planting to the eastern boundary and mixed trees/planting to the remaining boundaries.

The site is located in the Open Countryside as per the Crewe and Nantwich Local Plan

RELEVANT HISTORY

Various alterations/extensions proposed to No.481 Crewe Road however none relevant to the current application

LOCAL & NATIONAL POLICY

Borough of Crewe and Nantwich Local Plan 2011

Policy BE.1 – Amenity

Policy BE.2 – Design Standards

Policy BE.3 – Access and Parking

Policy BE.4 – Drainage, Utilities and Resources

Policy NE.2 – Open Countryside

Policy NE.5 – Nature Conservation and Habitats

Policy NE.10 – New Woodland Planting and Landscaping

Policy RES.2 – Unallocated Housing Sites

Policy RES.3 – Housing Densities
Policy RES.5 – Housing in the Open Countryside
Policy TRAN.9 – Car Parking Standards

Cheshire East Local Plan Strategy – Consultation Draft March 2016 (CELP)

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

Policy MP1 – Presumption in Favour of Sustainable Development
Policy PG1 – Overall Development Strategy
Policy PG2 – Settlement Hierarchy
Policy SD 1 – Sustainable Development in Cheshire East
Policy SD 2 – Sustainable Development Principles
Policy SE 1 – Design
Policy SE2 – Efficient Use of Land
Policy SE5 – Trees, Hedgerows and Woodlands
Policy SE13 – Flood Risk and Water Management
Policy CS4 – Residential Mix

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

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
56-68 - Requiring good design

Supplementary Planning Documents (SPD):

North West Sustainability Checklist

CONSULTATIONS

Housing (Cheshire East Council)

No objection subject to the affordable housing units being secured by section 106 agreement

Highways (Cheshire East Council)

No objection

Environmental Protection (Cheshire East Council)

No objections subject to conditions regarding pile foundations, dust control, electric vehicle charging and contaminated land and informatives regarding working hours

Flood Risk (Cheshire East Council)

No objection subject to condition requiring a surface water drainage scheme requiring information regarding the designs storm period and intensity, any works required off site and flood water exceedance routes

Education (Cheshire East Council)

No comments received

Natural England

No objection regarding statutory nature conservation sites however considered to be an opportunity to encourage incorporation of green infrastructure, features of benefit to wildlife and the landscape.

Standing advice is referred to regarding protected species and the local authority are required to consider the impact on site with local designations.

United Utilities

No objection subject to conditions regarding foul and surface water drainage and sustainable urban drainage systems

Sandbach Town Council

No objection providing the recommendations within CIVICANCE report, regarding s106 agreements are implemented

Haslington Parish Council

No comments received

REPRESENTATIONS

19 letters have been received regarding the following:

- Loss of privacy
- Loss of light
- Loss of security
- Indicative plans make it difficult to assess the likely impact
- Noise and disturbance
- Loss of countryside and agricultural land
- Too much development in Winterley
- Increase in traffic/congestion
- Highways assessment inadequate

- Flooding
- Impact on wildlife habitat
- Request committee site visit
- Precedent for future development
- Loss of existing property would be visually harmful
- Current housing stock remains for sale
- Impact on existing infrastructure
- Loss of rural views
- Loss of trees
- Impact on house value
- Air pollution
- Scholl provision
- Disturbance from piling
- Waste collection

APPRAISAL

The key issues are:

- The principle of the development
- Open Countryside
- Amenity
- Impact on trees/important landscape features
- Impacts on wildlife and habitats
- Character/appearance
- Highway safety

APPRAISAL

Principle of development

The site is located outside the settlement boundary and is within the open countryside as defined by the Local Plan. Within the open countryside Policy NE.2 advises that:

'All land outside the settlement boundaries defined on the proposals map will be treated as open countryside.'

'Within 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.'

In this instance the proposal is not listed as an appropriate form of development and the isolated nature of the site means that it is not within an otherwise built up frontage.

As a result, it 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.

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 Sedgfield approaches.

The paper concludes that going forward the preferred methodology would be the ‘Sedgpool’ 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.

Sustainability

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 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

Locational Sustainability

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities 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.

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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 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.

The criteria contained within the North West Sustainability Checklist are 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 assessment against this criteria is shown in the table below.

Amenity:	Distance (Meters)	Walk	Bike	Car	Amenity Name
Post box (500m)	70m	1 minute	1 minute	1 minute	Winterley Post Box
Post Office (500m)	2575m	32 mins	8 mins	4 mins	One Stop Post Office
Amenity Open Space (500m)	644m	7 mins	2 mins	1 minute	Winterley Pool
Children's Play Space (500m)	1287m	16 mins	4 mins	2 mins	Wheelock Playing Fields
Primary School (1000m)	2414m	25 mins	6 mins	3 mins	The Dingle Primary
Outdoor Sports Facility (1000m)	1287m	16 mins	4 mins	2 mins	Wheelock Playing Fields
Leisure Facilities (Leisure Centre or Library) (1000m)	4345m	49 mins	13 mins	6 mins	Sandbach Leisure Centre
Local meeting place (1000m)	70m	1 minute	1 minute	1 minute	Church
Public House (1000m)	50m	1 minute	1 minute	1 minute	Foresters Arms
Child Care Facility (nursery or crèche) (1000m)	70m	1 minute	1 minute	1 minute	Child Care at Church
Bus Stop (500m)	48m	1 minute	1 minute	1 minute	Foresters Arms Bus Stop
Public Right of Way (500m)	100m	2 mins	1 minute	1 minute	Public Footpath
Pharmacy (1000m)	4023m	31 mins	8 mins	4 mins	Boots Pharmacy
Railway station (2000m where geographically possible)	4667m	57 mins	16 mins	7 mins	Sandbach Station
Bank or cash machine (1000m)	48m	1 minute	1 minute	1 minute	Holly Bush Inn ATM
Supermarket (1000m)	2092m	25 mins	6 mins	3 mins	Co-operative Food
Secondary School (1000m)	3540m	43 mins	11 mins	5 mins	Sandbach School
Medical Centre (1000m)	2575m	31 mins	8 mins	4 mins	Haslington Surgery
Convenience Store (500m)	1609m	20 mins	5 mins	2 mins	Wheelock Newsagents

In summary, the site does not comply with all of the standards advised by the NWDA toolkit, however this is to be expected with the development proposed being within a village setting and whilst not all services are available in Winterley, it is close to other settlements that contain key services such as Haslington, Wheelock, Sandbach and Crewe.

In addition, there are several services operating within Wheelock Heath and Winterley that would alleviate the need to be within a certain proximity such as; over 3 major supermarkets offering home delivery, online banking and online services provided by the DVLA. In addition to these services and facilities and within a distance of approximately 2km of the proposed development site, there is a veterinary surgery, an animal hotel, the Trent and Mersey canal, a beauty salon, a farm shop, play area and petting zoo, a blacksmith, two Chinese and one Indian takeaways/restaurants, an animal food store, a gym offering personal training and group sessions, a tyre and exhaust mechanics, a nursing home and Lakemore Farm Park.

There is also a bus stop located 120m south of the site which is assessable by footpath from the site and has frequent trips to the service centres of Sandbach, Middlewich, Crewe Sandbach, Congleton, Macclesfield.

The site also borders the settlement boundary where housing development is considered appropriate and sustainable. As a result the site is considered to be locationally sustainable.

Open Countryside

The proposal is considered to cause harm to the open countryside through loss of openness as it would occupy space that is currently free from built form.

However the site immediately borders the settlement boundary to the east where new development is considered appropriate subject to meeting certain design criteria.

As a result it is considered that the proposal would be viewed in the context of the existing built form and would therefore be viewed as an extension to the existing settlement rather than stand alone/isolated development.

Never the less the loss of countryside weights against the proposal.

Landscape

The site is an irregular shaped parcel of land to west of Crewe Road. The site includes 481 Crewe Road and its extended garden, stables and outbuildings, together with agricultural land to the North West. There are existing trees and lengths of established hedge present.

Most of the land is in open countryside outside the settlement boundary for Wheelock as define in the adopted local plan. The site has no formal landscape designation.

Whilst the parcel of land directly behind 475-481 Crewe Road is relatively well contained with hedges and trees to the north, south and west, the extended site comprising agricultural land has no defined western or northern boundary on site.

An Indicative layout plan has been provided however this does not detail any proposed planting as landscaping is a reserved matter. However it would appear that suitable landscaping could be accommodated to provide a suitable buffer to soften the visual impact of the proposal. This would be addressed at reserved matters stage requiring a comprehensive landscape and boundary scheme to be provided.

Trees

Policy NE.5 advises that the LPA will protect, conserve and enhance the natural conservation resource.

The submission is supported by a Phase Two Arboricultural Impact Assessment dated 20 May 2016 which accords with the guidelines within BS 5837:2012 Trees in relation to design, demolition and construction – Recommendations.

Whilst all matters are reserved except access, the Arboriculture Impact Assessment indicates that that the indicative layout would result in the loss of a number of trees with the potential for future pressure to remove or reduce a further three trees.

Based on the indicative layout and the size of the site, it would appear that the layouts of the properties could be amended to accommodate the proposal whilst limiting tree loss.

This would be dealt with at reserved matters stage and an application would need to be supported by an arboricultural impact assessment and arboricultural method statement reflecting the finalised layout.

Design

At this stage no elevational drawings have been provided to show the design/appearance of the proposed dwellings. An indicative plan has been provided however this seeks to establish the access and layout only.

The locality consists of a mixture of properties types, both detached and semi-detached. Therefore it is considered that the site could accommodate either detached or semi-detached property types or a mixture of both.

The plan shows that the closet properties would be set well back from Crewe Road by 33m and would only be viewed at intervals given the siting behind the main build line of properties on Crewe Road. Therefore the properties could be accommodated without appearing over prominent in the street scene.

The crescent shape of the plot would also allow the properties to follow the line of properties to the east, resulting in the proposals being viewed as an extension to the settlement boundary.

The plot dimensions and plot ratios would also appear comparable to other properties noted locally, in particular those noted to the east. Issues of detailed design would be addressed at reserved matters stage.

Therefore it is considered that residential properties could be accommodated without significant harm to the overall character/appearance of the area.

Highway Safety

Policy BE.3 requires proposals to provide safe access and egress and adequate off-street parking and manoeuvring.

Although all highway details are to be determined in a reserved matters application, in principle an adequate standard of access to serve 12 units can be achieved with the demolition of No. 481 Crewe Road.

The indicative plan also indicates that adequate off-street parking and turning areas could be provided.

Therefore the proposal could be accommodated without significant highway impacts although further details would be dealt with in the reserved matters application.

Flood Risk and Drainage

The application site lies within a Flood Zone 1.

The Council's Flood Risk Team have been consulted who advise that there is high surface water risk to the north of the proposed development from topographical low spots indicated on the Environmental Agency's mapping system. Anecdotal evidence of this has been provided by local residents. The risk of flooding from this source will need to be appropriately mitigated and assessed then shown in the submitted documents before development can commence.

As a result they have suggested an appropriate condition requiring a surface water drainage scheme requiring information regarding the design's storm period and intensity, any works required off site and flood water exceedance routes.

United Utilities have also provided comments regarding the proposal and have not raised any objections subject to the imposition of conditions regarding foul and surface water drainage and sustainable urban drainage systems.

Therefore subject to conditions in the reserved matters application it would appear that concerns from a Flood Risk perspective could be addressed.

Ecology

The Council have requested a Bat Survey which was not received at the time of writing the report. Therefore the results of this and appropriate assessment will be provided in the update report.

Economic Role

It is accepted that the construction of a housing development of this size would bring the usual economic benefits to the closest public facilities in the closest villages 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 residents' spending money in the area and using local services.

Social Role

The provision of both affordable and market dwellings themselves would be a social benefit.

This is a proposed development of 12 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 4 dwellings to be provided as affordable dwellings. The SHMA 2013 shows that the demand in Haslington & Englesea is for 44 dwellings per annum. Broken down there is a need for 1 x 1 bed, 11 x 2 bed, 19 x 3 bed, 10 x 4 bed, 1 x 1 bed older person and 1 x 2 bed older person dwellings.

Information taken from Cheshire Homechoice shows that there are no applicants on the housing waiting list who have selected Winterley as their first choice. However there are 50 applicants who have selected Haslington as their first area of choice and they require 21 x 1 bed, 18 x 2 bed, 10 x 3 bed and 1 x 4 bed accommodation.

Should the application be approved, it is advised that the affordable housing be secured via S106 Agreement.

Education

No response was received from Education at the time of writing the report. This will be provided when received in the update report.

Residential Amenity

Policy BE.1 advises that development should not prejudice the amenity of occupiers or future occupiers of adjacent properties by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour or in any other way.

Policy BE.2 requires a high standard of design, which respects the character and form of its surroundings.

Existing residential properties are located to the north, east and south.

No details/elevational drawings have been provided at this stage indicating the heights or room layouts of the proposed dwellings. An illustrative plan has been provided showing a possible layout of the properties.

The illustrative plan indicates that the nearest properties to be created (plots 9&10) would be sited between 20.5m-23.5m to the main face rear elevation of the nearest property to the east (4 Frederick Howarth Drive). The remaining plots would be sited over 33m away at the closest point to the remaining properties on Frederick Howarth Drive. These distances are sufficient to prevent significant harm to living conditions through overlooking/loss of privacy.

The properties to be created would be sited between 16m-21m to the boundaries shared with properties on Frederick Howarth Drive. These distances would prevent significant harm through overbearing impact, overshadowing and overlooking of the garden areas.

The illustrative plan indicates that the nearest plot (plot 1) would be sited 14m to the windowless side elevation of the main dwelling. Given that the properties would sit at a 90-degree orientation which each other this would prevent any direct overlooking between windows on the rear elevation.

The plot would be sited 7.5m to the boundary shared with No.479 Crewe Road and the illustrative plans, suggest that this property will be a bungalow. Whilst no detail has been provided showing the height of the bungalow or the location of any facing windows, it is considered that the bungalow could be accommodated without causing significant harm through overbearing or overshadowing impact given the siting from the boundary and the single storey nature.

Any overlooking of the rear garden area could be prevented at reserved matters stage which would consider the location of any front facing windows.

The illustrative plan indicates that the nearest plot (plot 1) would be sited 15.5m to the rear facing windows of No.477 Crewe Road. Subject to the location of any side facing windows on plot 1, this separation distance is considered significant to prevent overlooking.

Whilst the plot would be sited just 3m to the shared boundary with No.477, the plot is shown on the illustrative plan as being a bungalow property which would prevent significant harm though overbearing impact and overshadowing.

Details of height and location of windows would be dealt with at reserved matters stage.

Planning Balance

The site is not located within a settlement boundary and is located in the Open Countryside as designated in the 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 Policies NE.2 and RES.5

In this instance the proposal is not listed as an appropriate form of development and it is not considered capable of being an infill development. As a result, it constitutes a “departure” from the development plan and emerging plan and as such, there is a presumption against the proposal.

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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 planning dis-benefits are that the proposal constitutes an inappropriate form of development in the open countryside.

However the proposal would bring positive planning benefits such as provision of market housing, a minor boost to the local economy and on balance is considered to be locationally sustainable given the location to the bus stop and the siting which borders the settlement boundary and would therefore be viewed as an extension to the existing settlement.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

RECOMMENDATION

Approve subject to the completion of a section 106 Agreement to secure the following;

1. **30% on-site affordable housing provision in a 65:35 split social rented :intermediate housing**

And the following conditions;

- 1) **Time period within 3 years**
- 2) **Approved plans**
- 3) **Dust control measures**
- 4) **Contaminated land**
- 5) **Electric vehicle charging**
- 6) **Reserved matters application to include a comprehensive landscape and boundary scheme**
- 7) **Reserved matters application to include an arboricultural impact assessment and arboricultural method statement**
- 8) **Reserved matters application to include a foul and surface water drainage scheme**
- 9) **Reserved matters application to include a Sustainable urban drainage system**

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.

Should the application be the subject of an appeal approval is given to enter into a S106 Agreement the following Heads of Terms;

- **30% on-site affordable housing provision in a 65:35 split social rented :intermediate housing**

