

Application No: 16/3456N

Location: Ivy House Farm, Longhill Lane, Hankelow, CHESHIRE, CW3 0JQ

Proposal: Outline Application for the demolition of existing dwelling and commercial Buildings. Erection of five detached dwelling, access and associated works

Applicant: Mr & Mrs Huddart

Expiry Date: 13-Sep-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 although it would provide 5 dwellings 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.

Although the proposal would be contrary to Policy NE.2 it would meet one of the core planning principles as contained within the NPPF in relation to the re-development of a brownfield site.

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, redevelopment of a previously developed site

and on balance is considered to be locationally sustainable given the location to the bus stop and with the previous approval in mind. The proposal would also see the removal of the existing commercial use which it has been demonstrated is no longer viable and the removal would reduce traffic levels and general noise and disturbance to neighbouring properties. The proposal would remove the existing unsightly buildings and result in a reduction in the footprint of the existing buildings.

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 with conditions**

## **PROPOSAL**

The proposal seeks outline consent for the demolition of existing dwelling and commercial Buildings and the erection of five detached dwellings, access and associated works with all matters reserved

## **SITE DESCRIPTION**

The application site is located about 100m east of Longhill Lane along an unadopted lane which forms footpath Buerton FP1, linking the settlement at the road junction with Pewitt Lane, Hunsterson. The site comprises a number of older little used buildings constructed in a variety of materials including block, render and sheeting. Some are partially open with the appearance of former agricultural buildings, whilst others are fully enclosed. Since the cessation of the former poultry processing business a number of buildings have been removed, although hardstandings still remain and this has left an open, bare landscape.

The application site is within an isolated location consisting of scattered residential properties and agricultural buildings/uses. The nearest residential properties are sited to the west of the site and the land level is elevated from the rear of the site and internally to the east

The site is located in the Open Countryside and is a Hazardous Installation Area as per the Crewe and Nantwich Local Plan

## **RELEVANT HISTORY**

P08/0872 – Outline Application for Demolition of Existing Dwelling and Commercial Buildings and Erection of Five Dwellings with Associated Highways and Landscaping Works – approved 2<sup>nd</sup> March 2009 (expired 2<sup>nd</sup> March 2014)

P06/1064 - To vary/ remove conditions 2, 3, and 5 of permission P93/1044. Refused 7th November 2006

P96/0418 - Change of use of land and buildings for industrial use, storage and importing of timber. Refused 25th July 1996

P96/0335 - Change of use to baling of wood shavings. Refused 25th July 1996.

P93/1044 - Change of use of office to dwelling and use of existing buildings as specialist engineering workshop. Approved 11th February 1994.

P93/0585 - Change of use from chicken processing to manufacture of house name plates. (Class B2). Approved 16th September 1993.

## **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 BE.21 – Hazardous Installations

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

Policy E.4 – Development on Existing Employment Areas

Policy E.7 – Existing Employment Sites

### **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

Policy EG3 – Existing and Allocated Employment Sites

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**

### **Flood Risk Team (Cheshire East Council)**

No objection subject to conditions regarding the following:

- 1) Drainage strategy/design
- 2) Sustainable Urban Drainage/Management plan

### **Highways (Cheshire East Council)**

No objection

### **Public Right of Way PROW (Cheshire East Council)**

No objection subject to condition regarding the following:

- 1) Protection of the existing Public Right of Way

### **Environmental Protection (Cheshire East Council)**

No objection subject to conditions/informatives regarding dust control, construction hours and contaminated land

### **United Utilities**

No objection subject to conditions regarding the following:

- 1) Foul and Surface Water
- 2) Sustainable Urban Drainage Systems

### **Health and Safety Executive (HSE)**

Do not advise against the granting of planning permission

## **National Grid**

No objection as the National Grid have no record of apparatus in the vicinity of the site

## **Parish Council**

**Buerton Parish Council:** No comments received at the time of writing the report

**Hankelow Parish Council:** No comments received at the time of writing the report

## **REPRESENTATIONS**

7 letters/comments received regarding the following:

- No semi-detached properties proposed
- Site notice was posted earlier than the date on the notice
- Single track access is inadequate
- Increase in congestion at dangerous junction
- Highways Statement is out of date
- Contaminated land
- Pressure of services in Audlem
- Unsustainable location

## **APPRAISAL**

The key issues are:

- The principle of the development
- Open Countryside
- Loss of existing employment use
- Amenity
- Ecology
- Impact on trees/important landscape features
- 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.

Although the proposal would be contrary to Policy NE.2 it would meet one of the core planning principles as contained within the NPPF which states that planning should;

*'encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value'*

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**

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

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.

Recommended standards (m denotes metres):

- Post box (500m)
- Post Office (500m)
- Amenity Open Space (500m)
- Children’s Play Space (500m)
- Primary School (1000m)
- Outdoor Sports Facility (500m)
- Local meeting place (1000m)
- Leisure Facilities (Leisure Centre and Library) (1000m)
- Public House (1000m)
- Child Care Facility (nursery or crèche) (1000m)
- Bus Stop (500m)
- Public Right of Way (500m)
- Pharmacy (1000m)
- Railway station (2000m where geographically possible)
- Any transport node
- Bank or cash machine (1000m)
- Supermarket (1000m)
- Secondary School (1000m)
- Medical Centre (1000m)
- Convenience Store (500m)

Based on the above figures the proposal would likely fail most the criteria. This assessment identifies that the site would not be located near to a number of key services, which are located in Hanklow and Audlem village. The site is 1.3kms from Hankelow and 3.2kms from Audlem

However the site was previously deemed to be sustainable as part of application P08/0872 which gained approval for a similar proposal for the erection of x5 dwellings. It is therefore difficult to see how a contrary view could be reached for the current proposal which relates to the same site and the same number of dwellings.

The site is however served by a regular bus service and therefore has connections to these villages and Nantwich/Whitchurch (Bus Nos.73&75 between 6-11 buses Monday to Saturday). Audlem provides shops, a primary school and community facilities with some opportunity for access to jobs as well, although there are no major employment site.

As a result, whilst the location of the site would be distant from a number of key facilities and would in some circumstances encourage the use of the car, it is considered that the previous conclusion that the site was sustainable along with the regular bus service to the nearby large service centres of Audlem, Nantwich, Hanklow and Whitchurch, that the site would represent a sustainable location, albeit at a marginal level, and as such would adhere to the NPPF.

Notwithstanding the above, Inspectors have determined that locational accessibility is but one element of sustainable development and it is not synonymous with it.

### **Impact on the appearance of the open countryside/design**

The locality is characterised by a mix of 2 storey and bungalow properties. The previously approved scheme ref P08/0872 also granted planning permission for the erection of x 5 two storey dwellings.

The current proposal seeks outline consent only and does not clarify the type of properties, however bearing in mind the mixed nature of properties it is considered that either bungalows or two storey dwellings could be accommodated on this site.

A public footpath passes along the access track to the site and there are number of other rights of way in the area. The site is therefore readily visible in the landscape. However the current view is of the bulky, disused commercial buildings and external storage.

The illustrative layout of the proposed development provides a group of dwellings arranged as a crescent shape. It is considered that this arrangement provides an appropriate layout within the footprint of the existing buildings which follow a similar pattern/layout, however the proposal will provide visual breaks between the buildings rather than the large mass of buildings which currently exist. The proposed layout would therefore respect the established build lines in the locality.

The proposal will also result in a substantial reduction in footprint on the site. The development will therefore offer benefits not only in the removal of unsightly buildings and re-development of this previously developed site, but removal of the non conforming use in this countryside location along with the uncontrolled outdoor storage, noise, smells and traffic movements.

No detailed plans have been provided at this stage showing the bulk, form, design or materials of the proposed dwellings. However these matters will be dealt with at reserved matters stage.

The proposal also presents the opportunity to provide some planting/greenery to the site which would help to soften the impact of the built environment, this can be secured by condition.

As a result it is considered that the proposal could be accommodated on site without causing significant visual harm to the character/appearance of the area and the wider countryside setting.

## **Trees**

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

The site contains limited low quality planting, however none of the trees on this site are considered of sufficient quality to merit retention, nor are they considered to provide any significant visual merit. This has been confirmed by the Councils Landscape Officer.

However the proposal is considered to present an opportunity to provide some planting/greenery to the site which would help to soften the impact of the built environment, this can be secured by condition.

As a result the proposal would not cause harm to existing landscape features and would provide the opportunity to increase trees/planting on site.

## **Highway Safety**

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

The proposal involves the replacing of a dwelling and approximately 700sqm of commercial buildings. In this case it is necessary to compare the highway impact of the 4 additional dwellings against the commercial buildings.

A development of 4 dwellings is likely to generate approximately 20 two-way vehicle trips per day which is unlikely to be more than the existing lawful land use, therefore the vehicle access onto Longhill Lane is not considered to be intensified as a result of this proposal.

There have also been no recorded traffic accidents at this access over the last 5 years. The width of the unadopted track, just off Longhill Lane, is also sufficient to allow for two-way vehicle movement.

Adequate off street parking could also be provided.

As a result it is not considered that the proposal would pose any significant harm to the existing highway network.

## **Flood Risk and Drainage**

The application site does not fall within a Flood Risk Zone 2 or 3 and is not of a scale that triggers the requirement of a Flood Risk Assessment (FRA) to accompany the application.

United Utilities have been consulted as part of the application and have raised no objections subject to conditions regarding foul and surface water and sustainable urban drainage systems. However it is considered that drainage details could be secured by condition to prevent local flooding.

It is also considered that the removal of the large area of built development including existing hardstanding will present a benefit in terms of control of surface water run off.

## **Ecology**

### Great Crested Newts

A number of ponds are located within 250m of the proposed development. The application site however has relatively limited habitat for great crested newts. Considering the distance between the proposed development and the pond, the habitat connectivity between the site and the pond and the extent of habitat lost, the proposed development would pose a low risk to great crested newts.

In order to address this risk the applicant's ecological consultant has recommended a suite of 'reasonable avoidance measures' be implemented during the development. Provided these measures are implemented the proposed development would be highly unlikely to result in a breach of the Habitat Regulations. Consequently, it is not necessary for the Council to have regard to the Habitat Regulations during the determination of this application.

It is therefore considered necessary to condition that the development is undertaken in accordance with the recommendations of the submitted Report on GCN and Habitat Assessment prepared by EVR Ecology dated June 2016. A further condition is also required to include native species planting to the site boundaries to further enhance ecological value of the site.

### Bats

Evidence of bat activity in the form of a minor roost of a relatively common bat species has been recorded within the buildings subject to this application. The usage of the building by bats is likely to be limited to single small numbers of animals using the buildings for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have a low impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report recommends the installation of bat boxes as a means of compensating for the loss of the roost and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed. This can be secured by condition.

As a European protected species will be directly impacted by the proposal, the Council is required to assess the application under the Habitats Regulations 2010 'Three Tests'. In broad terms the tests are that:

- The proposed development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

In this instance the proposal would see the removal of a derelict and unused commercial site which has been demonstrated is a use which is no longer required in this location and is to be replaced with x5 dwellings which would provide social and economic benefits to the local community and would go some way to resolving the national housing shortage. As a result it is not considered that there is an alternative scheme as clearly the existing building is not longer fit for purposes.

### Nesting Birds

In order to safeguard nesting birds and to ensure some provision is made for roosting bats and nesting birds as part of the proposed development, conditions would be required as part of any planning permission which require a detailed survey and any prevention methods along with a further condition for the incorporation of features into the scheme suitable for use by breeding birds.

Therefore it is not considered that the proposal could be accommodated with posing any significant concerns from an ecology perspective.

### **Hazardous Installations**

Despite the constraints layer on the Councils mapping system showing the site as being in the zone for a gas pipeline, the HSE and National Grid have been consulted, who advise that they are not aware of any pipelines owned by them in the vicinity of the site.

As a result all reasonable measures have been undertaken from the LPA regarding potential safety hazards.

### **Environmental Conclusion**

On balance the proposed development is considered to constitute sustainable development from a locational perspective with a neutral impact in terms of trees, ecology, design, flooding and drainage, subject to conditions where necessary.

As such, it is considered that the proposed development would be environmentally sustainable.

### **Economic Role**

It is accepted that the construction of a housing development 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 resident's spending money in the area and using local services.

### **Loss of existing employment**

The principle of the proposal has previously been accepted as part of P08/0872, which consisted of a detailed review of the marketing appraisal which concluded that the existing commercial use

was no longer required in this location due to it being considered remote, poorly connected to major roads and the condition of the buildings.

As nothing has changed on site since the previous approval and with the site remaining vacant, this is considered to further support the conclusion that the use is no longer required in this location and its loss would not have any detrimental impact on the supply of employment land within the borough.

### **Social Role**

The provision of market dwellings would be a social benefit and would go some way to address the national housing shortage.

### **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.

The nearest proposed dwelling would be sited 20.5m to the side elevation of Freshfields and 18m to the side facing windows of The Squirrels. Whilst no details have been provided showing the height of the proposed properties (bungalows or two storey) and no indication has been given regarding the location of windows, the proposed separation distances would appear sufficient to prevent significant harm to living conditions.

The illustrative plan also demonstrates that the replacement dwelling would also be sited further away from the boundaries shared with the neighbouring properties which would limited the impact of the proposal compared to that of the existing buildings which are sited closer to the shared boundaries.

Representations express concern about the impact of traffic generated by the proposed dwellings on residential amenities at the existing dwellings. However the site has planning permission for a specialist engineering workshop at present with conditions limiting the operation of the business.

It is considered that the provision of five dwellings on this site would generate less or equal amounts of traffic with a reduction in the size of vehicles.

Removal of the commercial use would also remove the existing non confirming use which is inappropriately sited near to existing residential properties thus removing concerns from noise and general disturbance.

As a result it is not considered that the proposal would cause significant harm to the living conditions of the occupiers of neighbouring properties.

### **Other matters**

The proposal is not of a size to require any contributions to affordable housing, open space or education.

It is noted that a Buerton Neighbourhood Plan is currently being prepared, however it is yet to reach Regulation 14 stage and therefore cannot be attached any significant weight at this 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 although it would provide 5 dwellings 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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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, redevelopment of a previously developed site and on balance is considered to be locationally sustainable given the location to the bus stop and with the previous approval in mind. The proposal would also see the removal of the existing commercial use which it has been demonstrated is no longer viable and the removal would reduce traffic levels and general noise and disturbance to neighbouring properties. The proposal would remove the existing unsightly buildings and result in a reduction in the footprint of the existing buildings.

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 following conditions:**

- 1) Time period within 3 years**
- 2) Approved plans**
- 3) Dust control measures**
- 4) Contaminated land**
- 5) Development in accordance with the recommendations of the submitted Report on GCN and Habitat Assessment**
- 6) Reserved matters application to include native species as boundary features**
- 7) Development to proceed in accordance with the recommendation made in the submitted Protected Species report**
- 8) Detailed survey shall be carried out to check for nesting birds**
- 9) Incorporation of features into the scheme suitable for use by breeding birds**
- 10) Drainage strategy/design in accordance with the appropriate method of surface water drainage**
- 11) Sustainable drainage management and maintenance plan for the lifetime of the development**
- 12) Foul and surface water schemes**
- 13) No change to the surface of the right of way**

**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.**

