

Application No: 15/4888N

Location: WHITE MOSS, BUTTERTON LANE, BARTHOMLEY, CREWE, CHESHIRE, CW1 5UJ

Proposal: Outline application for the provision of up to 400 residential units

Applicant: Mr Lee Dawkin, Renew Land Developments Limited

Expiry Date: 16-Mar-2016

SUMMARY:

The proposal is contrary to development plan policies NE2 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise. The site is also not an identified allocated site within the Emerging Local Plan Strategy.

An important material consideration in this case is the NPPF which states at paragraph 49 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.

Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites at this time and the presumption in favour of sustainable development applies at paragraph 14 of the Framework, however, given the large scale nature of this development, it is not considered that it would contribute significantly to the 5 year housing land supply and that the adverse impacts of granting permission in this case would demonstrably and significantly outweigh the benefits when assessed against the Framework as a whole.

There are considerable Section 106 contributions offered by the Developer towards the on site provision of affordable housing, provision and management of on-site public open space and play areas, the provision of school places and the improvement of off-site public rights of way. The proposal therefore provides some social and economic benefits and contributes to the social and economic arms of sustainability should these facilities come forward.

Sufficient mitigation has been provided to overcome the traffic generation caused by this development. However this was submitted at an extremely late stage in the application process and no costings have been submitted nor have any contributions been proposed by the applicant. On this basis a lack of information has been submitted to fully assess the impact on the local highway network.

The applicant has failed to submit sufficient information in respect of the impact on SBIs and a SSSI that is located close to the site. Crucially the supporting information submitted with the application does not demonstrate that ecological benefits from the development are greater than those that have to be implemented as part of the restoration scheme for the quarry.

It is therefore concluded that the harm caused to the environmental arm of sustainability outweighs the social and economic benefits of the scheme.

On the basis of the above, it is considered that the proposal represents unsustainable development and paragraph 14 is not engaged. Notwithstanding this, even applying the tests within paragraph 14 it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits.

The proposal is also considered to be an unplanned form of development that is premature that would undermine the delivery of the spatial distribution of dwellings as envisaged by the emerging Local Plan Strategy and be contrary to the primacy of the development plan process as envisaged by the NPPF.

SUMMARY RECOMMENDATION: REFUSE

DESCRIPTION OF DEVELOPMENT

The proposal is for outline planning approval for the provision of up to 400 residential units. All matters are reserved for future approval, with the access proposed to be taken through the part of the site that currently has outline approval.

SITE DESCRIPTION:

The application site consists of the western part of the existing White Moss Quarry site. The site consists of some distinct areas, the north western corner of the site is a wildlife mitigation pond, this remains unchanged as part of the proposals. The northern part of the site has been quarried and the restoration of this area is on-going. Through the centre of the site are areas that have yet to be quarried and at current rates the applicant has claimed that if the site continues at its current rate capacity remains to quarry the site until 2042 which is 14 years beyond the period the site has consent.

Agricultural land adjoins the site to the north and west with the M6 being between 25 and 150 metres from the western boundary of the site. Agricultural land adjoins the site to the south separating the site from commercial uses along Butterton Lane.

RELEVANT HISTORY:

The site has an extensive planning history on the wider quarry site. Most relevant of which are:

15/2259N	Application for removal or variation of a conditions following grant of planning permissions P93/0932 and P04/1054 13/4132N. Under consideration.
7/2006/CCC/19	Variation of conditions of permission 7/P04/1054 granted February 2007
7/P04/1054	Extension of time until 2028 granted December 2004.

The remainder of the quarry site is located to the east of the application site and was granted outline permission in September 2015 for the following;

Outline application for the residential development of the White Moss: Incorporating the provision of up to 350 residential dwellings; extra care facility; relocation and redevelopment

of existing garden centre; provision of local services including A1 uses: 465 square metres convenience store, 3no. 95 square metres retail units, D1 uses: children's day care centre and doctor's surgery, public house/restaurant; and, provision of public open space and associated highway improvements and biodiversity enhancement.

No reserved matters application has been received to date.

NATIONAL & LOCAL POLICY

National Policy

National Planning Policy Framework

Local Plan Policy

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plans (January 2004).

Policies in the Crewe & Nantwich Local Plan

NE.2 (Open countryside)

NE.5 (Nature Conservation and Habitats)

NE.6 (Sites of International Importance for Nature Conservation)

NE.7 (Sites of National Importance for Nature Conservation)

NE.8 (Sites of Local Importance for Nature Conservation)

NE.9 (Protected Species)

NE.20 (Flood Prevention)

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.3 (Provision of Recreational Open Space and Children's Play Space in New Developments)

TRAN.3 (Pedestrians)

TRAN.5 (Cycling)

Although the site is within the former Crewe and Nantwich Borough the settlement boundary for Alsager is set out in Policy PS4 of the Congleton Borough Local Plan.

Other Material Policy Considerations

Interim Planning Statement: Affordable Housing (Feb 2011)

Strategic Market Housing Assessment (SHMA)

Strategic Housing Land Availability Assessment (SHLAA)

Article 12 (1) of the EC Habitats Directive

The Conservation of Habitats and Species Regulations 2010.

Draft Cheshire East Borough Design Guide

Cheshire East Local Plan Strategy – Submission Version

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

MP1 – Presumption in Favour of Sustainable Development
PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC3 – Health and Wellbeing
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 - The Landscape
SE5 – Trees, Hedgerows and Woodland
SE9 –Energy Efficient Development
CO1 – Sustainable Travel and Transport
CO4 – Travel Plans and Assessments
IN1 - Infrastructure
IN2 – Developer Contributions

CONSULTATIONS:

Public Open Space - *As this is on the edge of Alsager new POS is vital in providing the new community a safe and pleasant environment in which to live. It is noted the applicant is providing a 'country park' green corridor around the edge of the development. Neither the East nor West is suitable for formal play space.*

- *14,000sqm new POS to include;*
- *Children's formal play provision*
 - *NEAP – Centrally located to provide a focus for the new community and alongside other new (PH.1)and existing community facilities*
 - *LAPS – a minimum of 2 LAPS, final numbers, contents and location to be agreed at submission of reserved matters but to ensure formal play provision is easily accessible and within FiT recommended guidelines*
- *Areas for social play and informal recreation*
- *Accessible hard surfaced routes across the site with consideration to lighting key routes*
- *Seating and activity areas throughout the POS*
- *Interpretation and public art throughout the POS using natural character/important species of the site*
- *Future management and maintenance opportunities*
- *Reflect the adopted Green Space Strategy and national best practice on POS provision*

With regard to potential transfer and ongoing maintenance by CEC, needs further discussion because whether with the council or otherwise, we need to understand the arrangements and be assured maintenance will be of the appropriate quality and in perpetuity. The method for establishing the maintenance com sums would be to identify and cost a schedule over the 15-25 year period of the com sum.

Education- No objection, subject to a financial contribution of £2,000,344 for local education provision.

United Utilities: No Objection. Conditions have been requested requiring that foul and surface water being drained on separate systems, details of surface water drainage scheme based on sustainable drainage principles and a subsequent management and maintenance plan.

Environment Agency - Protection of Controlled Waters

There may be no objection in principle to the restoration of this quarry by backfill under appropriate regulatory controls for the protection of Controlled Waters against pollution.

This development proposal will necessitate a considerable amount of infill and ground preparation works likely to be consistent with the scale of a substantial landfill activity. As such, it is anticipated that the developer is likely to require an Environmental Permitting Regulations Permit for the importation and deposit of the materials necessary to achieve the planned ground levels.

This significant modification of ground levels and materials will probably have a marked impact upon the groundwater levels and drainage of the site, and the uncertain nature of the materials to be used, or the way in which the ground will be engineered makes it premature to assume the infiltration properties available for SuDS drainage schemes etc.

Should planning permission be granted for the proposals we request that a planning condition is included requiring a scheme to be agreed to compensate for the impact of the proposed development on White Moss Local Wildlife Site, adhering to Cheshire East Council Planning Policy SE3.

Archaeology – No objection. A condition has been requested that requires additional investigations to take place before any development can take place.

Strategic Highways Manager – Object to the application. This matter is addressed in detail later in the report.

Environmental Health – No objections. A number of conditions and informatives have been requested and these matters are addressed in detail later in this report.

Rights of Way - *The proposed development appears to be adjacent to Public Rights of Way, namely Public Footpaths Nos.12,37 and 49 in the parish of Haslington, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way. Whilst it appears that the proposed development will not directly affect the Public Rights of Way, the developer's attention is drawn to the informative notes below. In addition, it can be anticipated that increased footfall arising as a result of the proposed development would have an impact on*

the Public Footpaths and thus contributions for their improvement to carry that increased footfall, are requested.

The aforementioned Public Footpaths form a circular loop around the development site. It can be anticipated that increased footfall arising as a result of the proposed development would have an impact on the Public Footpaths, as residents use them for daily exercise and dog walking. To enable the Public Footpaths to carry this increase in footfall and still be available as year-round walking routes, some improvements would be required. This may, with the agreement of the landowners, involve surfacing measures and the installation of accessible path furniture to replace more restrictive existing furniture. A contribution towards these improvements would therefore sought from the developer should the application be granted consent. The works necessary has been estimated to total £15,000.

The legal status, maintenance and specification of the proposed paths in the public open space of the site would need the agreement of the Council as the Highway Authority. If the routes are not adopted as public highway or Public Right of Way with the provision of a commuted maintenance sum, the route would need to be maintained for use under the arrangements for the management of the open space of the site.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use infrastructure, accessibility and natural surveillance. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians. Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

RSPB - The RSPB **objects** to this proposal on the basis that we believe that the applicant has provided insufficient information to allow the Local Planning Authority (LPA) and ourselves to determine whether the proposed development has the potential to have a significant impact on sensitive breeding bird species.

Newcastle-under-Lyme Council - *There is a history of development proposals for White Moss Quarry, including an outline application in 2013 for the provision of up to 1000 residential dwellings and other mixed development on the whole of the quarry site (planning reference 13/4132N), this was followed by a revised scheme for up to 350 dwellings ("Phase 1") on the southern part of the site, which received consent in September 2015. The application now submitted, and upon which the Borough Council's comments are being sought relates to the northern part of the quarry – the development being referred to as 'Phase 2'. Were consent to be granted for this application, this would mean a total of up to 750 units would have outline planning consent at the White Moss Quarry site. The site lies west of the settlement boundary of Alsager as defined on the Congleton Borough Local Plan Proposals Map in the open countryside. To the south of the site referred to in Phase 1 is the Radway Green BAE plant, and to the west the M6. As members will be aware Cheshire East have not been able for some time to satisfy Inspectors that they can demonstrate a 5 year supply of deliverable housing sites, and a number of residential developments have been approved on the basis that existing policies that restrict the supply of housing are out of date. As indicated above 350 units have already been permitted on the southern part of the quarry site.*

Cheshire East's Local Plan Strategy was submitted to the Secretary of State in May 2014 and is currently undergoing an independent examination. It identifies strategic sites and strategic location that will accommodate most of the development needed. Cheshire East has recently completed a consultation on proposed changes, following the publication by the Inspector of his Further Interim Views. Cheshire East are indicating a Core Strategy housing site at White Moss (CS42), but not one that includes the current application site, and their proposal envisages only 350 units (i.e. is equivalent to the consented Phase 1).

Given the scale of the additional proposed development, and its location fairly near to the Borough boundary, it is considered that the Borough Council, whilst it may be difficult to demonstrate by evidence a link between the scale of residential development in this location and the regeneration of the North Staffordshire conurbation, the delivery of which is an objective of the existing Joint Core Strategy, should still express concerns that significant additional residential development is being proposed above and beyond that already provided for Alsager in the now submitted version of Cheshire East's Core Strategy.

Alsager Town Council : *The Town Council objects to the application as the application is for a further 400 dwellings in addition to the 350 already approved.*

The grounds for objection being

- 1) The environmental impact of the proposed development.*
- 2) The potential failure of realisation of an already approved Quarry restoration plan.*
- 3) Noise and air pollution from the M6*
- 4) Highway capacity and safety issues on surrounding roads including queuing of traffic at both Radway Green and Sandbach Road South.*

Barthomley Parish Council – comments awaited

REPRESENTATIONS:

27 letters of objection have been received in respect of the application. The points of objection relate to;

- Inappropriate use of the land.
- Should be retained as accessible public amenity land as previously agreed.
- 'Green Wedge' on the plans is inadequate.
- Changes to land drainage and sewerage provision could be an issue due to volume generated by proposed development.
- The development will adversely affect Alsager's infrastructure, existing facilities and services.
- Noise pollution from the M6.
- Air quality as a result of exhaust fumes.
- Emission of landfill gases.
- An increase in vehicles on the roads resulting in congestion.
- Conflicting information regarding a Bond ensuring the restoration of the quarry has been provided, and has also been withheld by the council.
- Impact on the wildlife on the site, which could share rare features alongside a neighbouring SSSI.
- Dwellings will be constructed in the immediate vicinity of high voltage cables.

- There is a disregard for local & regional planning policies in the determining of applications for the White Moss Quarry site.
- Limited job opportunities in the area will increase commuting on and out of the site.
- The field to the south of the site is designated agricultural land.
- Impact on the public access to Rights Of Way on the site and the maintenance of pathways.
- Concerns regarding surface water and drainage into Valley Brook.
- Risk of flooding increased.
- The development proposes a high density of dwellings, which will have a direct impact on the amenities and facilities available in the area.
- The development is outside of reasonable walking distance from civic amenities resulting in the increase in car use on an already congested route.
- The address and location plan are ambiguous. Leading to some members of the public not being consulted.
- The proposed area has not previously been identified as appropriate for houses.
- Walkers, cyclers and runners will suffer on the National Cycle network due to the increase in vehicles on the road.
- The Green Corridor shown on the plans is not correct.
- Will further urban sprawl.
- Beautiful views will be destroyed.
- Disproportionate in scale.
- Development in Alsager is already at an unsustainable level.
- No new schools or healthcare services for residents.
- The lack of 5 year land supply negates the ability to refuse this application.
- Alsager has met its allocation of new builds -40% increase.
- Lack of parking in town.
- No facilities for children.
- The housing development will alter the character of Alsager.

APPRAISAL:

Main Issues

Given that the application is submitted in outline, the main issues in the consideration of this application are the suitability of the site for residential development having regard to matters of principle of development, the implications for the spatial distribution of development, the sustainability of the site and of the proposals in general, provision of affordable housing, drainage and flooding, site planning/layout and design issues and indicative distribution of development within the site, open space, rights of way, amenity, landscape impact, trees and forestry, ecology, education, highway safety and traffic generation.

The Development Plan – Crewe & Nantwich Local Plan 2005

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”

The application site lies within an area of open countryside covered by Policy NE2. This policy seeks to limit development within the open countryside and confine it to certain specified

activities that must take place in a rural area. The justification to the policy explains that “development in the open countryside should be kept to a minimum in order to protect its character and amenity”

Paragraph 215 of the NPPF explains that due weight can be afforded to policies in existing plans which pre-date the framework according to their degree of consistency with that document. Policy NE2 with its emphasis on character and amenity aligns closely to the need to recognise the intrinsic character of the countryside within paragraph 17 of the NPPF. Several appeal decisions have confirmed the consistency of Policy NE2 with NPPF advice.

Other Material Considerations – The Emerging Development Plan

The emerging development plan is the Cheshire East Local Plan Strategy. This Plan is currently under Examination – with the third set of hearings completed in October 2016. Previous hearings in the autumn of 2014 and 2015 resulted in Interim and Further Interim Views from the Inspector. Consequently certain policies have already been subject to scrutiny and the Inspector’s views.

In particular the Settlement Hierarchy (Policy PG2) was considered in the Autumn of 2014 and the Interim Views of November 2014 concluded that “the settlement hierarchy seems to be justified, effective and soundly based”. The application site lies within the lowest tier of settlement (rural areas and other settlements) within the emerging plan. As such it is clearly contrary to the strategy of the Plan to see such a large scale of development located within the rural area.

Policy PG6 of the Local Plan Strategy sets out the spatial distribution of development. This proposes that ‘Other Settlements and Rural Areas’ should accommodate 2950 homes. This distribution was considered by the Inspector In October 2015. He concluded that “the additional evidence supporting the revised spatial distribution of development seems to represent a realistic, rational and soundly-based starting point for the spatial distribution of development.” Without having examined the strategic sites the Inspector wasn’t able to unconditionally endorse the distribution, but he has provided a very clear indication of his views.

The provision of approximately 900 homes in one location within the rural area is clearly disproportionate. At 1 April 2016 some 733 homes had been completed in the rural area, 1120 were committed – and 275 homes are assigned to Alderley Park (which now has consent).

Consequently 2128 out of the 2950 homes are now either completed or committed. To provide 400 homes in a single site would also reduce the opportunity for smaller scale sustainable development in other locations.

The site does adjoin the settlement boundary of Alsager as it is proposed to be extended to incorporate the part of the quarry site that has outline permission. For completeness it has to be pointed out that Policy PG6 also makes allowance for 2000 homes within the settlement boundary of Alsager. These 200 homes are made up of existing commitments and allocations with 131 dwellings being completed Alsager up to 31 March 2016.

As such the application is in serious conflict with emerging Policy PG6.

Paragraph 216 enables weight to be attributed to emerging policies according to:

- The stage that the plan has reached
- The extent of unresolved objections
- The degree of consistency with the framework

In this case Policy PG2 has been broadly endorsed by the Local Plan Inspector, the plan is entering its final stages and the remaining issues to be considered at the hearings relate to some detailed wording within part of the policy.

Accordingly, it is considered that emerging policy PG2 can be afforded considerable weight in the consideration of this case. Policy PG6 is still subject to some unresolved objections and so should be afforded moderate weight.

The Impact of the lack of a 5 year supply of Housing

It is acknowledged that the Council cannot currently demonstrate a 5 year supply of deliverable housing land and therefore the presumption in favour of sustainable development applies. This is primarily because 100% of the Borough currently contributes to housing need but at least 40% of the Borough is subject to significant planning constraints (see footnote 9 of NPPF) – and awaits the conclusion of the Local Plan before the necessary housing sites in these areas can be confirmed. Accordingly, for the time being there is no 5 year supply in place and hence paragraph 14 of the NPPF is engaged.

The Recent Court of Appeal Case [Suffolk Coastal DC and Hopkins Homes Ltd and SSCLG Richborough Estates and Cheshire East BC and SSCLG [2016] EWCA Civ 168] – referred to hereafter as the “Richborough Case” looked comprehensively at the process of applying NPPF advice at paragraphs 14 and 49.

In summary the judges conclude that the proper construction of para 49 is that the phrase 'policies for the supply of housing' refers to policies 'affecting' housing land supply in its widest context and that this is the only interpretation that is also consistent with the core principle of the NPPF to deliver housing land.[see paragraph 32 of the Judgement]

The judges accept the 'wide' interpretation and conclude that any policy which limits the potential development of land is a relevant policy - this includes Green Belt, AONB, National Parks, Wildlife conservation and “various policies whose purpose is to protect the local environment in one way or another”.

They then set out how para 49 should be applied.

Step1:

Are the relevant policies up to date because the Local Planning Authority cannot demonstrate a 5 year supply of deliverable housing sites? Which policies are 'relevant' is a matter of judgement by the decision maker, but the judges are clear that this should be a wide interpretation.

Step2:

If they are not up to date, apply the presumption in favour of sustainable development (paragraph 14) which also involves a planning judgement.

The judgement reinforces once again the primacy of the development plan:

The NPPF is a policy document. It ought not to be treated as if it had the force of statute. It does not, and could not, displace the statutory “presumption in favour of the development plan” [paragraph 42]

The judges are clear that Paragraphs 49 & 14 do not make these 'relevant' policies irrelevant, it is a matter of the weight for Decision maker:

We must emphasize here that the policies in paragraphs 14 and 49 of the NPPF do not make “out-of-date” policies for the supply of housing irrelevant in the determination of a

planning application or appeal. Nor do they prescribe how much weight should be given to such policies in the decision..... Neither of those paragraphs of the NPPF says that a development plan policy for the supply of housing that is “out-of-date” should be given no weight, or minimal weight, or, indeed, any specific amount of weight. They do not say that such a policy should simply be ignored or disapplied. That idea appears to have found favour in some of the first instance judgments where this question has arisen. It is incorrect. [paragraph 46]

The factors in determining weight include the extent of the shortfall in housing supply; what the Council is doing to address it; and the particular purpose of the relevant policy. In terms of the weight to be given to any policy, the judgement indicates that this will ;

‘...vary according to the circumstances, including, for example, the extent to which relevant policies fall short of providing for the five-year supply of housing land, the action being taken by the local planning authority to address it, or the particular purpose of a restrictive policy – such as the protection of a “green wedge” or of a gap between settlements...’

These are matters of planning judgement that will need to be made in each case. Furthermore it is emphasised that:

‘There will be many cases, no doubt, in which restrictive policies, whether general or specific in nature, are given sufficient weight to justify the refusal of planning permission despite their not being up-to-date under the policy in paragraph 49 in the absence of a five-year supply of housing land. Such an outcome is clearly contemplated by government policy in the NPPF. It will always be for the decision-maker to judge, in the particular circumstances of the case in hand, how much weight should be given to conflict with policies for the supply of housing that are out-of-date.’

Therefore just because a policy is ‘out of date’ it does not mean that it is set aside. On the contrary an exercise must be undertaken to assess its purpose, value and weight. This takes place in the context of the presumption in favour of sustainable development.

In terms of the Council’s present position, the Local Plan will deliver a 5 year supply of deliverable housing land – with a 20% buffer. The details are set out in the Housing Supply & Delivery Topic Paper. Consequently a remedy is in train – and it is available to be implemented within a few short months.

Accordingly this proposal for ‘approximately’ 400 homes is of very limited assistance to the Council’s housing supply position. The most beneficial types of development are those that can deliver quickly and efficiently. Generally these are sites that are smaller in nature – and not large sites that have longer lead in times or require additional significant infrastructure. This application is in outline and will require future reserved matters approval. The access into the site would be taken through the adjoining site which itself only has outline permission and no application has yet been made for the approval of reserved matters. The applicant has not outlined any potential delivery rates in the application and significant works will be required to the land before any properties can be built it is highly unlikely that the site will contribute to the Council’s 5 year supply, and if it did the contribution would be limited.

In the meantime, the purpose and function of the Countryside policies remains relevant and important to the good planning of the Borough. The Policy is designed to preserve the character and amenity of the countryside which is an enduring principle.

Consequently, taking all of these various factors into account it is considered that the absence of a 5 year supply, whilst rendering policies 'out of date' should not to any significant degree diminish their application in this case.

SUSTAINABILITY

Turning now to the three dimensions of sustainable development within the NPPF - 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; and

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

Social Sustainability

Housing Land Supply

The Council cannot currently demonstrate a five year supply of deliverable housing land for the purposes of determining planning applications.

Previous application reports have noted the progress that is being made with the Local Plan Strategy and how, through that process, the Council is seeking to establish a 5 year housing land supply. Six weeks of examination hearings took place during September and October 2016 which included the consideration of both the overall housing supply across the remainder of the Plan period and 5 year housing supply. The Council's position at the examination hearings was that, through the Plan, a 5 year housing supply can be achieved. However, in the absence of any indication yet by the Inspector as to whether he supports the Council's position, this cannot be given material weight in application decision-making. The Council's ability to argue that it has a five year supply in the context of the emerging Local Plan Strategy is predicated on two things which differentiates it from the approach towards calculating five year supply for the purposes of current application decision making. Firstly the Council contended, taking proper account of the Plan strategy, that the shortfall in housing delivery since the start of the Plan period should be met, and justifiably so, over an eight year period rather than the five year period, which national planning guidance advocates where possible and, secondly, that the Local Plan Strategy 5 year housing supply can also, justifiably, include a contribution from proposed housing allocations that will form part of the adopted plan. These include sites proposed to be removed from the Green Belt around towns in the north of the Borough.

Looking ahead, if the Inspector does find that a 5 year supply has been demonstrated through the Local Plan Strategy, this will be material to the determination of relevant applications. Any such change in material circumstances will be reflected in relevant application reports.

However, until that point, it remains the case that the Council cannot demonstrate a five year housing supply. This means that paragraphs 49 and 14 of the Framework are engaged.

Affordable Housing

The Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all allocated sites will be a **minimum of 30%**, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of around 400 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 120 dwellings to be provided as affordable dwellings.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings

The affordable housing requirement would be secured by way of a S106 agreement, which: -

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.

includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site

Infrastructure

The Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. Such provision may include on site facilities, off site facilities or the payment of a commuted sum.

Policy IN1 of the emerging Cheshire East Local Plan Strategy – Submission Version, advises that the Local Planning Authority should work in a co-ordinated manner to secure funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration.

Subject to a secured total education contribution of £2,000,344 to off-set the increase in demand for school places caused by the development the impact on local schools is acceptable.

Social Sustainability - Conclusion

The first dimension to sustainable development is its social role. In this regard, the proposal will provide up to 400 new family homes, including 30% affordable homes, public open space and a contribution to school places.

Overall, the proposal is considered to be a socially sustainable form of development, for which there is a presumption in favour within the Framework.

Environmental Sustainability

Ecology

Impacts on Local Wildlife Sites

Two areas within the quarry have been designated as Site of Biological Importance (SBI) since 1995. The principal reason for the designation of the SBI was the presence of a Lowland Raised Mire (Bog) with associated woodland, open water, scrub and bare peat habitats. Raised bogs are capable of natural regeneration (which can include areas of bare peat) and are listed as Annex One Habitats of the Habitats Directive and so potentially could be designated as Special Areas of conservation under the European Habitats Directive. The submitted illustrative layout plan includes an area of retained peat which is proposed to be restored as lowland raised peat/wet woodland. To maximise the nature conservation value of this area the habitats should be restored to lowland raised bog only rather than wet woodland. In addition the remaining area of peat which falls within the red line of the application amounts to 1.45ha (this is as shown on plan SE487-12 included with the Lowland Raised Bog Restoration Proposals submitted in respect of application 13/4132N). The illustrative master plan includes a raised access road through the area of retained peat and the proposed houses also encroach into this area. This impact reduces the available area of peat suitable for restoration, fragments the available habitat and the construction of the access road and houses is also likely to result in major disturbance of the remaining area of peat.

Other Local Wildlife Sites

Three Locally designated sites, Yew Tree Farm, Moss End Site of Biological Importance/Local Wildlife Site, Bibby's Moss Site of Biological Importance/Local Wildlife Site and Cranberry Moss Local Nature Reserve are located in close proximity to the proposed development site. The submitted ES states that Yew Tree Farm and Cranberry Moss would not be adversely affected by the proposed development. In order to demonstrate this, the extent and nature of the hydrological envelope of the scheme needs to be considered. No such information has been submitted and therefore it has not been suitably demonstrated that these sites will not be adversely affected by the proposed development.

Impacts on Oakhanger Moss SSSI and Midland Meres and Mosses Phase 2 Ramsar

Natural England has advised in their consultation comments that the application site is located within 200m of Oakhanger Moss SSSI which forms part of the Midland Meres & Mosses Phase 2 Ramsar (Wetland Sites of International Importance). Under regulation 61 of the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects' of the proposed development on the features for which the Ramsar was

designated. An Appropriate Assessment under the habitat Regulations may then be required if likely significant effects cannot be ruled out.

Natural England advise that there is insufficient information to allow likely significant effects on the Ramsar to be ruled out. The required information has not been submitted as part of the application and therefore the Council and Natural England cannot fully consider this issue.

Loss of Restoration Opportunities

This site holds an extant planning consent for the extract of sand and peat with final restoration to a large water body. An application for amended restoration proposals is currently being considered by the Council (15/2259N) to take account of the housing scheme consented under application 13/4132N. The original approved and proposed amended restoration proposals provide an opportunity to deliver significant benefits for biodiversity, particularly priority bird species. These benefits would be lost if the current application was granted consent and whilst the impact on protected species can be shown not be detrimental at this time this is not the baseline position, this should be position following the restoration of the site.

Badgers

A number of badgers setts have previously been recorded around the application site. An updated survey has been undertaken and which badgers are active in the broad locality there are no active setts within the red lien of the application. The proposed development is unlikely to have a significant impact upon badgers. However as the status of badgers on a site can change a condition should be attached, in the event that planning permission is granted that requires the submission of an updated badger survey with any reserved matters application.

Hedgerows

Hedgerows are a Biodiversity Action Plan priority habitat and hence a material consideration. Based on the submitted illustrative layout it appears likely that much of the existing hedgerows could be retained as part of the proposed development. There may however be some loss of existing hedgerow at the detailed design stage depending on the types of boundary treatment used.

It would be ensured the existing hedgerows are retained and appropriate replacement hedgerow planting be incorporated into any detailed landscaping scheme for the site to compensate for any unavoidable losses as part of any reserved matters application.

Reptiles

An up to date reptile survey has now been submitted. No evidence of reptile species was recorded

Bats

Three mature oak trees identified as having bat roost potential. Based on the submitted illustrative layout plan these trees are outside the boundary of the current application.

Breeding Birds

A breeding bird survey of the broader site was undertaken to inform the determination of application 13/4132N. This survey highlighted the presence of a number of notable bird species.

Willow tit

This red listed and UK BAP bird species was identified as probably breeding on site. This species is considered to be increasingly rare in Cheshire and the UK as a whole. This species was present in two distinct areas of the wider site. One of these areas falls within the boundary of the current application. Based on the submitted layout plan much of the habitat for this species would be retained however there would be some losses of suitable habitat to the scheme. A condition be attached requiring the submission of a willow tit mitigation method statement to be submitted in support of any future planning application.

Little Ringed Plover

This schedule 1 (specially protected) bird species was recorded as probably breeding in the quarry area. The proposed development will result in the loss of an area habitat of this species. Phase one of the white moss quarry scheme would however also result in the loss of and fragmentation of the habitat for this species. The consenting of this application would however result in the loss of an opportunity to create high quality habitat for this species as part of the consented and proposed amended restoration proposals.

Conclusion

The current proposals have the potential to both have negative and positive impacts on biodiversity. Potential benefits include the restoration of raised bog habitats and the retention of willow tit habitat. Although at present the opportunities for restoration of raised bog habitats are far from being maximised under the current illustrative layout. The current proposals also do not retain the entire identified willow tit habitat. The current permission for the extraction of peat also means that the peat could also all be removed prior to a reserved matters application being submitted and so opportunities for restoration could be lost.

The significant disbenefit of the scheme is the loss of the potentially significant ecological benefits delivered through the consented use of the site and revised restoration scheme that will follow on completion of the operations. Insufficient information has been submitted in relation to the possible impacts on nearby SBI's and Ramser.

On balance it is therefore considered that the proposals are contrary to Policies NE5, NE6, NE7 and NE8 of the Crewe and Nantwich local Plan.

Landscape Impact

This application would form the second phase of an already consented development for up to 350 dwellings (13/4132N). As part of the application a Landscape and Visual Impact Assessment has been submitted, this indicates that it has been undertaken using the Third Edition (2013) Guidelines for Landscape and Visual Impact Assessment.

The assessment identifies the National Character Area – Shropshire, Cheshire and Staffordshire Plain (NCA 61) as well as the Local character, in this case as identified in the Cheshire Landscape Character Assessment 2009 as Landscape Character Type 12:

Mosslands, and within this type as M3: Oakhanger Moss Character Area. As the assessment indicates, White Moss does not readily accord with the LCA description of this character area since it has been a peat and sand extraction site for a number of years.

An addendum has been submitted to the originally submitted Landscape and Visual Impact assessment that supported this application. This addendum assesses the proposed development based on the restoration proposals for the quarry as in the approved application for White Moss Quarry, 7/14766 conditions 15 and 16, rather than on the existing condition of the quarry. The assessment baseline condition now includes the proposed large lake and small pool enclosed by woodland, new areas of woodland above the waterline and new footpaths around the perimeter of the site, with woodland planting on the inner side of these and no public access beyond existing footpaths.

The assessment identifies that the proposed development of up to 400 dwellings would have a long term effect on the landscape fabric as it would require the infilling of the lakes and the removal of sections of the perimeter woodland, changing the landscape from one of lakes and woodland to one of housing and a recreational landscape. The landscape assessment identifies landscape impacts at the site, local, and broader landscape levels, indicating that at the site level sensitivity is low, the magnitude of change would be major and that the significance of impacts would be permanent-minor adverse. This is shown to change at the local setting where sensitivity is identified as being medium, the magnitude of change as

moderate and significance of impacts as permanent-neutral. The significance of impacts are shown as reducing on the broader site context.

The visual assessment identifies 11 viewpoints and offers an assessment of the visual impacts at the operational stage and at the residual stages and indicates that some degree of visual impacts are likely to be experienced by receptors identified within the Zone of Theoretical Visibility.

It is considered the landscape assessment has underestimated the sensitivity of the landscape, as well as the magnitude of effect that the proposals would have on the local level, and while it may be the case that the proposed restoration landscape, one of lakes surrounded by woodland, may not sit readily within the mosslands character site, it is not felt that it is entirely an alien or incongruous restoration. While it is agreed that the chosen viewpoints are fairly representative, the sensitivity of a number of the receptors has been underestimated; also the magnitude of change has also been underestimated for a number of receptors and consequently that the significance would in reality be greater than shown for the site. Whilst it is considered that the significance of landscape and visual impacts will be greater, it is not considered the proposals would result in a significant effect. However, it is noted and agreed with comments in the submitted addendum that substantial landscape intervention will be required to successfully integrate the proposals and achieve more extensive, wider ranging valuable landscape and ecological enhancements than this application proposes.

Trees & Hedges

The application includes a Tree Survey Report provided by Solum Environmental (Ref SE578T/J/01 dated 18th March 2014), whilst not an Arboricultural Impact Assessment it provides a Proposals Appraisals Plan for trees (Dwg SE578/PAP/01 dated 18/3/2014 which indicates those trees likely to be affected by the outline proposal.

The Appraisals Plan and Indicative Layout allows for the retention of trees protected by the Crewe and Nantwich Borough Council (Whitemoss Quarry, Radway Green) Tree Preservation Order 1996 (TPO G3 and G4) located to the south east of the site adjacent to the public footpath (Haslington FP49). The trees, shown as trees T125 to T133 in the submitted Tree Report will be located within public open space. One protected tree (Oak T132) is located close to the proposed main access into the site and in this regard root protection area requirements in accordance with BS5837:2012 will need to be taken into consideration at the reserved matters stage and adjustments made to the access to avoid any possible damaging impacts.

Forestry comments on the previous application (13/412N) remain relevant in that the Nature Conservation issues and the sites SBI status prevail.

Amenity

In order to protect the amenity of neighbouring occupiers during the construction period Environmental Health have recommended conditions requiring the submission, approval and implementation of a Construction Environmental Management Plan as well as limits on the hours of construction.

Air Quality

An air quality addendum report has been submitted with the application which addresses previously raised matters. The report and addendum considers whether the development will

result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows.

The proposed development is considered significant in that it is highly likely to change traffic patterns and congestion in the area. There is also a concern that the cumulative impact of developments in the area will lead to successive increases in pollution levels and thereby increased exposure. The assessment uses ADMS Roads to model NO₂ and PM₁₀ impacts from additional road traffic associated with this development and the cumulative impacts of committed developments in the area. In addition, the Smart Motorway Scheme being undertaken on the M6 which will bring traffic closer to the proposed development has been considered.

An air quality damage cost calculation has also been undertaken to determine the proportionate cost for mitigation for off site impacts. The model predicts that the north western section of the site could be exposed to levels of pollution close to or above the national nitrogen dioxide health based standard primarily due to emissions from the M6 motorway. For existing receptors, the report concludes that there will be a negligible increase in pollutant concentrations at all receptors modelled. Taking into account the uncertainties with air quality modelling, the impacts of the development could be significantly worse.

The damage costs associated with emissions arising from vehicle movements from the development over a five year period have been calculated as £321,105.98. This in turn equates to approximately £800 per dwelling. The cost of mitigation to be implemented to offset the impact of emissions should reflect this total value. Measures considered shall be determined prior to the reserved matters stage.

Modern ultra low emission vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such, it is considered appropriate to create infrastructure to allow charging of electric vehicles, in new, modern, sustainable properties.

A development of this scale and duration would be expected to have an adequate dust control plan implemented to protect sensitive receptors from impacts during this stage of the proposal. Given the proximity of the proposal to high nitrogen dioxide levels adjacent to the M6, it is considered that the conditions relating to layout and mitigation measures are attached to any planning permission in order to alleviate the above impacts.

Noise

The site is in an area subject to high environmental noise levels from the nearby M6 Motorway. The applicant has submitted an acoustic report in support of the application to demonstrate that, in principle, noise from the M6 motorway can be adequately mitigated to achieve adequate noise levels within dwellings and external amenity areas.

The mitigation required to achieve this (a 2.5m acoustic fence, acoustic glazing and acoustic ventilation to facades of certain properties) will need to be provided at an appropriate time. Any reserved matters application shall be accompanied by a comprehensive scheme for noise mitigation this would be included within any planning permission as a condition.

Highway Impacts

This is an outline application with access to be determined for a residential development consisting of up to 400 units. Access to the site is to be taken from the access points approved on application 13/4132N, the principal access is a new roundabout on the B5077 that replaces the existing signal junction at Crewe Road/Radway Green. A secondary access is provided on the B5077 Crewe Road that is located west of the new roundabout junction.

There have been a number of residential development schemes submitted in Alsager in addition to the planned Local Plan sites and in order to assess the traffic/highway impact of these developments on the road network the Council commissioned a traffic study of all the principal junctions in Alsager. (Alsager Traffic Study). The ATS included the White Moss site allocation of 350 units and concluded that subject to mitigation this level of development would not result in an unacceptable material impact on the road network.

Assessment of Highway Impact

The applicant has sought to address the highway concerns raised regarding the capacity of the local highway network to accept the development proposed.

The applicant has submitted a Technical Note that included an updated number of committed developments and used the CEC Alsager Traffic Study models to assess the capacity of the junctions. The modelling results indicated that the Church Road/Crewe Rd/Station Rd would operate within capacity as would Linley Lane/Crewe Rd signal junction. The main concern is the town centre area and the junction of Crewe Road/Sandbach Rd/ Lawton Rd that is forecast to operate over capacity both without and with the development added.

In mitigation of the development impact, the applicant has submitted a proposal of a hybrid shared space scheme. The scheme has been assessed in regards to capacity with development in place and will operate satisfactory within capacity.

Whilst, this scheme can be considered sufficient to mitigate the development impact, there are no details submitted regarding the cost of the scheme and the level of contribution the developer is providing for the scheme.

Therefore, I would have to recommend refusal on lack of information submitted.

Accessibility

An assessment of accessibility has been undertaken in the Phase 1 application, although this Phase 2 scheme sits to the north of Phase 1 some distance away from Crewe Road. In regards to pedestrians and cyclists the site will be linked to Phase 1 and public rights of way that pass through the site and can be considered as accessible by foot. Given the location of the site, the distance to walk to local bus stops is increased and will be a significant walking distance for residents well above the recommended 400m walking distance. To address this issue the applicant is proposing diverting existing bus services into the site to reduce walking distances to access the bus services. Whilst the provision of additional public transport services is positive there is no agreement with operators that the proposals can be provided as described when considering this planning application.

Highways - Summary and Conclusions

The primary access points to this application have been established in Phase 1 of the White Moss development and access to Phase 2 is taken from internal road links. The capacity of the main access points to accommodate the additional development has been assessed and can operate successfully within capacity.

In regard to sustainability, the site can be accessed by pedestrians and cyclists although the location of the site in a semi rural location is not ideal and it is unlikely to support work based travel. The accessibility to local bus services is important and there will be need for improvements to be made to the public transport services as part of this Phase 2 development.

Public Rights of Way

The Rights of Way team have confirmed that no public rights of way are present within the application site. Should the application be approved £15,000 is sought to improve the quality of the footpaths within the site and this will be secured through a s106 agreement.

The legal status, maintenance and specification of the proposed paths in the public open space of the site would need the agreement of the Council as the Highway Authority. If the routes are not adopted as public highway or Public Right of Way with the provision of a commuted maintenance sum, the route would need to be maintained for use under the arrangements for the management of the open space of the site.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use infrastructure, accessibility and natural surveillance. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians. Details of the above

Economic Sustainability

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

PLANNING BALANCE AND CONCLUSION

The proposal is contrary to development plan policies NE2 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

The most important material consideration in this case is the NPPF which states at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

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

In this case, the development would provide market and affordable housing to meet an acknowledged shortfall. The proposal would also have some economic benefits in terms of jobs in construction and, spending within the construction industry supply chain.

Subject to a suitable Section 106 package, the proposed development would provide public open space however, the quality of that provision within the context of the overall site is not proven. The scheme could provide the necessary affordable housing requirements and the requirement for the future maintenance of the open space and playspace on site.

The scheme however does have significant dis-benefits. The application is lacking information that would allow full consideration of the impact of the development on nearby Sites of Biological Importance and the Ramsar (Wetland sites of international importance). It is also a key consideration that when compared against what the ecological benefits delivered through

the restoration of the site will be lost if permission were granted. A lack of information has also been submitted in respect to fully address the highway issues raised by the application.

These negative impacts significantly outweigh the social and economic benefits of the proposal's contribution to housing land supply.

On the basis of the above, it is considered that the proposal represents unsustainable development and paragraph 14 is not engaged. Notwithstanding this, even applying the tests within paragraph 14 it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits. It is also considered that the proposal would considerably undermine the emerging Local Plan Strategy and constitute an unplanned form of development contrary to the NPPF.

It is recommended that Members refuse the application on the following grounds -:

RECOMMENDATION

REFUSE for the following reasons;

- 1. The proposed residential development is unacceptable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.**
- 2. The proposal constitutes a premature development which would compromise the Spatial Vision for the future development of the rural areas within the Borough, contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and guidance within the NPPF.**
- 3. It has not been suitably demonstrated that the ecological benefits of this proposal will be at a level to surpass the expected ecological value of the site upon completion of the agreed restoration scheme. Therefore the application is contrary to Policies NE.5, NE.6, NE.7, NE.8 and NE.9 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.**
- 4. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the Oakhanger Moss SSSI and Midland Meres and Mosses Phase 2 Ramsar and local Sites of Biological Importance. Therefore the application is contrary to Policies NE.6, NE.7 and NE.8 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.**
- 5. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the operation of the local highway network. Therefore the application is contrary to Policy BE.1**

of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.

In order to give proper effect to the Board`s intentions and without changing the substance of the decision, authority is delegated to Head of Planning (Regulation), in consultation with the Chair of SPB, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Outline Planning

RECOMMENDATION: Refuse approval

1. The proposed residential development is unacceptable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. The proposal constitutes a premature development which would compromise the Spatial Vision for the future development of the rural areas within the Borough, contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and guidance within the NPPF.
3. It has not been suitably demonstrated that the ecological benefits of this proposal will be at a level to surpass the expected ecological value of the site upon completion of the agreed restoration scheme. Therefore the application is contrary to Policies NE.5, NE.6, NE.7, NE.8 and NE.9 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.
4. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the Oakhanger Moss SSSI and Midland Meres and Mosses Phase 2 Ramsar and local Sites of Biological Importance. Therefore the application is contrary to Policies NE.6, NE.7 and NE.8 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.
5. Insufficient information has been submitted with the application that demonstrates the proposals will not have a detrimental impact on the operation of the local highway network. Therefore the application is contrary to Policy BE.1 of the Crewe and Nantwich Local Plan, Policy SE3 of the emerging Cheshire Easy Local Plan Strategy and guidance within the NPPF.

