

Application No: 25/1757/FUL
Application Type: Full Planning
Location: Land To The Rear Of And Including, 481 Crewe Road, Winterley, Cheshire East
Proposal: Erection of 54 affordable dwellings on land off Crewe Road, Winterley, with associated access, car parking, landscaping and infrastructure. No. 481 Crewe Road to be demolished to provide site access.
Applicant: Mr Kevin Gormley, Breck Homes Limited
Expiry Date: 22-October 2025

Summary

The proposed development would result in residential development located beyond the Winterley Infill Village Boundary Line and would conflict with policy PG6 of the CELPS. This would also result in a change to the rural character of the site and a small loss of agricultural land.

The proposal is considered to be sustainably located, but despite this the proposal conflicts with the Development Plan as a whole.

However, the Council is unable to demonstrate a five-year supply of housing, and paragraph 11d of the NPPF is engaged. The NPPF seeks to boost significantly the supply of housing and the development of 54 affordable houses would make a contribution to meeting the Councils housing need.

Small and medium sized sites can make an important contribution and be built out very quickly (this is emphasised in Policy HOU16 of the SADPD and paragraph 73 of the NPPF). There would also be economic benefits through the construction and occupation of the proposed development. Social benefits would also be provided in terms of the proposed housing provision.

The adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. The proposed development would benefit from the presumption in favour of sustainable development which weighs heavily in support of the proposed development. Therefore, the application is recommended for approval.

Summary recommendation

Approve subject to the completion of a S106 Agreement and conditions

1. REASON FOR REFERRAL

1.1. The proposal represents a departure from the Local Plan as it seeks new dwellings within the Open Countryside and does not meet any of the exceptions within Policy PG6.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site comprises of No.481 Crewe Road and the land to the rear. The dwelling at 481 Crewe Road is located within the Settlement Boundary with the land to the rear within the open countryside. There are residential properties to the north, east and south.
- 2.2. There are no significant variations in land levels noted on the site. The existing access is taken off Crewe Road.
- 2.3. The boundary treatment consists of 2m high planting to the eastern boundary and mixed trees/planting to the remaining boundaries.

3. DESCRIPTION OF PROPSAL

- 3.1. Full planning is sought for the erection of 54 affordable dwellings on land off Crewe Road, Winterley, with associated access, car parking, landscaping and infrastructure.
- 3.2. No. 481 Crewe Road to be demolished to provide site access.

4. RELEVANT PLANNING HISTORY

- 4.1. 16/1940N – Outline Planning Application for Proposed Residential Development of 12 Number Dwellings on the land to the rear and including 481 Crewe Road Winterley Cheshire CW11 4RF Including the Demolition of 481 Crewe Road and alterations to the existing Road Access – Withdrawn 26th October 2016
- 4.2. 19/3534N – Proposed residential development of 1 no. replacement dwelling (Plot 1) and 46 no. dwellings, with associated hard and soft landscaping – Withdrawn 25-11-2019

5. NATIONAL PLANNING POLICY

- 5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

MP1 – Presumption in Favour of Sustainable Development

PG1 – Overall Development Strategy

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

SE6 – Green Infrastructure

SE9 – Energy Efficient Development,

SE12 – Pollution, Land Contamination and Land Instability

SE13 – Flood Risk and Water Management

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

PG7 – Spatial Distribution

IN2 – Developer Contributions

CO1 – Sustainable Travel and Transport

CO4 – Travel Plans and Transport Assessments

IN1 – Infrastructure

IN2 – Developer Contributions

EG1 – Economic Prosperity

EG3 – Existing and Allocated Employment Sites

SC1 – Leisure and Recreation

SC4 – Residential Mix

SC5 – Affordable Homes

SC2 – Indoor and Outdoor Sports Facilities

PG8 Development at Local Service Centres

PG9 Settlement Boundaries

GEN 1 Design Principles

ENV 1 Ecological Network

ENV 2 Ecological Implementation

ENV 3 Landscape Character

ENV5 Landscaping

ENV6 Trees, Hedgerows and Woodlands

ENV 7 Climate change

ENV 15 – New Development and Existing Uses

ENV16 Surface Water Management and Flood Risk

HOU1 Housing Mix

HOU 2 Specialist housing provision

HOU 8 Space, accessibility and wheelchair housing standards

HOU10 Backland Development

HOU12 Amenity

HOU13 Residential Standards

HOU14 Housing Densities

HOU16 Small and Medium Sites

INF3 Highways Safety and Access

INF 9 Utilities

EMP2 Employment Allocations

INF3 Highways Safety and Access

INF 9 Utilities

REC 2 Indoor sport and recreation implementation
REC 3 Open space implementation
REC 5 Community facilities

6.3. Neighbourhood Plan

N/A

7. Relevant supplementary planning documents or guidance

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

7.2. Biodiversity and Net Gain SPD

7.3. Environmental Protection SPD

7.4. SuDS SPD

7.5. Cheshire East Design Guide SPD

7.6. Housing SPD

8. **CONSULTATIONS (External to Planning)**

8.1. **CEC Highways** – No objection subject to conditions implementation of the proposed pedestrian infrastructure improvements, provision of the Toucan Crossing, cycle parking for apartments and construction management plan.

8.2. **CEC Environmental Protection** – No objection subject to conditions/informatives requiring compliance with the submitted noise assessment, working hours for construction, piling, dust, travel planning and contaminated land.

8.3. **CEC Housing** – No objection

8.4. **CEC LLFA** – No objection subject to condition requiring compliance with the drainage plan

8.5. **CEC Public Rights of Way (PROW)** – No objection

8.6. **CEC POS** – No objection subject to provision of a LEAP and contribution towards outdoor sport of £1,614.79 per family dwelling or £807.37 per bed space in apartments (to a maximum of £1,614.79 and conditions regarding the design of the LEAP and finished levels

8.7. **CEC Leisure Services** – No objection subject to contribution of £9,652,08 towards indoor recreation

8.8. **CEC Education** – No objection subject to contributions towards primary, secondary and SEN education of £426,859.00

8.9. **NHS** – No objection subject to contribution £48,816 of towards Ashfields Primary Care Centre

8.10. **Cadent Gas** – Do not advise against the granting of planning permission

8.11. **United Utilities** – No objection subject to condition requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme

8.12. **Cycling UK** – Comments regarding the need for a toucan crossing and cycle parking for the maisonettes

8.13. **Haslington Parish Council** – Object on the following grounds:

- Contrary to PG6 as within the open countryside
- No evidence of local housing need
- Why is affordable housing needed in this location
- Unsustainable location
- Lack of facilities/amenities and impact on infrastructure such as health, education, public transport and pedestrian links
- Winterley has already received its quota of new housing

9. REPRESENTATIONS

9.1. 154 letters of objection have been received which raise the following issues:

- Increase in traffic and congestion/safety
- Contributions required for cycle improvements
- Insufficient parking provision
- Should only be occupied by local people
- Originally refusal reasons remain relevant
- Impact on infrastructure (schools, doctors etc)
- Loss of agricultural land
- Loss of open countryside
- Change from rural character
- Impact to water supply
- No need for social housing
- Loss of wildlife
- Flooding/drainage/sewage
- Noise/light pollution
- Lack of community engagement
- No play area for children
- Loss of green belt land
- Errors in energy sustainability assessment
- Overlooking/overbearing impacts. In particular to No.479 Crewe Road from plots 1 and 2 and light pollution
- Poor design
- Compliance with NDSS/Garden sizes

X 1 letter of support

10. OFFICER APPRAISAL

Principle of the development

10.1. A small section of the site which houses the existing dwelling is sited within the Infill Boundary Line. The majority of the site lies largely in the Open Countryside as designated by the Cheshire East Local Plan, where policy PG6 states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Exceptions may

be made where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise built-up frontage elsewhere, affordable housing in accordance with the criteria contained in Policy SC 6 'Rural Exceptions Housing for Local Needs' or where the dwelling is exceptional in design and sustainable development terms.

limited infilling in villages

10.2. The term limited infilling is not defined in the CELPS but is defined in the SADPD as the development of a relatively small gap between existing buildings. The application site sits at the rear of a row of linear ribbon development so does not represent infilling.

10.3. It is also not considered that the proposal complies with the exception relating to limited infilling in villages as the site is not located within a village settlement boundary but seeks to extend an existing cluster of ribbon development further into the open countryside.

10.4. As such the proposal is not considered to constitute limit infilling in villages.

Infill of a small gap with one or two dwellings in an otherwise built-up frontage elsewhere

10.5. The proposal does not seek to infill a gap but extends beyond the established row or ribbon development and is well over the two-dwelling threshold. Therefore, the proposal is not considered to constitute infilling of a small gap in an otherwise build up frontage.

Exceptional in design and sustainable development terms

10.6. No case has been advanced in design/sustainable terms

Affordable housing in accordance with the criteria contained in Policy SC 6 'Rural Exceptions Housing for Local Needs'

10.7. The proposal will provide 100% affordable units. However, it is over the 10 dwelling threshold to be classed as a rural exception site.

10.8. As a result, the proposal conflicts with Policy SC6 and thus does not meet the affordable housing exception within PG6.

Principle conclusion

10.9. The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the Open Countryside. As a result, it constitutes a "departure" from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined "in accordance with the plan unless material considerations indicate otherwise"

Housing Land Supply

10.10. The Cheshire East Local Plan Strategy was adopted on the 27th July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

- 10.11. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the LPS figure of 1,800 dwellings per year.
- 10.12. The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These include:
- Where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with appropriate buffer) or:
 - Where the Housing Delivery Test Measurement indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.
- 10.13. In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2024) was published in April 2025. The published report identifies a deliverable five-year housing land supply of 10,011 dwellings which equates to a 3.8-year supply measured against the five-year local housing need figure of 13,015 dwellings.
- 10.14. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required (2,820). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.
- 10.15. In the context of five-year housing land supply, relevant policies concerning the supply of housing should be considered out-of-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is engaged.

Affordable Housing

- 10.16. Policy SC 5 (Affordable Homes) in the Cheshire East Local Plan Strategy (CELPS) sets out the thresholds for affordable housing in the borough.
- 10.17. As the proposed development is for 54 dwellings, to meet the Council's policy on Affordable housing there is a requirement that 30% of the total on-site units are affordable, which equates to 17 (16.2) affordable dwellings. The Housing Supplementary Planning document (HSPD) also states that the tenure mix split the Council requires is 65% social or affordable rented housing and 35% affordable intermediate housing.
- 10.18. The applicant is proposing that all 54 properties (100% of the dwellings) be social or affordable dwellings (30 social/affordable rent and 24 shared ownership) which meets the local need in this instance. The proposed dwellings will be transferred and managed by a Registered provider (Weaver Vale Housing Trust) and secured by means of a S106 agreement.
- 10.19. Information taken from the Cheshire Homechoice waiting list register which is the Choice based lettings system used to allocate social or affordable rented housing across Cheshire East, currently shows that for social or affordable housing in Haslington there is a need for 1-bedroom cottage style dwellings, 1-bedroom bungalows, and 2-, 3- and 4-bedroom houses for families.
- 10.20. The proposed development would help meet the identified need for affordable dwellings in Haslington, and as such no objection is raised from the Council's Affordable Housing Officer.

10.21. The affordable housing provision can be secured by Section 106 Agreement.

Education

10.22. The housing mix for the 54 houses would be 49 family homes (two beds plus) and 6 one beds.

10.23. The Local Plan is expected to deliver 36,000 houses in Cheshire East, which is expected to create an additional 6,840 primary aged children and 5,400 secondary aged children and 422 children within this forecast are expected to have a special educational need.

10.24. The development of 49 dwellings is expected to generate:

13 - Primary children (49 x 0.29) excludes 1 SEN place to avoid double counting

7 - Secondary children (49 x 0.14)

1 - SEN children (49 x 0.60 x 0.047)

10.25. The development is expected to impact on primary and secondary school places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at primary and secondary schools in the area because of agreed financial contributions.

10.26. To alleviate forecast pressures, the following contributions would be required

13 x £20,450.00 = £265,850.00 (Primary)

7 x £10,854.00 = £75,978.00 (Secondary)

1 x £85,031.00 = £85,031.00 (SEN)

Total education contribution: £426,859.00

10.27. The above contribution can be secured way by of Section 106 Agreement.

Health

10.28. The South Cheshire Commissioning Group (SCCG) has devolved powers to act on behalf of the NHS. In order to mitigate the impact of this development a contribution has been requested and this will be secured as part of a S106 Agreement. The requested contribution is as noted below to support the development of the Ashfields Primary Care Centre. This is the closest medical centre to the proposed development. This practice was built between 1995 and 2004 and has existing floorspace constraints.

10.29. The Integrated Care Board (ICB) has identified the potential at Ashfields Primary Care Centre to create more clinical space through reconfiguration works, which could include the potential reconfiguration of the second floor of the building.

10.30. The required contribution is in line with Supplementary Planning Document for Developer Contributions – Health Infrastructure, based on 54 dwellings

Total: 54 Units x £904 = £48,816

10.31. As a result, the contribution is considered to be both reasonable and necessary and should be secured by way of section 106 agreement.

Open Space

- 10.32. Policy SE6 requires major developments (10 or more) to provide open space in line with Table 13.1 of the policy. This also advises that in some cases, commuted sums generally may be more appropriate for improvement of other open spaces and green infrastructure connectivity.
- 10.33. Policies SC1 and SC2 of the Local Plan Strategy provide a clear development plan policy basis to require developments to provide or contribute towards both outdoor and indoor recreation.
- 10.34. The Councils Public Open Space officer considers the layout, quantity and quality of the open space to be acceptable. However, she has not been provided with any detail regarding the design and layout for the LEAP play facility. This could be secured by condition.

Outdoor Sport

- 10.35. Contributions for outdoor sport are required as part of Policy SE6. The proposal will increase demand on existing facilities and as such a financial contribution towards off-site provision is sought. The current financial contribution is required at a rate of £1,614.79 per family dwelling or £807.37 per bed space in apartments (to a maximum of £1,614.79). The contribution towards outdoor sport will be secured via a S106 Agreement.

Indoor Sport

- 10.36. The proposed development will increase demand for indoor sport provision, and as such a contribution of £9,652.08 towards indoor sport. This can be secured by way of section 106 agreement.

Housing Mix

- 10.37. Policy SC4 advises that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.
- 10.38. Policy HOU1 In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demand. In particular it suggests a recommended mix as below as a starting point:

	Market housing	Intermediate housing	Affordable housing for rent
1 bedroom	5%	14%	26%
2 bedroom	23%	53%	42%
3 bedroom	53%	28%	20%
4 bedroom	15%	4%	10%
5+ bedroom	3%	1%	3%

- 10.39. The proposal seeks the below housing mix:

One beds x 6 (11%)
Two bed x 23 (43%)

Three beds x 21 (39%)
Four beds x 4 (7%)

10.40. As can be seen the proposal would provide a mix that is not too far from that contained in the table above from Policy HOU1. The supporting text of this Policy also makes it clear that this is to be used as a starting point only and is not a ridged standard.

10.41. The mix provided would see a mix of 1,2,3 beds on site (including bungalows) and it would not be dominated by larger property types. The proposed mix is considered to be acceptable and complies with Policies SC4 & HOU1.

Space standards

10.42. In terms of dwelling sizes, it is noted that HOU8 of the SADPD requires that new housing developments comply with the Nationally Described Space Standards (NDSS).

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

10.43. As can be seen in the table below, the proposal complies with these standards for each plot.

Housetype	m ²	
Type B - 2B3P Bungalow (NDSS)	61	COMPLIES
Type C - 2B3P House Type (NDSS & M4(2))	74	COMPLIES
Type D - 2B4P Aspect House Type (NDSS)	81	COMPLIES
Type F - 3B4P House Type (NDSS)	86	COMPLIES
Type G - 3b4P U/P House Type (NDSS)	90	COMPLIES
Type J - 4b6P House Type (NDSS & M4(2))	114	COMPLIES
Type L1 - 1B2P Maisonette GF M4(3)	65	COMPLIES
Type L2 - 2B3P Maisonette FF (NDSS)	72	COMPLIES
Type O - 1b2p 53 Corner Turner Bungalow (NDSS)	53	COMPLIES

10.44. Therefore, the proposal complies with Policy HOU8 of the SADPD.

Location of the site

10.45. Policy SD1 states that wherever possible development should be accessible by public transport, walking and cycling (point 6) and that development should prioritise the most accessible and sustainable locations (point 17). The justification to Policy SD2 then provides suggested distances to services and amenities.

10.46. In this case the site has a public house located approx. 50m away, church approx. 250m away and café and takeaway approx. 480m away. Other shops/amenities of Haslington are located a 30-minute walk away. The nearest bus stop is located 50m away off Crewe Road to the east which is served by No.37 bus which has 13 services Monday to Saturday between Crewe, Sandbach and Middlewich. The stop is also served by No.38 bus which has 18 services Monday to Saturday and 5 services on a Sunday between Crewe and Macclesfield. In addition the National Cycle Route runs through Winterley along Crewe Road and provides a link to Crewe, Haslington and Sandbach.

10.47. Winterley was also deemed to be locationally sustainable as part of a number of consented sites including appeal Ref APP/R0660/W/16/3163461 Land south of Hassall Road, Winterley (20th March 2017). As such it would be difficult to argue that the site in close proximity to these other developments is not sustainable.

10.48. As such on balance the site is considered to be locationally sustainable.

Residential Amenity

10.49. With regards to neighbouring amenity, Policy HOU12 advises development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to:

1. loss of privacy;
2. loss of sunlight and daylight;
3. the overbearing and dominating effect of new buildings;
4. environmental disturbance or pollution; or
5. traffic generation, access and parking.

10.50. Policy HOU13 sets standards for spacing between windows of 18m between front elevations, 21m between rear elevations or 14m between habitable to non-habitable rooms. For differences in land levels, it suggests an additional 2.5m for levels exceed 2m.

10.51. The main residential properties affected by this development are 483-449 Crewe Road (odd numbers), 1-4 Frederick Howarth Drive and 7-11 Elton Lane (odd numbers).

477-479 Crewe Road (odd numbers)

10.52. The plans show that the closest plots Nos. 1 and 2 would serve bungalows that would be sited 21m to the rear elevation of No.477 Crewe Road. This complies with the recommended 21m interface as per Policy HOU13 and would prevent harm though overlooking/loss of privacy. There is a side facing window within the side elevation of plot 1, however this would serve a bathroom would be conditioned to be fitted with obscure glazing to prevent loss of privacy. Also, the 9m siting to the boundary and the single storey nature would prevent significant harm through overbearing/overshadowing.

10.53. The plans show that plots 1 and 2 would be sited 15.5m to the rear elevation of No.479 Crewe Road. Whilst technically shy of the 21m interface as per Policy HOU13 the orientation is not direct with the plots off set from No.479 Crewe Road. The single storey nature would also prevent harm through loss of privacy from the proposed front facing windows which would be predominantly screened by the boundary treatment.

Properties off Frederick Howarth Drive

- 10.54. The plans show that plots 54 & 53 would serve bungalows. These would be sited between 17-23m to the rear elevation of No.1 Frederick Howarth Drive at the closest point. Whilst short of the 21m interface set out in Policy HOU13 the orientation for the closest plot 54 is not direct. The single storey nature would also prevent harm through loss of privacy.
- 10.55. To all other plots facing Frederick Howarth Drive, at least a 21m interface would be provided which complies with Policy HOU13 to prevent significant harm through overlooking/loss of privacy. All the plots would also be sited away from the boundaries by at least 10m which would prevent significant harm by reason of overbearing/overshadowing impact to windows or garden areas.

7-11 Elton Lane (odd numbers)

- 10.56. Plots facing 7-9 Elton Lane would have at least a 21m interface which complies with Policy HOU13. All the plots would also be sited away from the boundaries by at least 10m which would prevent significant harm by reason of overbearing/overshadowing impact to windows or garden areas.
- 10.57. Plot 42 would provide a 21m interface to 11 Elton Lane which complies with Policy HOU13. This plot would be sited 4m to the shared boundary. There may be some slight overshadowing of the garden area immediately adjacent however this would only affect a small part of the garden, and it already appears to be shaded by existing trees, thus the proposal will not make the situation significantly worse. Given the set back from the boundary and the angled nature of plot 42 there would also be no overbearing impact. The siting of rear windows of Plot 42 may result in some overlooking of a small section of garden area of No.11 Elton Lane, however the orientation is not direct, which would limit the impact to a small slither of the end section of garden. As a result, this is not considered to result in significant overlooking that would justify a refusal of planning permission.
- 10.58. All other plots provide the required interface distances also.

Future amenity

- 10.59. Policy HOU13 does not set an expected size of garden area but advises proposals for dwellings houses shall include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.
- 10.60. The plans show varied garden sizes relevant to the number of bedrooms the plot serves. The smallest plot has a garden area totalling 48sqm for a 2-bedroom property with bin and cycle storage indicated and sufficient room remaining for outdoor activities. Garden areas are larger for properties with more bedrooms.
- 10.61. The communal plots 31-38 have a garden area of 245sqm with bin and cycle storage indicated and sufficient room remaining for outdoor activities.
- 10.62. Therefore, the proposal can be accommodated without significant harm to living conditions of neighbouring properties and complies with Policy HOU12 of the CELPS.

Air Quality

- 10.63. Policy SE12 of the CELPS states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality.

- 10.64. The impact upon air quality could be mitigated with the imposition of a condition/informative to require the provision of electric vehicle charging points and low emission boilers.

Contaminated Land

- 10.65. As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

Highways

Safe and suitable access

- 10.66. The access will be built to adoptable standards with a 5.5m wide access with 2m footways on either side at the access point, with this reducing to being on the southern side only internal to the site. Speed surveys have been carried out on Crewe Road and the corresponding visibility splays can be achieved.
- 10.67. As on plan 'Proposed Site Access, P25026-001' the footway along Crewe Road is narrow and will be widened to at least 2m from the site access to just past the bus stop to the south. Existing footway infrastructure is then provided to the wider area and destinations. The existing dropped kerb pedestrian crossing on Crewe Road will be located to the south slightly away from the new access. A further pedestrian dropped kerb crossing is provided further south on Crewe Road. The walking route from Wheelock Heath to schools in Sandbach is unsuitable and to improve this the applicant is providing a signal crossing to the roundabout to the on the A534 (the Wheelock Hall Roundabout).

Network capacity

- 10.68. The proposal will generate approximately 30 two-way vehicle trips during either of the network peak hours and the impact of the development on the local highway network will be minimal.

Internal layout

- 10.69. The proposal will provide sufficient carriageway width in accordance with adoptable requirements and will deliver off-road parking provision to CEC standards.
- 10.70. Turning areas are being provided for refuse/emergency vehicles and there are some shared private drives serving a small number of properties which are adequate. The cycle parking for the maisonettes is unclear, and this should also be conditioned.

Conclusion

- 10.71. The access proposals and the impact on the highway network are acceptable and no objection is raised from the Councils Highways Engineer subject conditions.
- 10.72. The proposal is therefore considered to comply with Policy SD1 & CO2 of the CELPS, INF3 of the SADPD.

Trees

- 10.73. Policy SE5 advises that proposals should look to retain existing trees/hedgerows that provide a significant contribution to the area and where lost replacements shall be provided.

Policy ENV 6 advises that development proposals should seek to retain and protect trees, woodlands and hedgerows.

- 10.74. The application site comprises of an open area of existing agricultural land bordered by established hedgerows and field boundary trees, none of which are afforded any statutory protection. The site is shown to be accessed from Crewe Road between 2 existing residential properties.
- 10.75. The application has been supported by an Arboricultural Impact Assessment & Method Statement. The survey confirms the presence of 22 individual trees, 8 groups and 3 hedgerows on the site.
- 10.76. Tree loss on the site does not appear to exceed that accepted from an arboricultural perspective with withdrawn application 19/3534N and aside from several poor/low quality trees, includes a group of 3 mature Birch which are acknowledged to have limited future life expectancy and an early mature oak. One hedgerow (H3) is shown to be removed but given this defines an existing residential boundary it is not subject to the Hedgerow Regulations, and its removal is not contested.
- 10.77. Separation between dwellings and the retained boundary trees is considered broadly acceptable. The area of amenity play space is sited outside the RPA's and overhanging canopies of established trees along the western boundary. Some incursions into the RPA's of moderate quality tree T12, T13 & T18 is indicated to accommodate the substation however this is located to the periphery of the RPA and its accepted that impacts to trees would be minimised subject to the base being constructed to a no dig specification.
- 10.78. An access road is shown parallel with the northwestern boundary, approximately 7 metres from the stem centre of a 25-metre moderate quality B category oak (T17), equating to new surfacing in the RPA of just under 20%. The high canopy tree is an important amenity feature of the area which could make a valuable contribution to the landscape character of a new residential estate. If the road is constructed as stated using 'no dig' methods, it is accepted this would align with the recommendations of BS5837:2012 and as this road is not being adopted would not need to be built to adoptable standards thus this approach is deemed acceptable.
- 10.79. Concerns were initially raised by the Council Forestry officer as the drainage layout indicated SuDS/rain gardens within the RPAs of a retained tree T17 (north of site) and to the east of retained trees T12 and T13. However revised plans have provided greater separation and have overcome this concern.
- 10.80. In conclusion the Councils Forestry Officer raises no objection on Forestry grounds subject to conditions requiring compliance with the submitted Arboricultural Impact Assessment & Method Statement and no dig construction methods.
- 10.81. Therefore, it is not considered to be significantly harmful to the character/appearance of the area and the proposal complies with Policy SE5 of the CELPS and ENV 6 of the SADPD.

Design

- 10.82. Policy SE1 advises that development proposals should make a positive contribution to their surroundings in terms of the creating a sense of place, managing design quality, sustainable urban, architectural and landscape design, live and workability and designing in safety. The Cheshire East Design Guide Volumes 1 and 2 give more specific design guidance. Emerging Policy GEN 1 of the SADPD also reflects this advice.

Connections

- 10.83. The site is served by a single point of access for both vehicles and pedestrians. Ideally a development of this nature would have more than one point of access. However, footways are provided on both sides of the road at site access and the proposal involves footway improvements outside the site to ensure all footway is minimum 2m wide to improve accessibility to the bus stop. A toucan crossing is also proposed to improve access to improve the walking route to local schools.
- 10.84. The proposal addresses the open countryside to the western edge effectively, locating the LEAP here with houses facing outwards and this is supported along with a footpath around it. Initially where the houses backed on to existing homes there were pinch points, specifically to the rear of plot 53, where the separation distance was under suggested 21m, however these distances have been increased and now comply with interface distances.

Facilities and services

- 10.85. In this case the site has some limited options including a public house located approx. 50m away, church approx. 250m away and café and takeaway approx. 480m away. Other shops/amenities of Haslington are located a 30 minute walk away.
- 10.86. Winterley does not have any schools and is served by primary schools in Haslington, Sandbach and Crewe, with secondary schools also in Sandbach or Crewe. Similarly, GP services are most closely located in Sandbach (2.5 miles) or Haslington (1.5 miles) away.
- 10.87. The proposed development does include some POS, including an attractively positioned LEAP for use by future occupants.

Public transport

- 10.88. The site benefits from public transport options and lies immediately adjacent to principal bus routes that run between Crewe and Macclesfield (no.38) and Crewe and Northwich (no.37). Buses run regularly during the day, and the site is around 3 miles from the railway stations in Sandbach and Crewe, each reachable via bus.

Meeting local housing requirements

- 10.89. The accommodation mix is varied, including 1, 2, 3 and 4-bed houses, bungalows and maisonettes which are welcomed to provide homes suitable for all.

Character

- 10.90. The architecture is traditional/vernacular in approach but there is some evidence that local design cues have been taken, with elements of render, brick detailing and half-timber etc.
- 10.91. The reduction in engineering, a reduction in the dominance of cars to the street scene, the changes to the bungalows at the entrance and the introduction of the raised platform square are all positive changes in response to previous design advice.
- 10.92. The materials palette is suitably limited and in accordance with the CE Design Guide, with the elevations contrasting sills and soldier courses of unspecified bricks. The specification of facing materials will be dealt with via condition to ensure that the materials relate to the local palette.

Working with the site and its context

- 10.93. The positive interaction with the countryside along with the retention of existing mature hedgerows and trees is welcomed and would help to provide a rural transition. Previous concerns raised regarding the location of the substation have been addressed by moving it away from the countryside edge.

Creating well defined street and places

- 10.94. Buildings turn corners, either by being specific units like the bungalows at the entrance, or by being dual aspect, front doors face the street and blank gables are avoided.
- 10.95. There is a logical route around the site for both pedestrians and vehicles. A feature square is also provided for visual interest. A mix of street materiality of also provided.

Easy to find your way around

- 10.96. This is a small scheme with a simple layout it is inherently legible and there are significant improvements from the earlier withdrawn application which aid in this, not least the reduction in car and highway dominance. Similarly, the introduction of the feature square and the now corner-turning bungalows creates a more satisfactory entrance and further aids legibility.

Streets for all

- 10.97. There has been an improvement to the over-engineering of the streets since the withdrawn application 19/3534N and in combination with the moving of much car parking from the front of houses, has reduced the over-dominance of cars in the streetscape.
- 10.98. With regard to materials no information is provided on hard surfacing materials aside from the differentiation in colours on the revised site plan, but condition can be secured which ensure these comply with the palettes set out in the Design Guide.

Car parking

- 10.99. Parking provision is in-line with policy requirements. Spaces to houses are generally located to the side or in front within the curtilage, where frontage parking does occur attempts to provide planting/trees to prevent car dominated frontages. The three rear parking courtyards serve the houses to the centre of the perimeter block and appear to be a direct response to the withdrawn scheme given concerns about dominance of cars on the street scene. The parking courts resolves this concern this and these are well-overlooked, and this approach is supported.
- 10.100. Concerns were initially raised by the Councils Urban Design Officer regarding the lack of planting/screening to soften the visual impact of the parking courts. Revised plans have since been received with the parking courts made greener with the close boarded fences being removed and railings and hedges providing the boundaries. This is considered a distinct improvement and will serve to soften the centre of the site.

Public and private areas

- 10.101. The proposal provides a sufficient amount of POS to the western boundary for use by future occupants including a LEAP and community orchard which are well overlooked.

- 10.102. The proposed wildflower meadow has also been relocated away from the LEAP which would likely remove future management issues.
- 10.103. Concerns were initially raised from the Councils Urban Design Officer about the location of the substation given it would be a termination point off the feature entrance square and would lose open countryside views. Concerns were also raised about the appearance of the pumping station. Revised plans have since been provided which have relocated the substation to the side of the pumping station with increased planting to soften the visual impact. This allows the termination point to retain views of the open countryside and community orchard.
- 10.104. With regard to private spaces, the houses and bungalows are of an acceptable size with independently accessible rear gardens. The communal garden would also be provided to the maisonettes to allow some outdoor activities. Finally, the delineation between public and private space is effectively handled.

External storage and amenity space

- 10.105. Houses and bungalows have accessible rear gardens with well-located dedicated refuse and recycling space. There is also adequate space for cycle storage to the houses and bungalows, whilst the maisonette block is served by a dedicated bin store but no cycle provision. Overall, subject to condition requiring some cycle storage for the maisonettes, the external storage and amenity space is considered to be sufficient.

Design Conclusion

- 10.106. As such, it appears that the proposal could be accommodated without significant visual harm to the character/appearance of the area complying with Policies SD1, SD2 and SE1 of the CELPS, GEN1 of the SADPD and the Cheshire East Urban Design Guide.

Ecology

Biodiversity Net Gain (BNG)

- 10.107. This application is subject to mandatory BNG.
- 10.108. The Councils Ecologist advises that she has reviewed the amended metric and advises that the metric is suitable, and proposed habitat creation is considered to be achievable. It is advised that this application adheres to the biodiversity gain and mitigation hierarchy.
- 10.109. The proposed habitat creation is 'significant' and therefore the 30-year habitat creation method statement and habitat management and monitoring plan is applicable in this instance and can be secured by condition.

Bats

- 10.110. Existing buildings on site were determined to offer low to moderate potential to support roosting bats. Consequently, nocturnal surveys were undertaken. The existing dwelling and redbrick stable building were determined to support day roosts of common pipistrelle and soprano pipistrelle bats.
- 10.111. The usage of the buildings by bats is likely to be limited to single or small numbers of animals using the buildings for relatively short periods of time and there is no evidence to suggest a significant maternity roost is present. The loss of the roosts associated within the

building on this site, in the absence of mitigation, is likely to have a low impact upon bat the local level and a low impact upon the conservation status of the species as a whole.

- 10.112. A protected species licence is therefore required, and the consultant ecologists have stated that the development will be registered under Natural England's Earned Recognition system. In reaching a decision, it is important that the Local Planning Authority demonstrates how they have fully considered the three tests set out in Regulation 55 of the Conservation of Habitats and Species Regulations 2019 and state the evidence for conclusions drawn on each test as to whether the test can be met. The three tests are as follows:

(i) The action will be undertaken for the purpose of preserving public health or public safety or other imperative reasons of overriding public interest including those of social or economic nature and beneficial consequences of primary importance for the environment (Regulation 55 (2)(e))

(ii) That there is no satisfactory alternative (Regulation 55(9)(a))

(iii) That the action will not be detrimental to the maintenance of the population of the species concerned at favourable conservation status in their natural range (Regulation 55 (9) (b))

- 10.113. (i) Overriding Public Interest

The provision of mitigation would assist with the continued presence of Bats, and the proposal would provide housing and affordable housing which are of an economic and social benefit.

(ii) Alternatives

There is an alternative scenario that needs to be assessed, this are:

- No development on the site

Without any development, specialist mitigation for bats would not be provided which would not be beneficial to the species and the social/economic benefits of housing/affordable housing would not be secured.

- 10.114. (iii) Favourable conservation status

The Council's Ecologist requires a plan to indicate where the proposed four bat boxes will be installed to ensure that compensation is appropriate to meet test (iii). This has been requested, and further comments will be provided in the update report.

- 10.115. The Biodiversity Net Gain mitigation area to the northern and western boundary of the site has the potential to support commuting and foraging bats. It is therefore advised that light spill to these habitat areas is limited. The standard sensitive lighting scheme condition is therefore recommended.

Birds

- 10.116. Historic evidence of nesting swallows was recorded on site. The applicant is reminded that under the Wildlife and Countryside Act 1981 it is an offence to remove, damage or destroy the nest of any wild bird while that nest is in use or being built. Planning consent for a

development does not derogate for this offence. The standard breeding birds' condition is therefore recommended.

Great Crested Newts (GCN)

10.117. Existing vegetation on site has the potential to support sheltering and commuting Great Crested Newts (GCN), with four ponds present within 250m of the development.

10.118. Consequently, it is considered that, in the absence of mitigation, there is a risk that the proposed works would impact GCNs. Therefore, the Local Planning Authority must have regard to whether Natural England would be likely to subsequently grant the applicant a licence under the Habitat Regulations. A licence under the Conservation of Habitats and Species Regulations can only be granted when:

- (i) The development is of overruling public interest;
- (ii) That there is no satisfactory alternatives;
- (iii) That the action will not be detrimental to the maintenance of Great Crested Newts at favourable conservation status, in their natural range.

10.119. (i) Overriding Public Interest

The provision of mitigation would assist with the continued presence of Newts, and the proposal would provide housing and affordable housing which are of an economic and social benefit.

(ii) Alternatives

There is an alternative scenario that needs to be assessed, this are:

- No development on the site

Without any development, specialist mitigation for newts would not be provided which would not be beneficial to the species and the social/economic benefits of housing/affordable housing would not be secured.

10.120. (iii) Favourable conservation status

The applicant's ecological consultant has indicated an intention to enter the proposed scheme into Natural England's district level licencing (DLL) scheme, and the DLL Enquiry Form has been submitted at this stage. The Councils Ecologist advises that entering the DLL scheme would be sufficient to maintain the favourable conservation status of the species, and as such, test (iii) would be met. The applicant must however submit a copy of the Countersigned Impact Assessment and Conservation Payment Certificate as evidence that the development has been accepted onto the scheme in principle.

Ecological Enhancements

10.121. It is noted that a Bird and Bat Box Plan has been submitted. The Plan includes details for the provision of 4 bat boxes and 4 bird boxes on proposed dwellings.

10.122. The Cheshire East Borough Design Guide (2017) states 'Larger scale developments should provide features for nesting birds and roosting bats on 30% of consented units'.

10.123. The eight bat / bird boxes proposed are insufficient to meet the 30% as specified within the design guide. It is therefore advised that a minimum of 16 bat / bird boxes are provided,

and it is advised that 130mm by 130mm hedgehog gaps are included within garden fences to facilitate the movement of hedgehogs. This can be secured by condition.

Nature Designated Sites

10.124. It is advised that the proposed works are unlikely to have an impact on any statutory or non-statutory nature designated sites, including SSSI and Local Wildlife Sites.

Other Protected Species

10.125. Mammal holes with the potential to be other protected species related were recorded on site during the Preliminary Ecological Appraisal site visit. To assess whether these holes were being actively used by other protected species 21-days of camera monitoring was undertaken (UES, 2025).

10.126. No evidence of other protected species was recorded using the existing burrow holes, and no other evidence was recorded, such as guard hairs or latrines.

10.127. It is advised that based upon the current status of other protected species on site the proposed development is unlikely to result in a significant adverse impact upon this species. However, as the status on a site can change, it is advised that a condition is secured to require the submission of an updated other protected species survey.

10.128. Therefore, subject to conditions, the proposal complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD.

Landscape

10.129. The site does not form part of any protected landscape. However, its development will clearly have some landscape impact as it will occupy a site that is currently free from built form.

10.130. It is however considered that the development would be viewed more as a rounding off of the settlement given the line of development to the north off Elton Lane.

10.131. The Councils Landscape Officer has been consulted who initially raised concerns regarding the absence of information relating to SUDs ponds and rain gardens. This has now been provided as shown in the proposed drainage plan which shows a SUDS overspill and private attenuation tank would be sited to the north-western boundary and rain garden to the northern boundary which overcome the initial concerns, subject to conditions requiring the final landscaping scheme and its management.

10.132. Whilst the landscape impact is considered limited, the loss of space on the site would cause some visual harm and thus needs to be weighed into the overall planning balance.

10.133. The proposal is therefore contrary to Policies SE4 & PG6.

Flood Risk

10.134. The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. As the site area is over 1 hectare a Flood Risk Assessment has been provided. This concludes as below:

- The site is in Flood Zone 1 as defined by the Environment Agency and is therefore at the lowest risk of fluvial flooding (less than 0.1% from rivers or the sea). The proposed

development passes the exception test, as a 'more vulnerable' development in Flood Zone 1.

- Due to the change in levels in the southwest corner and northern site boundary, surface water pooling occurs during prolonged periods of rainfall. Finished Floor Levels (FFLs) at a minimum of 61.8mAOD are recommended to mitigate future surface water flooding risk.
- The site is at a low risk of flooding from all other examined sources including groundwater, reservoirs, canals, sewers or other artificial sources.
- Due to the clay soils and impeded drainage, the site is unsuitable for infiltration drainage.
- Levels will need to be raised on the site to ensure a foul water connection to the existing sewers on Crewe Road to the east via a pumping station. A discharge rate of 8.9l/s has been agreed with Cheshire East Council.
- A new drainage system has been designed by Ironside Farrar with sufficient capacity to minimise the risk of flooding in the 1 in 100-year event plus climate change of 45%.
- Proposed SuDS Raingarden to serve Private Shared Drives.
- Proposed private off-line cellular storage with overflow pipe set above 30-year water level and non-return valve on drain down pipe.
- Construction of dual pumping station to latest sewerage sector guidance, to include separate foul/surface water rising mains. To discharge to proposed gravity combined sewer prior to connection point on Crewe Road.
- Flow rate throughout restricted to 8.6l/s via hydro-brakes/vortex flow controls.
- The proposal is designed to meet United Utilities adoption standards. The final surface water drainage system will be adopted and maintained by United Utilities under a Section 104 Agreement.
- The highways drains will be adopted and maintained by the Council under a Section 38 Agreement.
- Finished levels on the site will ensure there is an emergency overland flow route through the site away from the proposed development.

10.135. United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to condition requiring a sustainable surface water and foul water drainage scheme. The Councils Flood Risk Team have also been consulted who raise no objection subject to condition requiring compliance with the drainage strategy.

10.136. Therefore, it would appear that any flood risk/drainage issues, could be suitably addressed by planning conditions and as such the proposal complies with Policy SE13 of the CELPS & ENV 16 of the SADPD.

Land Levels

10.137. Given the nature of the site to existing properties and the variation in levels a condition will be attached to ensure that details of the proposed levels are provided.

Economic Sustainability

10.138. With regard to the economic role of sustainable development, the proposed development will help to provide new housing with indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Climate Change

10.139. Policy ENV7 of the SADPD requires that all 'major' residential development schemes should provide for at least 10% of their energy needs from renewable or low carbon energy generation on site unless the applicant can clearly demonstrate that having regard to the

type of development and its design, this is not feasible or viable. This could be controlled via the imposition of a planning condition.

Agricultural Land

- 10.140. Policy SD2 seeks to avoid the permanent loss of areas of agricultural land quality of 1, 2 or 3a, unless the strategic need overrides these issues Policy SE2 advises that development should safeguard natural resources including high quality agricultural land (grades 1, 2, and 3a)
- 10.141. Policy RUR5 advises that outside of sites specifically allocated for development in the development plan, proposals should avoid the loss of best and most versatile agricultural land. Where proposals involve the loss of best and most versatile agricultural land to development, the council may require detailed field assessments in accordance with technical advice or information from Natural England, and it must be demonstrated that:
- i. the benefits of development clearly outweigh the impacts of the loss of the economic and other benefits of the land; and
 - ii. every effort has been made to mitigate the overall impact of the development on best and most versatile agricultural land.
- 10.142. The site consists of 1.8 ha of agricultural land. The site is accessed via an unadopted track off Crewe Road, between nos 479 – 481. The site is primarily classed as Grade 2 agricultural land, defined as very good quality agricultural land.
- 10.143. An agricultural Land Quality Assessment has been provided in support of the application. This advises that the site does not form part of a working farm, and this is demonstrated by the degradation of individual parcels within it over time. This has progressed to the isolated use of a single field for horse keeping, as evidenced by stables on site, and in later years the land has remained completely vacant. The result is a small parcel of land that is vacant and overgrown, poorly drained, droughty during dry periods and currently lacking adequate access.
- 10.144. The site is 1.8 hectares, significantly below the 20-hectare threshold for formal consultation of Natural England as a statutory consultee for development of non-agricultural purposes. In addition, the development of this site would not lead to further loss or pressure on the surrounding agricultural land of the same or higher grade (Grades 1 and 2).
- 10.145. Nevertheless, the proposal would result in the loss of the agricultural land contrary to Policy RUR5 which weights against the proposal and needs to be weighed in the overall planning balance.

Other

- 10.146. The majority of comments from representations have been addressed above in this report, the remaining elements are addressed below:
- Contributions required for cycle improvements – no such request has been made by the council highways engineer, but footpath improvements are to be made outside the site.
 - Should only be occupied by local people – the need for affordable homes is a Cheshire East wide need, but the occupation will be controlled by the cascade provision within the S106 Agreement.

- Originally refusal reasons remain relevant – the previous applications were withdrawn so no actual refusal reasons.
- Impact to water supply – no concerns raised from United Utilities in this regard.
- Noise/light pollution at site entrance – no concerns raised from environmental protection in this regard.
- Lack of community engagement – the Council has no control over the publicity carried out by the applicant pre-development but has undertaken its own consultation with neighbours as part of this planning application.
- No play area for children – play area is proposed to the western boundary.
- Errors in energy sustainability assessment – noted and condition requiring 10% renewable energy would be applied.

11. CIL COMPLIANCE

11.1. In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- a) Necessary to make the development acceptable in planning terms;
- a) Directly related to the development; and
- c) Fair and reasonably related in scale and kind to the development.

11.2. It is considered that the contributions required as part of the application are justified and meet the Council's requirement for policy compliance. As set out above, all elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development.

11.3. On this basis the scheme is compliant with the CIL Regulations 2010

12. PLANNING BALANCE/CONCLUSION

12.1. The proposed development would result in residential development located beyond the Winterley Infill Village Boundary Line and would conflict with policy PG6 of the CELPS. This would also result in a change to the rural character of the site and a loss of agricultural land contrary to Policy RUR5.

12.2. The proposal is considered to be sustainably located, but despite this the proposal conflicts with the Development Plan as a whole.

12.3. However, the Council is unable to demonstrate a five-year supply of housing, and paragraph 11d of the NPPF is engaged. The NPPF seeks to boost significantly the supply of housing, and the development of 54 affordable houses would make a contribution to meeting the Councils housing need.

12.4. Small and medium sized sites can make an important contribution and be built out very quickly (this is emphasised in Policy HOU16 of the SADPD and paragraph 73 of the NPPF). There would also be economic benefits through the construction and occupation of the proposed development. Social benefits would also be provided in terms of the proposed affordable housing provision.

12.5. The adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. The proposed development would benefit from the presumption in favour of sustainable development which weighs heavily in support of the proposed development. Therefore, the application is recommended for approval.

13. RECOMMENDATION

APPROVE subject to the completion of a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
NHS	£48,816 towards improved health infrastructure facilities within the Ashfields Primary Care Centre	To be paid prior to the occupation of the 27th dwelling
Amenity Green Space and Play Provision	On site provision of Open Space and a LEAP. Scheme of Management to be submitted and approved	Shall be provided prior to occupation of the 27 th dwelling Shall be provided before first occupation.
Outdoor and Indoor Sport	Outdoor sport contribution is £1,614.79 per family dwelling or £807.37 per bed space in apartments (to a maximum of £1,614.79). Indoor sport contribution is £9,652,08	To be paid prior to the occupation of the 18th dwelling
Education	£426,859.00 towards Primary, Secondary & SEN education	To be paid prior to the occupation of the 27th dwelling
Housing	100% on site provision 30 social or affordable rented and 24 intermediate tenure	In accordance with a phasing plan

And the following conditions:

- 1) 3 year time limit
- 2) Approved plans
- 3) Materials
- 4) Biodiversity Net Gain plan
- 5) 30-year habitat creation and habitat management and monitoring plan
- 6) Breeding Birds
- 7) Bat Sensitive Lighting

- 8) Great Crested Newt District Level Licencing
- 9) Ecological enhancements
- 10) Updated badger survey
- 11) Ecological enhancements
- 12) Submission of updated Arb Impact Assessment and Method Statement
- 13) Levels of site and trees
- 14) Compliance with the Drainage Strategy
- 15) Sustainable Surface Water Drainage Scheme & Foul Water Drainage Scheme
- 16) Landscaping scheme
- 17) Landscaping implementation
- 18) Landscaping management
- 19) Boundary treatment
- 20) Details of street materiality
- 21) Details of design, infrastructure and layout of the LEAP
- 22) Management and maintenance plan of the LEAP
- 23) Proposed finished levels including spot levels of the LEAP
- 24) Contaminated land – risk assessment
- 25) Contaminated land – verification report
- 26) Contaminated land – no exportation of soils
- 27) Contaminated land – unexpected contamination
- 28) At least 30% of dwellings in housing developments should comply with requirement M4 (2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings
- 29) At least 6% of dwellings in housing developments should comply with requirement M4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.
- 30) Implementation of the proposed pedestrian infrastructure improvements
- 31) Provision of the Toucan Crossing
- 32) Cycle storage for apartments/maisonettes
- 33) Construction management plan
- 34) Compliance with the submitted noise assessment
- 35) 10% energy from renewable or low carbon energy generation
- 36) Obscure glazing to bathroom window of plot 1

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

S106	Amount	Triggers
NHS	£48,816 towards improved health infrastructure facilities within the Ashfields Primary Care Centre	To be paid prior to the occupation of the 27th dwelling

Amenity Green Space and Play Provision	On site provision of Open Space and a LEAP. Scheme of Management to be submitted and approved	Shall be provided prior to occupation of the 27th dwelling Shall be provided before first occupation.
Outdoor and Indoor Sport	Outdoor sport contribution is £1,614.79 per family dwelling or £807.37 per bed space in apartments (to a maximum of £1,614.79). Indoor sport contribution is £9,652,08	To be paid prior to the occupation of the 18th dwelling
Education	£426,859.00 towards Primary, Secondary & SEN education	To be paid prior to the occupation of the 27th dwelling
Housing	100% on site provision 30 social or affordable rented and 24 intermediate tenure	In accordance with a phasing plan

