

Application No: 11/4434C

Location: LAND SOUTH OF TUDOR WAY, CONGLETON

Proposal: Construction of 16 dwellings including 11 bungalows and a terrace of 5 affordable bungalows together with the formation of a new access

Applicant: PLANT DEVELOPMENTS LTD

Expiry Date: 05-Mar-2012

**SUMMARY RECOMMENDATION: Approve subject to completion of a Section 106 Agreement and conditions.**

**MAIN ISSUES:**

**Principle of the Development**

**Housing Land Supply**

**Affordable Housing**

**Amenity of Neighbouring Properties**

**Highway Safety**

**REASON FOR REFERRAL**

The application has been referred to Strategic Planning Board because it is a major development and a departure from the development plan.

**DESCRIPTION AND SITE CONTEXT**

The application site comprises a parcel of land, approximately 0.66 hectares in size. It is situated at the southern end of Tudor Way, adjacent to the turning head. It is a relatively level site which is grassed and bordered by trees and hedgerow with post and wire fencing on the boundary with Tudor Way. There are residential properties on the western and northern boundaries.

The site is currently accessed from a track to the east, which leads from Howey Lane. This track is also bridleway No.4. The site is within easy walking distance of Congleton Town Centre and the facilities and services available there. The site is designated as being within the open countryside, in the adopted local plan.

## **DETAILS OF PROPOSAL**

The proposal seeks outline consent for 16 dwellings. Access is to be taken from the turning head of Tudor Way and all other matters are reserved for later consideration.

Whilst all matters other than access are reserved, the application indicates that the development would be for 16 bungalows. These would comprise four 2 bedroom and seven 3 bedroom units, with five 1 bedroom units. The 1 bedroom units would constitute the affordable housing provision and the application form indicates that the tenures would comprise 4 social rented units and 1 intermediate housing unit.

## **RELEVANT HISTORY**

No relevant planning history relating to this site.

## **POLICIES**

### **National Guidance**

PPS1 Delivering Sustainable Development  
PPS3 Housing  
PPS9 Biodiversity and Geological Conservation  
PPG13 Transport  
PPS23 Planning and Pollution Control

### **Regional Spatial Strategy**

DP1 Spatial Principles  
DP2 Promote Sustainable Communities  
DP4 Making the Best Use of Existing Resources and Infrastructure  
DP5 Manage Travel Demand: Reduce the Need to Travel, and Increase Accessibility  
DP7 Promote Environmental Quality  
DP9 Reduce Emissions and Adapt to Climate Change  
RDF1 Spatial Priorities  
RDF2 Rural Areas  
L2 Understanding Housing Markets  
L4 Regional Housing Provision  
L5 Affordable Housing  
RT2 Managing Travel Demand  
RT9 Walking and Cycling  
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

### **Congleton Local Plan 2005**

The site is not allocated in the Local Plan but the following policies apply:

PS8 Open Countryside  
H1 & H2 Provision of New Housing Development  
H6 Residential Development in Open Countryside & Green Belt  
H13 Affordable and Low Cost Housing  
GR1 New Development  
GR3 Density, Housing Mix and Layout  
GR4 Landscaping  
GR6 Amenity and Health

GR7 Pollution  
GR9 Accessibility, Servicing and Parking Provision  
GR22 Open Space Provision  
NR1 Trees and Woodlands  
NR2 Statutory Sites  
NR3 Habitats

SPG1 Provision of Public Open Space in New Residential Development  
SPG2 Provision of Private Open Space in New Residential Developments  
SPD6 Affordable Housing and Mixed Communities  
SPD14 Trees and Development

### **Other Material Considerations**

The Council has adopted an Interim Planning Statement on Affordable Housing. This document sets out the Council's definition of affordable housing, specific site requirements, as well as providing guidance on development considerations and means of securing their provision. It also sets out the Council's requirements for achieving mixed and balanced communities, including the housing needs of specific groups.

The statement has been produced within the framework of the three adopted Local Plans for the former District authorities of Crewe and Nantwich, Congleton and Macclesfield, the Council's Strategic Housing Market Assessment (SHMA) and government guidance as expressed in national planning guidance and policy statements. It is also consistent with the Council's Corporate Objectives and the Sustainable Community Strategy. The statement was adopted on 24<sup>th</sup> February 2011.

### **CONSIDERATIONS (External to Planning)**

#### **Environmental Protection:**

Recommend conditions relating to the hours of construction, piling and the submission of a Phase I Contaminated Land Survey.

#### **United Utilities**

None received at the time of report writing.

#### **Highways:**

This application is for a small residential development off the existing highway cul-de-sac at Tudor Way Congleton. The design of the scheme will cap development from this road. The location of this development is considered to be sustainable.

In his assessment the Strategic Highways Manager has considered the road category and its capacity to support traffic generated from this development and it is clear from junction geometry and carriageway widths that there is a technical claim for sufficient capacity.

The S.H.M. is also aware that a significant amount of on-street parking occurs on Howey Lane which is the subject of a good number of objections to this development from local residents. Whilst it is acknowledged that this parking occurs and that this parking congestion does cause some local delay, this is not considered to be a sustainable reason for the Strategic Highways Manager to consider resistance of this development proposal.

Additionally the S.H.M. has considered whether there may be impediment to access for service or emergency vehicles to the new development and to this end has consulted the Authority's Waste and Recycling department to determine whether the refuse vehicles can adequately access Tudor Way via Howey Lane. This has been confirmed by the Waste and Recycling Manager who claimed no material impediment to access caused by on-street parking.

On this basis the Strategic Highways Manager raises no objection on highway grounds and recommends that the following condition and informative be attached to any permission which may be granted.

**Condition:-** Prior to first development the developer will provide a detailed suite of plans demonstrating the detailed construction specification and design layout for the proposed development to the satisfaction of the Local Planning Authority.

**Informative:-** Prior to first development the developer will enter into and sign a Section 38 Agreement under the Highways Act 1980.

### **Green Spaces**

With reference to the plans for the erection of 16 detached and terraced dwellings consisting of 11 two and three bedroom detached bungalows and a terrace of 5 one bedroom bungalows. If the development were to be granted planning permission (in accordance with the submitted Proposed Site Layout Plan , Drawing No.6, dated November 2011), there would be a deficiency in the quantity of provision, having regard to the adopted local standards set out in the Council's open Space Study for both Amenity Green Space and Children and Young Persons provision.

#### Amenity Greenspace

Following the assessment of the existing provision of Amenity Greenspace accessible to the proposed development, there was found to be a quantity deficiency. With reference to the site layout plan, drawing No.6, dated November 2011, there is no on site provision. As this is an outline application, no measurement or landscape details are provided. Based on 16 dwellings, comprising 4, two bedroom, 7, three bedroom and 5, one bedroom, the area required is 340sqm. This figure will vary if bedroom numbers alter. This is the area required for Amenity Greenspace alone and Children and Young Persons provision should be additional.

An opportunity has arisen at Townsend Road to make enhancements to the open space, which is 650m from the proposed development site. Alternatively, upgrading the infrastructure at Astbury Mere Country Park would increase capacity to benefit the new development. Given that an opportunity has been identified for enhancing an existing Amenity Greenspace to serve the development, and based on the Council's Guidance Note (Draft Interim Policy Note on Public Open Space Requirements for New Residential Development), the financial contributions sought from the developer would be:

*Enhanced Provision: £1,796.22*

*Maintenance: £4,020.50*

### Children and Young Persons Provision

Following an assessment of the existing Children and Young Persons Provision accessible to the proposed development, there would be a deficiency in the quantity of provision, having regard to the local standards set out in the Council's Open Space Study for Children and Young Persons Provision. Consequently there is a requirement for new Children and Young Persons Provision, to meet the future needs arising from the development.

The Council recognises that smaller developments will not always be able to provide open space and/or play provision, where less than 20 dwellings are proposed, and financial contributions would be sought towards enhancement of public open space/play provision within an 800m radius.

An opportunity has been identified for enhancement of an existing open space accessible to the new development. The area is known as Townsend Road and is 650m from the site. In order to meet the demands of the new development, opportunities have been identified for upgrading the existing play facilities, which are deficient in both quantity and quality. The financial contributions sought from the developer would be:

*Enhanced Provision: £2,653.79*

*Maintenance: £8,656.50*

### **Public Rights of Way**

No building materials must be stored on the right of way.

Vehicle movements must be arranged so as not to interfere with the public's use of the way.

The safety of members of the public using the right of way must be ensured at all times.

No additional barriers (e.g. gates) are to be placed across the right of way.

There must be no diminution in the width of the right of way available for use by members of the public.

No damage or alteration must be caused to the surface of the right of way.

Wildlife mitigation fencing must not be placed across the right of way.

### **VIEWS OF TOWN COUNCIL**

Recommend refusal on the grounds that the application site is in open countryside and outside the zone for development.

### **OTHER REPRESENTATIONS**

34 representations have been received relating to this application at the time of report writing. The representations express concerns about the following issues:

#### **Land Use**

- Inappropriate development in the open countryside
- Not in accordance with the development plan
- Greenfield sites being developed when there are brownfield sites available
- Site previously rejected for inclusion in the settlement zone line
- Inadequate electricity supply
- Surface water flooding
- Inadequate drainage
- Destruction of trees, greenery and wildlife

- Change to the quiet nature of Tudor Way due to the doubling of the number of dwellings
- Overdevelopment of the site

### **Highways**

- Roads leading to the site are congested and restricted by on-street parking
- Risk of emergency vehicles being unable to access the site and other nearby properties
- Delivery and Council refuse buildings being unable to access the site and nearby properties
- Additional traffic that the roads will be unable to cope with
- Problems for funeral traffic accessing the cemetery
- Dangerous access off Tudor Way due to on-street parking
- Parking charges in the town centre has led to on-street parking in the local area
- Increase in internet shopping will lead to more delivery vehicles in the area
- Dangers from construction traffic accessing the site
- Addition of another 32 cars into the area

(Photographs of the parking issues have been submitted with the representations)

### **Design**

- The development would be out of keeping with the character of the area
- Parking in front of the terrace of properties would be inappropriate
- Impact on the nearby Conservation Area

### **Amenity**

- Noise and disturbance during construction
- Loss of private rear garden space backing onto the development site

### **Other**

- Inadequate publicity given to the application
- Submission of the application during the Christmas period giving inadequate time for consultation responses

One letter and supporting documentation and photographs has been received from one of the owners of the land. This relates to parking in the vicinity and electricity supply. One of the objectors has questioned the validity of the information submitted.

### **APPLICANT'S SUPPORTING INFORMATION**

- Planning, Design and Access Statement
- Tree Quality Survey, Root Protection Areas & Development Implications Report
- Extended Phase One Survey Report (Ecology)
- Maps of Sewer Network in Adjacent Area

### **OFFICER APPRAISAL**

#### **Principle of Development**

The site lies within the Open Countryside as designated in the Congleton Borough Local Plan First Review, where Policies PS8 and H6 state that only development which is essential for the purposes of:

- Agriculture
- Forestry
- Outdoor recreation
- Essential works undertaken by public service authorities or statutory undertakers
- For other uses appropriate to a rural area

will be permitted.

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. As such there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004. This states that planning applications and appeals must be determined:

*"in accordance with the plan unless material considerations indicate otherwise".*

The issue in question is whether there are material considerations associated with this proposal, which are sufficient to outweigh the policy objection.

National policy guidance (PPS3) states that Local Authorities should manage their housing provision to provide a five year supply. Paragraph 71 of PPS3 states that:

*"where Local Planning Authorities cannot demonstrate an up to date five year supply of deliverable sites, for example where local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including considerations in Paragraph 69."*

#### **Written Ministerial Statement: Planning for Growth (23<sup>rd</sup> March 2011)**

The Minister of State for Decentralisation issued this statement on 23<sup>rd</sup> March 2011 and advice from the Chief Planner, Steve Quartermain states that it is capable of being regarded as a material consideration. Inter alia it includes the following:

*"When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate **housing**, economic and other forms of sustainable development. Where relevant – and consistent with their statutory obligations – they should therefore:*

- (i) Consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after recent recession;*
- (ii) Take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;*
- (iii) Consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased customer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);*

- (iv) Be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;*
- (v) Ensure that they do not impose unnecessary burdens on development.*

The Government has also stated that there should be a presumption in favour of sustainable development.

This states inter alia that:

*“There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible.”*

### **Draft National Planning Policy Framework**

The recently published draft National Planning Policy Framework, which will replace PPS3, has reiterated this requirement and states that Local Planning Authorities should:

*“identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The supply should include an additional 20% to ensure choice and competition in the market for land”.*

### **Planning Policy and Housing Land Supply**

Having regard to the current housing land supply position within Cheshire East, the Council has decided to continue to rely upon the figures contained within the Regional Spatial Strategy until such time as the Local Plan, Core Strategy has been adopted. The RSS proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum.

The Cheshire East Strategic Housing Land Availability Assessment (SHLAA) November 2010, identifies that at 31<sup>st</sup> March 2010, the Borough had 4.48 years supply of identifiable, ‘deliverable’ sites. However, the level of supply is continually changing and at recent appeals, the level of housing supply has been identified at a lower level. In order to address the lack of a five year housing land supply, an Interim Planning Policy on the Release of Housing Land has been agreed by the Council. This policy will allow the release of appropriate greenfield sites for new housing development on the edge of the principal town of Crewe and as part of mixed development in town centres and in regeneration areas, to support the provision of employment, town centres and community uses. It should be noted that the SHLAA is currently under review and a new document is expected in the spring.

The draft SHLAA has put forward a figure of 4.15 years housing land supply. It should be noted that this figure is yet to be agreed by Housing Market Partnership. However given that the Council needs to demonstrate a 5 year supply plus 20%, it is clear that there is a recognised shortfall.

The SHLAA 2010, identifies the site (reference 2322), as a *“Greenfield site on edge of settlement, considered to be sustainably located”*. It also states that it is a suitable site, with



policy change. In addition the site is also described as achievable and developable. The availability of the site is described as marginal/uncertain.

An appeal was allowed in August 2011, at Elworth Hall Farm, Sandbach. The inspector concluded that:

*“The various LDF options for the spatial distribution of growth do not exclude housing away from Crewe – indeed in each case Crewe would take only about 37% of all growth. I appreciate that various other policy documents issued by the Council support the promotion of Crewe. However, to my mind the way in which the IPP exclusively focuses development in the town (with the exception of town centre schemes and regeneration areas) does not reflect the spatial vision in either RSS or the emerging LDF. This means I can afford it only limited weight.”*

The Inspector also attached considerable weight to the fact that the site had been identified in the SHLAA as deliverable (i.e. ‘available’, ‘suitable’ and ‘achievable’). He considered that:

*“The SHLAA had been prepared under a robust methodology and should be afforded significant weight. Based on the evidence before me, it appears to have been compiled in accordance with nationally recognised good practice and has been accepted by the Council presumably after proper consideration and with due regard to the direction of its policy. Consequently I have no basis to put aside its overall finding that this is a suitable site for housing.”*

The application site at Tudor Way is identified in the SHLAA as achievable, developable and, subject to an appropriate policy change, in respect of its designation as open countryside, it is considered to be suitable in all other respects. Its availability is described as marginal/uncertain. The submission of this application would suggest that it should now also be described as available. This remains the case in the draft SHLAA.

Considering the issues discussed above, it is concluded that:

- Whilst weight can be afforded to the IPP in directing development towards Crewe, it has limited weight in preventing development elsewhere.
- Significant weight should be attached to the SHLAA where it has identified sites as being deliverable for housing.

## **Design**

This application is in outline form; therefore the drawings showing the design and layout of the proposed scheme are indicative only. The surrounding development comprises a mixture of house types, predominantly two-storey. The indicative layout is considered to be acceptable in the context of the surrounding area, and the proposal for bungalows is also considered to be acceptable.

## **Affordable Housing**

This application is for 16 Bungalows including 5 affordable bungalows. This is the number required to make up the 30% affordable housing required under the Affordable Housing Interim Planning statement and PPS3. This is due to the size of the site and number of units being developed. The affordable bungalows being offered are all 1 bed units with a tenure split of 4 for social rent and 1 for intermediate tenure, this represents a tenure split of the

affordable homes of 80% social rent and 20% intermediate tenure.

The SHMA 2010 shows that for Congleton there is an annual net requirement of 33 new units per year between 2009/10 – 2013/14. This is made up of an annual need for 7 x 1beds, 3 x 2beds, 13 x 4 or 5 beds and 15 x 1 or 2 bed older persons accommodation.

In addition to this information taken from the SHMA 2010, Cheshire Homechoice is used as the choice based lettings method of allocating social rented accommodation across Cheshire East. There are currently 47 applicants in the Congleton area who have indicated that they require a 1 bed bungalow.

The Affordable Housing IPS states that on all sites over 15 units the affordable housing requirement will be 30% of the total units with a tenure split of 65% social rent, 35% intermediate tenure. The developer is offering the correct number of units however is offering a tenure split of 80% social rent and 20% intermediate tenure, this is acceptable due to the number of applicants on Cheshire Homechoice who have indicated they need a 1 bed bungalow.

The Affordable Housing IPS also 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. Having regard to this site, the affordable housing is not proposed to be pepper potted within the site (although this is indicative only). However, given the relationship that would be created between the development site and Tudor Way, it is considered that it would be sufficiently integrated into the overall development pattern of the locality and would contribute to a mixed community.

The Affordable Housing Interim Planning Statement states that:

*“The Council will require any provision of affordable housing and/or any control of occupancy in accordance with this statement to be secured by means of planning obligations pursuant to S106 of the Town and County Planning Act 1990 (as amended)”.*

It also goes on to state that:

*“In all cases where a Registered Social Landlord is to be involved in the provision of any element of affordable housing, then the Council will require that the Agreement contains an obligation that such housing is transferred to and managed by an RSL as set out in the Housing Act 1996.”*

It is therefore the preferred option that the developer undertakes to provide the social rented affordable units through a Registered Provider who are registered with the Tenant Services Authority to provide social housing. The affordable housing provision should be secured through a s106 Agreement.

### **Amenity**

The application site has residential properties on two of its boundaries. Tudor Way on the northern boundary, and Howey Hill on the western boundary. Although only indicative, the submitted layout plan demonstrates that the development would meet all the relevant

separation distances required by SPD2. In addition the proposed dwellings would be provided with adequate private amenity space for the use of future occupiers.

Representations made in respect of this application have expressed concerns about disturbance during construction, should the application be approved. Whilst these concerns are understandable, it is considered that the level of disturbance can be controlled in a satisfactory manner by the imposition of conditions limiting the hours of working at the site.

Two of the representations expressed concern that they would no longer be able to enjoy the privacy of their rear gardens. These concerns have been given careful consideration. However, given the separation distances and the fact that the dwellings proposed would be bungalows, it is not considered that this could be sustained as a reason for refusal of the application.

### **Highways**

Access to the site would be taken from the end of Tudor Way. The Strategic Highways Manager has assessed the application and considers the location to be sustainable. The SHM states that the junction geometry and carriageway widths would mean that there was sufficient capacity to accommodate the additional dwellings.

The majority of the objections to the proposal have expressed concerns about highway safety and on street parking in the vicinity of the site. Whilst it is acknowledged that there is a significant level of on-street parking, which does cause some local delay, it is not considered that a development of 16 dwellings would contribute to a significant increase in parking or congestion. As such it is not considered that this would constitute a sustainable reason for refusal of the application.

Concerns relating to access for emergency vehicles and Council refuse vehicles has been taken into consideration, and the Authority's Waste and Recycling Department was consulted in order to ascertain whether refuse vehicles can adequately access Tudor Way, via Howey Lane. It was confirmed that there was no material impediment to access, caused by on-street parking.

### **Ecology - Protected Species & Nature Conservation**

The application is supported by an ecological assessment. The surveys undertaken to inform the ecological assessment were completed late in the survey season, a point acknowledged in the report. However, considering the relatively uncomplicated nature of the habitats on site, the Council is satisfied that the results of the surveys form an acceptable basis on which to assess the likely ecological impacts of the proposed development.

#### **Bats**

All species of bats are a Local Biodiversity action plan priority species and hence a material consideration. The proposed development may result in the loss of some suitable foraging/commuting habitat; however the impacts of the development are likely to be localised. Two mature trees have been identified as having roosting potential for bats and it has been confirmed that these will be retained within the development, which is welcomed.

#### **Breeding Birds**

The proposed development is likely to provide habitat for breeding birds, potentially including the more widespread Biodiversity Action Plan priority species. If planning consent is granted,

conditions are recommended to safeguard breeding birds and ensure additional provision for roosting bats and breeding birds.

#### Hedgerows

There are a number of hedgerows around this site. Hedgerows are a Biodiversity Action plan priority habitat and hence a material consideration, consequently it is considered that the boundary hedgerows should be retained and enhanced as part of the landscaping of the site.

#### **Landscape and Trees**

The site is situated in Open Countryside and outside the settlement zone line identified in the adopted Congleton Local plan. The main part is grazing land with a small parcel of immature/early mature plantation woodland. It is bounded to the north and northwest on by residential development and to the south west and south east by agricultural land. The site slopes down north to south. There are a number of trees on the boundaries together with an established hedgerow on the south eastern boundary and shorter lengths of hedgerow to the north west. There is a bridleway adjoining the north east corner of the site.

There are no Tree Preservation Orders on trees in the vicinity. The submission includes a tree survey which generally appears reasonable although it is considered that Alder trees T9 & 10 which have been afforded a Grade B could have been afforded a lower grade. They both have damage on the lower trunks from barbed wire.

As the application is outline, with only access included it is not possible to make a comprehensive assessment of the overall impact on trees. Nonetheless, it is clear that the two Alder trees cited above would have to be removed in order to accommodate the access from Tudor Way. It is not considered that either of these trees is particularly significant and replacement planting could be secured in mitigation. From the indicative layout provided, it may be possible to retain other boundary trees although the small plantation would be lost. The plantation does not have significant public amenity value.

It is recommended that conditions be imposed relating to boundary treatment, tree protection and landscaping.

#### **Open Space Provision**

The Greenspaces department have assessed the application and noted that there is no on-site provision of public open space. It has been acknowledged that there is a deficiency in the quantity of Amenity Greenspace and Children and Young Persons Provision in the area. The existing open space most accessible to the proposed development is Townsend Road, which is identified as being within 650m of the site.

The Council's Guidance note on its Draft Interim Policy Note on Public Open Space Requirements for New Residential Development requires that financial contributions should be sought from the developer to upgrade and maintain these facilities. These have been calculated as £4,450.01 for enhanced provision and £12,677.00 for maintenance, a total of £17,127.01. This funding should be secured through s106 Agreement.

#### **Flooding**

Concerns have been raised relating to the potential for flooding, in particular in relation to surface water run-off. The site is not within an area at risk of flooding and it is considered that

subject to conditions that ensure that the development does not cause additional surface water run-off in the area, the development would not contribute to any significant flood risk.

### **Other Matters**

One of the concerns expressed by objectors relates to the impact on the Conservation Area. It should be noted that the site is some distance from it. The development, if approved, would not be visible from the Conservation Area.

Other issues raised by objectors were the level of publicity given to the application and the timing of the submission (during the Christmas period).

Having regard to the level of publicity given to the application, 11 properties were sent letters, a site notice was posted at the turning head of Tudor Way and an advert appeared in the Congleton Chronicle on 5<sup>th</sup> January 2012. It is therefore considered that the application was given an acceptable level of publicity. Given that the consultation period began on 20<sup>th</sup> December 2011 and representations will be taken into consideration up until the date that the proposal is considered by the Strategic Planning Board (29<sup>th</sup> February 2012), it is considered that local residents have been given sufficient time to raise any issues relating to the application.

The timing of the submission is something over which the Council has no control. When a valid planning application is received, the Council is obliged to register it and begin the consultation process.

### **CONCLUSIONS AND REASONS FOR THE DECISION**

It is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3, it should consider favourably suitable planning applications for housing. Recent appeal decisions have concluded that little weight should be afforded to the IPP, which directs development towards Crewe and there is scope for new development in other towns in the Borough.

Significant weight should be attached to the SHLAA, which has identified the site a Greenfield site on edge of settlement, considered to be sustainably located and as achievable and developable.

The proposal is considered to be acceptable in terms of its impact upon residential amenity, highway safety, ecology, provision of affordable housing, landscape and flooding and accordingly is recommended for approval.

**RECOMMENDATION:** Approve subject to the completion of a Section 106 Agreement securing 30% affordable housing and a financial contribution of £17,127.01 for enhanced provision and maintenance of public open space.

1. Standard outline.
2. Submission of reserved matters.
3. Compliance with the approved plans.
4. Contaminated land investigation.
5. Submission and implementation of a tree protection scheme.

6. Submission and implementation of drainage scheme.
7. Submission of landscaping scheme.
8. Implementation of landscaping scheme
9. Submission and implementation of boundary treatment scheme.
10. Submission of a detailed suite of plans demonstrating the road layout and access.
11. Hours of construction (including deliveries) limited to 0800 to 1800 Monday to Friday, 0800 to 1400 Saturday with no working on Sundays or Bank Holidays.
12. Submission of details of the method, timing and duration of any pile driving operations.
13. Protection measures for breeding birds.
14. Submission and implementation of details for the incorporation of features suitable for use by breeding birds and roosting bats.



