

Application No: 12/2327N

Location: THE OLD SMITHY, SALESBROOK LANE, ASTON, CW5 8DR

Proposal: Outline Application for Taking Down of Existing Workplace Buildings and for New Small Dwelling House and Contiguous Workshop / Business Premises

Applicant: Mr Glynn Davies

Expiry Date: 14-Aug-2012

Planning Reference No:	12/2327N
Application Address:	The Old Smithy, Salesbrook Lane, Aston, CW5 8DR
Proposal:	Outline Application for taking down of existing workplace buildings and for new small dwelling house and contiguous workshop / business premises
Applicant:	Mr Glynn Davies, 4 Broad Lane, Stapeley, Cheshire, CW5 7QL
Application Type:	Outline
Ward:	Audlem (2011)
Constraints:	Open Countryside

SUMMARY RECOMMENDATION:

REFUSE

Main issues:

- Principle of development
- The impact of the design
- The impact upon amenity
- The impact upon highway safety and parking
- The impact upon protected species

REASON FOR REFERRAL

Councillor Rachel Bailey has called in this application to Southern Planning Committee for the following reasons;

'In view of proposed alteration of existing employment use to part residential, part employment I would like committee to consider this application and consider whether policy E.7 Existing Employment Sites and RES 5 Housing in open countryside of the CNBC Local Plan, apply.'

DESCRIPTION OF SITE AND CONTEXT

The application unit is a small isolated industrial building located on the northern edge of Salesbrook Lane, Aston within the Open Countryside. This building has a part painted metal sheet / part exposed and painted timber finish, white painted timber fenestration and a metal sheet dual-pitched roof.

DETAILS OF PROPOSAL

Outline Planning Permission is sought for the demolition of an existing workshop and the erection of a new dwelling and associated workshop/business with all matters reserved.

RELEVANT HISTORY

P94/0013 - Replace part of existing buildings and first floor extension – Approved 11th February 1994

POLICIES

National policy

National Planning Policy Framework (NPPF)

Local Plan Policy

NE.2 – Open Countryside
NE.9 – Protected Species
BE.1 - Amenity
BE.2 - Design Standards
BE.3 - Access and Parking
RES.2 – Unallocated Housing Sites
RES.5 – Housing in the Open Countryside
E.7 – Existing employment sites

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No objections in principle

Environmental Health – No objections, subject to conditions relating to hours of construction, the prior submission of lighting details and a contaminated land assessment. Concerns would be raised if the proposed dwelling was not tied to the workshop from a noise and odour perspective

VIEWS OF THE PARISH COUNCIL

Newhall Parish Council - No comments received at time of report

OTHER REPRESENTATIONS

No comments received at time of report

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

OFFICER APPRAISAL

Principle of Development

NPPF

Paragraph 55 of the NPPF specifically refers to new dwellings in the countryside. It advises that ***'Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:***

- *'The essential need for a rural worker to live permanently at or near their place of work in the countryside; or*
- *Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or*
- *Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or*
- *The exceptional quality or innovative nature of the design of the dwelling.'*

In response to this policy, the development would involve the erection of a detached dwelling and an attached small workshop/business. No details have been provided about the proposed use of the workplace other than its description within the Design and Access Statement as an *'industrial unit'*. Without this information, it is difficult to determine if the business would employ a 'rural worker' and subsequently whether there would be an 'essential need' for that worker to live at or near their place of work in the countryside. Notwithstanding this lack of information, historically, prior to the NPPF, PPS7 would have been used to make an assessment on such a proposal. Within this document, such an exception refers almost exclusively to agricultural farm workers dwellings and as such, is not deemed to be relevant in this instance.

The proposal would not refer to a heritage asset, would not be of exceptional quality or innovative design and would not relate to the re-use of redundant or discussed buildings, as these would be demolished. As such, due to the proposed nature of an *'industrial unit'*, it is not considered that the associated dwelling would be essential for a rural worker. Furthermore, it is not considered that the proposal falls within any of the other specific categories and as such, would be contrary to the NPPF's rural housing policies.

The NPPF supports a presumption in favour of sustainable development. The application unit is situated within the Open Countryside in an isolated location. Given this location, there are limited amenities within close proximity. Due to this lack of local amenities, approval of a dwelling in this location would encourage unsustainable vehicle movements to and from the site. As such, it is considered that the proposed new dwelling would not be in a sustainable location and contrary to the NPPF's sustainability principles.

As a result of the above reasons, it is considered that the proposal would be contrary to the NPPF and unacceptable in principle.

Local Plan

The site is designated as being within the Open Countryside and as such is subject to Policy NE.2 of the Local Plan. Policy NE.2 advises that within the Open Countryside, only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or other uses appropriate to a rural area will be permitted. As the proposal for a new dwelling and associated business fails to fall into any of these categories, it is considered to represent an inappropriate form of development in the Open Countryside and therefore would be unacceptable in principle.

Policy RES.5 specifically refers to housing in the Open Countryside. It advises that in such locations, new dwellings will be restricted to those that either; meet the criteria for infilling contained in Policy NE.2 or, are required for a person engaged full time in agriculture or forestry. Again, the proposed development does not fall into either of these categories, so fails to adhere with Policy RES.5 of the Local Plan.

Policy E.7 of the Local Plan refers to existing employment sites. It advises that development which could cause the loss of an existing employment site will only be permitted in certain circumstances. Given that the proposal would not result in the loss of an employment site, this policy does not apply in this instance.

Design, Amenity & Highways

All matters of the dwelling are reserved for later approval however; a site layout plan and an artist impression have been submitted for illustrative purposes only. The indicative layout shows that the proposed unit would be positioned largely on the footprint of the existing industrial unit and would have an 'L-shaped' design. The dwelling & workshop would be positioned to the west of the plot and would be approximately 70 metres away from the closest dwelling to the northwest (The Moorhall Cottage), approximately 158 metres to the southwest of Moorfields and approximately 191 metres to the west of Salesbrook Manor. The plot itself is enclosed by open paddock and bound to the south by Salesbrook Lane. If a new dwelling & workshop were permitted on this plot, it is considered that the layout would be acceptable. Due to the distance of the plot from neighbouring dwellings, there would be no neighbouring amenity issues created should the application gain approval.

Environmental Health have advised that they would have no objections to the proposal subject to conditions restricting the hours of construction, lighting and a contaminated land assessment. The occupants of the proposed dwelling would be subject to odour and noise from the associated workshop/business and that would be of concern. However, if the occupants of the proposed dwelling are employed in the workshop, Environmental Health would have no objection. Should the application gain approval, a condition linking the occupiers of the dwelling to the attached workshop would be sought.

Highways have raised no objections to the development as the access to the site is already established and there is sufficient hard standing at the site already to accommodate at least 2 vehicles.

Ecology

The Council's Nature Conservation Officer has been consulted and advised that he objects to the proposal on the grounds that a protected species survey does not accompany the application. The applicant intends to submit this survey by the end of July. Until that date, the application would be contrary to Policy NE.9 of the Local Plan.

CONCLUSIONS

The proposal represents an inappropriate form of development in the countryside and it is not considered that there are significant reasons to allow an exception to normal policy. Furthermore, at this time there are also outstanding ecological matters. A recommendation of refusal is therefore made.

RECOMMENDATION: REFUSE for the following reasons

1. The proposal would create an isolated new home in the countryside which is considered to be an inappropriate form of development. It is also considered that the application site would represent an unsustainable location for a new dwelling. As such, the proposal is considered to be contrary to Policies NE.2 and RES.5 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 and the NPPF.
2. The application fails to provide sufficient information to quantify and mitigate any impact upon protected species which are protected under the Wildlife and Countryside Act 1981. The proposed development is therefore contrary to Policy NE.9 (Protected Species) of the Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.

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