

Application No: 12/2381N

Location: GILLY'S FARM, WRENBURY, NANTWICH, CHESHIRE, CW5 8HN

Proposal: Reconstruction of 17th Century Timber Framed Building to Form a Dwelling on the Site of a Former Dwelling House

Applicant: Mr Phillip Horsley

Expiry Date: 09-Aug-2012

MAIN ISSUES

The main issues are:-

- **Principle of the development**
- **Design and layout,**
- **Impact on highway safety,**
- **Living conditions,**
- **Ecology,**
- **Trees and landscape**
- **Contaminated land.**

SUMMARY RECOMMENDATION

Approve subject to conditions.

REFERRAL

This application is referred to the Strategic Planning Board because the development is a departure from the Replacement Local Plan.

1. SITE DESCRIPTION

The application relates to approximately 0.186ha of land forming a paddock associated with Gilly's Farm at Wrenbury Heath.

The application site is situated within a loose knit cluster of dwellings and other rural buildings sprinkled either side of Nantwich Road at this part of Wrenbury Heath. On the site's southern boundary is Swallow Cottage and beyond that a travellers site comprising caravans, mobile homes and utility buildings. Gillys Farm itself is located south of the application site. The eastern boundary of the site fronts on to Nantwich Road, beyond which lies predominantly open fields with a property known as Plum Tree Farm, offset to the south east. To the north, and west lies predominantly open countryside, although there are a number of isolated properties around the junction of Nantwich Road and Baddiley Hall Lane.

The site is an open grassed paddock area, which according to the applicant's submission once contained a dwelling, which was demolished many years ago and although the applicant states that some evidence of foundations remain, these are not visible above ground level. The land rises up slightly from the road frontage and the boundaries of the site are formed by a combination of post and rail fencing to the driveway to the south and native hedges with hedgerow trees to the other sides.

2. DETAILS OF PROPOSAL

Planning permission is sought for the erection of a new dwelling on the site, part of which would be formed from the surviving timber frame of a 17th Century cottage, which the applicant states was known as the Hawk Inn and formerly stood in the garden of an inter-war council house located in a narrow lane on the south side of Marsh Lane, Edleston.

In 1985, Cheshire County Council obtained consent to dismantle and re-erect the Hawk Inn at Tatton Park near Knutsford. The Inn was dismantled but never relocated and has since been held in storage. The application site is around one mile from its original location at Edleston.

What remains of the salvaged timber frame would be erected on site, on top of an underground extension, which would include external works to form a sunken terrace and earth bund.

Within the former listed building the application includes works:

- to construct a replacement internal staircase
- convert the upper floor/attic to residential use,
- works to introduce a timber shingle roof covering
- new materials to the timber frame panels and works to add a new window,
- raise the internal height of the rooms
- insert a new a replacement internal door and internal partitions.

2. RELEVANT PLANNING HISTORY

The Council's historic application records show an application for a new dwelling on the application site in place of a previous dwelling, which was refused on 17th February 1989 (application number 7/16538).

3. PLANNING POLICIES

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP). The relevant development plan policies are:

Regional Spatial Strategy

- DP1 (Spatial Principles)
- DP2 (Promote Sustainable Communities)
- DP4 (Make the Best use of Existing Resources and Infrastructure)
- DP5 (Manage Travel Demand)
- DP7 (Promote Environmental Quality)
- DP8 (Mainstreaming Rural Issues)
- DP9 (Reduce Emissions and Adapt to Climate Change)

RDF2 (Rural Areas)
L5 (Affordable Housing)
MCR4 (South Cheshire)

Cheshire Replacement Waste Local Plan

Policy 11A (Development and Waste Recycling)

Borough of Crewe and Nantwich Replacement Local Plan 2011

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.6 (Development on Potentially Contaminated Land)
TRAN.9 (Car Parking Standards)
NE.2 (Open Countryside)
NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)
RES.5 (Housing in the Open Countryside)
BE.9: Listed Buildings : Alterations And Extensions
BE.10: Changes Of Use For Listed Buildings
BE.11: Demolition Of Listed Buildings

Other Material Considerations

National Planning Policy Framework

4. OBSERVATIONS OF CONSULTÉES

Highway Authority:

- This development proposal will use the existing access and provides satisfactory parking provision.
- The Strategic Highways Manager has no objection to the development proposals,

Environmental Health:

- This section has no objection to the above application subject to the following comments with regard to contaminated land:
 - The application is for a new residential property which is a sensitive end use and could be affected by any contamination present.
 - The applicant has completed a pre-determination questionnaire, which shows there to be a low potential for contamination on the site.
 - As such, and in accordance with the NPPF, this section recommends that the following conditions, reasons and notes be attached should planning permission be granted:

- Should any adverse ground conditions be encountered during excavation works, all work in that area should cease and this section be contacted for advice.

5. VIEWS OF THE PARISH COUNCIL

- No comment received at the time of report preparation

6. OTHER REPRESENTATIONS

No other representations have been received at the time of report preparation.

7. APPLICANT'S SUPPORTING INFORMATION:

8. OFFICER APPRAISAL

Main Issues

The main issues are the principle of development, design and layout, impact on highway safety, living conditions, ecology, trees and landscape and contaminated land.

Principle of Development.

Although the proposal the re-erection of a former listed building, given that the building has been completely dismantled and is to be re-erected on a different site for residential use, it is considered to be tantamount to the erection of a new dwelling. The site is located within the open countryside where Policies RES.5 and NE.2 of the local plan state that new dwellings will be restricted to those that involve the infilling of a small gap with one or two dwellings in an otherwise built up frontage or are required for a person engaged full time in agriculture or forestry.

The applicant's agent has argued that the proposal meets the provisions of the infilling policy. He acknowledges however, that:

"the application site is situated within a loose knit cluster of dwellings and other rural buildings sprinkled either side of Nantwich Road at this part of Wrenbury Heath. On the site's southern boundary is Swallow Cottage and beyond that a travellers site comprising caravans, mobile homes and utility buildings. Gillys Farm is located south of the application site."

Neither the existing dwellings at Swallow Cottage and Gillys Farm, nor the development beyond the road junction to the north, share the same building line. The development is very sporadic with wide irregular gaps between properties. The application site itself is approx 37m wide. A considerable distance of over 60m and other intervening features, (including a road junction), exist between the site of the proposed dwelling and the next dwelling to the north. Therefore, the site does not form part of a built up frontage and fails to meet the requirements of Policy NE.2 in this respect.

The application site is approximately 37m in width between the boundaries, and a gap of 135m exists between the built form of Swallow Cottage and the nearest dwelling to the north. This is not considered to be "a small gap". Although the Local Plan does not define what constitutes a "small gap", the question has been considered on many occasions by Inspectors at Appeal.

One such decision relates to a property known as Esteete. It is one of six properties fronting London Road. Like the application site and its neighbours, the properties are set in relatively large plots. A single dwelling was proposed within a gap of 46m in width between Esteete and the adjoining dwelling, known as Hollies. At paragraph 5 the Inspector says

“significant separation distances between the properties which, in my opinion, gives rise to a sporadic pattern of development rather than a cohesive group of dwellings.”

There were two garage buildings within the 43m gap but the Inspector concluded that:

“whilst the presence of the garages reduces the size of the gap between the dwellings I do not consider that they consolidate it to such an extent that the development would appear as an integral part of the existing sporadic group of dwellings. I therefore conclude that the proposed development would not constitute infill development and would thus materially harm the character and appearance of the open countryside, contrary to Policies NE.2 and RES.5 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.”

In the case of the current application the gap between the properties is 135m, 92m wider than at Esteete, and does not contain other intervening outbuildings, other than the existing pre-fabricated dwelling, which is to be removed. For these reasons it is considered that the site is not a small gap and the proposal fails to comply with the exceptions criteria under Policy NE.2. It is therefore unacceptable in principle.

The applicant's agent has also made reference to the site of a now demolished dwelling, shown on the 1963 OS map. The site is grassed over but the footings remain in situ. The claim that there have been previous structures on the land is not disputed. However, the submitted evidence would imply that the buildings have not been demolished in recent years. An examination of aerial photographs supports the view that there has been no dwelling on the site for at least 10 years. This is a sufficient period of time for this no longer to be considered an established or existing use of the land. As a result the development does not constitute the replacement of an existing dwelling by a new dwelling as permitted by Policy RES.10 of the Local Plan.

It is therefore concluded that none of the exceptions to the general presumption against new residential development in the open countryside would apply to the proposal in question. Consequently, there is a presumption against the development, 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”*.

The applicant would argue that the proposal will enable the re-erection of timbers from a former listed building and that the re-use and preservation of this heritage asset is a material consideration to outweigh the local plan presumption against the proposal. The application, therefore, turns on the significance of the building to be erected.

Statements accompanying the application advise that the building which is to be re-constructed on the application site was a Grade II* listed C17 timber framed building, previously located in the garden of Briarcroft, Marsh Lane, Edleston an inter-war council house. In 1985, the former Crewe and Nantwich Borough Council in conjunction with Cheshire County Council obtained planning consent from the Historic Buildings and Monuments Commission to dismantle and re-erect the building on land near Old

Hall, Tatton Park, Knutsford. It was dismantled but never relocated and has since been held in storage. Its deconstruction was the subject of photographic record, with individual timber members being numbered and recorded in detailed technical drawings.

The applicant's supporting documentation includes photographs of the building prior to and during dismantling. There is also a copy of an archived detailed specification in the statement for the removal of the building and its planned re-erection and restoration in Tatton Park in Knutsford (Cheshire County Council, dated October 1985) with a plan, elevation, and cross section.

A copy of a report by Cheshire County Council entitled "*Specification for dismantling the 17th Century timber framed cottages in the garden of Briarcroft, Edleston, Nantwich and for re-erecting the structure on a selected site near the Old Hall in Tatton Park, Knutsford*" has also been provided.

The report says:

As a Grade 2 Listed Building the removal of these dwellings is subject to the approval of the Historic Buildings and Monuments Commission whose agents are the Planning Departments of Crewe and Nantwich and Macclesfield Borough Councils for the dismantling and re-erection sections of the project respectively.

Unfortunately, lack of funding jeopardised the planned relocation, with Cheshire County Council Historic Building Officer Lawrie McKenna commenting in the Nantwich Chronicle no 5847 Thursday October 16, 1986 (a copy of which has been submitted with the application)

"We were interested in the cottage especially because of its small size - there are not many of that period left."

The Council's Conservation Officer has examined the application and commented that the current register of listed buildings has a record of a Grade II listed cottage adjoining Briarcroft, which is timber framed and formerly thatched (added to the register on 16th July 1982). The Council's own historic listed building records do not appear to have details of a Grade II* listed building in this location. The building appears nevertheless to be a Heritage Asset, given details in the information submitted by the agent.

Statements accompanying the application indicate that the building may have formed part of the Hawk Inn. The Council's historic listed building records have a record of a Grade II listed building known as Hawk House (formerly an inn), in the parish of Wrenbury not Edleston and in brown brick rather than being half timber. The current register of listed buildings also has a record of a Grade II listed Hawk House (included in the register on 12th January 1967), in the parish of Wrenbury not Edleston but in whitewashed brick rather than half timber.

Whilst there may be some lack of clarity as to the original identity of the building, there is no doubt that a Grade II listed timber framed building was removed from the garden of Briarcroft by Cheshire County Council and was intended for re-erection at Tatton Park and that this building, or what remains of it, do represent a heritage asset.

The principle of dismantling listed timber framed buildings, which are at risk, and their re-erection on alternative sites within the open countryside has been deemed to be acceptable through the granting of planning and listed building consents on a number of previous occasions, including the original consent which was given in 1985 for the dismantling of the building in question and its relocation to Tatton Park.

Members may also recall a similar case earlier this year, where Strategic Planning Board granted consent for the dismantling and re-erection of a listed timber framed barn at Old Hall Farm in Austerson.

Exceptionally, in these cases, the benefits in terms of securing a long term future for a listed building at risk were considered to be a sufficient material consideration to outweigh the general presumption against new development in the open countryside as set out in the development plan.

What is unclear in this case, however, is the amount of the original historic fabric that remains. Also, no detail has been provided as to the condition of the remaining elements of the original building. Reference is made to timbers being secured, dry storage, but no independent assessment of their extent or condition has been carried out. Therefore, it is unclear how much of the original fabric could, or is intended to, be re-used in the re-building project. There are a number of references in the design and access statement to alterations which would need to be made to the frame in order to provide the proposed internal accommodation. Part of the timber framing to the east elevation appears to have been omitted and it is unclear as to whether this is missing or beyond re-use. The proposed internal works include raising the height of the internal rooms, replacement of the internal staircase, insertion of new internal doors and erection of internal partitions. These will all alter the architectural and historic interest of the heritage asset and will reduce the extent of the original fabric and the degree to which it faithfully restores and reinstates the original historic structure.

In contrast, in the Austerson example referred to above, the building remained standing, largely intact and structural surveys and reports were provided relating to its condition. Furthermore, details method statements for the removal, restoration and re-erection of the timbers and other salvaged elements of the building, such as plinth stones were provided. Details of the extent and nature of supplementary new material was also included within the application. Therefore, the Strategic Planning Board could be confident that this was primarily the re-erection and restoration of an historic building, with elements of new material added where necessary, rather than an essentially a new structure, utilising a small amount of material from a demolished building. This information is critical in determining how much weight should be given to the restoration, re-use and preservation of a heritage asset as a material consideration, relative to the local plan presumption against the proposal.

In the absence of this information, it is considered that the re-erection of the formerly listed structure is an insufficient material consideration to outweigh the presumption against the erection of an isolated new dwelling in the open countryside, under policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the National Planning Policy Framework.

Housing Land Supply

Whilst PPS3 'Housing' has been abolished under the new planning reforms, the National Planning Policy Framework (NPPF) reiterates at paragraph 47 the requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

"identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land".

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) which was adopted in March 2012. The SHLAA has put forward a figure of 3.94 years housing land supply.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

Members should note that on 23rd March 2011 the Minister for Decentralisation Greg Clark published a statement entitled ‘Planning for Growth’. On 15th June 2011 this was supplemented by a statement highlighting a ‘presumption in favour of sustainable development’ which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

“The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy”.

The Written Ministerial Statement: Planning for Growth (23 March 2011) goes on to say *“when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.”* They should, inter alia, 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 the recent recession; take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing; consider the range of likely economic, environmental and social benefits of proposals; and ensure that they do not impose unnecessary burdens on development.

It is acknowledged that the proposal would assist the Council to meet its housing land requirements and would ease pressure of Greenfield sites elsewhere within the Borough. The proposal will help to maintain a flexible and responsive supply of land for housing, which is specifically identified above as a “key sector” and create jobs and economic growth in the construction industry and all the associated supply networks, including specialist crafts people and conservation and restoration experts.

However, the NPPF also states that *“to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities..... 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.*
- *Such a design should:*
 - *be truly outstanding or innovative, helping to raise standards of design more generally in rural areas;*
 - *reflect the highest standards in architecture;*
 - *significantly enhance its immediate setting; and*
 - *be sensitive to the defining characteristics of the local area.”*

The application site is located in an isolated location where it would not enhance the vitality of a rural community. For the reasons set out above, the applicant has failed to demonstrate that the development would represent the optimal viable use of a heritage asset. The proposal would not fall into any of the other categories outlined above and it is therefore considered that specific policies in the Framework indicate development should be restricted. Furthermore, it does not represent sustainable development and the adverse impacts in terms of development in the open countryside would outweigh the benefits of an additional housing unit and economic growth.

Design and Layout

The location of the proposed site is considerably closer to the buildings original site than would have been the case had it been moved to the Tatton Park site. Notwithstanding the fact that the proposal does not constitute infill development in the context of local plan policy, if the principle of a departure were accepted, it is considered that the relationship of the site with the surrounding sporadic group of buildings is acceptable. It is noted that there is a similar timber framed listed building elsewhere.

The applicants consider that the original building is of insufficient size to accommodate a modern residence and therefore the new dwelling will need to be considerably larger than the re-erected timber frame. A number of options of how this could be achieved were considered. They included:

- enveloping the timber frame in a very modern 'glass box' or similar contemporary enclosure to totally protect and preserve the timbers from the elements;
- to re-erect the timber frame on a new stone plinth at ground level, and design a rear extension as a modern timber frame construction, or a contrasting contemporary design to provide the desired accommodation;
- or to give Hawk Inn the appearance of standing alone, by constructing a significant amount of accommodation below ground level.

The latter is the option which the applicant has chosen to pursue and would be achieved partially through excavation, and partially through the creation of an earth bank or bund around the building. The effect would be that the building would sit inside an earth “bowl” and when viewed from outside the

site, the basement storey, and associated sunken terrace around it would not be visible and only the original building would be seen above ground level.

However, the site itself, and the surrounding landscape are relatively flat and it is considered that the earth bund would form an un-natural and “engineered” earthwork which would appear out of keeping with the character of the surrounding area. Furthermore, it would give the appearance of the building standing on a man-made, flat-topped mound, which would also appear out of place, and would do little to enhance or create a suitable setting for the heritage asset.

When viewed from closer to the building, on top of the earth bund, or from within the excavated below ground terrace the whole structure would appear even more awkward, unwieldy and out of character with the surrounding area. The proposed use of either railings or Cheshire railings will be visually dominant and the proposed raised rooflight would also be visually dominant.

To turn to the detail of the elevations, notwithstanding the concerns about the overall design approach set out above, the use of stone for the base of the building is visually and structurally acceptable. The proposed use of small gable end leaded light windows is sympathetic and the design of the proposed vertical windows in the west elevation will be visually non intrusive, which is appropriate. However, the proposed use of four paned sliding sash/casement windows in the east elevation will compete with the style of the timber framed building.

To turn to the proposed alterations to the structure, appearance and materials of the former listed building, the proposed external works will preserve much of the character of this heritage asset, albeit that a new window is to be inserted in the west elevation. The style and positioning of the new window, however, is in keeping and is appropriate, provided it is conditioned to be set in from the elevation to match the original windows.

It is noted that the original building prior to dismantling appeared to have a distinctive overhanging eaves detail, which does not appear to be present on the drawings of the re-erected building. This is considered to be a significant omission and may indicate further elements of the historic frame which do not survive or are not suitable for re-use.

According to the plans, the panels to the timber frame are to be new materials and its roof is to be in timber shingle. The use of new materials for the non original frame panels use of timber shingle for the roof rather than thatch was already anticipated in the specification by Cheshire County Council. However, it is considered that this could be improved upon and if Members were minded to approve the application, the use of traditional wattle and daub and thatch to the roof would be more appropriate and would complement and enhance what remains of the heritage asset. This would help to ensure that, as rebuilt, its appearance would be as close as possible to that of the original structure and could be secured by condition.

However, this is considered to be insufficient to overcome the fundamental concerns about the design approach which has been chosen and the adverse impact that the proposal would have on the setting or what remains of the heritage asset and the character and appearance of the surrounding open countryside. The proposal is therefore contrary to local plan policies and advice within the NPPF relating to alterations to listed building and design generally.

Highways

The site is part of the existing paddock / field to Gilly's Farm, which has the benefit of a field gate onto the Nantwich Road, and the existing access driveway to the former farmhouse, barns outbuildings and garaging. The intention is to maintain a small paddock and the field gate access and, a new access to the new residence will be formed off the existing driveway from the South.

It is not considered that the proposal for a single additional dwelling would raise any significant concerns in respect of traffic generation. Adequate parking and turning space for the occupant's vehicles would be provided within the site and therefore the proposal would not result in any additional on-road parking which would be to the inconvenience of other residents or the detriment of highway safety.

In the absence of any objection from the Strategic Highways Manager it is not considered that a refusal on highway safety / traffic generation grounds could be sustained.

Living conditions

With the exception of Gillys Farm and Swallow Cottage to the south, the property known as Plum Tree Farm on the opposite side of the road to the east, and Corner Cottages to the north, the site is entirely surrounded by open countryside.

Gillys Farm and Swallow Cottage are within the ownership of the applicant and distances in excess of over 30m will be maintained to the other properties, which are considerably in excess of the 21m which is usually considered to be sufficient to maintain an adequate level of privacy and amenity between dwellings. Furthermore, the existing field hedges and trees provide a good level of screening between the site and the neighbouring dwellings. The boundary to domestic curtilage for the proposed dwelling could be enhanced to provide additional screening through native hedge planting which could be secured by condition.

Ecology

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places. Art. 16 of the Directive provides that if there is no satisfactory alternative and the derogation is not detrimental to the maintenance of the populations of the species at a favourable conservation status in their natural range, then Member States may derogate "in the interests of public health and public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the environment" among other reasons.

The Directive is then implemented in England and Wales The Conservation of Habitats and Species Regulations 2010. ("the Regulations"). The Regulations set up a licensing regime dealing with the requirements for derogation under Art. 16 and this function is carried out by Natural England.

The Regulations provide that the Local Planning Authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of their functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must have regard to the

requirements for derogation referred to in Article 16 and the fact that Natural England will have a role in ensuring that the requirements for derogation set out in the Directive are met.

If it appears to the planning authority that circumstances exist which make it very likely that the requirements for derogation will not be met then the planning authority will need to consider whether, taking the development plan and all other material considerations into account, planning permission should be refused. Conversely if it seems from the information that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements will be met or not, a balanced view taking into account the particular circumstances of the application should be taken and the guidance in the NPPF.

In line with guidance in the NPPF, appropriate mitigation and enhancement should be secured if planning permission is granted.

No ecological surveys have been submitted with the application. However, the application has been examined by the Council's ecologist who has confirmed that he does not anticipate there being any significant ecological issues and therefore no surveys are required in this instance.

Contamination

The Council's Environmental Health officer has commented that the application is for a new residential property which is a sensitive end use and could be affected by any contamination present. Therefore, conditions are recommended requiring that, a ground investigation be undertaken and any necessary mitigation be identified and carried out. Subject to compliance with these conditions, it is considered that the proposal will accord with the relevant development plan policies in respect of contaminated land.

Trees and Landscape

Existing landscaping within the site comprises native hedgerows, incorporating hedgerow trees, to the road frontage, north and west boundaries. There is a post and rail fence separating the site from the farm drive to the south. The site itself is open paddock with no existing trees within it. It is concluded, therefore, that the proposed dwelling can be accommodated without removal of any existing trees within the site, and sufficient separation can be achieved to avoid any adverse impact on boundary trees and hedges. Access can be taken through the post and rail fence from the existing farm drive and therefore no hedgerow removal will be necessary to create access or visibility.

Tree and hedgerow protection conditions would also be required if Members were minded to approve the scheme. Proposed landscaping for the completed development could also be secured by condition.

Comments from the Council's landscape were awaited at the time of report preparation, but in view of the above, it is not considered that any significant tree or landscape issues are raised.

9. CONCLUSIONS

The proposal involves the erection of a new dwelling in the open countryside, which is contrary to established local plan policies. It does not fall within the infilling or replacement dwelling policies within the Local Plan. The Planning Acts state that development must be in accordance with the development plan unless material considerations indicate otherwise.

In this case, the new dwelling is to be partially created through the re-erection of a timber frame from a Grade II listed building, which was demolished in the 1980's. Whilst the benefits in terms of securing a long term future for a listed building can be a sufficient material considerations to outweigh the general presumption against new development in the open countryside, in this case no information has been provided as to the extent of the historic fabric which has been retained, its condition, and the amount will be utilised, or capable of being utilised, in the reconstruction. In the absence of this information, it is considered that the re-erection of the formerly listed structure is an insufficient material consideration to outweigh the presumption against the erection of an isolated new dwelling in the open countryside, under Local Plan policy NE.2 and the NPPF.

Whilst it is acknowledged that the Borough does not have a 5 year supply of housing land as required by the NPPF, the site is located in an isolated location where it would not enhance the vitality of a rural community. For the reasons set out above, the applicant has failed to demonstrate that the development would represent the optimal viable use of a heritage asset. The proposal would not fall into any of the other categories outlined above and it is therefore considered that specific policies in the Framework indicate development should be restricted. Furthermore, it does not represent sustainable development and the adverse impacts in terms of development in the open countryside would outweigh the benefits of an additional housing unit and economic growth.

In terms of design and layout, the proposed basement and associated bund would form an un-natural and "engineered" earthwork, which would create the appearance of the re-erected building standing on a flat topped mound. When viewed from closer to the building, the whole structure would appear even more awkward, unwieldy and out of keeping. This would fail to respect, and would detract from, the character and appearance of the surrounding area and the setting of the remaining elements of the former listed building.

The proposal is acceptable impact on highway safety, living conditions, ecology, trees and landscape and contaminated land and complies with the relevant local plan policies in this regard. However, this is insufficient to outweigh the concerns in terms of the principle of development and the design and layout as set out above.

Therefore, for the reasons stated above and having due regard to the relevant local plan policies, and all other material considerations raised, the proposal is recommended for refusal.

10.RECOMMENDATION

REFUSE for the following reasons

- 1. Whilst it is acknowledged that the development would utilise elements of a former listed building, no information has been provided as to the extent of the historic fabric which has been retained, its condition, and the amount will be utilised, or capable of being utilised in the reconstruction. In the absence of this information, it is considered that the re-erection of the formerly listed structure is an insufficient material consideration to outweigh the presumption against the erection of an isolated new dwelling in the open countryside, under policy NE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the National Planning Policy Framework.**

2. In the opinion of the Local Planning Authority, the design of the proposed dwelling, by virtue of the proposed basement and associated earthworks, would fail to respect and would detract from the character and appearance of the remaining elements of the former listed building and the surrounding area contrary to Policies BE.1 (Design); BE.9: Listed Buildings : Alterations And Extensions of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice within the National Planning Policy Framework.
-

(c) Crown copyright and database rights 2012. Ordnance Survey 100049045, 100049046.

