

Application No: 14/4588N

Location: Land to rear of 144, Audlem Road, Nantwich, Cheshire, CW5 7EB

Proposal: Reserved matters application for the erection of 33 dwellings with associated works to include landscaping following approved outline 13/1223N

Applicant: Wainhomes (North West) Ltd

Expiry Date: 02-Jan-2015

## **SUMMARY**

The NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It also advises that planning should take full account of flood risk. The acceptability of the proposal with regards to sustainability is dependant on the scheme meeting these requirements.

The principle of the development and the associated access arrangements have already been established with the approval of the associated outline permission.

It is considered that the layout, scale, appearance and landscaping of the scheme are also acceptable.

The development would not have a detrimental impact upon neighbouring amenity, ecology, drainage and flooding, trees or public rights of way, subject to conditions.

## **RECOMMENDATION**

**APPROVE subject to conditions.**

## **DETAILS OF PROPOSAL**

This reserved matters application seeks approval of the appearance, landscaping, layout and scale. The matter of the main point of access into the site was approved on appeal as part of application 13/1223N.

The proposal is for 33 dwellings that would be a mix of detached, semi-detached and terraced properties, comprising seven 2 bed houses, six 3 bed houses, fifteen 4 bed houses and five, 5 bed houses.

## **SITE DESCRIPTION**

The application site is approximately 1.6 hectares in size and is located on the southern edge of Nantwich. The site comprises one residential plot of land fronting onto Audlem Road (within the settlement boundary) and land to the rear of the properties along the western edge of Audlem Road, which is outside of the settlement boundary. Land to the north is part of Brine Leas High School. Land to the west is playing fields associated with Weaver Vale Primary School with residential development beyond.

The application site is currently a grassed parcel of land bordered by mature hedges and trees. The character of the street scene along Audlem Road consists of predominately two-storey terraced dwellings combined with some bungalows. The properties either side of the site entrance comprise a bungalow (no 146) and a two-storey terraced dwelling (No 142). Further to the north along Audlem Road are two storey semi-detached dwellings.

## **RELEVANT HISTORY**

13/1223N Outline application for up to 40 dwellings – Appeal against non-determination allowed – 4<sup>th</sup> August 2014

13/4603N Outline application for up to 40 dwellings – Refused – 20<sup>th</sup> March 2014

## **NATIONAL & LOCAL POLICIES**

### **National policy**

The National Planning Policy Framework (NPPF) establishes a presumption in favour of sustainable development.

Of particular relevance to this application are paragraphs 17 (Core planning principles), 56-68 (Good design), 94 and 99-104 (Flood risk).

### **Development Plan**

The Development Plan for this area is the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

The relevant Saved Policies are: -

NE.2 - Open countryside  
NE.5 - Nature Conservation and Habitats  
NE.9 - Protected Species  
NE.20 - Flood Prevention  
NE.21 - Land Fill Sites  
BE.1 – Amenity  
BE.2 - Design Standards  
BE.3 - Access and Parking  
BE.4 - Drainage, Utilities and Resources  
RES.5 - Housing In The Open Countryside  
RT3 – Provision of Recreational Open Space and Children's Play Space in New Housing Developments

RT.6 - Recreational Uses on the Open Countryside  
TRAN.3 - Pedestrians  
TRAN.5 – Cycling

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

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

PG5 – Open Countryside  
CS6 – The Shavington / Wybunbury Triangle  
SC1 – Leisure and Recreation  
SC2 – Outdoor Sports Facilities  
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  
SE7 – The Historic Environment  
CO1 – Sustainable Travel and Transport

### **Supplementary Planning Documents**

Development on Backland and Gardens

### **CONSULTATIONS**

**Strategic Highways Manager** – None received at the time of report writing.

**Environmental Protection** – No objections, subject to a number of conditions including; hours of piling, the prior submission of a piling method statement, the prior submission of lighting details, compliance with noise mitigation scheme, the provision of electric vehicle infrastructure, the prior submission of a dust mitigation scheme and a biomass potential condition.  
In addition to the above, an hours of construction informative is proposed.

**United Utilities** – No comments received at time of report

**Public Rights of Way (PROW)** – No objections but request signage.

**Flood Risk Manager** – None received at the time of report writing.

**Natural England** - No objections

### **VIEWS OF THE TOWN COUNCIL:**

The Town Council has no objection to the reserved matters but expresses regret at the original decision to grant permission on a site that was not included in the Town Strategy.

## **OTHER REPRESENTATIONS**

Neighbour notification letters were sent to adjoining occupants and a site notice posted. 7 letters have been received objecting on the following grounds:

- Inappropriate development on open countryside
- The Council has an identified 5 year supply of housing
- Impact of additional traffic using Audlem Road
- Impact on highway safety due to narrowness of the road
- Poor visibility onto Audlem Road
- Impact on local infrastructure such as schools and doctors
- Development will 'landlock' Brine Leas school restricting future expansion
- Impact on the quality of life of existing residents
- Speculative development
- Inadequate consultation
- Impact on property prices

## **APPRAISAL**

The key issues are:

- The principle of development
- The acceptability of the Layout, Scale, Appearance and Landscaping
- Access / Highway safety
- Impact on residential amenities
- Affordable housing requirements
- The impact upon ecology
- The impact upon drainage / flooding
- The impact upon trees
- The impact upon Public Rights of Way (PROW)
- The provision of open space

## **SUSTAINABILITY**

This application shall consider the sustainability of the proposed development in the context of the reserved matters.

In this instance, consideration of the design, landscaping and drainage are the principal considerations.

### **Design**

Paragraph 56 of the NPPF advises that;

*'The Government attached great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.'*

Paragraph 63 of the NPPF advises that;

*'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'*

Paragraph 64 of the NPPF advises that;

*'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'*

### Layout (including Access)

The proposed layout comprises of an elongated parcel of land to the rear of 144 Audlem Road, which would be demolished as part of the proposal.

Access would be on to Audlem Road where number 144 would be demolished and this access was approved as part of the outline application. This access would take a spine road through the development to a turning head at the western end of the site. Further to the west, an area of open space including wildflower meadows, an enhanced pond and a link to the Public Footpath that runs along the western boundary of the site.

The Strategic Highways Manager has not commented on the application, however the access was determined at outline stage and the layout is very similar to that put forward at that stage. The SHM had no objections to this form of layout at outline stage.

The single cul-de-sac arrangement would have properties fronting on to the road as well as on to the public open space, which would ensure active frontages and natural surveillance of all public areas.

As a result of the above, it is considered that the proposed layout of the scheme is acceptable.

### Scale

The proposal would comprise 33 two- storey, detached and semi-detached dwellings and the character of the street scene along Audlem Road consists of pre-dominantly two-storey terraced dwellings combined with some bungalows. The properties either side of the proposed access comprise a bungalow and a two-storey terraced dwelling. Further to the north along Audlem Road there are two-storey semi-detached dwellings.

Given the mixed nature of the surrounding development, it is considered that the scale of the proposed development is acceptable.

### Appearance

The proposal would comprise 33 dwellings 10 different house types including detached, semi-detached and terraced. The house types include features such as brick and stone window heads and cills, bay windows, pitched roofs and canopy porches, all of which help to break up the massing of the buildings and maintain visual interest. All would be finished with brick and tile which would reflect the pre-dominant materials used in the surrounding area.

The surrounding properties are of various heights and forms and fenestration finishes. As such, it is considered that the general mix of property styles, finishes and forms would largely reflect the characteristics of the surrounding area and would not appear incongruous within this setting.

As such, subject to the appropriate use of materials in order to respect the local character, it is considered that the appearance of the proposed dwellings would be acceptable and would adhere with Policy BE.2 of the adopted local plan.

### **Landscaping**

Landscaping plans have been submitted with the applications which show trees to be removed and proposed tree, shrub and other planting proposals. These are considered to provide adequate and appropriate landscaping for the site in order to ensure that the development has an appropriate appearance in this location.

### **Amenity**

Policy BE.1 of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance. Furthermore, the level of private amenity space provided is a material consideration as detailed within the Supplementary Planning Document on Development on Backland and Gardens.

The site is surrounded by open countryside and school playing fields to the north, west and south. The only adjoining dwellings are those fronting on to Audlem Road to the east.

It is generally regarded that a distance of 21m between principal windows and 13m between a principal window and a flank elevation are required to maintain an adequate standard of privacy and amenity between residential properties. In the case of this proposal, all the minimum separation distances between the existing and proposed dwellings would be complied with and therefore the proposal is considered to be acceptable in these terms.

In terms of the relationship between the proposed dwellings themselves, the dwellings are considered to be far enough away from each other, so not to create any particular issues with regards to overlooking, loss of light or visual intrusion.

The amount of amenity space proposed for the dwellings is considered acceptable. Although some of the plots fall short of the recommended minimum standard, it is considered that they are large enough for the future occupiers to be able to carry out normal functions such as; sitting outside, hanging out washing etc and not sufficiently small to cause objection. The smaller plots (22 to 28 inclusive) should be subject of a condition removing permitted development rights in order to ensure that an adequate level of residential amenity space is maintained.

Environmental Protection have raised no objections, subject to a number of conditions to ensure the development would not create any issues in relation to noise, or contaminated land.

## **Trees**

Having regard to the impact on trees, the submitted Arboricultural Method Statement (AMS) and Tree Protection Plan as referred to in the AMS are deemed to be acceptable and comply with the requirements of the tree AMS condition imposed by the Inspector at the appeal

As such, no objections on tree grounds are raised.

## **Ecology**

There are a number of ponds located within 250m of the proposed development and Great Crested Newts have been recorded at two of these ponds, but not at the pond within the application boundary. The application site offers limited habitat for Great Crested Newts due to its current management and in addition the more important habitat features are proposed for retention as part of the proposed development. A condition should be imposed requiring compliance with the 'reasonable avoidance measures' submitted with the application.

The submitted ecological mitigation strategy proposes the retention and enhancement of the on-site pond to increase its ecological value. If planning consent is granted a condition should be imposed securing this.

Part of the submitted Habitat and Landscape Management Plan (HLMP) proposes a once a year cut of the wildflower grassland area. This is at odds with the submitted ecological mitigation strategy which proposes that an approach of minimum intervention in this area and specifically advises that the habitat should never be mown.

In addition, the HLMP relating to the Habitat buffer zone refers to proposed trees in this area. In order to safeguard the enhanced pond from the adverse impacts of shading there should be no additional tree or scrub planting in this area. The management plan should however specify any invading scrub would be removed on an annual basis.

An amended HLMP to address this has been requested and an update will be provided prior to the meeting.

In order to control any adverse impact on protected species, a condition should be imposed requiring submission of any external lighting details.

## **Public Open Space**

Policy RT.3 of the Borough of Crewe and Nantwich Replacement Local Plan requires that on sites of 20 dwellings or more, a minimum of 15sqm of shared recreational open space per dwelling is provided and where family dwellings are proposed 20sqm of shared children's play space per dwelling is provided. This equates to 600sqm of shared recreational open space and 800sqm of shared children's play space.

The proposed layout shows 2975sqm of open space within the site. However, in accordance with the advice of the Council's ecologist, this area will be required for wildlife mitigation and habitat enhancement. This would be incompatible with the use of the area as shared recreational or children's play space. The Unilateral Undertaking submitted at the appeal on the outline application required an off-site contribution to be used to re-surface the car park at Shrewbridge Lake. This was considered to be acceptable by the Inspector and in compliance with Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010.

### **Flood Risk and Drainage**

The appeal decision on the outline application included a condition requiring the provision and approval of a scheme for foul and surface water drainage prior to commencement of development and this has been submitted with this application. United Utilities have stated that they are satisfied with the submitted details. The Council's Flood Risk Manager has not commented at the time of report writing and an update will be provided prior to committee.

### **Planning Balance**

The principle of the development has already been approved.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area, appropriate landscaping and sufficient open space is provided.

The scheme therefore represents a sustainable form of development providing sufficient quality of design and landscaping and open space.

It is also considered that the development would not have a detrimental impact upon neighbouring amenity, ecology, trees, public rights of way or open space.

The proposal complies with relevant policies of the Development Plan and is recommended for approval subject to conditions.

### **RECOMMENDATION**

#### **APPROVE subject to the following conditions:**

1. Plans
2. Implementation of revised Habitat and Landscape Management Plan
3. Removal of Permitted Development Rights (Part 1 - Classes A-E) for plots 22 to 28 inclusive
4. Implementation of Protected Species Mitigation method statement prepared by TEP dates September 2014.
5. Submission of details of external materials
6. Submission of details of any external lighting

**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 Interim Planning and Place Shaping Manager 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.

