

Application No: 14/4780N

Location: LAND ADJACENT, 277, CREWE ROAD, HASLINGTON

Proposal: Outline Planning Permission for Proposed new dwelling to be used in conjunction with existing businesses

Applicant: Goodwin Plastics Ltd

Expiry Date: 01-Jan-2015

#### **CONCLUSION:**

The proposal is considered to be acceptable in principle, given the site is located within a small but established cluster of residential dwellings, as well as its proximity to services and facilities accessible via public transport. It is considered therefore that on balance, the proposal would outweigh the limited conflict with local plan policy in terms of its location within the open countryside and would represent a sustainable form of development.

The development would assist the Council's 5 year housing land supply position and would promote modest economic growth whilst fulfilling the social dimension of sustainability.

It is considered that these considerations would outweigh the proposals conflict with the adopted local plan in terms of the site location which lies outside the settlement boundary. Furthermore, it is considered that any harm arising from these issues would not be substantial or demonstrable, and therefore the presumption in favour of development, under paragraph 14 of the NPPF applies.

Whilst the proposal is made in outline with all matters reserved for future consideration, it is considered that the application site is capable of comfortably accommodating a new dwelling and private amenity space whilst respecting the character and appearance of the locality.

The proposal is also not considered to detrimentally impact on existing levels of highway safety.

#### **SUMMARY RECOMMENDATION:**

Approve subject to conditions

**PROPOSAL:**

The proposal seeks outline planning permission with all matters reserved for a detached dwelling.

**SITE DESCRIPTION:**

The application site is a portion of greenfield land lying directly adjacent to No 277 Crewe Road in Haslington and within the open countryside. The application states that the site was previously in use for agriculture, of which ended in 2000.

**RELEVANT HISTORY:**

14/1419N – Erection of one double sided stack advertisement board. Refused 20<sup>th</sup> May 2014.

**NATIONAL & LOCAL POLICY****National Policy:**

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

Of particular relevance are paragraphs:  
17, 49 & 55

**Development Plan:**

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

The relevant Saved Policies are: -

NE.2 - Open Countryside

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

TRAN.9 - Car Parking Standards

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:

Policy MP1 – Presumption in Favour of Sustainable Development

Policy PG 1 - Overall Development Strategy

Policy PG 2 - Settlement Hierarchy

Policy PG 5 - Open Countryside

Policy PG 6 - Spatial Distribution of Development

Policy SD 1 - Sustainable Development in Cheshire East  
Policy SD 2 - Sustainable Development Principles  
Policy EG 2 - Rural Economy  
Policy SE 1 – Design  
Policy SE 2 – Efficient Use of Land  
Policy SE 4 - The Landscape  
Policy SE 5 - Trees, Hedgerows and Woodland

### **Supplementary Planning Documents:**

Development on Backland and Gardens

### **CONSULTATIONS:**

**Highway Authority:** No objection.

**Environmental Health:** No objection subject to pre-commencement conditions requiring a method statement for any piling work, dust suppression scheme and a Phase I contaminated land report. Compliance condition relating to hours of work is also suggested.

**Flood Risk Officer:** No objection subject to a condition regarding disposal of surface water.

**View of the Parish/Town Council:** Object to the proposal based on concerns raised in regards to access into and out of the site, that the proposal would result in a mixture of residential and commercial uses on a prominent site, the location of the site in the open countryside and lack of information submitted with the application.

### **REPRESENTATIONS:**

Neighbour notification letters were sent to all adjoining occupants and a site notice erected.

Two representations received objecting to the proposal with main concerns raised based on access into and out of the site.

### **APPRAISAL:**

The key issues are:

Principle of Development

Character, Appearance and Landscaping

Residential Amenity

Access and Parking

#### **Principle of Development**

The application site is a Greenfield site lying outside the settlement boundary. This represents a departure from adopted local plan policy.

Sec.38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications and appeals must be determined "*in accordance with the plan unless material considerations indicate otherwise*". The most important consideration in this case is the National Planning Policy Framework (NPPF).

### ***(i) Housing Land Supply***

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

This calculation of Five year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

The current Housing Supply Position Statement prepared by the Council employs the figure of 1180 homes per year as the housing requirement, being the calculation of Objectively Assessed Housing Need used in the Cheshire East Local Plan Submission Draft.

The Local Plan Inspector has now published his interim views based on the first three weeks of Examination. He has concluded that the council's calculation of objectively assessed housing need is too low. He has also concluded that following six years of not meeting housing targets a 20% buffer should also be applied.

Given the Inspector's Interim view that the assessment of 1180 homes per year is too low, we no longer recommend that this figure be used in housing supply calculations. The Inspector has not provided any definitive steer as to the correct figure to employ, but has recommended that further work on housing need be carried out. The Council is currently considering its response to these interim views.

Any substantive increase of housing need above the figure of 1180 homes per year is likely to place the housing land supply calculation at or below five years. Consequently, at the present time, our advice is that the Council is unable to robustly demonstrate a five year supply of housing land. Accordingly recommendations on planning applications will now reflect this position.

### ***(ii) Open Countryside Policy***

Countryside policies in existing local plans can be considered as consistent with NPPF and are not housing land supply policies in so far as their primary purpose is to protect the intrinsic value of the countryside in accordance with paragraph 17 of the NPPF– and thus are not of date, even if a 5 year supply is not in evidence. However, it is acknowledged that where the Council cannot demonstrate a 5 year supply, they may be out of date in terms of their geographical extent, in that the effect of such policies is to restrict the supply of housing. They accordingly need to be played into the planning balance when decisions are made. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Therefore, the proposal remains contrary to Open Countryside policy regardless of the 5 year housing land supply position in evidence at any particular time and a judgement must be made as to the value of the particular area of countryside in question and whether, in the

event that a 5 year supply cannot be demonstrated, it is an area where the settlement boundary should be “flexed” in order to accommodate additional housing growth.

Consequently, the main issues in the consideration of this application are the sustainability of the site and whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits in terms of housing land supply.

### ***(iii) Sustainability***

Paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Paragraph 34 of the NPPF states that decisions should ensure that developments that generate travel movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

Paragraph 55 of the National Planning Policy Framework states that housing should be located where it will enhance or maintain the vitality of rural communities, for example development in one village may support services in a village nearby.

The application site is located approximately 200m east of the edge of Haslington Settlement Boundary.

Haslington has a range of services and facilities including a primary school, convenience stores, a post office, surgery, dentist and community hall. The services are accessible from the application site via foot or a short bus journey, given the site is located on the main bus route between Crewe and Sandbach. The nearest bus stops are located approximately 200m north east and 450m south west of the site.

Owing to its position on the edge of Haslington, it is acknowledged that the services would not be as near to the development as existing dwellings which are more centrally positioned. Nevertheless this is not untypical for suburban dwellings and the application site would lie within a small but established cluster of dwellings and within 1km of the settlement centre which is accessible via public transport and by foot.

Furthermore, Crewe is located approximately 4.5km south west of the site whilst Sandbach is located approximately 5km north east. Both settlements have yet a wider range of services and facilities, including train stations, with the bus stops along Crewe Road providing regular services to both settlements.

A recent appeal decision relating to planning application 14/0020N for a similar scheme located approximately 50m north east of the application site concluded that there was no reason to doubt its locational sustainability, given its proximity to services and facilities. Whatsoever, the Inspector considered that the addition of a further dwelling would help to fulfil the social dimension of sustainable development.

Therefore, having regard to the housing land supply, it is considered that on balance, the proposal would outweigh the limited conflict with local plan policy in terms of its location within the open countryside and would represent a sustainable form of development.

## **Character, Appearance and Landscaping**

The application is made in outline, therefore design and layout considerations have been reserved for future consideration.

Given the plot size, the site is considered to be capable of accommodating a new dwelling and adequate amenity space without appearing cramped or incongruous in this location.

Existing properties in the immediate area are set back from the main road with front gardens, private driveways and defined boundary treatments, particularly along the road frontage. This should be taken into consideration when designing the layout and landscaping elements of the scheme, ensuring that the property does not appear discordant within the street scene.

The vernacular in the immediate area is loosely defined, with dwellings comprising bungalows and two storey properties and roof scapes comprising pitched and hipped. Material finishes are largely red brick and dark slate roof tiles.

The adjacent property at No 277 is however a bungalow and the scale of the property should take this into account, so as not to appear overdominant in relation to the existing context.

Conditions relating to design and layout are not considered appropriate, given details would be considered under a future reserved matters application.

## **Residential Amenity**

It is considered that a dwelling could be sited comfortably on the plot, whilst meeting the required separation distances to neighbouring properties and providing sufficient private amenity space within the curtilage, as set out in the Authorities SPD on 'Development on Backland and Gardens'.

Detailed boundary treatments would be considered at reserved matters stage.

Should the application be approved conditions securing details and methods of piling operations, a dust suppression scheme, construction hours and contaminated land are considered reasonable to attach to the permission.

## **Access and Parking**

The plot size is considered capable of accommodating sufficient parking provision for a minimum of three vehicles as well as providing adequate turning space in a forward gear.

Should the reserved matters application utilise the existing access currently used by the property at No 277 and the commercial enterprise located to the rear of the site, Highway Authority do not consider that this would significantly intensify the use of the site.

Highway Authority raises no objections.

## **Planning Balance**

The proposal is contrary to development plan policy NE.2 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

The most important material consideration in this case is the NPPF which 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.

The development plan is not “absent” or “silent”. The relevant policies are not out of date because they are not time expired and they are consistent with the “framework” and the emerging local plan. Policy NE.2, whilst not principally a policy for the supply of housing, (its primary purpose is protection of intrinsic character and beauty of the countryside,) it is acknowledged has the effect of restricting the supply of housing. Consequently the application must be considered in the context of paragraph 14 of the Framework, which states:

*“At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.....For decision taking means:*

- *approving development proposals that accord with the development plan without delay; and 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.”*

It is therefore necessary to consider whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14. The cases of Davis and Dartford have established that “*it would be contrary to the fundamental principles of the NPPF if the presumption in favour of development, in paragraph 14, applied equally to sustainable and non-sustainable development. To do so would make a nonsense of Government policy on sustainable development*”. In order to do this, the decision maker must reach an overall conclusion, having evaluated the three aspects of sustainable development described by the framework (economic, social and environmental) as to whether the positive attributes of the development outweighed the negative in order to reach an eventual judgment on the sustainability of the development proposal. However, the Dartford case makes clear that this should be done simultaneously with the consideration of whether “*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*” as required by paragraph 14 itself and not on a sequential basis or as a form of preliminary assessment.

In this case, the development would provide market housing to meet an acknowledged shortfall. The proposal would also have some economic benefits in terms of jobs in construction, spending within the construction industry supply chain and spending by future residents in local shops.

Balanced against these benefits must be the negative effects of an incursion into Open Countryside. However, this incursion is considered to be small and given the site's location within a small but established cluster of dwellings and its proximity to services and facilities in nearby settlements, it is not considered that this is sufficient to outweigh the benefits in terms of housing land supply in the overall planning balance.

On the basis of the above, it is considered that the proposal is acceptable subject to the imposition of appropriate conditions.

## **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1. Submission of Reserved Matters**
- 2. Application for Approval of Reserved Matters**
- 3. Commencement of Development**
- 4. Hours of Construction**
- 5. Submission / Approval and Implementation of Dust Suppression Scheme**
- 6. Submission / Approval and Implementation of Piling Method Statement**
- 7. Submission / Approval and Implementation of Contaminated Land Report**
- 8. Scheme for Disposal of Surface Water**

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In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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