

Application No: 14/5837N

Location: Land To The North Of, Cheerbrook Road, Willaston, Nantwich Cheshire.

Proposal: Variation of Condition 2 (Plans) on Application 13/3762N - Construction of 21 two-storey residential dwellings, new shared access and associated works (Resubmission 13/0641N)

Applicant: Wainhomes (North West ) Ltd

Expiry Date: 17-Mar-2015

#### SUMMARY

The proposed development is a minor change to the approved scheme. The proposal is considered to be of an acceptable design and would have minimal impact upon residential amenity, highway safety, protected species or the trees surrounding the site. The proposed development is therefore considered to be sustainable development.

#### RECOMMENDATION

Approve subject to conditions and a deed of variation

#### PROPOSAL

Planning permission 13/3762N gave approval for the erection of 21 two-storey dwellings. The site would be accessed via a single access point which would be located between 32 and 26a Cheerbrook Road.

The dwellings would mainly be detached properties, but would include some semi-detached dwellings and a terrace of three dwellings. The site would include the provision of 30% affordable housing.

This application seeks to vary the approved plans condition (condition 2) to secure the following amendments to the approved scheme:

Plot 1 – Detached double garage increased in size

Plot 2 – Change from Whitemoor to Oxford house type

Plot 3 – Change from Oxford to Richmond house type

Plot 4 – Change from Stephenson to Montgomery house type

Plot 5 – Change from Brunel to Shakespeare house type

Plot 7 – Change from Eton to Raleigh house type

Plot 8 – Change from Eton to Raleigh house type

Plot 9 – Change from Brancaster to Wordsworth house type and repositioned detached garage

Plot 19 – Change from Scott to Shakespeare house type

Plot 20 – Change from Wren to Haversham house type

Plot 21 – Change from Stephenson to Gainsborough house type

## **SITE DESCRIPTION**

The site of the proposed development extends to 0.98 ha and is an L shaped site located to the northern side of Cheerbrook Road, Willaston. The site is within open countryside and Green Gap. To the south and east of the site is residential development (fronting Cheerbrook Road and the Fields). To the north and west is agricultural land.

The land is currently in agricultural use and there are a number of trees and hedgerow to the boundaries of the site.

## **RELEVANT HISTORY**

14/5825N - Outline application for residential development for up to 120 dwellings with access and associated works – Application undetermined

14/4423N - Non Material Amendment to Approved application 13/3762N – Approved 2<sup>nd</sup> October 2014

13/3762N - Construction of 21 two-storey residential dwellings, new shared access and associated works (resubmission 13/0641N) – Approved 6<sup>th</sup> March 2014

13/0641N - Construction of 21 two-storey residential dwellings, new shared access and associated works – Refused 7<sup>th</sup> May 2013 – Appeal Lodged – Appeal Withdrawn

10/4452N - Extension to Time Limit - P07/1435 - To increase Basement Area of Dwelling – Approved 22<sup>nd</sup> December 2010

P07/1435 - Resubmission to Increase Basement Area of Dwelling Approved Under Application No P07/0832 – Approved 12<sup>th</sup> December 2007

P07/1407 - Additional Vehicular Access – Refused 10<sup>th</sup> December 2007

P07/0832 - Replacement Dwelling – Approved 10<sup>th</sup> August 2007

P06/1376 - Replacement Dwelling – Withdrawn – 12<sup>th</sup> January 2007

P05/1628 - Demolition of Existing Bungalow and Garage and Erection of Replacement Dwelling – Refused 31<sup>st</sup> January 2007 – Appeal Lodged – Appeal Dismissed

## **NATIONAL AND LOCAL POLICY**

### **National Policy**

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

Of particular relevance are paragraphs:

- 14. Presumption in favour of sustainable development
- 56-68. Requiring good design

## **Development Plan**

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011, which allocates the site, under policy NE.2 and NE.4, as open countryside and Green Gap.

The relevant Saved Policies are:

- NE.2 (Open countryside)
- NE 4 (Green Gap)
- NE.5 (Nature Conservation and Habitats)
- NE.9: (Protected Species)
- NE.20 (Flood Prevention)
- 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)
- RES.7 (Affordable Housing)
- RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)
- TRAN.3 (Pedestrians)
- TRAN.5 (Cycling)

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

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

- PG5 - Open Countryside
- PG6 – Spatial Distribution of Development
- CO1 Sustainable Travel and Transport
- CO4 – Travel Plans and Transport Assessments
- SD1 - Sustainable Development in Cheshire East
- SD2 - Sustainable Development Principles
- SE 1 Design
- SE 2 Efficient Use of Land
- SE 3 Biodiversity and Geodiversity
- SE 4 The Landscape
- SE 5 Trees, Hedgerows and Woodland
- SE 6 – Green Infrastructure
- SE 8 – Renewable and Low Carbon Energy
- SE 9 – Energy Efficient Development
- SE 13 Flood Risk and Water Management

## **CONSULTATIONS**

**CEC Housing:** There is no change to the affordable housing units so no objection.

## **PARISH/TOWN COUNCIL**

Whilst the Parish Council accepts the need to re-site one of the dwellings it objects most strongly to the proposal for a two and a half storey dwelling. This would not be in keeping with the street scene and represents a significant variation from the original design concept.

## **REPRESENTATIONS**

Five letters of objection have been received raising the following issues:

- Parking pressures within the village centre
- Impact upon local infrastructure
- Poor visibility at the site access point
- Cheerbrook Road is narrow at the point of access
- Lack of footways along Cheerbrook Road
- Pedestrian safety problems
- Increased vehicular movements
- Loss of Green Gap
- Creep development
- The appeal at Gresty Oaks was rejected by the Secretary of State
- Flooding problems
- All objections from the earlier applications should be considered as part of this application
- The site is within an unsustainable location
- The site is within the open countryside

## **APPRAISAL**

**The key issues are:**

- Design and impact upon character of the area
- Amenity of neighbouring property
- Highway safety

## **Principle of Development**

Given that the principle of development has been established by the granting of full planning permission as part of application 13/3762N this application does not represent an opportunity to re-examine the appropriateness of the site for residential development. This application relates to minor changes to the house types on this site.

## **Design**

The layout would be very similar to the approved scheme with the position of the access point, internal access roads and location of the affordable housing all remaining unchanged.

The changes relate to the house types as identified above these minor amendment would still respect the character and appearance of the area and would comply with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan.

The comments raised by the Parish Council have been noted and in response to this the agent for the applicant has stated that there are two and a half storey properties within the vicinity of the site specifically on Kensington Drive opposite the site. However the applicant has agreed to remove the dormer windows from this house-type (plot 9) and amended plan has been submitted to reflect this change. This plot is located within the centre of the site and the ridge height has been increased from 7m to 9m. It is considered that the increase in height of this dwelling is acceptable and that it would not detract from the character and appearance of this site or the wider area.

### **Amenity**

The main properties affected by this development are located to the south and east of the site fronting Cheerbrook Road and The Fields. In this case the required separation distances would be met and as such there would be no greater impact upon residential amenity.

Therefore the proposal is considered to comply with the requirement of policy BE1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan.

### **Highways**

The changes to the house types are considered to be minor and would not raise any greater issues than the approved plans. The development would comply with Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan.

### **Affordable Housing**

The development would still provide the same level of affordable housing.

## **CONCLUSIONS**

Full planning permission has already been given for residential development on this site.

The proposed amendments to the house types and housing layout would not raise and amenity, design, highways or ecology issues and the development is considered to be acceptable.

The conditions attached for application 13/3762N are included within the recommendation and will be altered to reflect the approved discharge of planning conditions.

## **RECOMMENDATIONS**

**That the application be approved subject to completion of Section 106 Deed of Variation securing the same obligations as 13/3762N:**

- 1.A commuted payment of £9,000 towards habitat creation within the Meres and Mosses Natural Improvement Area to the south of Nantwich**

2. A commuted payment of £40,999 towards secondary school education
3. A commuted payment of £20,000 towards cycleways, footways, street lighting and bus shelters
4. A commuted payment of £18,000 should be made towards providing a skate park facility on the Parish Council owned open space on Wybunbury Road, Willaston
5. 30% affordable housing – 65% to be provided as social rent/affordable rent (4 units) with 35% intermediate tenure (2 units).

Approve subject to the following conditions;

1. Standard time limit 3 years from the date of the original permission
2. Approved Plans
3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays
4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays
5. Piling Method Statement
6. External lighting as per plan reference SL/0214/09/001/-
7. Development shall take place in accordance with the approved scheme to minimise dust emissions arising from construction activities on the site
8. Works should commence outside the bird breeding season
9. Materials to be in accordance with the submitted details
10. Landscaping scheme to be implemented
11. Remove Permitted Development Rights for certain plots
12. Boundary Treatment details to be implemented
13. Tree and hedgerow retention
14. Tree Protection to be implemented
15. The parking spaces to be provided on the approved plan should be provided
16. Visibility splays of 2.4 metres by 60 metres to be provided before development commences and thereafter be retained.
17. Windows to the south-east facing elevation of plot 1 to be obscure glazed. Remove PD for additional windows to the side elevation of Plot 1.
18. No development within 3 metres either side of the centre line of the sewer which crosses the site
19. 10 metre easement strip for the 24" Concrete Trunk Water Main

In order to give proper effect to the Board's/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 her 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.

