

Application No: 15/2818N

Location: Land south west of Thornyfields Farm, Herbert Street, Crewe, Cheshire, CW1 5LZ

Proposal: Outline planning application for residential development of up to 12 dwellings, all matters reserved.

Applicant: CR Muller, Muller Property Group

Expiry Date: 02-Oct-2015

SUMMARY

The application site lies entirely within the Green Gap as determined by the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policies NE.2, NE.5 and RES.5. The proposed development does not fall within any of the listed categories and as such, it constitutes a “departure” from the development plan and there is a presumption against the proposal.

The proposal remains contrary to both Green Gap and Open Countryside policy regardless of the Council’s 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. This consideration is made on the sustainability of the development.

Paragraph 49 of the NPPF states that 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 and where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would bring positive planning benefits such as; the provision of a market dwellings, an affordable housing contribution and a minor boost to

the local economy. The fact that the site is identified for housing in the emerging Local Plan is also a significant material consideration in favour of the application.

Balanced against these benefits must be the dis-benefits, which in this case relate to the impact upon the landscape, via the loss of Green Gap.

In this instance, it is considered that the benefits of the scheme, would outweigh the dis-benefit given that the application site would be enclosed by built form if planning permission 13/2055N, phase 1 of a larger housing proposal, is constructed.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits. Accordingly it is recommended for approval.

RECOMMENDATION

APPROVE subject to a S106 Agreement to secure an education contribution of £21,693 and conditions

PROPOSAL

This application seeks outline planning permission to erect up to 12 dwellings

Approval of layout, access, scale, appearance and landscaping, and scale are not sought at this stage and as reserved for subsequent approval.

As such, this application shall consider the principle of the development only.

SITE DESCRIPTION

The site relates to Thornyfields Farm, a farm located at the northern end of Herbert Street, Sydney, Crewe within the Green Gap and Open Countryside.

The application site relates to an elongated, relatively flat field which extends south to north and is approximately 0.4 hectares in size.

The application site forms a part of a larger site which was granted approval for 240 dwellings under planning permission 13/2055N.

As part of this approved scheme, the application site formed a vegetated 'buffer zone'.

RELEVANT HISTORY

13/2055N - Outline application for up to 240 residential dwellings, open space and new access off Sydney Road – Approved 14th August 2015

NATIONAL & 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
- 17 – Countryside
- 47-50 - Wide choice of quality homes
- 55 - Isolated dwellings in the countryside
- 56-68 - Requiring good design.

Development Plan

The Development Plan for this area is the 2011 Borough of Crewe and Nantwich Adopted Replacement Local Plan 2022, which allocates the site, under Policy NE.2, as Open Countryside.

The relevant Saved Policies are:

- NE.2 -Open countryside
- NE4 - Green Gap
- NE.5 - Nature Conservation and Habitats
- NE.9 - Protected Species
- NE17 - Pollution Control
- NE.20 - Flood Prevention
- BE.1 – Amenity
- BE.2 - Design Standards
- BE.3 - Access and Parking
- BE.4 - Drainage, Utilities and Resources
- BE5 –Infrastructure
- BE6 - Development on Potentially Contaminated Land
- RES.5 - Housing In The Open Countryside
- RT.6 - Recreational Uses on the Open Countryside
- RT.9 – Footpaths and Bridleways
- 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:

- MP1 - Presumption in favour of sustainable development
- PG1 - Overall Development Strategy
- PG5 - Open Countryside
- PG6 - Spatial Distribution of Development
- SD1 - Sustainable Development in Cheshire East
- SD2 - Sustainable Development Principles
- IN1 – Infrastructure

IN2 - Developer contributions
SC4 - Residential Mix
SC5 - Affordable Homes
SE1 – Design
SE2 - Efficient use of land
SE3 - Biodiversity and geodiversity
SE4 - The Landscape
SE5 - Trees, Hedgerows and Woodland
SE6 - Green Infrastructure
SE9 - Energy Efficient Development
SE12 - Pollution, Land contamination and land instability
SE13 - Flood risk and water management
CO1 - Sustainable Travel and Transport
CO4 - Travel plans and transport assessments

Supplementary Planning Documents:

Interim Planning Statement: Affordable Housing (Feb 2011)
North West Sustainability Checklist

CONSULTATIONS

Head of Strategic Infrastructure (HSI) – No objections

Environmental Protection – No objections, subject to a number of conditions including; the prior submission of a Travel Plan, the prior submission of electric vehicle charging infrastructure, the prior submission of a dust mitigation scheme and the prior submission of a contaminated land report. In addition an hours of construction and contaminated land informative are sought

Housing (Cheshire East Council) – No affordable housing requirement

Education (Cheshire East Council) – No objections, subject to a primary school contribution of £21,693 to accommodate the impact of an increase in pupils.

Public Rights of Way – No objections, subject to the following conditions; the prior submission/approval of a PROW management scheme; that the line of the PROW be marked out on the development site prior to commencement; pre-commencement and post-completion of condition surveys. In addition, a number of informatives are sought.

Flood Risk Manager – It is proposed by the developer to discharge surface water into an attenuation basin located in land to the north west of the site. However no calculations have been provided to demonstrate the attenuation basin has sufficient capacity to cater for these additional 12 dwellings. This information is required before the Flood Risk Manager can formally comment on this application.

United Utilities – No objections, subject to the inclusion of a condition seeking the prior submission of a foul drainage scheme and a condition seeking the prior submission of a surface water drainage scheme

Crewe Town Council – No objections, subject to conditions or a legal agreement to ensure that the permission is only implemented in conjunction with 13/2055N (if consent is issued for that application) and not as a freestanding development in open countryside, and the new access which forms part of 13/2055N is constructed and open for traffic before the houses proposed in this application are occupied.

REPRESENTATIONS

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

No neighbour consultation replies have been received.

APPRAISAL

The key issues are:

- The principle of the development
- The sustainability of the proposal, including its; Environmental, Economic and Social role
- Planning balance

Principle of Development

The site lies entirely within the Green Gap as defined by the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

Policy NE.4 states that within the Green Gap, which is also subject to the Open Countryside Policy NE.2, approval will not be granted for new buildings which would; result in erosion of the physical gaps between built up areas or; adversely affect the visual character of the landscape.

Policy NE.2 and RES.5 state that only residential development which is required for a person engaged full-time in agriculture or forestry, infill development, the replacement of an existing dwellings, the conversion of an existing rural buildings, the change of use or re-development of an existing employment sites or affordable housing shall be permitted.

The proposed development does not fall within any of these exceptions. As a result, it constitutes a “departure” from the development plan and there is a presumption against the proposal, 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 issue in question is whether the development represents sustainable development and whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

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.

The 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.

Following the suspension of the Examination into the Local Plan Strategy and the Inspectors interim views that the previous objectively assessed need (OAN) was ‘too low’ further evidential work has now taken place and a fresh calculation made.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account ‘persistent under delivery’ of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

This is a material consideration.

Open Countryside Policy

In the absence of a 5-year housing land supply we cannot rely on countryside protection policies to defend settlement boundaries and justify the refusal of development simply because it is outside of a settlement, but these policies can be used to help assess the impact of proposed development upon the countryside. Where appropriate, as at Sandbach Road North, conflict with countryside protection objectives may properly outweigh the benefit of boosting housing supply.

Policy PS8, seeks to protect the intrinsic character and beauty of the countryside.

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.

In order to assess the impact upon the Open Countryside, a significant consideration is the impact the development would have upon the landscape which is considered within the environmental section below.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The site is identified as “Site CS 5: Sydney Road, Crewe” in the Council’s recently published Core Strategy Pre-submission Document as presenting the opportunity for a high quality sustainable residential development. The emerging plan envisages:

The development of Sydney Road over the Core Strategy period will be achieved through:

1. *The delivery of 250 new homes;*
2. *The incorporation of Green Infrastructure including:*
 - I. *Allotments;*
 - II. *Equipped Children's Play Area/Multi-Use Games Area;*
 - III. *Community Woodland;*
 - IV. *Outdoor Gym; and*
 - V. *Formal Sports Pitches*

Site Specific Principles of Development:

- a) *Development should incorporate Green Infrastructure and reflect 'The Green Infrastructure Action Plan for Crewe' (TEP, 2012) including tree planting; the creation of tree lined boulevards with the provision of greenspaces within new developments. This should include the creation of green spaces, including those linking green infrastructure, with safe and secure pedestrian and cycle routes that should be integrated into any development proposal;*
- b) *Contributions towards highway improvements at Crewe Green Roundabout, Maw Green Junction and Sydney Road Bridge;*
- c) *The improvement of existing and provision of new pedestrian and cycle links to link new and existing residential areas, employment areas, shops, schools and health facilities;*
- d) *The inclusion of appropriate planting and buffering along the northern and western boundaries of the site, to provide a clear edge to the development and reduce the visual impact of the development of this site on the adjacent proposed new Green Belt area of search. Such buffering and planting to also ensure that noise and disturbance, from the West Coast Mainline which runs along the western boundary of the site, is reduced to a level to be agreed at a future date;*
- e) *The Core Strategy site is expected to provide affordable housing in line with the policy requirements set out in Policy SC5 (Affordable Homes);*
- f) *Provision of habitat for protected species, if required;*
- g) *Fowle Brook runs through the site and into Sandbach Flashes SSSI. Any discharge, foul drainage and / or run-off from the site must not lead to a deterioration in water quality entering the SSSI;*
- h) *The development will be expected to provide contributions to education provision; and*
- i) *A desk based archaeological assessment is required for the site, with appropriate mitigation being carried out, if required.*

The justification for the allocation is provided at paragraph 15.83 – 15.89 of the emerging plan. It states:

- *Green Infrastructure provision underpins future development in Crewe, ensuring that it is a pleasant place to live and work. Any proposals should take into account the Green Infrastructure Action Plan for Crewe.*
- *The provision of new Green Infrastructure and the improvement of existing Green Infrastructure are of paramount importance. This will assist in improving the health and wellbeing of residents, as well as enhancing the environment of the town and reflects the findings of the Green Infrastructure*
- *Action Plan for Crewe (TEP, 2012) and will also help deliver the aspirations of ‘All Change for Crewe: High Growth City’.*
- *Mechanisms must be put in place, to ensure that water from the development, flowing into Fowle Brook, does not have an adverse impact on the Sandbach Flashes SSSI.*
- *Adjacent land lies within the proposed new Green Belt Area of Search. It is important that any visual impact of development on the proposed new Green Belt Area of Search is minimised by appropriate landscaping and the retention of existing trees and hedgerows.*
- *It is important that the site contributes to highway improvements at Sydney Road Bridge, Maw Green Junction and Crewe Green Roundabout, to ensure highway safety.*
- *Habitat for protected species, if required, will be provided.*
- *It is important that buffering planting, along the western boundary of the site, with the West Coast Mainline is provided in such a way that noise and disturbance are mitigated to an acceptable level.*

This is a significant material consideration in support of the proposed development.

Sustainability

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

Accessibility is a key factor of sustainability that can be measured.

As part of the Outline application for 240 dwellings (ref: 13/2055N), of which this application site formed part of, it was concluded that although the application site did not adhere to the majority of the recommended walking distances to public facilities within the NPPF, development on the edge of a town will always be further from facilities in town centre than existing dwellings but, if there are insufficient development sites in the Town Centre to meet the 5 year supply, it must be accepted that development in slightly less sustainable locations on the periphery must occur.

It was advised that similar distances exist between the town centre and the existing approved sites and proposed local plan allocations at Coppenhall, Leighton and Maw Green, and although two of these sites would probably be large enough have own facilities, not all the requirements of the checklist would be met on site.

Notwithstanding the above, Inspectors have determined that locational accessibility is but one element of sustainable development and it is not synonymous with it. The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

These roles should not be undertaken in isolation, because they are mutually dependent.

Environmental role

Landscape Impact

The application site is located on the northern boundary of Crewe and is currently a parcel of agricultural land that covers an area of approximately 0.4 hectares. Part of the application site boundary is formed by hedgerows. The Crewe to Manchester railway line is located a distance to the west; to the north and east is the wider rural landscape. To the south is an already consented residential site. Footpath 4 Crewe traverses the application site from north to south.

The application includes neither a Landscape Appraisal or Landscape and Visual Assessment. The submitted Planning Statement does identify that the application site is located outside the settlement boundary of Crewe, within the boundary of the Green Gap (Policy NE.4) of the Borough of Crewe and Nantwich replacement Local Plan 2011. The application site forms part of the wider agricultural landscape, in an area identified in the Cheshire Landscape Character

Assessment as Landscape Type 7: East Lowland Plain; within this character type the application site is located within the Wimboldsley Character Area: ELP5.

Whilst the application does not include an assessment of either the landscape or visual impacts that might result from such a development, the LVIA for the consented application site to the south, Sydney Road Crewe (13/2055N), identified that there would be *'significant adverse residual visual effects'*(5.8) for Thornyfields Farm, and also the PROW that traverses the application site; as such it was proposed that *'The impacts of the scheme upon the function and amenity of the northern boundary public footpath... can be addressed through the strengthening of boundary vegetation... and can be coupled with areas of woodland planting to create a development offset that aims to reduce the proximity of new dwellings to the adjacent residential receptors at Thornyfields Farm towards the north eastern corner of the site'* (4.14). As such, the submitted indicative masterplan for that consented proposal indicated that this application site would form a planting buffer.

This application proposes residential dwellings across the full extent of the area proposed as a planting buffer, and as such, the Council's Landscape Officer has advised that it would appear that the previously identified adverse impacts on both the PROW and Thornyfields Farm will remain adverse and will adversely affect the visual character of the landscape.

Trees

The Council's Tree Officer has reviewed the application and advised that there are no arboricultural implications associated with this application. The site edged red is devoid of any significant tree cover, with only a field boundary hedge located on the south eastern boundary of the site.

Ecology

A formal consultation response is awaited for this application and an update will be provided in relation to the ecology impacts of this development.

Flood Risk and Drainage

The Council's Flood Risk Manager has requested additional information and an update will be provided in relation to this issue.

With regards to foul drainage, United Utilities have advised that they have no objections, subject to the inclusion of a condition seeking the prior submission of a foul drainage scheme and a condition seeking the prior submission of a surface water drainage scheme.

Design

The indicative layout shows the provision of 12 new dwellings within the site. These are shown to all front onto a new internal road accessed from Sydney Road approved under application 13/2055N.

Two detached dwellings would lie at the southern end of the site and face in a northerly direction to reflect the alignment of adjacent dwellings to the south-west. These would front onto a cul-de-sac.

A further 4 detached dwellings and a pair of 2 semi-detached units would lie in the centre of the site and face in a south-westerly direction, fronting an internal access road. Two detached and a pair of semi-detached units would lie at the northern end of the site and face in a north-westerly direction, fronting a cul-de-sac internal road.

It is considered that the layout of these dwellings would largely reflect the layout of the associated approved indicative layout of the wider scheme, 13/2055N and as such is deemed to be acceptable in principle.

Matters of scale and appearance are also reserved for subsequent approval. However, the submitted indicative plans propose 8 detached and 4 semi-detached units. This form would appear to be representative of the indicative form of the dwellings approved as part of application 13/2055N.

These matters would however, be considered as part of the reserved matters application.

The indicative design of the development proposal is therefore considered to comply with Policy BE.2 the Local Plan.

Access

It is proposed that the site is accessed via the access arrangements approved under application 13/2055N.

The Council's Head of Strategic Infrastructure (HSI) has advised that given that this is effectively an additional 12 dwellings on top of the already consented 240 dwellings associated with 13/2055N with the same access to the wider highway network and the additional impact of the dwellings would be minimal; the Head of Strategic Infrastructure has no objection to this outline application (all matters reserved).

Environmental Conclusion

It is not considered that the proposed development would create any significant concerns in relation to; trees, highway safety, flooding or design.

An update will be provided in relation to the ecological and flood risk implications of this development.

However, as concerns are raised in relation to the impact the development would have upon the landscape, it is not considered that the development could be considered to be environmentally sustainable.

Economic Role

It is accepted that the construction of a housing development of this size would bring the usual economic benefit to the closest shops in Crewe for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

As such, it is considered that the proposed development would be economically sustainable.

Social Role

The proposed development would provide open market housing which in itself, would be a social benefit.

Affordable Housing

The Interim Planning Statement: Affordable Housing (IPS) and Policy SC5 in the emerging Local Plan states that in this location the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on sites of 15 units or more. As the proposals are for up to 12 dwellings therefore there is no requirement for affordable housing.

Education

An application of 12 dwellings is expected to generate 2 primary aged children and 2 secondary aged children.

An assessment has been undertaken by the Council's Land and Sites Coordinator who looked at the capacities at primary schools within a 2 mile radius and secondary schools within a 3 mile radius of the proposal and this has been considered against numbers on roll and 5 year pupil forecasts.

Forecasts are indicating a shortfall of 277 places by 2019 and therefore in order to mitigate the impact of the development on the local education infrastructure a contribution for every pupil generated will be required. This takes into account all housing approved in the area as at 31.07.2015.

Contribution required = $21 \times 11919 \times 0.91 = £21,693$

Forecasts are indicating that there will be sufficient space in the local secondary schools to accommodate the pupils generated by this proposal.

As such, subject to the above contribution being secured via S106 Agreement, it is considered that the proposal would not have a detrimental impact upon local education.

Public Right of Way (PROW)

The above development, if granted consent, would affect Public Footpath No. 4 in Crewe Town, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

The application documents depict the Public Right of Way running along the estate roads. This is not normally acceptable; however the Council's PROW Officer has advised that it appears that the options for alternative alignments that would benefit from natural surveillance are limited due to surrounding existing and proposed developments.

The proposed diversion as indicated on the Illustrative Site Layout plan would require the developer to apply for (a) Diversion/Extinguishment Order(s) under the Town and Country Planning Act 1990 concurrent with the planning application process.

The Council's PROW Officer has concluded by advising that they have no objections, subject to a number of conditions which include; the prior submission/approval of a PROW management scheme; that the line of the PROW be marked out on the development site prior to commencement; pre-commencement and post-completion of condition surveys. In addition, a number of informatives are sought.

As such, subject to the above, it is considered that the proposal would adhere with Policy RT.9 Footpaths and Bridleways of the Local Plan.

Amenity

Policy BE.1 of the Local Plan advises that development shall only be permitted when the proposal would not have a detrimental impact upon neighbouring amenity in terms of overlooking, overshadowing, visual intrusion or environmental disturbance.

In terms of the separation distances, the closest existing neighbouring property is located approximately 48 metres away from the application site.

As such, it is not considered that the amenities of any of the existing neighbouring dwellings would be detrimentally affected by the proposed development.

With regards to the relationships between the dwellings themselves, as the layout of the scheme is reserved for subsequent approval, exact consideration of these relationships cannot be made at this time. However, the layout submitted appears to largely adhere with the recommended separation standards within The Council's *'Development on Back lands and Gardens Supplementary Planning Document.'* Furthermore, sufficient amenity space also appears to be provided.

The Council's Environmental Protection Team have advised that they have no objections to the development subject to a number of conditions including; the prior submission of a Travel Plan, the prior submission of electric vehicle charging infrastructure, the prior submission of a dust mitigation scheme and the prior submission of a contaminated land report. In addition an hours of construction and contaminated land informative are sought

As such, subject to the above conditions, it is considered that the proposed development would adhere with Policy BE.1 of the Local Plan.

Social Conclusion

As a result of the provision of market housing, it is considered that the proposed development would be socially sustainable.

Planning Balance

The application site lies entirely within the Green Gap as determined by the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policies NE.2, NE.5 and RES.5. The proposed development does not fall within any of the listed categories and as such, it constitutes a “departure” from the development plan and there is a presumption against the proposal.

The proposal remains contrary to both Green Gap and Open Countryside policy regardless of the Council’s 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. This consideration is made on the sustainability of the development.

Paragraph 49 of the NPPF states that 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 and where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would bring positive planning benefits such as; the provision of a market dwellings, an affordable housing contribution and a minor boost to the local economy. The fact that the site is identified for housing in the emerging Local Plan is also a significant material consideration in favour of the application.

Balanced against these benefits must be the dis-benefits, which in this case relate to the impact upon the landscape, via the loss of Green Gap.

In this instance, it is considered that the benefits of the scheme, would outweigh the dis-benefit given that the application site would be enclosed by built form if planning permission 13/2055N, phase 1 of a larger housing proposal, is constructed.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits. Accordingly it is recommended for approval.

RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

- £21,693 towards primary education

And the following conditions

Submission of reserved matters

1. Standard Outline 1
2. Standard Outline 2
3. Standard Outline 3
4. Plans
5. Submission, approval and implementation of a scheme to limit the surface water runoff generated by the proposed development
6. Submission, approval and implementation of a scheme to to dispose of foul drainage
7. Piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs
Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil
8. Submission, approval and implementation of piling method statement
9. Electric Car Charging Points shall be provided
10. Contaminated Land
11. Public Rights of Way

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Planning Manager (Regulation), in consultation with the Chair of the Southern Planning Committee is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

