

Application No: 15/4260C

Location: Moss Wood, MOSS LANE, BRERETON HEATH, CW12 4SX

Proposal: Demolition of Existing Garages and Stables to be Replaced with One New Dwelling Usign Existing Driveway. New Driveway to Moss Wood Using Existing Access to Property From Moss Lane

Applicant: Mr S Kennerley

Expiry Date: 30-Nov-2015

SUMMARY

The application site lies entirely within the Open Countryside as determined by the Congleton Borough Local Plan First Review 2005.

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 Policy H6. The proposed development does not fall within any of the listed categories and as such, there is a presumption against the proposal unless material considerations indicate otherwise.

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 that 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 provide positive planning benefits such as; the provision of a market dwelling in a sustainable location and the knock-on minor local economic benefits such a development would bring.

Balanced against these benefits would be the loss of open countryside.

In this instance, it is considered that the benefits of the scheme would outweigh the dis-benefits.

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 conditions

REASON FOR REFERRAL

As the proposed development is for a house in the Open Countryside and does not fall within any of the acceptable exceptions within Local Plan policies PS8 or H6, the application represents a 'departure' from the development plan.

PROPOSAL

This application seeks outline planning permission to erect No.1 dwelling with all matters reserved.

As such, the application seeks permission for the principle of erecting 1 dwelling on this plot. It should also be noted that the application includes the provision of a hardstanding driveway to link an existing access gate onto Moss Lane with the existing dwelling.

SITE DESCRIPTION

The site relates to a parcel of land to the east of Moss Lane, Brereton Heath within the Open Countryside as defined by the Congleton Borough Local Plan First Review 2005.

The application site partially forms part of the residential curtilage of 'Moss Wood' on a section largely comprising of a detached garage, and partially falls within an adjacent paddock.

The proposed plot is elongated extending in an east to west direction from Moss Lane.

The application site also falls within the Jodrell Bank Radio Telescope Consultation Zone Line.

RELEVANT HISTORY

15/1162C - Removal of Condition 11 & 12 on Application 14/0648C - Outline application for the erection of 6 dwellings (Resubmission of 13/0061C) – Approved 30th April 2015

14/0648C - Outline application for the erection of 6 dwellings (Resubmission of 13/0061C) – Refused 1st October 2014 – **Appeal allowed** 20th January 2015. Reason for refusal as follows:

- 1. The proposed residential development is located within the Open Countryside, contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 and Policy PG5 of the Emerging Development Strategy as well as the principles of the National Planning Policy Framework. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework.*

Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.

13/0061C - Outline application for the erection of six dwellings – Refused 14th February 2013

05/1220/CPE - Certificate of lawful use for dwelling that has been occupied in breach of condition 4 of planning permission 5/4/4577 – Positive certificate issued 13th January 2006

15551/3 - Porch Extension Including Cloakroom, Toilet And Garage Extension – Approved 18th January 2015

13852/3 – Kitchen extension – Approved 25th January 1982

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

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 2005 Congleton Borough Local Plan, which allocates the site, under Policy PS8, as Open Countryside

The relevant Saved Policies are:

PS8 – Open Countryside

PS10 – Jodrell Bank Radio Telescope Consultation Zone

GR1 - New Development

GR2 – Design

GR4 – Landscaping

GR6 - Amenity and Health

GR9 - Accessibility, Servicing and Parking Provision – New development

GR20 - Public Utilities

GR21 - Flood Prevention

NR1 - Trees and Woodlands

NR2 - Wildlife and Nature Conservation – Statutory Sites

H1 - Provision of New Housing Development

H6 - Residential Development in the Open Countryside and the Green Belt

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
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
SE14 – Jodrell Bank

Brereton Neighbourhood Plan

The Brereton Neighbourhood Plan is at Regulation 17 stage with the examination hearing of the plan scheduled for 11th November 2015.

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

HOU01 – Amount of New Housing Development
HOU02 – Settlement Boundary
HOU03 – Exceptions to new Housing Development
HOU06 – Provision of open space in new housing development
HOU09 – Housing Mix
HOU11 – The layout and design of new housing

CONSULTATIONS

Head of Strategic Infrastructure (HSI) – No objection

Environmental Protection – Condition suggested in relation to piling works, dust control measures and an informative is suggested in relation to contaminated land.

CEC Flood Risk Manager – No comments received at time of report

Jodrell Bank (University of Manchester) – No comments received at time of report

Natural England – No comments received at time of report

Brereton Parish Council – ‘No comment’

REPRESENTATIONS

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

One letter of objection has been received which raises the following points:

- This is the third in a series of applications from the same applicant which would total 11 dwellings
- This will not be the last application for residential development
- It is necessary to consider the scale and impact of this development
- Detrimental impact upon the local community
- Contrary to the Brereton Neighbourhood Plan
- There is no existing access to the dwelling just a small gate which provides access to a tennis court
- Cumulative impact of the developments
- The development will result in increased water pollution
- Impact upon local wildlife

APPRAISAL

The key issues are:

- The principle of the development
- Sustainability including the proposal's Environmental, Economic and Social role
- Planning Balance

Principle of Development

The site lies entirely within the Open Countryside as designated in the Congleton Borough Local Plan First Review 2005 where policies PS8 and H6 state that only residential development which is required for a person engaged full-time in agriculture or forestry, the replacement of an existing dwelling, the conversion of an existing rural building, the change of use or re-development of an existing employment site, infill development or affordable housing shall be permitted.

The proposed development does not fall within any of these categories. As such, the issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection. These are considered below.

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 in support of the proposal.

Sustainable 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 that 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.

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

Open Countryside Policy

In the absence of a 5-year housing land supply settlement boundaries are out of date but 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 this location, which is surrounded by existing and proposed development it is considered that the site has very limited intrinsic character and beauty, particularly given that it is existing domestic curtilage.

Locational Sustainability

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"

Although a locational sustainability assessment has not been provided by the applicant for this scheme, outline planning permission ref 14/0648C was granted at appeal on part of the application site as part of a larger development for 6 dwellings in January this year (2015).

Within the Inspector's report with regards to locational sustainability, the Inspector concluded that;

'...The village has very few facilities and the nearest settlements with a reasonable range of services and facilities are Holmes Chapel and Congleton, both of which have a railway station and are accessible from Brereton Heath by bus. It would be quite possible, therefore, for occupiers of the proposed development to reach these settlements and towns and cities in the wider area (such as Crewe and Manchester) by public transport, although the absence of footways and street lighting on Moss Lane might deter some from walking to and from the bus stop on the main road. Travelling to Holmes Chapel and Congleton by bicycle is unlikely to be an attractive proposition for most occupiers given the speed and volume of traffic on the largely unlit A54. For most occupiers the convenience of the private car is therefore likely to be the preferred option.'

The Inspector goes on to state that;

'However, the accessibility of the site is only one aspect of sustainable development. The Framework identifies three dimensions to sustainable development: economic, social and environmental.'

The scheme would make a modest contribution to the local economy during the construction phase and subsequently by occupiers using the facilities and services in Holmes Chapel and Congleton. It would contribute to the social need for housing in an area with an identified deficit and would provide an element of affordable housing.

In environmental terms it would be possible to design dwellings incorporating sustainable forms of construction and renewable energy technologies. I am satisfied that these factors and measures would offset the drawback of the proposal in terms of reliance on the private car, and on balance I conclude that the development would accord with the presumption in favour of sustainable development as set out in the Framework.'

As such, in this neighbouring instance, the Planning Inspector concluded that the site was not sustainably located, but based on the benefits of the scheme, on balance, would be acceptable in principle.

As such, for the purposes of this application, it is concluded that the application site is not in a sustainable location.

However, as detailed by the Planning Inspector in the case of 14/0648C, Inspectors have determined that locational accessibility is but one element of sustainable development and it is not synonymous with it.

Landscape Impact

The application site is situated in open countryside, outside the infill boundary line for the settlement and comprises part of the existing curtilage of Moss Wood although the plot would extend north, outside the existing residential curtilage of Moss Wood into an adjacent paddock (Subject of planning application 14/0648C). A proposed new access to Moss Wood would be taken south through the existing garden, to a parcel of land containing a tennis court, where there is an existing field gate.

The property has an established hedge fronting Moss Lane and the existing northern boundary of Moss Wood is marked by a line of trees, (mainly evergreen). There is also a hedge between the garden and the tennis court area.

As an outline application with all matters reserved, the full landscape impacts would only be realised at reserved matters stage. However in this case the principle of development has been established on land to the north and the Councils Landscape Officer does not anticipate any significant new landscape issues.

Trees and Hedgerows

As an outline application with all matters reserved, the full arboricultural impacts would only be realised at reserved matters stage. Nevertheless, it is clear that the line of trees on the northern boundary of Moss Wood would have to be removed. The submission provides no detailed arboricultural information. In this respect the application does not accord with BS 5837:2012. However the Councils Tree Officer has stated that the trees are not exceptional or worthy of TPO protection. As such replacement tree planting could be secured at the reserved matters stage.

Design

The proposed development is for 1 new dwelling. Layout, appearance and scale are not sought for approval as part of this application. Therefore, the design aspect of the development considers whether the site could feasibly accommodate 1 dwelling on this plot of an acceptable design, in principle.

The submitted indicative layout plan demonstrates that a new detached dwelling could be accommodated within the site, parallel with the applicant's property, Moss Wood.

The indicative plan shows that an existing large domestic garage would be demolished, as would a small stable block in an adjacent paddock to accommodate the dwelling.

The indicative plan is not to scale, but shows that this dwelling would be inset from Moss Lane by approximately the same distance as Moss Wood, approximately 21 metres and would have a similar footprint.

The side elevation of the dwelling would be sited within close proximity to the side elevation of Moss Wood, but the plan does demonstrate that a detached dwelling, a form characteristic of the area, of a footprint, again not dissimilar to those around the site could be accommodated within the plot. A smaller footprint at reserved matters stage would reduce its current cramped appearance without resulting in a development of a scale that would appear incongruous.

As a result, it is considered that the aspects of the proposal which can be considered would adhere with Policy GR2 of the Local Plan and Policies SE1 (Design) and SE2 (Efficient use of land) of the Cheshire East Local Plan Strategy – Submission Version (CELP).

Access

Access arrangements are also not sought for approval as part of this application. Again, the principle of the access to the site and the sites ability to accommodate sufficient off-street parking is therefore considered only.

The indicative layout plan demonstrates that the proposed new dwelling would be accessed via the existing access point and driveway onto Moss Lane as 'Moss Wood.' It is proposed that a new access be created onto Moss Lane for Moss Wood.

The Head of Strategic Infrastructure (HSI) has reviewed the submitted information and advised that he has no objections.

As such, it is considered that the proposed development would adhere with Policy GR9 of the Local Plan.

Ecology

The Councils Ecologist advises that, with the exception of nesting birds, there are unlikely to be any significant protected species issues associated with the proposed development.

If planning consent is granted the following condition should be attached to safeguard nesting birds.

Bagmere SSSI Ramsar

The application site falls within Natural England's SSSI Impact Risk Zone associated with Bagmere SSSI. Bagmere also forms part of the Midland meres and Mosses Ramsar site and so an Assessment of Likely Significant Effects may be required under the Habitat Regulations. An update will be provided once a consultation response has been received from Natural England.

The Moss - Local Wildlife Site (LWS)

The proposed development is located adjacent to the Moss Local Wildlife Site. The Councils Ecologist advises that the proposed development once complete is not likely to have an adverse effect on the LWS. The Councils Ecologist does recommend that if planning consent is granted a condition should be attached requiring any future reserved matters application to be supported by a construction method statement detailing measures that will be implemented to avoid any contamination of the LWS during the construction process.

Flood Risk and Drainage

The application site does not fall within a Flood Zone and is not of a scale which requires the submission of a Flood Risk Assessment.

No comments have been received from the Council's Flood Risk Officer at the time of writing this report and this issue will be reported as part of an update report.

Environmental Conclusion

The proposed development would not create any significant open countryside landscape, hedgerow, tree, design or access concerns.

The impact upon ecology and flood risk/drainage will be considered as part of an up date report.

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

Economic Role

It is accepted that the construction of a house, although minor, would bring the usual economic benefit to the closest shops in Holmes Chapel and Congleton 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 1 market dwelling which would be a social benefit.

Amenity

Policy GR6 (Amenity and Health) of the Local Plan, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties in terms of loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking. Supplementary Planning Document 2 (Private Open Space) sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings.

The closest neighbouring properties to the application site would be the occupiers of Moss Wood, the applicant's dwelling which would lie immediately parallel to the proposed dwelling according to the submitted indicative layout plan.

Within the relevant side elevation of Moss Wood, there are no sole windows to principal, habitable rooms.

As such, subject to the same scenario being the case for the proposed dwelling at reserved matters stage and/or the use of obscure glazing, it is not considered that the occupiers of Moss Wood would be detrimentally impacted by the proposed development with regards to loss of privacy, light or visual intrusion.

There are no other dwellings within close proximity of the application site which could be directly impacted by the development.

Although outline planning permission has been granted partially on this site and the immediate adjacent site for 6 dwellings, as the detail of this approval is yet to be secured as this was for

outline planning permission only, no assessment of the potential impact upon these future dwellings can be made at this stage.

The Council's Environmental Protection Team have advised that they have no objections to the development subject to conditions relating to piling works and dust control and an informative relating to contaminated land.

With regards to the amenity of the future occupiers of the proposed dwelling, sufficient space would be available for the dwelling to have a useable, private amenity space of at least 65 square metres.

As such, the proposal is considered to adhere to Policy GR6 of the Local Plan.

Brereton Neighbourhood Plan

Brereton Parish Council has prepared a draft Neighbourhood Development Plan (NDP) for the Parish of Brereton. The consultation period for the plan has now taken place and ran until 21st September 2015. Examination of the NDP is scheduled for the 11th November 2015.

Paragraph 216 of the NPPF states 'from the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)'

The NPPG states that an emerging neighbourhood plan may be a material consideration. Annex 1 of the National Planning Policy Framework explains how weight may be given to policies in emerging plans. However, in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:

a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and

b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.

The NPPG also states that 'refusal of planning permission on grounds of prematurity will seldom be justified where a draft Local Plan has yet to be submitted for examination, or in the case of a Neighbourhood Plan, before the end of the local planning authority publicity period. Where

planning permission is refused on grounds of prematurity, the local planning authority will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process’.

The Neighbourhood Plan is therefore a material consideration which must be weighed in the planning balance taking account of the stage that the neighbourhood plan is currently at and the context, location and scale of the proposed development relative to the area. Members may be aware there have been a number of legal cases that have supported Neighbourhood Plan policies even when a Local Plan has not been fully adopted. There have also been recent High Court cases which have rejected the Secretary of State’s judgement on the weight he has given to emerging neighbourhood plans with the ‘Woodcock’ case further emphasising the clarity needed to refuse applications on prematurity grounds. Therefore the weight to be attached to the plan depends on the particular circumstances in each case with particular emphasis on scale and context.

Policy HOU01 of the Neighbourhood Plan advises Brereton Parish has a need of 50 new dwellings within the plan period up to 2030. Policy HOU02 identifies that new housing should be contained within the settlement boundaries of the Brereton Parish (Appendix C of the Neighbourhood Plan) unless it meets other policies of The Plan and the Cheshire East Local Plan. Policy HOU03 clarifies that outside settlement boundaries only housing development which is redevelopment of previously development site, conversion of existing buildings, affordable housing scheme for local needs and self build schemes will be permitted and no exceptions sites may exceed 10 dwellings.

The Draft Neighbourhood Plan seeks to recognise that housing development will be needed over the plan period until 2030, but to accept all developments would threaten both the scale and character of the area. The policies within the plan seek to provide a structure to future development to enable it to take place in a planned and sustainable way.

The proposed development is for 1 dwelling outside the proposed settlement boundary of the Brereton Heath. However in this case the dwelling would fall under the exceptions for development outside the settlement boundaries (Policy HOU03) as the majority of the site is previously developed land (the site is currently includes a detached garage, stable building and hardstanding). Therefore, it is considered that this development complies with the Brereton Parish Plan.

Furthermore it should be noted that the site lies between an existing dwelling and a site which has outline planning permission for 6 dwellings (which is within the proposed settlement boundary).

Other Matters

The scheme is not of a scale which requires; affordable housing, public open space, education or health contributions.

Planning Balance

The application site lies entirely within the Open Countryside as determined by the Congleton Borough Local Plan First Review 2005.

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 Policy H6. The proposed development does not fall within any of the listed categories and as such, there is a presumption against the proposal unless material considerations indicate otherwise.

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 that 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 provide positive planning benefits such as; the provision of a market dwelling in a sustainable location and the knock-on minor local economic benefits such a development would bring.

Balanced against these benefits must be the dis-benefits, which in this case would be the loss of open countryside.

In this instance, it is considered that the benefits of the scheme would outweigh the dis-benefits.

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 the following conditions;

- 1. Standard outline 1**
- 2. Standard outline 2**
- 3. Standard Outline 3**
- 4. Plans**
- 5. Materials – Prior approval required**
- 6. Reserved Matters application to include an Arboricultural Impact Assessment**
- 7. Prior submission of any piling works**
- 8. Dust Control Measures**
- 9. Surface water drainage scheme**
- 10. Landscaping scheme to include a scheme of replacement tree planting**
- 11. Breeding birds – timing of works**
- 12. Construction Method Statement – The Moss Local Wildlife Site**

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 Planning Regulation in

consultation with the Chair (or in there absence the Vice Chair) of the 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.

