

Application No: 15/4922N

Location: LAND OFF, NANTWICH ROAD, ALPRAHAM

Proposal: Outline Planning Application for a Pavilion, Improved Recreational Facilities and up to 20 Dwellings with all Matters Reserved Except for Access

Applicant: The Wellcome Trust Ltd

Expiry Date: 29-Dec-2015

SUMMARY:

The site is located within the open countryside where under Policy NE2 there is a presumption against development unless the development falls into one of a number of categories as detailed by Local Plan. 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 market and affordable 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. In addition the provision of the pavilion and improved recreational facilities are a social benefit which weigh in favour of the application.

The site is immediately adjacent to an existing settlement with its associated services and facilities and also provides additional community facilities.

Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety, amenity, drainage, landscape, trees and ecology.

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 and a Section 106 Agreement to secure education contributions and affordable housing provision

PROPOSAL

Outline planning permission with all matters other than access reserved is sought for the erection a pavilion, improved recreational facilities and up to 20 dwellings.

Although the application is in outline form an **indicative** site layout plan has been submitted showing a play area, pavilion and open space to the south of the A51, with the proposed dwellings arranged in an 'L' shape on the southern and eastern boundaries of the site. Access would be taken from Cinder Lane.

SITE DESCRIPTION

The application site comprises an irregular shaped parcel of land, containing an existing play area situated on the southern side of the A51. There is housing to the north and east of the site and to the west consent has been granted for up to 9 dwellings also taking access from Cinder Lane.

The site is designated as being within Open Countryside in the adopted local plan.

RELEVANT HISTORY

11/1247N Village hall and 2 dwellings – Approved 1st August 2011

09/1398N Withdrawn application for village hall

NATIONAL & LOCAL POLICY

National Policy:

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

Of particular relevance are paragraphs 14 and 47.

Development Plan:

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011, which allocates the site as being within the within Open Countryside.

The relevant Saved Policies are: -

- BE.1 – Amenity
- BE.2 – Design Standards
- BE.3 – Access and Parking
- BE.4 – Drainage, Utilities and Resources
- BE.5 – Infrastructure
- BE.6 – Development on Potentially Contaminated Land
- NE.2 – Open Countryside
- NE.5 – Nature Conservation and Habitats
- NE.9 – Protected Species
- NE.17 – Pollution Control
- NE.20 – Flood Prevention

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:

- SD 1 Sustainable Development in Cheshire East
- SD 2 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 9 Energy Efficient Development
- SE 12 Pollution, Land Contamination and Land Instability
- PG 1 Overall Development Strategy
- PG 2 Settlement Hierarchy
- PG5 Open Countryside
- EG1 Economic Prosperity

CONSULTATIONS:

Highways:

No objection.

Environmental Protection:

Request conditions/informatives relating to noise disturbance, lighting, contaminated land and air quality.

Education:

Require a contribution of £49,028.07 towards secondary education.

Housing:

No objection subject to the provision of 30% affordable housing.

Flood Risk Manager:

No objection subject to drainage conditions.

United Utilities:

No objection subject to conditions relating to drainage.

Archaeology:

No further archaeological mitigation is necessary.

Canal & Rivers Trust:

No objection subject to conditions relating to drainage.

Alraham Parish Council:

Alraham Parish Council (APC) supports the proposal 15/4922N based on the community gain offered to current residents in the area. This development will provide a new village centre including an additional village green, community orchard, village hall/pavilion with parking and cycle/pedestrian areas away from the A51. The existing recreation ground and play area are currently not suitable and in need of invigoration. This proposal would also support their enhancement and improve pedestrian and vehicular access to it. We are also pleased to note that type, distribution and housing design will be in keeping with the traditional style of the village as well as acknowledging the Parish Plan identified mix.

A number of sites within the village have recently applied for planning permission and APC has raised the need for community gain with each. This development does provide real community gain. We also note, with concern that, with increasing developments in the villages of Alraham, Calveley and Tilstone Fearnall there is an (as yet unmet) growing need for additional amenities for residents. This proposal does address some of that need and we would hope amenities would be used by residents from all surrounding parishes.

APC feels the development is in line with the future vision of Alraham's development outlined within our Parish Plan and the "Alraham Village – Plan for Our Future" document (see below). There has been wide consultation in the form of a Parish Plan Questionnaire, a parish council consultation event and a consultation event hosted by Bidwells.

APC is keen that developments where possible avoid access directly onto the busy A51 and we would prefer an alternative route here. However, we understand that a nearby proposal has sought and gained approval to access the A51 on condition that it is via Cinder Lane and that that access would be capable of handling both developments. Proposal 15/4922N would therefore appear to fit with a holistic joint access solution through an access point that most likely will occur irrespective of permission being granted in this instance.

Calveley Parish Council:

Calveley Parish Council discussed this application at the meeting last week and consider that there is an issue regarding the way that the Section 106's would be paid from the several local developments and were dissatisfied that any money accrued in this way might

not necessarily be used for the benefit of the immediate area, but could be used anywhere in Cheshire East.

It was the general opinion of the Parish Council that some of the funds should be spent by directing it to the School, which will be impacted by these new developments. Therefore, we would like to formally request some section 106 funding to be provided to Calveley Primary school to accommodate the extra schooling needs this development will generate.

Concern was also expressed regarding the access onto the A51, it was felt that this should be looked at holistically in the context of the other application next to it and the existing access onto the A51 that is Bunbury Lane and also take account of any possible future developments that may take place adjacent to it.

REPRESENTATIONS:

At the time of report writing fifteen representations have been received which can be viewed in full on the Council website. These express concerns about the following issues:

- No need or demand for additional housing in Alpraham
- Alpraham is a small settlement with limited amenities and facilities
- Development on greenfield land
- Dangerous access
- Increase in traffic
- Infrastructure in the area is poor (gas, electricity etc)
- Drainage issues
- Flooding
- Loss of outlook
- Increased noise
- Light pollution
- Loss of privacy
- Over looking
- Impact on wildlife
- Loss of trees
- Lack of compliance with the Village Plan
- The two developments on the A51 should be encouraged to explore the joint building of a village hall
- Application is different than that put forward in public consultation
- Potential for further development
- The area is designated as 'bad building land'

APPRAISAL

The key issues to be considered in the determination of this application are set out below.

Principle of Development

The site lies within the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where Policies NE.2 and RES.5 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation,

essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Residential development will be restricted to agricultural workers dwellings, affordable housing and limited infilling within built up frontages.

The proposed development does not fall wholly within any of these exceptions other than that of outdoor recreation. 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 this proposal 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 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 NE2, 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 case the site is designated as Open Countryside and protected open space in the adopted local plan, but the site consists of an existing play area and surrounding field. As such it is not considered that a refusal on the grounds of adverse impact on the character and beauty of the Open Countryside could be sustained.

Landscape

The site is situated to the south of Chester Road. Apart from a narrow parcel of land between dwellings on Chester Road, the site is in Open Countryside, outside the Settlement Boundary as defined in the Crewe and Nantwich Local Plan. It has no national landscape designation. There is residential development to the north on the opposite side of the road, residential development along part of the northern boundary and agricultural land to the south, west and east with a track to the east. The northern western part of the site is a designated public open space with established boundaries. A small paddock lies to the north east and the land to the south is open agricultural land with hedges and trees to the west and east.

The application is supported by a Landscape and Visual Assessment (LVIA) and a Landscape Strategy. The former document correctly identifies the site as being in National Character Area 61: Shropshire, Cheshire and Staffordshire Plan. It also references NCA 62: Cheshire Sandstone Ridge and The Cheshire Landscape Character Assessment, placing the site in Character type Rolling Farmland, RF2: Oulton Character Area.

With reference to local landscape character, the report describes Alpraham as a largely linear conurbation formed around the A51- Nantwich Road. It separates the development site into two distinct character areas, the playing fields to the north and the agricultural land to the north east/south.

The Landscape Strategy and an Illustrative Masterplan outline how the landscape of the site could be developed although as an outline application with only access included, the extent to which these proposals would be realised would only become apparent through a reserved matters application.

Design

This is an outline planning application with all matters other than access reserved, therefore the layout drawing is only **indicative**. Should the application be approved, appearance, landscaping and scale would be determined at reserved matters stage.

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The **indicative** layout shows an 'L' shaped form of development surrounding recreational land and community facilities, which would not appear inappropriate in this context, where there are a variety of property designs and sizes in the vicinity.

The proposal is therefore considered to be in compliance with Policy BE.2 of the adopted local plan.

Highways

As stated above the application is in outline form with all matters other than access, reserved for future consideration.

The **indicative** layout shows an access on to the A51 from Cinder Lane, and there is an approval to the west of the site for up to nine dwellings.

A play area, pavilion, sports area and open space are shown to the front of the site, with dwellings wrapping around the south and east boundaries.

The Head of Strategic Infrastructure (HSI) is satisfied that the development can be safely accommodated on the adjacent highway network; accordingly, the HSI has no objection to the planning application.

The proposal is therefore considered to be acceptable in highway terms and in accordance with Policies BE.3 and BE.5 of the adopted local plan.

Ecology

The submitted Phase One Habitat survey report states that the habits on site have limited potential to support amphibians. The report however fails to acknowledge the presence of two ponds located within 250m of the application site. However, considering the distance between the ponds and the features on site that have potential to support amphibians it is considered that Great Crested Newts are not reasonably likely to be affected by the proposed development.

Based on the submitted tree report it appears that of the trees identified as having potential to support bats only T14 would potentially be affected by the proposed development. No evidence of roosting bats associated with this tree was recorded during the submitted survey, but it is considered that this tree could still potentially be used by bats. The applicants consultant has confirmed that no evidence of barn owls was recorded during the bat survey, however as the tree does not appear to have been climbed as part of the survey it is considered that there remains a significant risk that barn owls may be utilising this tree. The submitted tree report states that T14 would require either significant ground protection measures for it to be retained or it may have to be removed as part of the development.

To avoid any potential direct impacts upon roosting bats and Barn Owls and the need for further surveys, it is considered that T14 should be retained as part of the indicative layout proposals.

Hedgerows are a priority habitat and hence a material consideration. Based upon the submitted layout plan it appears likely that there would be a loss of hedgerows associated with the proposed development. It is considered that the development proposals should seek to retain as much of the existing hedgerows as possible and that replacement hedgerow planting must be included in the detailed design at the reserved matters stage. This matter could be dealt with by means of a suitable worded planning condition if outline consent is granted.

Forestry

The application is supported by an Arboricultural Survey (CBE Consulting dated 19th October 2015) which is broadly in accordance with *BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations*. The report identifies 16 individual trees (T1-T16) and one Group (TG1) located within or immediately adjacent to the site. Trees have been categorised in accordance with BS5837:2012 with 6 trees assessed as High (A) category; 7 as Moderate (B) category and one individual tree and one group as Low (C) category.

The Council's Nature Conservation Officer has made reference to the Phase One Habitat Survey which refers to Veteran Trees and has asked which trees this refers to. The Arboricultural Report refers to two Veteran Oak (T10, T11) located on the western site boundary which are outside the application site boundary and are therefore unaffected by the proposals. Similarly the habitat reports refer to trees with potential for roosting bats. The Arboricultural Report has identified three trees with moderate bat potential (Oak T4; Oak T5, Oak T14).

One moderate (B) category Beech (T16) and a low (C) category Ash (T15) located adjacent to Cinder Lane have been identified as a direct loss due to access improvements and forward visibility splay requirements.

The widening and access improvements into the site will impact upon the root protection area of two trees a High (A) category Oak (T14) and moderate (B) category Oak (Ash?) (T13). The report suggests that in respect of the former, significant ground protection measures would be necessary to retain this tree, although it is further stated that the tree may have to be removed. With regard to T13, the report states that this is an Ash (para 3.2) and an Oak (Table 4.1).

The report makes a brief reference to a linear group of dense young Ash trees and Hawthorn (TG1) located centrally within the site. The group is categorised as low category and it will be necessary for a section of the group to be removed to facilitate the internal access. The group presents only a limited contribution to the wider amenity of the area and therefore it is not considered that the removal of part of the group will present any major landscape implications.

The loss of the moderate category Beech on the Nantwich Road frontage will have an adverse impact upon the street scene and local landscape character. Whilst the canopy of the tree is slightly unbalanced due to past pruning, this does not overly distract from its contribution to the amenity of the area. However retention of this tree could only realistically be achieved if access was located elsewhere. In the absence of any suitable alternatives, the

loss of the tree could adequately mitigated by replacement planting within the proposed play area.

There are significant concerns regarding the impact of the proposed driveway on Oak (T14). Given the extent of excavations required to bring the access to an appropriate standard it is likely that the tree would require removal. This tree has also been identified as having moderate bat roost potential

Any detailed reserved matters application must be supported by a detailed Arboricultural Impact Assessment (in accordance with BS5837:2012) that addresses the above issues in terms of design.

Flood Risk

The site is within Flood Zone 1, which is at low risk of flooding. The Flood Risk Manager has been consulted and has no objection to the application subject to drainage conditions.

ECONOMIC SUSTAINABILITY

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'.

Given the countryside location of the site, consideration must also be given to one of the core principles of the Framework, which identifies that planning, should recognise:

'the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'.

Specifically, in relation to the rural economy the Framework identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

'support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings'

The economic benefits of the development need to be balanced against the negative impact due to the loss of open countryside.

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits, to Alpraham and the surrounding area, including additional trade for local businesses, jobs in construction and economic benefits to the construction industry supply chain.

SOCIAL SUSTAINABILITY

Residential Amenity

The proposal is for up to 20 dwellings on this site and additional community facilities. Adequate separation distances can be achieved between the proposed dwellings and adequate private residential amenity space can be provided within the site. The distances to existing residential properties and the properties approved under application number 15/2331N, would be capable of meeting or exceeding the minimum separation distances required.

Should the application be approved, conditions should be imposed relating to piling, lighting, noise and contaminated land. In terms of air quality, a condition should be imposed requiring an electric vehicle charging socket to be provided at each of the dwellings.

The sustainability criteria of this development is considered to be finely balanced. The improved community facilities/pavilion building submitted as part of this application are considered to be of significant benefit in terms of the social arm of the 3 sustainability criteria of the NPPF and it is important that the community facilities are provided as part of the development. Therefore, the proposed community facility should be secured by S106 Agreement.

Subject to the conditions the proposal is considered to be acceptable in amenity terms and in compliance with Policy BE.1 of the adopted local plan.

Affordable Housing

There is a requirement for 30% of the site to be affordable according to the IPS. The IPS states that sites in rural settlements with a population below 3,000, developments will be required to provide 30% affordable housing if the site is for 3 or more units, or greater than 0.2 hectares in size. The IPS also states that the desired split between tenures is 65% social/affordable rent and 35% intermediate, this is based on the evidence from the Strategic Housing Market Assessment Update (SHMA) 2013.

The Strategic Housing Market Assessment (SHMA) Update 2013 shows that for the Bunbury sub-area (in which Alpraham is located) there is a requirement for 18 new affordable units per year between 2013/14 – 2017/18. The unit types required are 18 x 1bed and 1 x 4+bed. The SHMA Update shows an oversupply of 2 bed accommodation. Information taken from Cheshire Homechoice states that 3 applicants have chosen Alpraham as their first choice for rehousing. This is broken down as 1 x 1 bed and 2 x 3 bed accommodation. A rural housing needs survey was carried out for Alpraham in 2013 and the results showed a need in the parish for 9 new affordable homes.

The IPS outlines that in order to ensure full integration with open-market homes the affordable units should not be segregated in discrete or peripheral areas and therefore should be pepper-potted within the development and that the affordable units will be provided not later than the sale or let of 50% of the open market homes. The external design, comprising elevation, detail and materials should be compatible with open-market

homes on the development. Furthermore the affordable homes transferred to a Registered Provider should be constructed to the Nationally Described Space Standard as outlined by Government in 2015.

This outline application is for up to 20 dwellings. Should this be the number of dwellings to be delivered then there should be provision of 6 affordable units with a split of 4 social/affordable rent and 2 intermediate tenure. Using information from the SHMA there should be some 1 bed units delivered.

The affordable housing should be secured by a Section 106 Agreement.

Education

The development of 20 dwellings is expected to generate:

4 primary children (20 x 0.19)
3 secondary children (20 x 0.15)
0 SEN children (20 x 0.51 x 0.03%)

The development is forecast to increase an existing shortfall for secondary provision in the locality. To alleviate forecast pressures, the following contribution would be required:

$3 \times £17,959 \times 0.91 = £49,028.07$ (secondary)

Total education contribution: £49,028.07

Health

There are four GP surgeries within 5 miles of the site which are all accepting patients and therefore not at capacity. No contributions will be required for health provision.

S106 Contributions:

LEVY (CIL) REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

As explained within the main report, the financial contributions towards education and the provision of affordable housing would help to make the development sustainable and is a requirement local plan policies and the NPPF. It is directly related to the development and is fair and reasonable.

Response to Objections

There have been eleven objections to the proposal, expressing concerns about highway safety, lack of infrastructure, loss of open countryside and impact on amenity. These issues are addressed in the main body of the report.

Conclusion – The Planning Balance

The site is located within the open countryside where under policy NE2 there is a presumption against development unless the development falls into one of a number of categories as detailed by Local Plan. 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).

The boost to housing supply is an important benefit – and this application achieves this in the context of a deliverable, sustainable housing land release. The provision of the community facility is also considered an important benefit to be delivered as part of the scheme.

Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety, amenity, drainage, landscape, trees and ecology.

In this instance, it is considered that the benefits of the scheme would outweigh the dis-benefits by virtue of the loss of open countryside.

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 completion of a Section 106 Agreement to secure the affordable housing provision, education contribution and community facilities and the following conditions:

- 1. Commencement**
- 2. Submission of reserved matters**
- 3. Approved plans**

4. Hours of piling limited to 9am to 5.30pm Monday to Friday, 9am to 1pm Saturday, with no piling on Sundays or Public Holidays
5. Submission of Construction Management Plan
6. Provision of an electric vehicle charging point to each dwelling
7. Submission of drainage scheme to include foul and surface water including sustainable drainage systems
8. Submission of tree/hedgerow protection scheme
9. Submission of a Phase II Contaminated Land Report
10. Breeding bird survey for works in the nesting season
11. Reserved matters application to include detailed Arboricultural Impact Assessment
12. Reserved matters to include Noise Mitigation Scheme
13. Reserved matters to include details of external lighting
14. Reserved matters to include features for breeding birds and roosting bats
15. Reserved matters to include details of boundary treatments
16. Reserved matters to include existing and proposed levels.

Heads of Terms:

- Affordable housing – 30% provision comprising 6 affordable units with a tenure split of 4 social/affordable rent and 2 intermediate tenure
- Contribution of £49,028.07 to secondary education provision
- Completion of the pavilion and recreational facilities by the first residential occupation of the 10th dwelling

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

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

