

Application No: 15/5166N

Location: Smithy Lodge, NANTWICH ROAD, WRENBURY, CW5 8EW

Proposal: Proposed Development of 10No. residential dwellings.

Applicant: Chris Chaplin, Landlink plc

Expiry Date: 25-Jan-2016

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).

The boost to housing supply is an important benefit – and this application achieves this in the context of a deliverable, sustainable housing land release.

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 adverse impacts..

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 affordable housing provision

PROPOSAL

This full planning application proposes the erection of 10 two storey dwellings, on this back-land site behind properties fronting Nantwich Road in the centre of Wrenbury village. The dwellings would be arranged into three 'blocks' around a central courtyard, and would share an existing access to Smithy Lodge, although amendments are proposed to improve this. An area at the rear of the site would be set aside for an area of open space/paddock and orchard.

SITE DESCRIPTION

This 0.84 ha site comprises an area of garden attached to Smithy Lodge and paddocks to the north. There are hedges and trees around the boundaries and ornamental trees and shrubs within the garden area. The site is generally flat. There is agricultural land to the north, residential development beyond Nantwich Road to the south, residential development to the west (separated by a public footpath along a track) and residential development to a section of the eastern boundary.

The site is on the northern edge of Wrenbury village but in an area designated as being within Open Countryside in the adopted local plan. The western edge of the site also falls within the Wrenbury Conservation Area, as does the land to the south through which the access passes.

There is a public footpath (FP1) which runs along the western edge of the site and to the south west of that footpath there is a Grade II listed building (Hawk House) at the Nantwich Road entrance to the footpath.

RELEVANT HISTORY

7/05602 Alterations to vehicular access - Old Smithy Nantwich Road Wrenbury APPROVED 1979

7/05414 Buildings to be used for storing agricultural implements and keeping farm animals - Old Smithy Nantwich Road Wrenbury APPROVED 1979

13/3620N Residential development consisting 14 No detached dwellings - Smithy Lodge, NANTWICH ROAD, WRENBURY, CW5 8EW WITHDRAWN Nov 2013

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
- BE.7 - Conservation Areas
- BE.9 – Listed Buildings
- 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, with the obvious exception of NE2 Open Countryside.

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 7 The Historic Environment
- 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

Wrenbury is defined as a Local Service Centre in the emerging plan.

Neighbourhood plan:

Wrenbury is a Designated Neighbourhood Area but the plan is at an early stage and as such there are no policies to consider.

CONSULTATIONS:

United Utilities - No objection subject to conditions relating to foul and surface water drainage being drained to separate systems, and submission of a surface water drainage scheme.

Highways - Whilst there were originally concerns about the information submitted in support of the application, following the submission of revised plans and supporting information they are now satisfied that the visibility at the access meets Manual for Streets and that the access will operate safely. They raise no objections to the proposals, and their more detailed comments on sustainable access, safe and suitable access and network capacity are incorporated in the highways section below.

Environmental Protection - No objections are raised, however conditions are recommended with regard to the requirement for an Environmental Management Plan, Electrical Vehicle Infrastructure, and in view of the former history of a smithy, contaminated land.

Flood Risk Team – Additional information was requested to enable a full assessment of the scheme to be made. This information has subsequently been submitted and comments on this are awaited.

Built Heritage – Pre application discussions were had with the applicant following the withdrawal of the previous application 13/3630N. In view of their past involvement and the importance of heritage to this application their comments are repeated in full in the built heritage section of the report below. In conclusion however they feel the revised application is much improved on the previous application and if the principle of the development is accepted, then they support the scheme in terms of its impact on built heritage subject to a number of conditions.

Nature Conservation Officer - No significant ecological issues are anticipated, however conditions relating to safeguarding birds during the nesting season and providing enhancement for nesting birds and securing the orchard as proposed are recommended.

Forestry/Landscape – Their comments are incorporated below, but in respect of landscape there will inevitably be an impact on landscape, but the enclosed nature of the site (with built form on two sides and hedgerows to the rear) will reduce this impact. On the subject of trees, whilst the application was supported by a tree survey it did not include an arboricultural impact assessment and arboricultural method statement (AMS) which should be submitted in support of the application. On receipt of these reports and its recognition that the end southern unit (plot 1) will have an impact on trees that should be retained, it is recommended this block is re positioned to avoid this conflict.

Definitive map officer - The property is adjacent to public footpath Wrenbury FP 1 as recorded on the Definitive Map. It appears unlikely, however, that the proposal would affect

the public right of way, although the PROW Unit would expect an advice note should be attached to any planning consent given to ensure that developers are aware of their obligations.

Education - The development of 10 dwellings is expected to generate:

2 primary children (10 x 0.19)
2 secondary children (10 x 0.15)
0 SEN children (10 x 0.51 x 0.03%)

The development is forecast to increase an existing shortfall for secondary provision in the immediate locality.

To alleviate forecast pressures, the following contributions would be required:

2 x £17,959 x 0.91 = £32,685.38 (secondary)

Total education contribution: £32,685.38

Without a secured contribution of £32,685.38, Children's Services raise an objection to this application.

Housing – Whilst their comments are incorporated in the report below, they would object to the application unless the affordable housing need (in this case 3 units (2 rented and 1 intermediate tenure)) in Wrenbury are met.

Parish Council:

"The Wrenbury-cum-Frith Parish Council resolved "to object to this application on the grounds that the development is outside the settlement boundary, part of the development is within the conservation area and the adverse effect on the conservation area, the over-density of the development, the lack of visibility splay owing to the traffic speed and the exacerbation of drainage problems in the area."

The development is outside the settlement boundary and thus in open countryside. Policy NE.2 states limits the reasons for development and this proposal does not constitute any of the permitted reasons and is thus contrary to policy.

Much of the site lies within Wrenbury Conservation Area which is a "designated heritage asset". The remainder of the site provides the setting to the Conservation Area. Given the sensitivity of the site's location, the development has a detrimental effect on the conservation area, particularly with the courtyard design of the houses, wholly unsympathetic to the conservation area.

There is currently no footpath to the south of Nantwich Road and the proposal will significantly increase the likelihood of an accident along this unpaved area. Policy BE.3 permits new developments as long as they provide safe pedestrian and vehicle access and adequate parking and Policy TRAN3 advises that proposals for new developments will only be permitted where appropriate provision is made for pedestrians.

There are significant drainage problems in the area with the Nantwich Road regularly flooded as drains overflow. This development will add to this problem and thus lead to increased instances.

The Borough Council's SHLAA document identifies that this land can only become developable following a policy change, which has not occurred, and require the demolition of Smithy Lodge. It is noted, therefore, that this development does not meet either of these criteria.

In addition, the reasons stated in the previous refusal adjacent to this land for a house (P04/0057) supported by appeal dismissal APP/K061/A/04/1152130 are still relevant. The development would be in conflict with Policies BE.2 (Design), BE.6 (Development in a Conservation Area) and Policy BE.3 (Access and Parking)."

REPRESENTATIONS:

Some 14 representations have been received which can be viewed in full on the Council website. These express concerns about the following issues:

- Conflict with the development plan and loss of open countryside
- Pedestrian and highway safety
- Impact upon the character and appearance of Wrenbury Conservation Area and the setting of Hawk House a Grade II Listed Building.
- Impact upon local amenity and the amenity of the occupiers of neighbouring properties.
- Surface water flooding concerns
- Waste water systems
- Use of inappropriate traffic data on vehicle speeds
- The layout is inappropriate and unsympathetic to the location
- Loss of mature trees

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 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 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 in the adopted local plan, but the site has a close relationship to the village, with built development on three sides. 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 Cheshire Landscape Character Assessment identifies the application site as being located in Landscape Type 7: East Lowland Plain and specifically within the Ravensmoor Character Area (ELP1). This identifies the character area as being a predominantly flat landscape with hawthorn hedges and hedgerow trees as typical boundary types. The assessment also states that areas in the south and west (of the character area) possess a smaller-scale landscape, with much more limited views restricted by high vegetation associated with smaller fields, abundant hedges and hedgerow trees. Such areas are described as having a very tranquil and rural character.

Whilst on the edge of the settlement of Wrenbury and adjoining residential properties, the site has a rural nature and the open paddocks to the north contribute to the setting of the Conservation Area. The existing vegetation affords the northern part of the site a degree of enclosure, with a line of Leylandii separating the garden to Smithy Lodge and the paddocks.

Taking into account the nature of the application site together with the presence of the Conservation Area, there would inevitably be some impact on the landscape character although the retention of an informal open space/paddock to the north could, if combined with appropriate planting, provide a buffer to open countryside. With a public footpath to the west and adjoining residential properties, there are also sensitive visual receptors. Although not of any significant arboricultural value, the proposed removal of the existing line of Leylandii trees would open up views to the northern section of the site from Nantwich Road.

Trees

The tree survey submitted with the application indicates that whilst a number of trees, and a Leylandii hedge would be removed, they are not of high quality. The more significant trees are to be retained on the site boundaries. Additional planting is also proposed.

Following the submission of the Arboricultural reports the applicant has been asked to reposition the first block of units to avoid conflict with trees in this location which should be retained. Amended plans to address this issue are awaited.

Heritage/Design

The Built Heritage Officer responding to the original scheme wrote:

“The current proposals like the previous application will retain the existing buildings fronting the street scene in this part of Nantwich Road and use a diversion off the existing access to Smithy Lodge, all of which will serve to minimize the visual impact of the proposed new development within the street scene of the conservation area.

The reduced number of new properties within the current proposal will now serve to restrict the extent of development into the land to the rear which will now be laid out as an informal rear open space/paddock, thus serving to reduce the extent of the area for development. The extent of proposed development to the rear is now less than that was previously proposed for the new dwelling to the rear of Hawk House, permission for which was refused in 2004, and, will now align it more closely with the new development on the adjacent site at Marie Close, to give some protection to the setting of the conservation area and its historic footprint.

The proposed new development however will remain visible when passing the Grade II listed Hawk House from the adjacent lane (FP1) which runs to the west of the site and which lies within the conservation area.

Whilst the proposed new orchard to the north of the site will visually shield some distant views of the development from afar it will remain a backdrop to the conservation area when viewed from the canal towpath located to the north.

Design Considerations

The foot print and design of the current proposals will now result in a type of development more sympathetic to its conservation area setting.

The previous proposal for detached dwellings facing onto a curved cul de sac has now been replaced by four small blocks of smaller properties all of which face directly onto a large central courtyard, more in keeping with the historic character of a rural settlement.

The previous design of the proposed dwellings with their larger windows, variety of bay windows, large canopies at ground floor level, double and detached garages and lack of chimneys has now been replaced with small blocks of more simple properties with characteristics more in keeping in this historic setting.

The design of the current scheme would however be more appropriate in the context of the conservation area and its setting, the setting of the adjacent listed buildings and its proximity to development at Marie Close”

Should approval be recommended conditions were recommended.

They did however feel more information was required with regards to materials, dormer roof on the garage between unit 3-4 should be removed and the design and footprint of property units 6-7 could be addressed in order to reduce its impact on the rear property within the adjacent Marie Close and open views beyond.

Revised proposals have been submitted which address the comment with regards to the relationship to 3 Marie Close, and although the roof dormer remains, as this is on the front elevation i.e. away from the elevation facing the listed building, this is not considered to be a significant issue. Materials can be conditioned. In conclusion however it is considered that the proposed design of the development is appropriate to its sensitive location on the edge of a conservation area, which it will help preserve and enhance, and in proximity to a listed building and as such is considered acceptable.

Highways

Whilst Highways originally had concerns about the information submitted in support of the application, they are now happy with the revised information and raise no objections to the application. With regards to specific issues:

Sustainable access: The development is within easy walking distance of a range of village facilities, including a shop, village hall, sports and social club and a primary school. In addition there is a bus stop nearby with services to Whitchurch and Nantwich. The site is also close (0.6 mile) to Wrenbury station on the Crewe-Shrewsbury line. The site is considered to be locationally sustainable.

Safe and suitable access: Visibility splays of 2.4 x 46m as proposed are considered acceptable for the proposed development access and is in accordance with Manual for Streets. The internal access arrangements are considered acceptable.

Network capacity: The levels of traffic associated with the development will have minimal impact on the highway network.

Parking provision – Parking is proposed within the courtyard and meets the standards of 200% provision.

Ecology

No issues have been raised by the Council's Ecologist subject to conditions which should be attached to any approval granted.

Flood Risk

The site is within Flood Zone 1, which is at low risk of flooding. The Flood Risk Manager has requested additional information, and following its submission their updated comments will be reported in any updates.

Agricultural Land

Local Plan Policy NE.12 has been saved. The National Planning Policy Framework advises that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

The application does not contain an Agricultural Land Assessment. However; given the limited size of the site, it is not considered that its loss would be significantly detrimental.

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 impact upon the 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 Wrenbury 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

Some adjoining residents have expressed concern about the relationships of the new dwellings to their properties. The original layout has been amended, with the units 6-7 having being moved further off the boundary with 3 Marie Close. There are not now considered to be any significant overlooking or massing issues, and the planting along the boundary in this location will help to minimise any impact. The other concern was expressed by the occupiers of Glen Lea adjacent to the site entrance, where the concern was one of increased use of the access and its potential impact on amenity. Whilst clearly usage of the access will increase with appropriate boundary treatment and retention of planting proposed the proposals are considered acceptable. Landscaping details will need to be conditioned.

In all other respects the development complies with the Council's separation distances and is considered acceptable.

Affordable Housing

The Interim Planning Statement: Affordable Housing (IPS) advises – that for Windfall sites in settlements with a population of less than 3,000 the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 3 dwellings or more or than 0.2 hectare in size. It also advises that the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment. We would expect the affordable units to be delivered at a ratio of 65%/35% between social/affordable rented and intermediate tenure. This is in accordance with the SHMA 2010 and 2013 update.

SHMA Update 2013

The SHMA Update 2013 identified a requirement for 29 affordable homes in the Wrenbury sub-area between 2013/14 and 2017/18, this was made up of a requirement for 15 x 2 beds, 12 x 4/5 bed & 2 x 1 bed older persons dwellings each year.

In addition to the information from the SHMA Update 2013 there are currently 45 active applicants on the waiting list with Cheshire Homechoice (which is the Choice based lettings system for allocating social & affordable rented accommodation across Cheshire East) who

have selected Wrenbury as their first choice, showing further demand for affordable housing. These applicants have stated that they require 5 x 1 bed, 13 x 2 bed, 3 x 3 bed.

The above information shows that there is a high level of need for affordable housing in Wrenbury and therefore this site should provide on-site affordable housing in line with the Council's policies.

The applicant has been asked to clarify their position with regards to affordable housing, and will be reported in the update report.

Education

The requirements for an educational contribution are outlined above and would need to be secured through a Section 106 Agreement.

S106 Contributions:

Total education contribution: £32,685.38

Affordable Housing 30%

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 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.

Subject to conditions, the proposal is considered to be acceptable in terms of its impact upon highway safety, heritage impact, amenity, drainage, landscape, and ecology. Issues of trees and affordable housing are however still outstanding and will need to be reported to Members in an update report.

On the basis these matters are satisfactorily addressed, it is considered that the benefits of the scheme would outweigh the adverse impacts.

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 and educational provision and the following conditions:

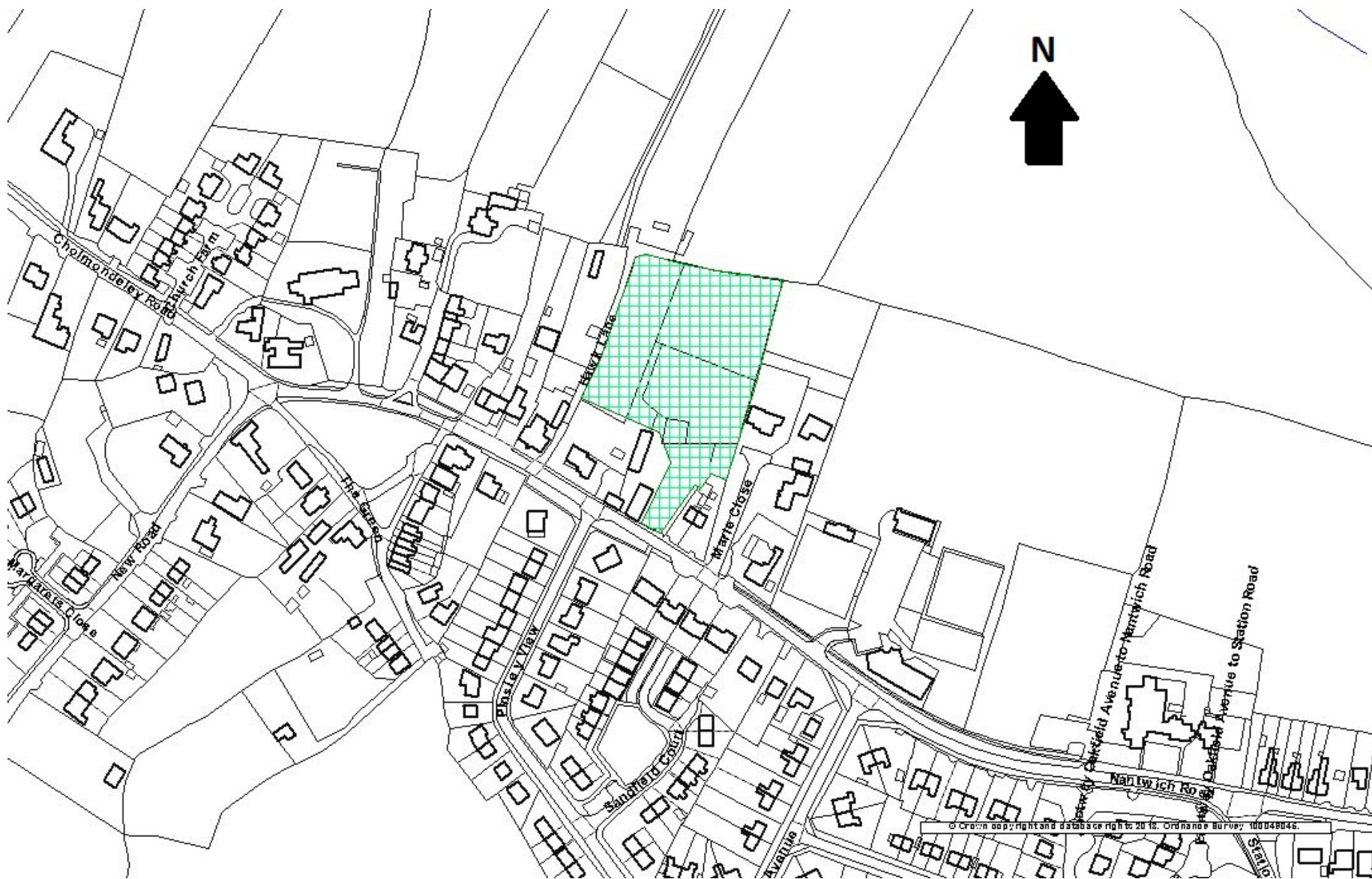
- 1. Commencement within 3 years**
- 2. Approved plans (including highways drawings)**
- 3. Submission of Construction Management Plan**
- 4. Provision of an electric vehicle charging points**
- 5. Implementation of drainage scheme to include foul and surface water including sustainable drainage systems**
- 6. Breeding bird survey for works in the nesting season**
- 7. Enhancement for bird nesting/orchard planting**
- 8. Materials – to include:**
 - details of the design, materials and colours for the entrance to the access off the Nantwich Road, the driveway into the courtyard, the courtyard and property frontage flooring and kerbs;**
 - submission of samples of the proposed roof tiles and the bricks for the walls;**
 - submission of cross sections of the set-in for the doors and windows;**
 - windows and doors to be in wood;**
 - swept heads to the doors and windows to be omitted;**
 - double glazing to be slim line with the parting bead between the panes of glass to be in black;**

- 8. Bin storage provision**
- 9. Landscaping details to be submitted**
- 10. Implementation of landscaping**
- 11. Implementation of tree/hedgerow protection scheme**
- 12. Removal of PD rights.**
- 13. Contaminated land and verification report**

Informative - PROW

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.



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