

Application No: 16/1487N

Location: Land North Of, POOL LANE, WINTERLEY

Proposal: Reserved matters application seeking consent for appearance, landscaping, layout and scale, following outline planning permission for the construction of up to 45no. dwellings (13/4632N)

Applicant: Jane Aspinall, Bellway Homes Limited

Expiry Date: 28-Jun-2016

SUMMARY

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

The principle of the development for up to 45 dwellings on this site has already been approved under outline application 13/4632N. This application considers reserved matters in relation to Appearance, Landscaping, Layout and Scale.

Particular attention has been paid to securing satisfactory landscaping along Pool Lane, to safeguard the character of the area and the amenity of nearby residents.

The proposed layout complies with relevant policies of the Development Plan, national planning guidance and policies within the emerging Cheshire East Local Plan Strategy.

Subject to conditions, it is considered that all such matters are deemed to be acceptable.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR REPORT:

This application has been called in to be determined by Southern Planning Committee by Cllr Hammond for the following reason:

"I would request that this reserved matters application is determined by Committee as this was a controversial scheme refused by the Authority and granted permission by an Inspector at Public Inquiry.

There are in particular unresolved landscape and screening issues to mitigate the significant impact of the development on the amenity of residents and the rural character of Pool Lane.”

PROPOSAL

This reserved matters application seeks approval of the; Appearance, Landscaping, Layout and Scale for the erection of up to 45 dwellings, granted under outline approval 13/4632N.

A number of revised plans (Landscape Masterplan and Planning Layout Plan) have been received during the application process in order to address Officer and local resident concerns.

SITE DESCRIPTION

The site of the proposed development extends to 2.89 ha and is located to the northern side of Pool Lane and the eastern side of Crewe Road, Winterley. The site is within Open Countryside. To the northern boundary of the site is an agricultural field and residential development fronting Crewe Road. To the east of the site is ribbon development fronting Pool Lane and to the south of the site is Pool Lane with residential properties to the opposite side. To the west are residential properties.

The land is currently in agricultural use and comprises one field. There are a number of trees and hedgerow to the boundaries of the site. Two trees onto the southern boundary of the site with Pool Lane are protected by a Tree Preservation Order.

The application site is elevated when compared to Crewe Road and Pool Lane but is relatively flat, sloping downwards towards Pool Lane.

RELEVANT HISTORY

13/4632N - Outline planning permission for the construction of up to 45 dwellings – Allowed at appeal – 14th January 2015

14/3393N - Outline planning permission for the construction of up to 45no. dwellings (Resubmission of 13/4632N) – refused 25th September 2014

14/3962N - Outline planning permission for the construction of up to 79 dwellings – Appeal dismissed 2nd February 2016

NATIONAL & LOCAL POLICY

Development Plan

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

The relevant Saved Policies are:

- NE.2 (Open countryside)
- NE.5 (Nature Conservation and Habitats)
- NE.8 (Sites of Local Importance for Nature Conservation)
- NE.9: (Protected Species)
- NE.20 (Flood Prevention)
- BE.1 (Amenity)
- BE.2 (Design Standards)
- BE.3 (Access and Parking)
- BE.4 (Drainage, Utilities and Resources)

RES.5 (Housing in the Open Countryside)
RES.7 (Affordable Housing)
RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)
RT.9 (Footpaths and Bridleways)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)

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:

PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 - Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management
SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

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.
- 50. Wide choice of quality homes
- 56-68. Requiring good design

CONSULTATIONS

Head of Strategic Infrastructure (HSI) –The access was agreed at the outline planning application stage and this application does not allow for the opportunity to revisit the access arrangement. The following comments were made regarding the internal road layout:

“The main road alignment from Pool Lane is likely to serve further phases of development and therefore this has been designed to a higher technical standard than the more informal crescent to the south of the site.

The proposed internal road layout is acceptable and is suitable for adoption, the car parking provision across the site meets current CEC standards. There is also some visitor car parking being provided on the informal loop road.

This highway layout proposed is considered acceptable and no highway objections are raised.”

Environmental Protection (Cheshire East Council) – No further comments.

Housing Strategy and Needs (Cheshire East Council) – No objection as Regenda (Registered Social Landlord) have confirmed they are happy with the affordable housing locations on the proposed site plan.

Flood Risk – No objection subject to two conditions (one relating to soakaway drainage and one relating to storm periods) and an informative. The Agent has advised that the soakaway tests are being carried out with the aim to remove at least one of the suggested conditions. At the time of writing the report this information had not been received.

Ecology – No objection subject to lighting condition, no removal of dead wood condition and a hedgehog condition.

Forestry - No objection subject to two conditions (one relating to the Arboricultural Method Statement and one relating to the implementation and construction of the access road serving Plots 13 – 17).

Conservation and Design – No objection. The revised submitted drawings have followed the Conservation and Design Officers recommendations where possible.

Open Spaces – No objection. The Open Space provision is some 0.24 Hectares and the Open Space Officer has verbally agreed that the open space provision is acceptable. Should any issues be raised prior to Planning Committee a committee update will be prepared.

Haslington Parish Council – No objection but the following comments made:

1. The introduction of an open space Health trial is welcomed but would seek assurances that local consultation is undertaken on the equipment and placing of these items in line with demographics on the population to make use of the area.
2. The introduction of new housing brings extra vehicles to the area can it be made clearer where these will be parked as garages or parking on properties looks like minimum which again could cause overspill onto Crewe Road or Winterley pool meaning the loss of people visiting due to no parking spaces.
3. The width and extent of tree belt planting falls short of that scheme commended by the Inspector. We would recommend minor amendments to the layout enabling the commended tree belt scheme to be accommodated.
4. We have concerns that the open space/ play area footpath at the Pool Lane/ Crewe Road corner will be unsafe. The path should be swung to join the Crewe Road footpath earlier - clear of the corner - and fitted with appropriate safety guidance (gate or barriers).

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants. In response, seven letters of representation have been received to date. The main areas of objection are;

- No provision for mobility issues
- Unclear information relating to the retention of the hedge
- Lack of clarification relating to the compound
- Access to Pool Lane unclear
- Flood management concerns
- Building materials blowing into houses and vehicles
- Land levels and amenity issues
- Highway safety
- Construction vehicle issues
- Landscape issues

APPRAISAL

The key issues are:

- The acceptability of the; Appearance, Landscaping, Layout and Scale
- The impact upon all other matters

SUSTAINABILITY

This application shall consider the sustainability of the proposed development in the context of the reserved matters.

In this instance, consideration of the Layout, Scale, Appearance and Landscaping are the principal considerations.

Design

Layout

The proposed development is for 45 new dwellings. The layout plan shows that the development would be constructed in a rectangular pattern, following the shape of the proposed new access road. The layout shows that the properties on the site would overlook the access road, with the units facing away from Crewe Road and Pool Lane.

The properties would respect the pattern of development within the nearby area which includes singular roads to the rear of main roads that provide housing (e.g. Fishermans Close off Nesfield Drive).

A footpath link is proposed to the south-west corner of the site, leading on to Crewe Road. The original scheme showed the footpath link leading onto Pool Lane and this was amended following highway safety concerns.

Access would be onto Crewe Road. This was approved as part of the outline application. Indeed, the proposed layout largely conforms with the indicative layout presented at outline stage.

As a result of the above, it is considered that the proposed layout of the scheme is acceptable.

Scale

The proposal would comprise of 45 two-storey dwellings, comprising of a mixture of 13 house types and an apartment block.

The heights of the 9 dwelling types would range between 7.2 metres (m) (the 4FA124 house type) and 8.1 m in height (the 4KE131 house type). The apartment block would measure 8.8 m in height.

A planning history search of the nearby properties in Winterley shows that the closest properties generally comprise of heights between 7 and 8 metres. As such, the proposed heights of the dwellings would generally reflect the heights of the surrounding properties.

The taller apartment block is proposed towards the middle of the site, and as such would not appear incongruous.

It should be noted that the range of house types and subsequently the range of heights of the dwellings proposed would create a degree of interest.

The proposed footprints of the dwellings would largely reflect the scale of the footprints of the surrounding units.

As such, the scale of the proposed dwellings is considered to be acceptable.

Appearance

The proposal would comprise 13 different house types and an apartment block. Of the 13 different dwellings, 33 will be detached and 8 shall be demi-detached. The apartment block will also be detached.

Of the 33 detached dwellings, these shall comprise of 10 different house types which would range between 7.2 and 8.1 m in height.

The house types would comprise of a mixture of rectangular or 'L-shaped' footprints. Of the 'L-shaped' footprint dwellings, the 'L' is predominantly created by gable features.

All 33 of the detached dwellings would be two-storey in height and comprise of a mixture of dual pitched and hipped roofs. Some of the units include small porches. Some include small dormers within the roof scape.

Of the 8 semi-detached units, these would range in height between 7.6 and 8.1 m and have rectangular footprints. They would all be two-storey's in height and have dual-pitched roofs. Half dual-pitched dormers are also proposed.

It is advised within the materials schedule that the dwellings would comprise of red facing brick walls and a contrast brick, some part rendered (with Tudor boarding), red roof tiles, white uPVC fenestration and GRP doors.

The closest neighbouring properties predominantly comprise of two-storey, detached units, with a mixed exposed brick and rendered finish and red/grey tiled roof.

There are also examples of hipped roofed properties and semi-detached properties within the vicinity.

As such, it is considered that the general design of the dwellings would not appear incongruous within this setting.

As such, subject to the prior approval of the material detail which is secured via a condition on the outline application, it is considered that the appearance of the proposed dwellings would be acceptable and would adhere with Policy GR2 of the adopted local plan.

Landscaping (including trees and hedgerows)

The submitted information is supported by an Arboricultural Method Statement.

The Landscape Management Plan statement advises that existing trees will be retained as part of the development. The Forestry Officer originally raised concerns over the construction of the access road serving plots 13 – 17. If this portion of the access road were to be adopted the level of construction required would be more onerous in terms of the surface treatment. Strategic Infrastructure (Highways) have advised that this portion of the access would be a private drive therefore the proposal is acceptable when considering the trees and the road materials.

The Council's Tree Officer has concluded that he has no objections, subject to conditions relating to all works being carried out in accordance with Arboricultural Method Statement and the implementation and construction of the access road serving Plots 13 – 17.

During the Planning Appeal a local resident presented a suggested landscape buffer along the southern boundary with Pool Lane. The Inspector commended the efforts of the local resident and the local resident and Agent have discussed the inclusion of the buffer strip during this reserved matters application. The Agent has revised the landscape plan to show an increase in the width of the buffer strip however the Local Resident does not consider this to be sufficient. In the Inspector's report for the planning appeal relating to application reference 14/3962N, the Inspector looks at the boundary with Pool Lane:

"Some properties on Pool Lane, facing the consented part of the site, have dense, mature planting to their boundaries. No 6 has, in addition, a tall outbuilding along its frontage. These would be largely unaffected with regard to overlooking from the appeal scheme. Nonetheless, there would be adverse impacts upon a number of other dwellings, from 8 Pool Lane eastwards. Although the dwellings are set back from the lane, their frontages are completely open, with views of the appeal site. The elevation of the appeal site above Pool Lane, and the potential for new dwellings to be tight to, and rising above, the site boundary, would, in my judgment result in a very significant adverse change in, and an oppressive impact upon, the outlook from these dwellings. With regard to privacy, I am satisfied that the likely distances are such that if new dwellings were orientated appropriately there would not be any serious adverse impacts."

Overall it is considered that the applicant has responded positively to the concerns of the local resident and the landscape buffer is considered acceptable. Concerns were raised by the Planning Officer regarding the maintenance of the landscape buffer to the south of Plot 22. The Agent has clarified that the landscape buffer will not be in the ownership of No. 22 and will be maintained by a management company.

Whilst this is a material consideration, the buffer as shown on the revised landscape is considered acceptable and it is not considered that this would substantiate a reason for refusal.

Hedgerows are a priority habitat and hence a material consideration. Condition 17 of the outline permission requires compensatory planting proposals to be submitted to address the loss of any hedgerows lost as a result of the proposed development.

The submitted ecological mitigation strategy states that 11m of Hedgerow H3 and 13m of Hedgerow H4 would be lost. The submitted landscape plan however appears to show the southern extent of H4 (on the sites eastern boundary, located below the proposed access point) being lost and replaced with a line of new tree planting. The submitted landscape master has been amended to show the retention of this section of hedgerow. The submitted habitat plan also shows a number of gaps in northern hedgerow. The revised plan shows this being gapped up as part of the landscaping scheme for the site as shown on the landscape master plan.

As such, subject to these conditions; it is considered that there would be no significant impact upon the landscape.

Other Matters

Affordable Housing

As part of the outline planning application, the affordable housing provision was secured via a S106 agreement.

This agreement secured the following;

- 30% of the total dwellings to be provided as affordable housing
- 65% of the affordable dwellings to be affordable or social rented, 35% to be intermediate
- The affordable dwellings to be pepper-potted across the site
- Affordable homes to meet CFSH Level 3 and to be built in accordance with the Homes & Communities Agency Design & Quality Standards.
- The affordable dwellings to be provided no later than occupation of 50% of the open market dwellings.

In response to this application, the Council's Housing Officer has raised no objections as the Registered Social Landlord has submitted a covering letter stating that the layout provision is acceptable.

Open Space

The layout plan shows that a degree of Public Open Space (POS) is proposed within the development itself and includes 'trim trail' equipment.

This plan shows that this land would be positioned to the east of the site and forms the boundary with Crewe Road. It would be roughly rectangular in shape and largely conforms with that proposed on the indicative layout plan considered as part of the outline application.

The on-site provision has been agreed and is deemed to adhere with Policy RT3 of the Local Plan.

Amenity

Policy BE.1 of the Local Plan advises that proposals for new development shall be permitted so long as the development does not prejudice the amenity of future occupiers or the occupiers of adjacent properties by reason of overshadowing, overlooking visual intrusion, noise and disturbance or in any other way.

The proposed dwellings will need to largely conform to the separation standards detailed within paragraph 3.9 of 'The Development on Backland and Gardens SPD'. These standards include a 21 metre gap between main windows of directly facing dwellings across both the front and rear gardens and a 13.5 metre gap between the main windows of dwellings directly facing the flank walls of an adjacent dwelling. Paragraph 3.35 of this SPD advises that each garden should have no less than 50 metres squared of private amenity space.

All neighbouring dwellings outside of the development proposal would be over the 21 metre separation standard with regards to front to rear relationships according to the submitted layout plan.

With regards to the front or rear to side 13.5 m standard, this only becomes applicable if there are sole windows to principal habitable rooms within either impacted dwelling directly opposing each other in this configuration.

At the northern boundary the layout plan shows an approximate 18.1 m gap between the side elevation of No. 326 Crewe Road and the rear elevation of the closest dwelling to the south (plot No. 2) hence adhering with this standard. At the southern boundary, at the closest point the rear elevation of plot No. 23 would be 28 m from the front elevation of No. 2, Pool Lane hence adhering with this standard.

In terms of the relationships between the proposed new dwellings themselves, although at some points the relationships fall short of the recommended 21 metre and 13.5 metre separation standards, it is considered that these dwellings are far enough away from each other (generally across the road from), so not to create any significant concerns in relation to loss of light, visual intrusion or loss of privacy for the future occupiers.

It is considered that there is enough space within the site for each of the 40 properties now proposed to have an appropriate sized garden.

During the outline planning application, Environmental Health have advised that they have no objections, subject to various conditions.

As such, subject to conditions and informatives, it is considered that the proposal would be acceptable in terms of amenity and Policies BE.1 and BE.6 of the Local Plan.

Ecology

Concerns were raised by the Ecology Officer relating to trees T3, T4 and T5 as the submitted information advises that the removal of some dead wood from these trees would be required and this would trigger the need for additional bat survey information. The Agent has advised that a

condition stipulating that there should be no removal of dead wood from the trees would be acceptable if the application is approved.

As part of this application, the Council's Nature Conservation Officer has advised that the proposed development is unlikely to have an adverse impact up the ecological features for which Winterley Pool was designated and no objections are raised.

Flood Risk and Drainage

Flood Risk and Drainage have no objection to the proposed scheme subject to a condition relating to soakaway testing, a condition relating to information regarding storm periods and informative relating to water courses.

Planning Balance

Planning permission for the development has already been approved, the application seeks approval of matters of detail.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area and appropriate landscaping is provided.

The scheme therefore represents a sustainable form of development providing sufficient quality of design and landscaping.

It is also considered that the development would not have a detrimental impact upon neighbouring amenity, ecology or trees.

The proposal complies with relevant policies of the Development Plan and is recommended for approval subject to conditions.

RECOMMENDATION

APPROVE subject to the following conditions:

- 1. In accordance with Outline**
- 2. Development in accordance with approved plans**
- 3. Soakaway drainage**
- 4. Storm period drainage**
- 5. External lighting condition**
- 6. No removal of deadwood from trees**
- 7. Hedgehog gaps in hedgerows**
- 8. Implementation and construction of the access road serving Plots 13 – 17 – trees**

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.

