

Application No: 16/1575N

Location: LAND ADJACENT TO, Lodmore House, LODMORE LANE, BURLEYDAM

Proposal: Development of affordable housing including 3no. 3Bed 5Person Houses, 6no. 2Bed 4Person Houses, 4no. 2Bed 3Person Flats and 4no. 1Bed 2Person Flats. 17 units in total with 30no.parking spaces and private gardens.

Applicant: Ms Karen Wilford, Adactus Housing Group Ltd

Expiry Date: 05-Jul-2016

SUMMARY: The application site lies with an area designated as Open Countryside as determined by the Crewe and Nantwich Borough Council Replacement Local Plan, where Policies NE.2 and RES.5 state that only development which is essential for the purposes of agriculture and therefore there is a general presumption against development.

However, Policy RES.8 states that planning permission may be granted for the provision of affordable housing, as an exception to Policy NE.2, where housing will meet the needs of people previously shown to be in local need, the site is in a sustainable location, immediately adjacent to an existing settlement boundary or exceptionally within or adjoining the built area of other rural settlements; and the scale, layout and design of the scheme is appropriate to the character of the settlement.

The applicant is a Social Housing provider, Adactus Housing Group Ltd and the proposal is for 17 affordable housing units, therefore the site can be considered as a rural exception site for the purposes of policy.

The proposal would bring positive planning benefits such as; the provision of affordable housing in an area of need and a boost to the local economy.

The negatives for the site are the generally unsustainable location and will have some impact on the setting of the listed building in the countryside, and loss of trees.

However it is considered that the positive benefits from social housing in area of rural need, and increasing the Housing Land Supply outweigh the negative impacts caused in terms of environmental sustainability in terms of loss of Open Countryside, loss of trees and unsustainable.

Further, no issues with regards to neighbouring amenity, landscape, or highways, would be created.

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RECOMMENDATION: APPROVE Subject to Section 106 Agreement and conditions

PROPOSAL:

The proposal is for the construction of 17 dwellings, 3no. 3 bed houses, 6no. 2 bed houses, 4no. 2 bed flats and 4no. 1 bed flats. The proposal includes 100% social housing.

SITE DESCRIPTION:

The application site comprises a field adjacent to Lodmore House, on Lodmore Lane, Burleydam. The application site is a relatively square area of land on the corner of Lodmore Lane.

The application site is situated within Burleydam which is a settlement designated as being Open Countryside. The application site lies adjacent to a Grade II Listed Buildings, Lodmore House.

RELEVANT HISTORY:

7/09622 - Change of use from agricultural land to recreational use. – Approved with conditions 13th January 1983

NATIONAL & LOCAL POLICY

National Policy

National Planning Policy Framework (NPPF)

Local Plan Policy

Crewe and Nantwich Replacement Local Plan 2011

- 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.8 – Listed Buildings – Alterations and Extensions
- NE.2 – Open Countryside
- NE.5 – Nature Conservation and Habitats
- NE.9 – Protected Species

NE.17 – Pollution Control
NE.20 – Flood Prevention
RES.7 – Affordable Housing
RES.3 – Housing Densities
RES.8 – Affordable Housing in rural area outside settlement boundaries (rural exceptions policy)
RT.3 – Provision of Recreational Open Space and Children's Playspace in New Housing Developments

Cheshire East Council Local Plan

MP1 – Presumption in Favour of Sustainable Development
PG5 – Open Countryside
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles
SC4 – Residential Mix
SC6 – Rural Exceptions Housing for Local Needs
SE1 – Design
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE7- The Historic Environment
CO1 – Sustainable Travel and Transport

Other Considerations:

Interim Planning Statement: Affordable Housing (Feb 2011)
North West Sustainability Checklist
The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

CONSULTATIONS:

Environmental Health – No objection, subject to conditions for Piling works, construction management plan, lighting, travel information pack, Electric Vehicle Infrastructure, dust control, contaminated land, soil forming materials, and informatives for piling, hours of construction, and contaminated land

Archaeology – The development site is recorded on the Tithe Award dated 1845, therefore potentially there maybe remains of a cottage. A condition is proposed to secure a programme of archaeological work to be carried out prior to commencement of development.

Strategic Housing Officer – No Objections subject to a S106 Agreement to secure the 100% affordable housing provision.

Strategic Infrastructure Manager – The SIM is satisfied that the development proposals can be safely accommodated on the adjacent highway network; accordingly, the SIM has no objection to the planning application.

Environment Agency – No objection subject to conditions for foul drainage

United Utilities – No objections, subject to conditions for foul and surface water drainage, SUDs management and maintenance

Flood Risk Manager – No objections subject to a condition for drainage

Historic England – Do not consider that it is necessary for this application to be notified to Historic England

Natural England – No objections

PARISH/TOWN COUNCIL REPRESENTATION

Dodcott-cum-Wilkesley Parish Council - The Parish Council fully supports this application for much needed affordable housing within the Parish. The Parish Council has been striving for several years to bring an affordable housing development into the local area and is pleased that Adactus Housing has submitted the application. The Parish Council has been consulted by the Housing Association and the Parish Council approve of the development in Lodmore Lane. The only stipulation that the Parish Council would like to make is that the planning application be linked to a local lettings policy. This is to ensure that local residents/people with a local connection are given the initial opportunity to apply for one of the affordable homes.

OTHER REPRESENTATIONS

Letters of objection have been received from 2 local residences. The main issues raised are;

- Concerns raised about flooding
- Loss of oak tree planted by the Parish for the millennium
- Highway safety impacts
- No provision for children's play space

OFFICER APPRAISAL

Principle of Development

The site lies largely in 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.

However, Policy RES.8 states that planning permission may be granted for the provision of affordable housing, as an exception to Policy NE.2, where housing will meet the needs of people previously shown to be in local need, the site is in a sustainable location, immediately adjacent to an existing settlement boundary or exceptionally within or adjoining the built area

of other rural settlements; and the scale, layout and design of the scheme is appropriate to the character of the settlement.

The applicant is a Social Housing provider, Adactus Housing Group Ltd and the proposal is for 17 affordable housing units, therefore the site can be considered as an exception site for housing.

The issue in question is whether the development represents sustainable development and if the development accords with all other relevant Policies within the Local Plan.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

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

In order to assess whether or not residential development of this site would be sustainable, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. This suggests that new developments should meet the following:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m),
- bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),
- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

It is considered that Burleydam is limited in terms of public services and facilities that are available. With the exception of a pub, church with community facilities and a dance and Fitness Academy the nearest facilities are located in either Audlem or Whitchurch Town

Centres. Public transport options are limited to a bus service, which runs between Nantwich Audlem and Whitchurch, and the nearest Train Stations are in Nantwich and Whitchurch. The application site is just under 1 mile away from the bus stop next to the Combermere Arms, however there are no paths. It is evident therefore that essential facilities are not readily accessible and therefore the site is clearly less sustainable than a town centre location.

The site is in a rural location with limited access to local services and public transport; it is likely that the majority of trips to and from the site will be car borne, however, the application is for just 17 dwellings and the level of traffic generated by the site will be low, therefore, even if the site was located in a sustainable location the number of car trips that could be replaced by sustainable transport options such as walking, cycling or public transport would also be low.

As a result the site is considered to lie within an unsustainable location. There are, however, three dimensions to sustainable development: 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; and

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

SOCIAL SUSTAINABILITY

Affordable housing

This application is for the provision of 17 affordable housing units for rental through a social housing provider.

The Interim Planning Statement: Affordable Housing (IPS) states that: -

- With regards to Rural Exceptions Sites proposals must be for small schemes appropriate to the locality and consist in their entirety of subsidised housing that will be retained in perpetuity for rent, shared ownership or in partnership with a RSL.
- In all such cases they must be supported by an up-to-date survey identifying the need for such provision within the local community. Unless the survey indicates a need for such provision, planning permission will not be granted.

- In addition the provision needs to meet the strategic priorities of the Council in relation to the development of affordable housing in rural areas

Evidence of Housing Need:

Rural Housing Needs Survey –

A rural housing needs survey was carried out in the 2012 for Dodcott-cum-Wilkesley Parish with the final report being written in January 2013. The survey highlighted several types of resident that had an affordable housing need within Dodcott-Cum-Wilkesley, including:

- 5 respondents requiring alternative housing within the parish
- 20 current Dodcott-Cum-Wilkesley residents who wish to form a new household within Dodcott-Cum-Wilkesley or Cheshire East within the next 5 years
- 7 ex-Dodcott-Cum-Wilkesley residents who would move back into the parish if affordable housing were available.

Of these 32 potential new households:

- 13 would need to be either subsidised ownership or rentable properties
- The majority would be for a son or daughter of a respondent
- The majority would be required within the next 2 years.

This is a proposed development of 17 dwellings. This application has all 17 dwellings as affordable rent.

The SHMA 2013 shows the majority of the demand in Audlem area for the next 5 years is for 4x 1 bedroom, 16x 3 bedroom, 4x 4 bedroom dwellings and 3x 2 bedroom dwellings for Older Persons, per year. The majority of the demand on Cheshire Homechoice is for 5x 1 bedroom, 8x 2bedroom and 4x 3 bedroom dwellings therefore 1, 2 3 and 4 on this site would be acceptable.

Adactus are to manage the 17 Affordable rent properties and this meets both the IPS Rural Exception requirements and the proven need for this type of accommodation. The addition of 17 Affordable rental units meets the strategic Priority of the Council as the Registered Providers are reducing the number of Rental units on new sites across Cheshire East.

It is therefore considered that there is clearly a need for this type of development in this rural area and therefore the provision shall be secured by way of a S106 Agreement.

Amenity

The application site is situated on the corner of Lodmore Lane and is sites between Lodmore House and the properties on Fields View.

The development is designed to look like a farmhouse with rural buildings and is designed in such as way to create a internal courtyard design with development in a square design. The proposed dwellings will be sited 16m at the shortest distance away from the dwellings on Fields View and 25m away from Lodmore house with a shed in between.

The dwellings in Block 1 will have rear windows facing towards the curtilage of Lodmore House. Although the proposed development will visually change the outlook of the

dwellinghouse, there will be a separation distance of over 25m which will meet the separation distances of 21m between principal windows as set out in the SPD.

The properties on Fields View have principal windows on the front elevations and the proposed dwellings will have rear elevations facing towards the neighbours properties. However due to the positions of the new dwelling and the positions of the existing dwellings, no direct overlooking will occur as the windows will not directly overlook each other. The existing dwellings will overlook the access point into the development and the new dwellings will face towards the side gardens of the existing dwellings.

Internally there will be an interface distance between Block 1 and Block 3 of 20m, this is 1m below the suggested standards however this is not considered to be significant issue, and would not have a significantly detrimental impact on future neighbour occupation.

The proposed site plan appears to show a suitable level of private amenity space afforded to each property albeit a number of them having less than the 50 square metres. All units have provision for bin storage, and all dwellinghouse houses have paved areas and garden land and a small shed. It is therefore considered that the provision of private amenity space is sufficient.

Environmental Protection have requested conditions for Piling foundations, construction management plan, lighting, Travel Information Pack, Electric Vehicle Infrastructure, dust control, and contaminated land, and it is considered that all conditions are proposed are reasonable and will help to mitigate for any impact on neighbours and the environment as a whole.

ENVIRONMENTAL SUSTAINABILITY

Landscape

This is an application for the development of 17 affordable housing units and 30 parking spaces on land adjacent to Lodmore Lane, Burleydam. The application site is located in a rural area, has a number of hedgerows and hedgerow trees along its boundary and is located adjacent to Lodmore House, a Grade II listed building. To the east of the site, on the opposite side of Lodmore Lane are a number of semi-detached properties.

The application site is located in an area identified in the Crewe and Nantwich Local Plan as being Open Countryside, and the applicants have submitted a Landscape plan and specification. The Council's Landscape Officer has assessed the landscape and concludes that the landscape proposals are considered to be acceptable.

Trees

The application is supported by a BS5837 Arboricultural Survey by DK Landscape & Ecology (Ref (DKLE-05/2014/Lod/Arb) dated 3rd June 2014. The results and recommendations of the survey in relation to T1 and G1 which are recommended to be retained as part of the development proposals have not been reflected in the proposed site layout with both the individual tree T1 and the group G1 scheduled to be removed.

The Arboricultural survey categorises both T1 and the collective presence as moderate value category B trees, and the Council's Tree Officer would concur with this designation. The Oak T1 is a small early mature specimen of no significant presence but certainly has long term potential. Its removal can be adequately compensated within a detailed landscape scheme for the site. The linear group of Sycamore and Hawthorn identified as G1 extend across the majority of the sites southern boundary. Whilst their value is in their collective presence individually a number of the Sycamores present bifurcated main stems. Whilst no evidence of inherent movement was noted, long term there may be problems in respect of continued structural integrity. The present layout cannot accommodate the trees located on the southern boundary even if the hard standing was removed; issues of social proximity and dominance would prevail.

The Tree officer concludes that the identified trees are not considered worthy of formal protection under a Tree Preservation Order, and therefore it would be unreasonable to refuse the application on these grounds. The updated landscape details include new tree planting to mitigate for the loss of the trees on the site.

Ecology

The proposal includes an Ecological survey. The Councils Ecology Officer has yet to comment on the details submitted. This will form a separate update to the southern planning committee members.

Design and Impact on adjacent Listed Building

The proposal scheme has been designed to appear as a farmstead within the site which has a frontage on to the corner of Lodmore Lane and retaining the parking area within the courtyard area of the proposal. The design aims to take key characteristics from the surrounding rural area, with a traditional barn type design and materials.

The Council's built heritage officer has considered the proposal and notes that the development will have some impact on the Grade II listed building Lodmore House, however with the inclusion of a more substantial boundary treatment of hedges and trees along the western boundary to create a clear separation between the application site and the heritage asset it is considered that the impact will be limited.

With the additional of conditions in relation to materials to be used it is considered that the harm to the setting of the listed building is limited and the development although will have some increased impact on the character and appearance of the streetscene will not unduly harm the setting or character of the area to warrant refusal.

Archeology

The proposed development site is recorded on the Tithe Award, dated c. 1845, for the Township of Dodcott Cum Wilkesley in the parish of Audlem and Acton, as Cottage and Croft (plot 273), then occupied by a Joseph Carter, although the Tithe map fails to depict the site as occupied by any buildings. A similar problem exists with the plot immediately to the east of the proposed development (plot 274) recorded as the site of the Old House where again no building is depicted. Given the Tithe Award's description and there is a named occupier to the

site, this discrepancy is considered to more likely to be due to mapping errors at the time of survey rather than an error in the Award. To the west of the proposed development site lie Lodmore Lane Cottages, a grade II listed building, recorded on the Cheshire Historic Environment Record DCH 5511, dated to the 17th century, possibly indicating that occupation of both plots 273 & 274 might have originated at a similar date.

Consequently the proposed development site is considered to have the potential to contain structural remains of the cottage recorded on the Tithe Award, and the Cheshire Archaeology Planning Advisory Service has therefore recommend that should the Council be minded to grant planning permission for this development, the applicants be required to undertake a programme of archaeological work, and that such works be secured by means of condition.

Strategic Highways

The site extends to approximately 0.2 hectares in area and is located in a rural area approximately 1.4 kilometres to the south east of Burleydam. The site is currently accessed from Lodmore Lane. This is a full planning application for the development of 17 dwellings with associated parking and landscaping. All dwellings will be served from a private communal car park which will be accessed from Lodmore Lane.

Local highway network

Lodmore Lane is a lightly trafficked rural lane; in the vicinity of the site the carriageway is approximately 5.0m wide with no footway provision and a speed limit of 60mph. Speed surveys demonstrate that actual speeds are much lower than 60mph due to the alignment and character of the road. The recorded 85th percentile wet weather speeds were 25mph southbound past the site and 27mph northbound past the site.

Internal site layout

The private communal car park has 17 parking spaces which, based on the housing mix, is in accordance with CEC's minimum standards for residential dwellings.

Refuse collection is proposed from the road side on Lodmore Lane and, an area has been set aside within the site, adjacent to Lodmore Lane, for the temporary storage of bins on collection days, to minimise refuse vehicle dwell time on Lodmore Lane whilst the bins are emptied. The proposed layout is acceptable to the SIM.

Access

Access to the site is taken from a priority controlled junction with Lodmore Lane located in the position of the existing site access; the proposed junction layout is illustrated in in BTP Architects drawing number P104. The layout comprises:

- A site access carriageway width of 6.0m;
- Corner radii of 6.0m;
- A visibility splay of 2.4m x 27m to the north of the access; and
- A visibility splay of 2.4m x 38m to the south of the access.

The 27m visibility splay in the non-leading direction to the north of the site access is substandard by 6.0m; however, given that Lodmore Lane is lightly trafficked (around 320 two

way trips per day), the relatively small shortfall in visibility would be unlikely to have an impact on road safety.

In terms of junction geometry, layout and visibility, the access proposals are considered to be acceptable to serve a development of 17 dwellings in this location.

Traffic Impact

A development of 17 dwellings would be expected to generate less than 12 two way trips during the morning and evening commuter peak periods; this level of traffic generation would not be expected to have a material impact on the operation of the adjacent or wider highway network.

The Strategic Infrastructure Manager is satisfied that the development proposals can be safely accommodated on the adjacent highway network; and accordingly, has no objection.

ECONOMIC SUSTAINABILITY

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

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

PLANNING BALANCE AND CONCLUSION

The application site lies within an area designated as Open Countryside as determined by the Crewe and Nantwich Borough Council Replacement Local Plan, where Policies NE.2 and RES.5 state that only development which is essential for the purposes of agriculture and therefore there is a general presumption against development.

However, Policy RES.8 states that planning permission may be granted for the provision of affordable housing, as an exception to Policy NE.2, where housing will meet the needs of people previously shown to be in local need, the site is in a sustainable location, immediately adjacent to an existing settlement boundary or exceptionally within or adjoining the built area of other rural settlements; and the scale, layout and design of the scheme is appropriate to the character of the settlement.

The applicant is a Social Housing provider, Adactus Housing Group Ltd and the proposal is for 17 affordable housing units, therefore the site can be considered as an exception site for housing.

The proposal would bring positive planning benefits such as; the provision of affordable housing in an area of need and a minor boost to the local economy.

The negatives for the site are the generally unsustainable location and will have some impact on the setting of the listed building in the countryside, and loss of trees.

However it is not considered that the negative impacts caused in terms of environmental sustainability on the Countryside, loss of trees and unsustainable location do not outweigh the positive benefits identified, in allowing social housing in area of need, and increasing the Housing Land Supply.

No issues with regards to neighbouring amenity, landscape, or highways, would be created.

As such, the development is recommended for approval.

RECOMMENDATIONS

APPROVE Subject to Section 106 agreement and conditions:

Heads of Terms

Secure 100% affordable units

- requires them to transfer all units to a Registered Provider
- Includes provisions that require the affordable homes to be let to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.

Conditions

1. Standard
2. Approved plans
3. Submission of samples of building materials
4. Surfacing materials
5. Piling Foundations
6. Major development construction phase environmental management plan
7. Lighting
8. Travel Information Pack
9. Electric Vehicle Infrastructure
10. Dust control
11. Contaminated Land
12. Soil forming materials
13. Unknown Contaminated Land
14. Removal of PD
15. Programme of archaeological work
16. Foul water condition
17. Surface water condition
18. Suds Drainage and management condition
19. Tree and hedgerow protection
20. Improved landscape scheme retaining existing hedges
21. Landscape implementation
22. Nesting Birds
23. Bird nesting features

24. Hedgehog features

