

Application No: 16/2557N

Location: LAND ADJACENT TO, The Cottage, CHESTER ROAD, ALPRAHAM

Proposal: Two detached dwellings with associated garaging.

Applicant: Mr & Mrs Frank and Pat Harding

Expiry Date: 20-Jul-2016

SUMMARY

The site is not located within a settlement boundary and is located in the Open Countryside as designated in the Crewe and Nantwich Local Plan.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policies NE.2 and RES.5

In this instance the proposal is not listed as an appropriate form of development and although it would provide 2 dwellings it is not considered capable of being an infill development. As a result, it constitutes a “departure” from the development plan and emerging plan and as such, there is a presumption against the proposal.

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 consider 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 planning dis-benefits are that the proposal would cause visual harm to the open countryside.

However the proposal would bring positive planning benefits such as the provision of market housing, a minor boost to the local economy and on balance is considered to be locationally sustainable given the location to the bus stop, the wide area the bus serves and the frequency of this service.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

RECOMMENDATION

APPROVE

PROPOSAL

The proposal seeks full planning consent for the erection of x2 detached dwellings and garages

SITE DESCRIPTION

The application site comprises an open field in this open countryside location. The area consists of predominantly residential properties in a row of ribbon development, with the exception of the pub to the west of the site.

The nearest residential properties are sited to the north and east of the site. Land level drops slightly from the road into the site and further drops against outside the site.

The existing access is taken off Chester Road. Boundary treatment consists 1-1.5m high planting to the site boundaries and a large tree and conifer belt are located to the rear boundary

RELEVANT HISTORY

No relevant planning history

LOCAL & NATIONAL POLICY

Borough of Crewe and Nantwich Local Plan 2011

Policy BE.1 – Amenity
Policy BE.2 – Design Standards
Policy BE.3 – Access and Parking
Policy BE.4 – Drainage, Utilities and Resources
Policy NE.2 – Open Countryside
Policy NE.5 – Nature Conservation and Habitats
Policy NE.10 – New Woodland Planting and Landscaping
Policy RES.2 – Unallocated Housing Sites
Policy RES.3 – Housing Densities
Policy RES.5 – Housing in the Open Countryside
Policy TRAN.9 – Car Parking Standards

Cheshire East Local Plan Strategy – Consultation Draft March 2016 (CELP)

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

Policy MP1 – Presumption in Favour of Sustainable Development
Policy PG1 – Overall Development Strategy
Policy PG2 – Settlement Hierarchy
Policy SD 1 – Sustainable Development in Cheshire East
Policy SD 2 – Sustainable Development Principles
Policy SE 1 – Design
Policy SE2 – Efficient Use of Land
Policy SE5 – Trees, Hedgerows and Woodlands
Policy SE13 – Flood Risk and Water Management
Policy CS4 – Residential Mix

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

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
17 – Core planning principles
47-50 - Wide choice of quality homes
56-68 - Requiring good design

Supplementary Planning Documents (SPD):

North West Sustainability Checklist

CONSULTATIONS

Heritage & Design – Forestry (Cheshire East Council)

No objection subject to condition requiring tree protection measures

Highways (Cheshire East Council)

No objection subject to informative for a S184 licence to create the new vehicle crossing

Environmental Protection (Cheshire East Council)

No objection subject to informatives regarding construction hours and contaminated land

United Utilities

No comments received at the time of writing the report

Parish Council

Alraham Parish Council would like to note that the proposed development will be in close vicinity to the village bowling green which uses flood lights. This is an important local amenity and the flood lights themselves are essential.

It would not be possible to mitigate flood light intrusion onto other properties if located nearby. Alraham Parish Council suggests therefore this is strongly considered when planning layout and gardens etc. We would oppose any attempt to alter the current infrastructure of this valued recreation area.

We would also request that sewage management is carefully planned as this area has had a number of problems with contamination of open drains, fields and natural ponds with household waste.

REPRESENTATIONS

One letter received requesting a planning condition be imposed that requires that no objections can be made to the use of the bowling green in the future by any occupants of the new properties

APPRAISAL

The key issues are:

- The principle of the development
- Open Countryside
- Amenity
- Impact on trees/important landscape features
- Character/appearance
- Highway safety

APPRAISAL

Principle of development

The site is located outside the settlement boundary and is within the open countryside as defined by the Local Plan. Within the open countryside Policy NE.2 advises that:

‘All land outside the settlement boundaries defined on the proposals map will be treated as open countryside.

Within open countryside 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.

An exception may be made where there is the opportunity for the infilling of a small gap with one or two dwellings in an otherwise built up frontage.’

In this instance the proposal is not listed as an appropriate form of development. The issue of whether or not the proposal is sited within an otherwise built up frontage is finely balanced as it has properties sited to both sides but not to the rear and not immediately to the front. On balance given the absence of building to the front and rear, the site is not considered to be sited in an otherwise built up frontage.

As a result, it constitutes a “departure” from the development plan and emerging plan and as such, there is a presumption against the proposal.

The issue in question is whether the development 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

Following the receipt of the Further Interim Views in December 2015, the Council has now prepared proposed changes to the Local Plan Strategy (LPS), alongside new and amended strategic site allocations, with all the necessary supporting evidence. The proposed changes have been approved at a Full Council meeting held on the 26 February 2016 for a period of 6 weeks public consultation which commenced on Friday 4 March 2016.

The information presented to Full Council as part of the LPS proposed changes included the Council's 'Housing Supply and Delivery Topic Paper' (CD 9.7) of February 2016.

This topic paper sets out various methodologies and the preferred approach with regard to the calculation of the Council's five year housing land supply. From this document the Council's latest position indicates that during the plan period at least 36,000 homes are required. In order to account for the historic under-delivery of housing, the Council have applied a 20% buffer as recommended by the Local Plan Inspector. The topic paper explored two main methodologies in calculating supply and delivery of housing. These included the Liverpool and Sedgfield approaches.

The paper concludes that going forward the preferred methodology would be the 'Sedgpool' approach. This relies on an 8 year + 20% buffer approach which requires an annualised delivery rate of 2923 dwellings.

The 5 year supply requirement has been calculated at 14617, this total would exceed the total deliverable supply that the Council is currently able to identify. The Council currently has a total shortfall of 5,089 dwellings (as at 30 September 2015). Given the current supply set out in the Housing Topic Paper as being at 11,189 dwellings (based on those commitments as at 30 September 2015) the Council remains unable to demonstrate a 5 year supply of housing land. However, the Council through the Housing Supply and Delivery Topic paper has proposed a mechanism to achieve a five year supply through the Development Plan process.

National Planning Policy Guidance (NPPG) indicates at 3-031 that deliverable sites for housing can include those that are allocated for housing in the development plan (unless there is clear evidence that schemes will not be implemented within five years).

Accordingly the Local Plan provides a means of delivering the 5 year supply with a spread of sites that better reflect the pattern of housing need however at the current time, the Council cannot demonstrate a 5 year supply of housing.

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”

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

Locational Sustainability

To aid this assessment, 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. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

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Accessibility is a key factor of sustainability that can be measured. One methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

The criteria contained within the North West Sustainability Checklist are also being used during the Sustainability Appraisal of the Cheshire East Local Plan. With respect to accessibility, the toolkit advises on the desired distances to local facilities 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. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The accessibility of the site shows that following facilities meet the minimum standard:

- Post box (500m) – 7m
- Amenity Open Space (500m) – 400 m to Alpraham playground and 2574.95m - 1.6 miles. Bunbury Jubilee playing fields
- Children’s Play Space (500m) – 400m to Alpraham playground and 11426.3m - 7.1 miles away. Polar Palace Play & Party Centre
- Outdoor Sports Facility (1000m) 400m to Alpraham play area and 1.4 miles to Bunbury playing fields 10943.5m – 6.8 miles. Barony Park Sports Complex, Barony Road, Nantwich CW5 6EP
- Public House (1000m) 682.8m – The Tollemarche Arms
- Bus Stop (500m) – 50m
- Public Right of Way (500m) 7m there is a bridle way right behind the proposed site
- Any transport node on the bus link and commuting distance from a train station

It demonstrated that the proposal failed to meet the minimum standard for the following facilities;

- Post Office (500m) 2896.82m – 1.8 miles
- Primary School (1000m) 3218.69m - 2.0 miles
- Leisure Facilities (Leisure Centre or Library) (1000m) 15932.5m - 9.9 miles. Shavington Leisure Centre
- Child Care Facility (nursery or crèche) (1000m) 2253.08m - 1.4 miles to Bunbury pre school 16093.4m – 10.1 miles. Elizabeth Morris
- Pharmacy (1000m) 4023.36m – 2.5 miles. Rowlands Pharmacy

- Railway station (2000m where geographically possible) 11748.2m – 7.3miles. Nantwich station
- Bank or cash machine (1000m) 2526.67m - 1.57 miles. Link ATM
- Supermarket (1000m) 15932.5m - 9.9 miles. Sainsbury's
- Secondary School (1000m) 3057.75m - 1.9 miles. Tarporley High School
- Medical Centre (1000m) 2253.08m - 1.4 miles. Bunbury Medical Practice
- Convenience Store (500m) 3057.75m– 1.9 miles. Bunbury Village
- Local meeting place (1000m) 3057.75m– 1.9 miles. Bunbury Village

Based on the above figures the proposal meets 8 out of the 20 elements appraised. This assessment identifies that the site would not be located near to a number of key services including child care, schools, or medical centre, which are located in Bunbury village.

However on the other hand the site is in close proximity to Alpraham Village (120m outside settlement boundary) and facilities including play area, sports facilities and public house. The number 84 bus route also passes the site and this has a service to Chester, Tarporley, Crewe and Nantwich every hour Monday to Saturday but with a slightly reduced service on Sunday until approx. 5pm. The bus stop is located 50m to the north-west of the site which is assessable by footpath As a result many of the services in these centres would be readily available without the need for car travel.

As a result, whilst the location of the site would be distant from a number of key facilities and would in some circumstances encourage the use of the car, it is considered that its close proximity to Alpraham Village and regular bus service to the nearby large service centres of Crewe, Nantwich and Chester, that the site would represent a sustainable location, albeit at a marginal level, and as such would adhere to the NPPF.

It is noted that an appeal decision for a site in Alpraham (ref 15/2514N), concluded that particular site was not sustainable. However that site was further away from both the settlement boundary and the application boundary by some way (600m away to the west from the current application site) and the bus route was not assessable by public footpath. The current proposal is much closer to the settlement boundary and to bus stop is located 50m from the site via footpath. In this case therefore it is considered that a different conclusion is justified.

Notwithstanding the above, Inspectors have determined that locational accessibility is but one element of sustainable development and it is not synonymous with it.

Landscape/Open Countryside

The existing tree located to the south of the site is shown as being retained. Given the coverage of this tree, it is considered that half of the site is predominantly screened when viewed from the wider setting.

It is considered that further planting along the rear boundary after this point would help to soften the visual impact of the proposal and this can be secured by condition.

Therefore no significant harm to the character/appearance of the landscape.

Trees

Policy NE.5 advises that the LPA will protect, conserve and enhance the natural conservation resource.

Following initial concerns from the Councils Arborist that the plot to the east would have been overshadowed by the tree to the rear, a Tree Survey & Arboricultural Impact Assessment has been provided which has concluded that the plot be forward further forward. This has also been reflected in the amended plans.

As a result the amendments have overcome initial concerns therefore it is not considered that the proposal would pose any significant impact to the trees on site subject to condition requiring protective fencing measures.

Design

The locality contains a mixture of property style, types, sizes and design therefore it is considered that the proposed 2 storey detached dwellings could be accommodated in the street scene without causing significant harm to the existing pattern of built form.

The proposed dwellings would not project beyond the established build line within the locality given the staggered nature and would be set back from the road by 21m. The heights (8.1m), length (12.5m), depths (14.7m) and plot fills would also be comparable with other properties in the locality. Therefore the properties would not be overly prominent in the street scene.

The proposed materials of Cheshire brick, slate roofs and timber windows/doors would provide an element of local distinctiveness and would blend in with the existing colour palette of the area. The proposal does seek to introduce a modern appearance with the creation of glazed feature above the porch however this is considered to add some visual interest to the elevation and is also a feature noted for new dwellings recently approved in the locality.

Finally although the proposal does involve access/parking to the front of the properties, the visual impact will be softened and filtered against the proposed boundary planting. The sharing of the existing access point with The Cottage would also have a reduced visual impact rather than the creation of two additional access points.

As a result it is not considered that the proposal would cause significant harm to the character/appearance of the area.

Highway Safety

Policy BE.3 requires proposals to provide safe access and egress and adequate off-street parking and manoeuvring.

The proposal would shared the existing access with The Cottage and provides adequate off street parking and turning areas.

The proposal has also been assessed by the Council Highways Engineer who has no objection subject to an informative requiring the applicant to require a S184 licence to create the new vehicle crossing.

As a result it is not considered that the proposal would pose any significant harm to the existing highway network.

Flood Risk and Drainage

The application site does not fall within a Flood Risk Zone 2 or 3 and is not of a scale that triggers the requirement of a Flood Risk Assessment (FRA) to accompany the application.

United Utilities have been consulted as part of the application. Any response will be the subject of a written update.

However it is considered that drainage details could be secured by condition.

Ecology

The site is not within the proximity of any ecology related constraints. It does not contain any ponds, nor is it sited near any significant ecology habitats. A large tree is sited to the rear however this is to be retained.

Therefore it is not considered that the proposal would pose any significant concerns from an ecology perspective.

Environmental Conclusion

On balance the proposed development is considered to constitute sustainable development from a locational perspective with a neutral impact in terms of trees, ecology, design, flooding and drainage, subject to conditions where necessary.

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

Economic Role

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

Social Role

The provision of market dwellings would be a social benefit and would go some way to address the national housing shortage.

Residential Amenity

Policy BE.1 advises that development should not prejudice the amenity of occupiers or future occupiers of adjacent properties by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour or in any other way.

Policy BE.2 requires a high standard of design, which respects the character and form of its surroundings.

The proposed dwellings would be sited 34m to the properties to the front at the closest point. This separation distance is considered sufficient to prevent significant harm to living conditions.

The nearest plot would be sited 14m to the widows on the side elevation of The Cottage and the garage would be sited 6.3m. Whilst it has not been possible to conclude what rooms these windows serve, the proposed separation distance is not considered to cause significant harm through loss of outlook as the windows are set the middle and rear of The Cottage therefore outlook would remain straight ahead and to the left hand side of the windows. Impact from overshadowing/light loss is considered limited noting the west facing orientation of these windows. Whilst two side facing windows are proposed at first floor level these would serve an en-suite therefore can be conditioned to be fitted with obscure glazing to prevent overlooking/loss of privacy. Potential overlooking of the garden area would not be direct and is therefore considered acceptable on balance.

As a result it is not considered that the proposal would cause significant harm to the living conditions of the occupiers of neighbouring properties.

Other matters

It is noted that a bowling green backs on to the site to the west which uses floodlights. Concerns have been raised regarding potential complaints that may be raised by future occupants of the proposed properties from general noise and disturbance which may restrict use of the bowling green.

However the bowling green can operate without restriction as there are no planning restrictions in place. If any concerns are raised this would have to be considered under the Environmental Protection Act and would not be good reason to withhold planning permission in this case. Nor would a condition be fair and reasonable in this case. To some degree it is also a matter for the future buyers to be aware of.

Planning Balance

The site is not located within a settlement boundary and is located in the Open Countryside as designated in the Crewe and Nantwich Local Plan.

Within such locations, there is a presumption against development, unless the development falls into one of a number of categories as detailed by Local Plan Policies NE.2 and RES.5

In this instance the proposal is not listed as an appropriate form of development and although it would provide 2 dwellings it considered capable of being an infill development. As a result, it constitutes a “departure” from the development plan and emerging plan and as such, there is a presumption against the proposal.

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However the proposal would bring positive planning benefits such as the provision of market housing, a minor boost to the local economy and on balance is considered to be locationally sustainable given the proximity to the bus stop, the wide area the bus serves and the frequency of this service.

Applying the tests within paragraph 14 it is considered that the benefits outweigh the dis-benefits. As such, on balance, it is considered that the development constitutes sustainable development and should therefore be approved.

RECOMMENDATION

Approve subject to conditions

Application for Full Planning

RECOMMENDATION: Approve subject to following conditions

1. A01AP Development in accord with approved plans
2. A03FP Commencement of development (3 years)
3. A02EX Submission of samples of building materials
4. A01GR Removal of permitted development rights
5. A06GR No windows to be inserted
6. A04NC Details of drainage
7. A02LS Submission of landscaping scheme
8. Obscure glazing
9. Levels
10. Tree protection
11. Positive and proactive
12. Section s184 licence

13. Construction hours

14. Contaminated land

