

Application No: 16/1131N

Location: ERECTION OF 120 DWELLINGS AND ALL ASSOCI, LAND TO THE WEST OF AUDLEM ROAD, AUDLEM ROAD, AUDLEM, CHESHIRE, CH3 OHE

Proposal: APPEARANCE, LANDSCAPING, LAYOUT AND SCALE OF OUTLINE PERMISSION FOR UP TO 120 DWELLINGS (APPEAL REF - APP/R0660/A/13/2204723)

Applicant: ANWYL CONSTRUCTION CO LTD

Expiry Date: 14-Jun-2016

Summary

The principle of development has already been accepted as part of the outline approval on this site.

Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The impact upon infrastructure would be neutral.

In terms of the POS and LEAP provision this is considered to be acceptable and would be a benefit to this scheme.

Environmental Sustainability

Details of the proposed landscaping would be secured through the imposition of a planning condition.

With regard to ecological impacts, the development would have a neutral impact subject to mitigation.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout is considered to be acceptable. The amended plans show that there will be sufficient

parking provision on this site.

There is no objection to this development in terms of the impact upon the trees on the site.

Economic Sustainability

The development of the site would provide a number of economic benefits in the residential use of the site.

It is considered that the planning balance weighs in favour of this development.

RECOMMENDATION

Approve with conditions

PROPOSAL

This is a reserved matters application for 120 dwellings. The issues which are to be determined at this stage relate to the appearance, landscaping, layout and scale of the development.

The access would be taken from Audlem Road to the east of the site. The access point was approved as part of outline application 13/2224N.

The development would consist of 2 to 5 bedroom units. The development would consist of the following mix:

- 18 x two bed units
- 33 x three bed units
- 69 x four bed units

SITE DESCRIPTION:

The proposed site is agricultural land comprising three pastoral fields, situated on the northern edge of the village of Audlem. A native hedgerow and a group of mature trees within the hedgerow, define the boundary between the two larger fields. The eastern edge of the site is defined by a low native hedgerow with occasional mature trees which runs alongside Audlem Road.

To the south of the site eight mid-twentieth century red brick semi-detached houses at Daisy Bank Crescent back towards the site at varying orientations. A row of four recently constructed terraced properties at Little Heath Barns, are orientated side on to the site boundary. A combination of garden fences and mature vegetation form the boundary at the south of the site.

RELEVANT HISTORY:

13/3746N - Proposed residential development of up to 120 dwellings, highway works, public open space and associated works. (Resubmission) – Refused 6th March 2014

13/2224N - Proposed residential development of up to 120 dwellings, highway works, public open space and associated works – Appeal against non-determination – Appeal Allowed 7th January 2015

POLICIES

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

Development Plan:

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011, which allocates the site within the open countryside.

The relevant Saved Policies are: -

NE.2 (Open countryside)

NE.5 (Nature Conservation and Habitats)

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)

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)

As the examination of this plan has now been suspended, its policies carry limited weight. 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

Audlem Neighbourhood Plan

The Audlem Neighbourhood plan was made on 12th April 2016 and the following policies are relevant to this application;

H1 – Number of New Homes
H2 – Redevelopment of Infill Land and Brownfield Land
H3 – Scale of New Development
H4 – Size of Homes
H5 – Type of Homes
H6 – Affordable Housing
H7 – Tenancy Mix
D1 – Character and Quality
D2 – Size and Space
D3 – Position and Topography
D7 – Efficiency and Sustainability
D8 – Retaining Green Space and Encouraging Nature Conservation
D9 – Planting
D10 – Drainage
D11 – Residential Parking
D12 – Road Widths
D13 – Safe Access
D14 – Storage Space

Other Considerations:

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
Interim Planning Statement Affordable Housing

CONSULTATIONS:

ANSA (Public Open Space): No comments received

United Utilities: No comments received

CEC Flood Risk Manager: No objection subject to the imposition of planning conditions.

CEC PROW: The legal status, maintenance and specification of the proposed paths in the public open space of the site would need the agreement of the Council as the Highway Authority. If the routes are not adopted as public highway or Public Right of Way with the provision of a commuted maintenance sum, the route would need to be maintained for use under the arrangements for the management of the open space of the site.

Pedestrian and cyclist routes should be designed and constructed to best practice in terms of shared use or segregated infrastructure, accessibility and natural surveillance. Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians.

Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

CEC Head of Strategic Infrastructure: No objection

CEC Strategic Housing Manager: No objection

Cheshire Fire and Rescue: Access and facilities for the fire service should be in accordance with the Building Regulations 2010. In order that fire hydrant requirements can be assessed details

VIEWS OF THE PARISH/TOWN COUNCIL:

Audlem Parish Council: The following issues remain unaddressed on the submitted plans and the Parish Council objects to the application on the following grounds;

- Policy H4 (Size of Homes) favours small dwellings. No viability report or other material considerations have been submitted in line with this policy.
- Policy H5 (Type of Homes) requires that there should be a limit of one-third detached dwellings. The revised plans include 3 and four bedroom detached properties and no bungalows. No viability report or other material considerations have been submitted in line with this policy.
- Policy D2 (Size and Space) – it is not clear that the DCLG's Housing Standards are met in the semi-detached dwellings and four bedroom Abersoch house type. The plans do not meet the ANP policy requirement.
- Policy D11 (Residential Parking) the revised plans fail to provide adequate parking for the two bedroom properties. 14 two-bedroom house types do not have the required parking provision. This is not compliant with the ANP or the Cheshire East parking requirements.
- Policy D13 (Safe Access) this aspect has been subject of an earlier letter of complaint about the inaccuracy of information by the Highways Department

REPRESENTATIONS:

Letters of objection have been received from 4 local households raising the following points;

- At what point does Audlem reach capacity

- Audlem is slowly transforming into a town
- Additional burden on emergency services
- Visual impact of the development
- Light pollution
- Impact upon village amenities (shops, public houses and parking)
- Noise and disturbance during the construction phase
- Loss of property value
- The road widths of the development do not comply with the Audlem Neighbourhood Plan
- Flooding from the development
- Sewage infrastructure is at capacity
- The scale of development is contrary to the Audlem NP
- Audlem PC and Cheshire East have previously rejected this housing development
- The medical centre needs expanding
- Loss of outlook
- Loss of privacy
- Increased traffic congestion in Audlem village
- Lack of landscaping to soften the development
- No details of the proposed boundary treatment
- The development is contrary to the Audlem NP
- It is not clear whether the interface distances will be met
- No sympathetic screening is provided to the existing properties
- The amended plans do not clearly indicate what changes have been made as part of this application
- The application does not respond to the needs of the local community

APPRAISAL

The principle of residential development has already been accepted following the approval of the outline application 13/2224N which was allowed at appeal.

This application relates to the approval of the appearance, landscaping, layout and scale of the development.

Housing Mix

Paragraph 50 of the Framework sets out that Councils should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community. They should also identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand.

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing. In this case the development would provide the following mix:

- 18 x two bed units
- 33 x three bed units
- 69 x four bed units

Policy H4 of the ANP states that new development should favour *‘smaller dwellings, so meeting the needs of Audlem, unless an independent viability study, or other material considerations, show a robust justification for a different mix’*.

In this case there would be 40.8% of dwellings on the development would have 2 or 3 bedrooms and 59.2% would be have 4 bedrooms.

The applicant has also stated that the 4 bedroom Abersoch house type would measures 1069sqft which is the same as the 3 bedroom Ewloe house type and as such this unit should be classed as a smaller compact/starter home with all other 4 bedroom units measuring from 1229sqft – 1812sqft. The applicants state that this would mean that 46% of the dwellings would be compact starter homes (2-3 bedrooms and the 4 bedroom Abersoch) with 54% as family homes (all 4 bed units above 1069sqft).

As condition 1 of the outline approval requires that the reserved matters shall follow the general parameters and broad design/layout concepts as set out in the Design and Access Statement. In terms of the mix the D & A Statement states that the development will provide *‘for a broad mix of dwellings and house types, ranging from 2-5 bedroom units’* and that *‘the development will comprise a mix of dwelling types. The main objective is for the development to offer a range of accommodation with a choice of houses to provide for single occupancy and family accommodation’*. The housing mix as part of this application would clearly comply with the Design and Access Statement submitted as part of the outline application and on this basis any conflict with Policy H4 cannot be used as a basis to refuse the application.

Policy H5 of the ANP states that to redress the imbalance of the current housing stock and ensure a full mix of housing the majority of new homes on developments of 3 or more should be limited to one-third detached properties, the rest being bungalows, terraced or semi-detached, unless viability or other material considerations show a robust justification for a different mix.

In relation to this issue and condition 1 of the outline consent the Design and Access Statement approved as part of the outline application states that the development will comprise *‘a range of house types from linked townhouses to detached properties’*. The Design Principles then defines that two areas of the site (The Main Street and The Lanes). ‘The Main Street’ provides the principal access spine through the centre of the site which links to ‘The Lanes’. The Design and Access Statement then goes onto state that ‘The Lanes’ will *‘typically be detached and link detached dwellings’*.

This Reserved Matters application will need to comply with condition 1 of the outline consent and the Design and Access Statement. It is considered that the Design and Access Statement provides a clear emphasis towards detached dwellings and as such any conflict with Policy H5 could not be used against this Reserved Matters application.

In terms of Policy D2 (Size and Space) a statement has been requested from the applicant to confirm compliance with the Technical Housing Standards – Nationally Described Space Standard. This information has been provided by the applicant and the results can be found using within the table below;

Size	Name	Beds	Proposed Sqft	Required Sqft (THS)	Percentage Compliance
Smaller	Monmouth	2	684	753	91%
	Carmarthen	3	804	904	89%
	Clwyd	3	956	904	106%
	Portmadog	3	1017	1001	102%
	Ewloe	3	1069	1001	107%
	Abersoch	4	1069	1044	102%
	Bala	4	1229	1044	118%
	Meliden	4	1311	1140	115%
	Glyn	4	1415	1140	124%
	Brecon	4	1501	1335	112%
	Beaumaris	4	1551	1335	116%
	Llandrillo	4	1812	1335	135%
Overall percentage of compliance					110%

As can be seen there are two house types which do not comply with Policy D2 – the Monmouth (18 units) and the Carmarthen (5 units). In this case the developer has an agreement with a Registered Provider (RP) to deliver the affordable units on this site on the basis of the house types shown on the submitted plan. It is accepted that there is a conflict with Policy D2 but given the recent difficulties within the Borough in terms of finding RP's to take affordable housing it is considered that this issue should be given greater weight than Policy D2 and the as such the size of the units is considered to be acceptable.

Affordable Housing

The outline application controls affordable housing provision on the site as part of condition 13. This states that an Affordable Housing Scheme shall include an affordable housing provision of 30% which will comprise 65% affordable/social rent and 35% as intermediate tenure.

This is a proposed development of 120 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 36 dwellings to be provided as affordable dwellings (23 units should be rented with 13 units as intermediate tenure).

For the purpose of the SHMA the site is located in the Audlem sub-area which identified a requirement for 32 new affordable homes per year between 2013/14 – 2017/18. This is made up of 4 x one bed, 8 x three beds, 6 x four beds and 14 x one bed older person dwellings.

In addition to this information Cheshire Homechoice currently shows a demand of 5 x one bed, 8 x two beds and 4 x three beds.

The plan makes reference to affordable housing but it does not show which units are to be for Affordable Rent and Intermediate Tenure. The condition on the tenure mix from the outline appeal decision will have to be discharged prior to commencement of the site

The provision of 1 bedroom housing is not included within the submitted layout. The SHMA 2013 and Cheshire Home Choice Register clearly show a need for 1 bedroom accommodation for both General Needs and for Older Persons. This can be via easy access flats, bungalows or Lifetime homes.

However in this case the developer has provided evidence to show that the only Registered Provider who is interested in the site has reservations on having 1 bedroom and older person's accommodation on this site due to the single room rate and the sustainability for older persons accommodation.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.

In this case the external design detail and materials would be consistent with the open market dwellings and is considered to be acceptable.

In terms of the layout of the affordable housing this is located with five areas of the site. The affordable layout is considered to be acceptable on this site.

Highways Implications

The wider traffic congestion issues in the locality and the point of access were considered as part of the outline application. The outline application also includes the improvements to the nearby bus stop, the addition of a '*ghost island*' right turn lane, extension of the speed limit and other traffic management measures. The Parish Council comments in relation to the access and ANP Policy D13 are noted but in this case the access point has already been approved.

In this case the Councils Highways Officer has considered the internal layout of the development and an amended plan has been received to increase the parking provision on the site.

The parking provision largely complies with the Councils standards (apart from plots 30, 88 and 89 which would be 1 space short of the requirement) and there is no objection to the development from the Councils Head of Strategic Infrastructure. In this case there would be non-allocated visitor parking within the site and the parking provision across the whole site would comply ANP Policy D11 which states that '*Where appropriate to the layout of the development of 2 or more*

properties parking may be provided by allocated spaces that are not immediately adjacent to the house'.

Amenity

In this case the Crewe and Nantwich SPD titled 'Development on Backland and Gardens' requires the following separation distances:

21 metres between principal elevations

13.5 metres between a non-principal and principal elevations

In this case the nearest property to the development would be the dwelling at No 1 Little Heath Barns to the south of the application site. This dwelling includes two secondary windows and 1 door to its side elevation facing the application site. In this case the proposed dwelling on plot 16 would be sited 8.7m to the north of 1 Little Heath Barns with a blank elevation facing the site. This relationship and the separation distances are appropriate between two non-principal elevations.

To the north-west of No 1 Little Heath Barns is the proposed dwelling at Plot 20 which would be sited over 25m away and off-set so that it does not directly face No 1 Little Heath Barns. Again this relationship is considered to be acceptable and exceeds the separation distances required in the SPD.

To the south of the site are the dwellings which front Daisy Bank Crescent and the dwellings on plots 29-38 would have rear elevations facing the existing dwellings. In this case there would be a separation distance of between 28m and 35m from the existing dwellings to those proposed. This relationship is considered to be acceptable and exceeds the separation distances required in the SPD.

Further to the south there would be a separation distance of 21 metres between the side elevation of plot 38 and the nearest elevation of The Mews. This relationship is considered to be acceptable and exceeds the separation distances required in the SPD.

The separation distances that would be provided as part of this application would meet the requirements contained within the SPD and as a result would be acceptable.

Light pollution

An external lighting scheme will be controlled as part of the planning conditions.

Noise

A condition to secure noise mitigation was suggested as part of the appeal. However in this case the Inspector concluded that the condition was not necessary in this edge of village location.

Air Quality

A Travel Plan has been conditioned as part of the outline approval on this site (condition 14).

Contaminated Land

A contaminated land condition has been included as part of the outline approval on this site (condition 5).

Disturbance during the construction phase of the development

In this case there is a construction management plan attached to the outline approval (condition 10).

Trees

Selected individual trees within the application site are protected by the Cheshire East Borough Council (Audlem - Land west of Audlem Road) Tree Preservation Order 2015, the majority of which have been identified as mature Oak which are prominent features within the local landscape (three TPO trees are located along the northern boundary of the site, 1 is located along the western boundary and 1 is located at the centre of the site).

At outline application stage the Councils Tree Officer comments raised concern over the Illustrated Site Layout and whether the number of dwellings that could be accommodated without harm to retained trees.

The submitted plan provides for the retention of existing retained trees either within public open space or within gardens which allows sufficient space for private garden amenities and an acceptable relationship/social proximity to dwellings.

There is some slight intrusion within the Root Protection Area (RPA) of a protected Oak to the north east of the site (T1 of the TPO/T2 of the Tree Survey) as a consequence of the turning head opposite Plot 5. However the Councils Tree Officer is reasonably satisfied that given the species tolerability and trees vitality the minor intrusion (which will require supervised root pruning as indicated in the submitted Arboricultural Method Statement) will not materially impact upon the trees long term health and safe well being.

Accordingly there are no objections in terms of the impact upon trees.

Landscape

As part of the application a Landscape Masterplan, Planting Schedule, Softworks Specifications and Landscape Sections were submitted as part of the original design and layout. These details were considered to be acceptable by the Councils Landscape Architect.

However as the layout of the development has been altered there will be a requirement to up-date the landscape details. This can be controlled through the imposition of a planning condition.

Design

The application is a Reserved Matters application with details of scale, layout, appearance and landscaping to be determined at this stage.

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

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

In this case the design and layout of the scheme has been subject to negotiations with the applicant and the Councils Urban Design Officer.

The positive and externally orientated perimeter blocks are welcomed with all areas of open space, footpaths and highways well overlooked by the proposed dwellings. The density of 21 dwellings per hectare is appropriate due to the location of the village on the edge of the settlement.

All of the proposed units would be two-storey in height. The height of the development is consistent with the surrounding dwellings in this part of Audlem.

The layout plan includes a large amount of open space in two main areas (one large area to the centre of the site and one smaller area to the north-west corner of the site). The residential properties would be orientated so that the areas of open space would be well overlooked and the boundary treatments to rear gardens are obscured from view.

In terms of the detailed design the proposed dwellings include canopies, projecting gables, bay windows, sill and lintel details. The design of the proposed dwellings and their scale is considered to be acceptable and would not detract from this part of Audlem.

Ecology

Hedgerows

As anticipated at the outline stage, much of the existing hedgerows would be retained as part of the development of this site. The landscape proposals include the creation of some additional hedgerows and the gapping up of the existing hedges.

To ensure that the opportunities for hedgerow creation are maximised the Hedgerow proposed around the open space area should be mixed native species hedgerow rather than beech. This will be controlled as part of the landscaping conditions.

Public Open Space

The amount of open space required as part of this development is 4,200sq.m and the proposed development would easily exceed the required level of POS with the submitted plans showing an area of approximately 10,000sq.m. As such the development is acceptable in terms of the POS provision.

The Unilateral Undertaking also secures the provision of a NEAP (with at least 6 pieces of equipment) and this would be provided within the site. Details of the play equipment will be secured as part of the agreed UU before the development commences.

Education

This issue of education capacity was dealt with as part of the outline application and the inspector did not consider that the proposed contribution of £261,483 was CIL compliant. Consequently she did not take this aspect of the UU into account when she issued her decision.

On this basis the impact upon education is considered to be acceptable.

Health Provision

This issue of health infrastructure capacity was dealt with as part of the outline application and the inspector did not consider that the proposed contribution of £116,288 was CIL compliant. Consequently she did not take this aspect of the UU into account when she issued her decision.

On this basis the impact upon healthcare provision is considered to be acceptable.

Flood Risk and Drainage

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. Flood Zone 1 defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location.

In this case the flood risk and drainage implications were considered by the Inspector as part of the approval of the outline application on this site. As part of her decision the Inspector stated that;

'A condition relating to surface and foul water drainage, including run-off and flooding is also deemed necessary to ensure adequate arrangements are in place to respond to local concerns and for the avoidance of doubt'

In this case the Inspector determined that the development could adequately mitigate any flood risk impacts and this is controlled through the imposition of a planning condition attached to the outline consent.

PLANNING BALANCE

The principle of development has already been accepted as part of the outline approval on this site.

Social Sustainability

The development will not have a detrimental impact upon residential amenity, it would provide benefits in terms of much needed affordable housing provision and would help in the Councils delivery of 5 year housing land supply.

The impact upon infrastructure would be neutral.

In terms of the POS and LEAP provision this is considered to be acceptable and would be a benefit to this scheme.

Environmental Sustainability

Details of the proposed landscaping would be secured through the imposition of a planning condition.

With regard to ecological impacts, the development would have a neutral impact subject to mitigation.

The drainage/flood risk implications for this proposed development are considered to be acceptable.

The proposed access point is acceptable and the traffic impact as part of this development has already been accepted. The internal design of the highway layout is considered to be acceptable. The amended plans show that there will be sufficient parking provision on this site.

There is no objection to this development in terms of the impact upon the trees on the site.

Economic Sustainability

The development of the site would provide a number of economic benefits in the residential use of the site.

It is considered that the planning balance weighs in favour of this development.

RECOMMENDATION:

APPROVE subject to the following conditions

- 1. Approved Plans**
- 2. Lighting Details to be submitted and approved**
- 3. Submission of a landscaping scheme**
- 4. Implementation of the approved landscape scheme**
- 5. Boundary Treatment details to be submitted for approval**
- 6. Materials to be submitted and approved**
- 7. Details of the proposed NEAP to be submitted and approved**

In order to give proper effect to the Board`s/Committee`s intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager (Regulation), in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

