

Application No: 16/5562C

Location: Rectory Farm, OLD KNUTSFORD ROAD, CHURCH LAWTON, ST7 3EQ

Proposal: Outline application for the erection of up to 5 residential dwellings, with primary access defined up to 20 metres, ancillary facilities and associated infrastructure. All matters reserved except access.

Applicant: North West Heritage Ltd

Expiry Date: 12-Jan-2017

SUMMARY

The principle of the development is considered to be acceptable in Green Belt terms and the development would accord with paragraph 89 of the NPPF as appropriate development constituting limited infilling within a village in the Green Belt.

The proposal would bring positive planning benefits such as; the provision of market housing in a sustainable location.

Balanced against these benefits must be the dis-benefits which in this case relate to a minor impact upon the landscape.

As this impact is not considered to be significant and can be mitigated against with the use of planning conditions, it is considered that on balance the application proposal represents sustainable development.

The application is therefore recommended for approval, subject to conditions.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR REFERRAL

The application has been called into Southern Planning Committee by Councillor R. Bailey for the following reasons;

'I have been asked by local residents to request that this application be called in on the grounds that the site falls outside the settlement line, it encroaches into the Green Belt, it is in contravention of the opinion of the planning inspector in a previous appeal with regard to flooding, and that views from the canal would be affected. The application should have the

opportunity to be heard by the committee to enable members of the community to be heard in an open forum’.

PROPOSAL

This application seeks outline planning permission to erect 5 dwellings including access. All other matters such as appearance, landscaping, layout and scale are not sought for approval at this stage.

SITE DESCRIPTION

This application relates to the former Rectory Farm situated to the northwest of Church Lawton and to the east of the Town of Alsager.

Rectory Farm and its associated outbuildings fall within the infill boundary line of the adjacent settlement and has recently been granted planning permission for the erection of 5 dwellings (16/1612C & 16/4182C). The current application relates to the northern section of this site, which falls within Green Belt as designated in the adopted Congleton Borough Local Plan First Review (2005).

The site is bound to the north by a brook beyond which is the Trent and Mersey Canal which occupies an elevated position relative to the northern end of the site. The site is bound to the east and south by residential properties forming the Lawton Gate settlement. To the west is Old Knutsford Road, which runs parallel with the A50. The southern portion of the site accommodates the main rectory farm dormer bungalow, a detached dormer ancillary outbuilding and some detached barns / stables towards the rear (most of which are currently being demolished).

The levels of the site drop away significantly where the curtilage for Rectory Farm ceases. The land slopes downwards towards the brook where there are some trees and planting. This part of the site is open with views afforded across the site from the adjacent canal towpath to the north.

RELEVANT HISTORY

33908/3 - Extension to Existing Stable (Retrospective) – Approved 11th February 2002

12/3016C – Outline Application for New Residential Development and Access Roads for up to 31 residential units – refused 13th March 2013 as considered inappropriate development in the Green Belt

13/2136C – Outline application for demolition of house, garage, barns and outbuildings, removal of hardstanding and construction of housing development – approved – approved 27th August 2013

15/4073C – Variation of Condition 3 (Approved Plans) and Removal of Condition 5 (Affordable Housing) on Application 13/2136C for demolition of house, garage, barns and outbuildings, removal of hardstanding and construction of housing development – approved 26th November 2015

16/1612C – Variation or removal of conditions 2, 4, 5, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, and 22 on application 15/4073C - Variation of Condition 3 (Approved Plans) and Removal of Condition 5 (Affordable Housing) on Application 13/2136C for demolition of house, garage, barns and outbuildings, removal of hardstanding and construction of housing development – approved 27th June 2016

16/4182C – Demolition of existing buildings and construction of one new dwelling – approved 8th November 2016

NATIONAL & LOCAL POLICY

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 – Green Belt protection, 47-50 - Wide choice of quality homes, 55 - Isolated dwellings in the countryside, 56-68 - Requiring good design and 79-92 – Protecting Green Belt Land

Development Plan

The Development Plan for this area is the 2005 Congleton Borough Local Plan, which allocates the site, under Policy PS7, as Green Belt.

The relevant Saved Policies are:

PS7 – Green Belt, GR1 New Development; GR2 Design, GR4 Landscaping, GR6 Amenity and Health, GR9 Accessibility, Servicing and Parking Provision – New development, GR20 Public Utilities, GR21 Flood Prevention, GR22 Open Space Provision, NR1 Trees and Woodlands, NR2 Wildlife and Nature Conservation – Statutory Sites, H1 Provision of New Housing Development, H6 Residential Development in the Open Countryside and the Green Belt

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:

MP1 - Presumption in favour of sustainable development, PG1 - Overall Development Strategy, PG3 – Green Belt, PG6 - Spatial Distribution of Development, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, IN1 – Infrastructure, SC4 - Residential Mix, SE1 – Design, SE2 - Efficient use of land, SE3 - Biodiversity and geodiversity, SE4 - The Landscape, SE5 - Trees, Hedgerows and Woodland, SE6 - Green Infrastructure, SE9 - Energy Efficient Development, SE12 - Pollution, Land contamination and land instability, SE13 - Flood risk and water management and CO1 - Sustainable Travel and Transport

Supplementary Planning Documents:

North West Sustainability Checklist

CONSULTATIONS

Highways – No objection subject to single access condition

Environmental Protection – No objection subject to conditions regarding piling, electric vehicle charging points, travel information pack, dust control, contaminated land and working hours for construction sites

United Utilities – No objection subject to conditions regarding foul and surface water drainage

Canal and River Trust – No objection

Church Lawton Parish Council – Object to the proposal on the following grounds;

- Principle – application site is within the Green Belt and not considered to be infill
- Loss of openness and rural character
- Contrary to previous appeal decision
- Drainage

REPRESENTATIONS

Fiona Bruce – Concerns raised by constituents regarding loss of green belt and drainage concerns

Neighbour notification letters were sent to all adjacent occupants and a site notice was erected. To date 50 letters of objection have been received. The main areas of objection raised include;

- Principle – application site is within the Green Belt, does not represent infill and is sited outside the settlement boundary
- Harm to Green Belt/countryside setting
- Harm to views outside the site
- Impact upon existing hedgerows and trees
- Drainage/sewage concerns
- Loss of badgers/birds/bees
- Harm to existing pattern of built form
- Contrary to previous appeal decision
- Layout and density not in-keeping
- Loss of light/privacy/overshadowing/loss of outlook
- Noise and disturbance during construction
- Impact on Conservation Area
- Light pollution
- Contamination
- Harm when viewed from the canal
- The proposal is unnecessary with no real benefit
- Site is not sustainable

- No affordable houses
- Proposed entrance is too narrow
- Other sites suitable
- Traffic/congestion
- Height not in keeping with surrounding bungalows
- Trees are inaccurately plotted

Four letters of support have been received regarding the following;

- Site is untidy
- Previous commercial use
- No problems from sewage/flooding
- Obvious infill site with limited harm to open setting
- Needs to be consistent with appeal for similar proposal which was allowed

APPRAISAL

The key issues are:

- The principle of the development
- The sustainability of the proposal, including its; Environmental, Economic and Social role
- Planning balance

Principle of Development

Policies PS6 and PS7 of the Congleton Borough Local Plan First Review 2005 (Local Plan) outline circumstances in which the construction of new buildings in the Green Belt can be considered acceptable. Policy PS6 allows for limited infilling in the Green Belt within a designated infill boundary line. These policies predate the National Planning Policy Framework (The Framework) which states that new buildings are inappropriate within the Green Belt unless they comprise one of the exceptions outlined in paragraph 89. These include limited infilling within villages and redevelopment of previously developed sites with no greater impact on openness and no conflict with including land within the Green Belt. The terms “limited” and “infilling” are not defined in the Framework.

In this instance the main issues are therefore whether or not the proposal can be considered to constitute limited infilling and whether or not it involves the re-development of a previously developed site and whether or not it would have a greater impact on openness and conflict with the purpose of including land in the Green Belt.

- Limited infilling

In seeking to restrict infilling to a small number of settlements within the Green Belt, Policy PS7 is not, in this regard, considered to be consistent with the NPPF which allows limited infilling in villages without any further qualification.

This has been established in a number of recent appeal decisions within the Borough. In such circumstances, paragraph 215 of the NPPF indicates that policies in existing local plans should be given less weight.

On Monday 9 February 2015, the Court of Appeal (Sullivan, Bean and King LJJ) allowed an appeal against the judgment of HHJ Mackie (sitting as a Deputy High Court Judge) in *Wood v Secretary of State for Communities and Local Government* [2014] EWHC 683 (Admin). The Appellant had appealed against the decision of Gravesham Borough Council to refuse planning permission for a single dwelling in a site which lay in the Green Belt but was surrounded by existing built development. The principal issue for the Court was the proper interpretation of one of the exceptions in the NPPF to the construction of new buildings being "inappropriate development" in the Green Belt. Paragraph 89 provides that an exception to the general rule is "limited infilling in villages".

Sullivan LJ (with whom Bean and King LJJ agreed) found that the policy required the decision-maker to consider whether, as a matter of fact on the ground, the site appeared to be in the village. The fact that the site lay outside the village boundary as designated in the development plan was not determinative of the point. In limiting himself to considering whether the proposal was within the designated village boundary, the Inspector had misdirected himself as to the proper meaning of paragraph 89 of the NPPF.

A recent appeal decision in the locality is also highly relevant which involved the erection of new housing outside the settlement boundary was also allowed at appeal (Appeal Ref: APP/R0660/W/16/3156493 Land adjacent to 23 Sandbach Road, Church Lawton, Stoke-On-Trent, ST7 3DW) as the inspector came to a similar conclusion as per the above court of appeal decision by stating:

"The site lies outside the infill boundary lines of Lawton Gate and Lawton Heath as shown in the Local Plan. However, in this case I consider the location of the site and its juxtaposition with existing development to be more relevant. I am mindful of recent case law which advises that the physical circumstances of a site and its relationship to a settlement are more relevant than a designated village boundary in determining whether a site can be considered to be infill development. In this case the site comprises an open field which lies between two residential dwellings. The plots would adjoin open land to the rear but would not extend beyond the residential curtilages of development on either side. the proposed plots would be commensurate in size with the dwellings either side and would sit comfortably within the gap in the frontage, reflecting the established pattern of development.

I therefore consider that having regard to the position and nature of the site, the proposal can be considered to be physically and visually related to the existing settlement and to comprise limited infilling. Although the proposal would conflict with policies PS6 and PS7 of the Local Plan, these are not consistent with the Framework, insofar as they rely on settlement boundaries, and this significantly reduces the weight which can be attached to them. The construction of 2 infill dwellings in this location should not be considered to constitute inappropriate development in the Green Belt and the proposal would not conflict with guidance within the Framework."

Given the similarities between the above appeal and the current application and the close proximity of the sites (within 300m and in the same village) significant weight needs to be attached to the appeal decision.

In this instance the site lies outside the infill boundary lines of Lawton Gate and Lawton Heath as shown in the Local Plan. However, in this case it is considered the location of the site and its

juxtaposition with existing development to be more relevant. As noted in the above case law the physical circumstances of a site and its relationship to a settlement are more relevant than a designated village boundary in determining whether a site can be considered to be infill development.

Like with the above appeal site, the application site lies within washed over Green Belt land outside of the Lawton Gate & Lawton Heath Infill Boundary Lines. However given that the site is enclosed by built form to the east, west and south it is also considered to be visually, physically and functionally located within the adjoining village. The illustrative site plan comprises plot sizes very similar to the neighbouring residential plots. The width and depth of the proposed plots are comparable with others in the immediate vicinity of the site and the plot is of a size capable of accommodating the proposed 5 detached dwellings which would be comparable to those in the immediate vicinity of the site.

There is existing built development to the south and east of the site with an existing dwelling and an approved scheme for 4 dwellings sited to the west of the site and development of the site would reflect the existing form of the cul-de-sac arrangement as existing to the east. The location of the plots would also line up with those to the east and west. The extent of the rear gardens would also reflect those of the adjacent plots and would not extend any further to the north than the existing line of garden areas to the east and west and therefore would not result in any significant visual encroachment into the Green Belt when viewed from outside the site as it would be viewed within the context of the existing village/built form.

It is also necessary to consider whether or not the proposal could be considered "limited". In the absence of any definition in the NPPF guidance is drawn from policy PS6 which defines limited development as "the building of a single or small group of dwellings". The proposal involves the erection of 5 dwellings and is considered to be a small group. Similarly it is also deemed necessary to consider the local density and pattern of built form. As explained above, the proposal would be sited between existing properties and would be comparable in terms of layout, size of dwelling and plot size.

As a result it is therefore considered that having regard to the position and nature of the site and the size of the development, the proposal can be considered to be physically and visually related to the existing settlement and to comprise limited infilling. Although the proposal would conflict with policies PS6 and PS7 of the Local Plan, these are not consistent with the Framework, insofar as they rely on settlement boundaries, and this significantly reduces the weight which can be attached to them. The construction of 5 infill dwellings in this location should not be considered to constitute inappropriate development in the Green Belt and the proposal would not conflict with guidance within the Framework.

- Previously developed sites

Limited information has been provided in the supporting statement suggesting that the site has been used historically for a number of agricultural and commercial uses involving breeding, rearing and training of horses and the stables leased for hiring of horses for pleasure rides etc and therefore considers the site to be previously developed.

The information given is limited however provides a site plan of the historic buildings on site and provides a calculation of the previous built form in which to compare against that currently being

proposed. This suggests that the net built development does not exceed the current floor area of previous development on site.

Whilst this information may establish that the footprint of the proposed development would be less than that which previously existed on site, this is only one way of considering whether or not the use would have a greater impact on openness for example it would also be necessary to compare volume and heights. Further information/evidence would also be required to ascertain the existing building/uses on site to conclude whether or not it could be considered previously developed land. Similarly the NPPF makes it clear that even if a site is considered to be previously developed this does not mean that the whole curtilage should be developed.

As a result insufficient information has been considered in which to assess whether or not the proposal would constitute re-development of a previously developed site.

Housing Land Supply

On 13 December 2016 Inspector Stephen Pratt published a note which sets out his views on the further modifications needed to the Cheshire East Local Plan Strategy. This note follows 6 weeks of Examination hearings concluding on 20 October 2016.

This note confirms that his previous endorsement for the core policies on the plan still stand and that “no new evidence or information has been presented to the examination which is sufficient to outweigh or alter my initial conclusions”. This signals his agreement with central issues such as the ‘Duty to Cooperate’, the overall development strategy, the scale of housing and employment land, green belt policy, settlement hierarchy and distribution of development.

The Inspector goes on to support the Council’s approach to the allocation of development sites and of addressing housing supply. He commented that the Council:

“seems to have undertaken a comprehensive assessment of housing land supply, and established a realistic and deliverable means of meeting the objectively assessed housing need and addressing previous shortfalls in provision, including assessing the deliverability and viability of the proposed site allocations”

The Inspector went on to state that the development strategy for the main towns, villages and rural areas appeared to be “appropriate, justified, effective, deliverable and soundly based.” As a consequence there was no need to consider other possible development sites at this stage.

The Inspector’s recommendations on Main Modifications mean that under paragraph 216 of the Framework the emerging policies of the Cheshire East Local Plan Strategy can be attributed a greater degree of weight – as the Plan as revised is at an enhanced stage, objections are substantially resolved and policies are compliant with National advice.

The Inspector’s recommendations on housing land supply, his support for the Cheshire East approach to meeting past shortfalls (Sedgepool 8) indicate that a remedy is at hand to housing supply problems. The Council still cannot demonstrate a 5 year supply of housing at this time but it will be able to on the adoption of the Local Plan Strategy. This is highly relevant to the assessment of weight given to housing supply policies which are deemed out of date by the absence of a 5 year supply. Following the Court of Appeal decision on the Richborough case, the

weight of an out of date policy is a matter for the decision maker and could be influenced by the extent of the shortfall, the action being taken to address it and the purpose of the particular policy. Given the solution to housing supply now at hand, correspondingly more weight can be attributed to these out of date policies.

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.

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”

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 applicant has not completed this particular assessment, but has drawn to the fact that the site was previously deemed to be sustainable by the previous planning approvals on the site, including development for a larger scheme than currently being proposed. On this basis the site is considered to remain locationally sustainable.

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

Landscape Impact

The site is located to the east of Old Knutsford Road within Green Belt and outside the Infill Boundary Line in the area. The main site area forms part of a field. There is some existing vegetation present with the main planting buffer being to the northern boundary, however this slopes down with the land level so the site sits in an elevated position.

Although the proposed development would close up the gap that exists between the existing built form, given that the development would be sited no further forward than the existing properties and would be viewed against existing development on 3 sides, it is not considered that subject to landscape and boundary treatment conditions, this impact upon the wider landscape would be significant.

Whilst the property types has not been indicated this will be considered at reserved matters stage, however given that the predominant property types in the area are bungalows it is fair to say that regular 2 storey properties would not be supported, therefore the eventual property types are expected to also be bungalows which would further limited visual dominance when viewed from the wider setting.

Trees and Hedgerows

The Council's Arborist has reviewed the proposal and advised that he does not object to this application.

The only tree located within the proposed construction area is a large mature twin stemmed Sycamore identified as T31; the tree bifurcates close to ground level, with both stems forming the basis of the trees main canopy form. The tree cannot be considered a long term feature in its

present form with an amount of reduction required to address the potential weakness associated with the fork union. It has been concluded previously that this tree is not considered suitable for formal protection.

The application unlike previous submissions does not contain any supporting Arboricultural detail in the form of an Impact Assessment, but the indicative layout respects the Root Protection Area of T31 and the off site trees located within the rear gardens of adjacent properties, in terms of the depicted build footprints. The presence of the existing main drain is noted in respect of T49. The openness of the site and the option to accommodate up to 5 dwellings without directly or indirectly impacting on any significant high value trees precludes any opposition to the submission from an Arboricultural perspective.

As a result it is considered that subject to conditions requiring an updated Arboricultural Impact Assessment and tree protection measures, the proposal could be accommodated without significant harm to important landscape features.

Ecology

The Council's Nature Conservation Officer has reviewed the proposal and advised that he does not object to this application.

- Other Protected Species

An extended habitat survey of this site undertaken a number of years ago identified a disused sett. The updated survey has confirmed that this site continues to be disused. The proposed development is therefore unlikely to have a direct impact upon other protected species. There would be some loss of potential foraging habitat for this species but this is not considered to be significant. The applicant's ecological consult has recommended that as a precaution the disused sett be closed down prior to the commencement of development. This course of action is acceptable subject to condition requiring the development to proceed in accordance with the mitigation measures.

- Hedgerows

Hedgerows are a priority habitat and hence a material consideration. The proposed development is likely to result in the loss of a section of hedgerow from the site interior. This hedgerow is utilised by foraging bats however a condition could be attached to any planning permission which requires suitable native species hedgerow planting to be incorporated into the detailed design produced at the reserved matters stage.

As a result it is considered that subject to the conditions suggested above, the proposal could be accommodated without significant harm from an ecology perspective.

Flood Risk and Drainage

The application site does not fall within a Flood Risk Zone 2 or 3 and is not of a scale which requires the submission of a Flood Risk Assessment (FRA).

United Utilities have raised no objections on drainage matters, subject to a condition that the applicant/developer submit a details of foul and surface water drainage.

The Councils Flood Risk Team have also been consulted and have requested additional information from the applicant regarding the drainage calculations. An update will be provided on this matter at the planning committee however it is likely that additional conditions would be requested to mitigate any impact.

As such, subject to the implementation of the proposed conditions, it is considered that the proposed development would adhere with Policies GR20 and GR21 of the Local Plan.

Design

The indicative layout shows the provision of 5 new dwellings within the site.

The plan shows that these would follow the existing line of development to the east and west and would copy the cul-de-sac layout to the east.

The plan indicates that access would be taken from an existing access to the adjacent properties to the west (Rectory Farm Bungalow and Rectory Lodge) and extend inside the site to the west.

This proposed layout also demonstrates that 5 dwellings can be accommodated within the site without appearing incongruous within its setting and suggests that the size of dwellings and plots would be comparable to that of surrounding properties.

It is not clear at this stage what the property types would be e.g. bungalows, dormer bungalows, 2 storey etc. Whilst this would be considered at reserved matters stage, it is not considered that a regular 2 storey property would be appropriate in this instance given that the surrounding neighbouring properties are all single storey in nature. Therefore it is considered necessary to detail via condition that the heights at reserved matters stage should reflect those noted locally with no 2 storey properties.

As such, the provision of 5 further detached properties could be accommodated on site without causing significant harm to the character/appearance of the area.

Access

The Councils highway engineer has considered the proposal and has no objection subject to condition requiring a single access only as approved under 16/5562C.

The plan indicates that access would be taken from an existing access to the adjacent properties to the west (Rectory Farm Bungalow and Rectory Lodge) and extend inside the site to the west which is sufficient to serve the additional number of units within this proposal.

The site is large enough to accommodate the parking and turning areas.

As such, subject to this condition, it is considered that the access to the site is acceptable and would adhere with Policy GR9 of the Local Plan.

Environmental Conclusion

It is not considered that the proposed development would create any significant environmental impacts with regards to; the landscape, protected species, highway safety, design, flooding and drainage subject to conditions.

As a result of the above reasons, it is not considered that the proposed development would be environmentally neutral.

Economic Role

It is accepted that the construction of a small housing development of this size would bring the usual economic benefit to the closest shops in Church Lawton and Alsager 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.

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

Social Role

The proposed development would provide open market housing which in itself, would be a social benefit.

Amenity

Policy GR6 (Amenity and Health) of the Local Plan, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties in terms of loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking. Supplementary Planning Document 2 (Private Open Space) sets out the separation distances that should be maintained between dwellings and the amount of usable residential amenity space that should be provided for new dwellings.

Having regard to this proposal, the residential amenity space minimum standard stated within SPG2 is 65 square metres. The plan suggests that this space can be provided for all of the proposed new dwellings.

The closest neighbouring properties to the application site would be Rectory Farm Bungalow and Rectory Lodge to the west, properties on Meadow Way to the west and properties on Brattswood Drive to the south.

The SPG recommends separation distances of 21.3m between main face elevations and 13.8m between main face and side elevations.

In this instance the illustrative layout suggests plot 8 would provide an interface of 17.7m to rear facing windows of No.15 Meadow Way and plot 9 would provide a 26.7m interface to the rear facing windows of No.9 Meadow Way. As the plan is only illustrative it can only be assumed at this

stage the plots will sit side on to the neighbouring properties in which case the separation distances would be acceptable.

The plan suggests plots 9 and 10 would be sited 23m to the rear facing windows of properties on Brattswood Drive. This would provide adequate separation.

The plan suggests that a 17.7m separation distance would be provided between plot 10 and the new plot to the west approved under ref 16/4182C. This would provide adequate separation.

Finally the plans suggests that a 9.2m separation distance would be provided between plot 6 and the new plot approved to the west under 16/1612C. Whilst this would be shy of the recommended standard the SPG does state that this distance can be relaxed between single storey properties and giving weight to location of side windows and the height of boundary treatments. Again at this stage the property styles have not been indicated however it is unlikely that 2 storey properties on site would be supported therefore it is highly likely that the proposed properties would be single storey which would allow a relaxation of separation distances. In any case this can be further assessed at reserved matters stage.

All plots provide adequate separation to garden areas. Whilst the property types will dictate the final layout, this will be assessed at reserved matters stage.

The Council's Environmental Health team have advised that they have no objections to the proposed development subject to conditions relating to; pile foundations and dust mitigation and informatives relating to hours of construction and contaminated land.

As such, subject to the above conditions, it is considered that the proposed development would adhere with Policy GR6 of the Local Plan.

Social Conclusion

As a result of the provision of market housing and because no amenity issues would be created, subject to conditions, it is considered that the proposed development would be socially sustainable.

Other matters

No contributions would be sought relating to affordable housing, public open space or education for a development of this size.

The majority of comments raised from representations have been addressed above. However a few concerns remain outstanding:

- Noise and disturbance from construction and light pollution however these issues are dealt with under separate legislation (Environment Protection Act).
- Impact on the canal conservation area however this is not considered harmful as it would be viewed in context with the existing built form.
- Other sites available to accommodate the proposal however the application has to be assessed on its own merits.

- Trees on site have not been accurately plotted however the Council's arborist has not raised this as a concern and the applicant has advised that the trees were plotted from on-site survey as a result there is no evidence to suggest the trees are plotted accurately.

Planning Balance

The principle of the development is considered to be acceptable in Green Belt terms and the development would accord with paragraph 89 of the NPPF as appropriate development constituting limited infilling within a village in the Green Belt.

The proposal would bring positive planning benefits such as; the provision of market housing in a sustainable location.

Balanced against these benefits must be the dis-benefits which in this case relate to a minor impact upon the landscape.

As this impact is not considered to be significant and can be mitigated against with the use of planning conditions, it is considered that on balance the application proposal represents sustainable development.

The application is therefore recommended for approval, subject to conditions.

RECOMMENDATION

APPROVE Subject to the following conditions

1. Time – 3 years of within 2 of last Reserved Matter approval
2. Reserved Matters within 3 years
3. Layout, Scale, Appearance and Landscaping Matters to be submitted and approved with heights reflecting those locally i.e. no 2 storey properties
4. Approved plans
5. Prior approval of Piling Method Statement
6. Prior approval of dust mitigation scheme
7. Electric vehicle charging points
8. Prior approval of foul and surface water drainage
9. Surface water drainage systems
10. The visibility shown on plan 2015/TC/SR/08(A) should be cleared of any obstructions before first occupation
11. Single access point
12. Reserved matters to include badger mitigation
13. Reserved matters to include replacement hedgerow planting
14. Reserved matters to include Arboricultural Impact Assessment
15. Reserved matters to include tree protection measures
16. Contaminated land standard condition

Informatives

- 1) Working hours for construction
- 2) Positive and proactive

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation) in consultation with the Chair (or in there absence the Vice Chair) of the 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.

