

Application No: 17/4995N

Location: Shavington Green farm, CREWE ROAD, SHAVINGTON, CW2 5JB

Proposal: 5 no. new build houses within domestic curtilage of Shavington Green Farm.

Applicant: Cherry Robinson

Expiry Date: 12-Jan-2018

SUMMARY

The application seeks outline planning permission with access to be approved, and scale, layout, landscape and appearance reserved for future approval, for 5no dwellings within the garden of Shavington Green Farm, on Crewe Road, Shavington.

The application site lies entirely within the Open Countryside, and Policy PG 6 states that, 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. The application site does not fall within the categories, and therefore is a departure from the development plan.

The Council is now in the position of having a 5 year housing land supply, and therefore development should be considered in accordance with the up to date development plan unless material considerations indicate otherwise.

The site lies adjacent to the edge of a sustainable village, Shavington, and is in a sustainable location in its self, with good links to the wider towns and services in the area. The site is surrounded by other residential development (or will be in the near future) except a small area to the west, and therefore the impact of the development on the open countryside is considered to be negligible.

The proposed indicative development is acceptable and the proposal would not cause amenity issues or highway safety issues. It is therefore considered that on balance the proposal is acceptable and is recommended for approval.

SUMMARY RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

The proposed application is for residential development within the Open Countryside and is therefore a departure from the development plan, if approved.

SITE DESCRIPTION

The application site is a large garden/orchard associated with Shavington Green Farm, on Crewe Road, Shavington. The application site runs along the rear boundary of No. 32 – 50 Crewe Road, Shavington.

The application site is situated within the Open Countryside on the edge (adjoining) of the Shavington village settlement boundary.

PROPOSAL

The application seeks outline planning permission with Access, included; with Layout, Scale, Appearance and Landscaping reserved for future approval.

The proposal is for the construction of 5 dwellings on the site, indicatively shown as two storey 'L' shape dwellings.

PLANNING HISTORY

Site History

7/10755 -House and garage to replace existing derelict farmhouse – approved with conditions 23rd February 1984

Relevant planning history of adjacent site – Land off Crewe Road

13/2069N - Outline planning application for the construction of up to 275 dwellings, including access, landscaping, recreation and amenity open space, associated infrastructure, the demolition of 28 Crewe Road and demolition of the single-storey extension to 56 Crewe Road. Permission is sought for means of access. Layout, scale, appearance and landscaping are reserved for subsequent approval. – allowed on appeal 25th July 2014

15/4046N - The approval of reserved matters in respect of appearance, landscaping, layout, and scale for the construction of 275 dwellings including landscaping, recreation and amenity open space on land at Crewe Road, Shavington – approved with conditions 15th December 2015

NATIONAL & LOCAL POLICY

Local Plan Policy

Cheshire East Local Plan Strategy

PG 6 Open Countryside
SD 1 Sustainable Development
SD 2 Sustainable Development principles
SC 4 Residential Mix

IN 1 Infrastructure
IN 2 Developer Contributions
SE1 Design
SE 2 Efficient use of land
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 5 Trees hedgerows and woodlands
SE 6 Green Infrastructure
SE12 Pollution, Land Contamination and Land Instability
CO 2 Enabling business growth through transport infrastructure

Appendix C – Parking Standards

Saved Policies of the Crewe and Nantwich Local Plan

NE.5 Nature Conservation and Habitats
NE.9 Protected Species
NE.10 Woodland and planting
NE.20 Flood prevention
BE.1 Amenity
BE.3 Access and Parking
BE.4 Drainage, Utilities and Resources
BE.6 Development on Potentially Contaminated Land
RES.5 Housing in the Open Countryside

Other Material Considerations

National Planning Policy Framework
National Planning Policy Guidance
Cheshire East Design Guide

Shavington Neighbourhood Plan

The Shavington Neighbourhood Plan is at Regulation 7 stage and no weight can be given to the NP at this time.

CONSULTATIONS

Highways: No objection is raised.

Environmental Protection: No Objections, subject to conditions for Electric Vehicle Infrastructure, contaminated land, soil importation and unexpected contamination and informatics for construction hours and contaminated land.

United Utilities: No objections, subject to conditions for foul water, surface water drainage and Management and maintenance of sustainable drainage systems

Views of the Parish Council: None received at time of writing this report.

REPRESENTATIONS

A letter of objection has been received from a neighbouring property. The main issues raised are;

- Concerns over highway safety due to the proximity of the access of the proposed development and close by approval of 250 dwellings,
- Concerns raised regarding the pedestrian safety, including the parents and children of preschool which will share the access road

OFFICER ASSESSMENT

Principle of Development

The application site is situated within the open countryside, adjacent to the settlement boundary of Shavington Village. Policy PG6 of the CELPS stipulates that only development which is essential for agriculture will be acceptable, with the exception (for new dwellings) where there is the opportunity for infilling in villages, the infilling of a small gap within a built up frontage or rural affordable housing schemes.

Whilst the proposed development is on the edge of the Shavington Village settlement boundary it does not necessarily fall into the above categories, and therefore is a departure from the development plan.

The council is now in the position of having a 5 year housing land supply, and therefore development should be considered in accordance with the up to date development plan unless material considerations indicate otherwise.

In this instance the site is land locked by surrounding development, as the site plan shows, planning permission has been granted to the rear of the site under planning permission 13/2069N for up to 275 dwellings at outline, with the reserved matters approved in later 2015. This is therefore a material planning consideration.

Locational Sustainability

Policy SD2 outlines a checklist of key amenities which a development should be within the distances shown to be considered a sustainable location.

Shavington Village is designated as a Local Service Centre in Policy PG2 of the Cheshire East Local Plan Strategy. However as the site is on the edge of the settlement it is important to ensure that the site is sustainably located in accordance with Policy SD2 of the Cheshire East Local Plan.

Service	Required Distance	Distance met?	Actual distance
Bus Stop	500m	Yes	250m
Public Right of Way	500m	Yes	65m
Railway Station	2km (where geographically possible)	No	4.5km (Crewe Station)

Amenity Open Space	500m	Yes	400m (Wessex Close)
Children's Playground	500m	Yes	400m (Wessex Close)
Outdoor Sports	500m	No	1.2km (Shavington High School)
Public Park and Village Green	1km	No	
Convenience Store	500m	Yes	500m (Co-op)
Supermarket	1km	No	5.1km (Tesco Crewe)
Post Box	500m	Yes	240m
Post Office	1km	No	2.8km
Bank or Cash Machine	1km	yes	500m (co-op)
Pharmacy	1km	No	1.7km (Rope Lane Medical Centre)
Primary School	1km	Yes	300m (Shavington Primary School)
Secondary School	1km	No, but very close	1.2km
Medical Centre	1km	No	1.7km (Rope Lane Medical Centre)
Leisure Facilities	1km	No, but very close	1.2km (Shavington High School)
Local Meeting Place / Community Centre	1km	Yes	300m (Shavington Village Hall)
Public House	1km	Yes	600m (Shavington social Club)
Child Care Facility (nursery or crèche)	1km	Yes	0km adjacent to the site

The site meets over half the checklist distances and nearly meets the Secondary School distance which is walkable by public footpath, and there is Medical centre within the settlement, albeit outside the suggested distances. Furthermore the site is well linked by Public Transport to Crewe Town Centre, Crewe Railway Station and Nantwich, for most other services and amenities. There is also a Children's play area and open space proposed on the adjoining application scheme, which would be accessible by the development plot.

It is therefore considered that the proposal site is considered to be locationally sustainable, in line with Policy SD2 of the Cheshire East Local Plan Strategy.

Affordable Housing

Policy SC5 states that residential development which have a floor space of 1,000sq.m or more in a Local Service Centre and all other locations in the Borough will require at least 30% of all units to be affordable. The current indicative plan suggested a combined floor space of around 1,100sq.m (not including garages). The proposal will not include affordable provision and therefore to ensure the reserved matters is in line with the policy a condition will be attached to ensure the floorspace of the units is below 1,000sq.m including garages.

Impact of Design upon the Character of the Area

The application is in outline with access included at this stage. The indicative plans show 'L' shape units within reasonably sized gardens. The detached properties would reflect those on Crewe Road, however are of a lower density than those of the new build development off Newcastle Road. Amendments to the shape of the buildings have been sought to a more standard square/rectangular shape.

The proposed indicative design of the dwellings will be two storeys, with brick and render details, and large full length windows. Although the design is not necessarily in keeping with the streetscene, due to the backland position of the site it is considered to be a reasonable proposal. However, the detailed appearance, layout and scale of the buildings will be considered further at reserved matters stage. It is therefore considered that the proposal is acceptable.

Amenity

Policy BE.1 seeks to ensure that the amenities of neighbouring properties are protected from development.

Again as the development is in outline and therefore the external appearance of the buildings is indicative. However it would appear that the development would retain a suitable level of private amenity space within the site, and there would be sufficient separation distance between the proposed dwellings and the existing dwellings around the site. There will be a minimum separation distance of 26m between the existing dwelling on Crewe Road and the proposed dwellings within the site, which meets the 21m separation distance between principal windows.

There will be a relatively tight relationship between the front elevations of 2 of the proposed plots (centrally on the plan- house types A and B) and the newly approved dwellings on the site approved under 13/2069N (as shown on the site plan) to the north east of the site, of only 16m. To ensure that principle windows are not facing other principle windows, the reserved matters will need to show only secondary or obscure glazed windows on the front elevations that directly overlook each other.

The design also means that internally the side elevations facing the neighbouring properties must only have secondary or obscure glazed windows otherwise the required separation distance of 21m between principal windows will not be met. The detail of this can be considered further within the reserved matters application.

Trees

The application is supported by an Arboricultural Report by Tree Heritage (THR17-76a) dated 22nd September 2017.

The supporting detail identifies forty three trees for removal, eleven of which are un-classified (Cat U) and should be removed irrespective of development; the majority of the remaining trees are mainly ornamental specimens including a collective group of fruit trees located within the north western corner of the site, along with scattered moderate value (category B) Alders Silver Birch and suppressed Oak. None of the trees identified for removal are considered significant, prominent or worthy of formal protection under a Tree Preservation Order.

The Council's Tree Officer considered that post development the spatial and social proximity of some individual build plots to retained trees is restrictive with limited utilisable external space available; however, the absence of any high value trees within the site precludes any objection from any arboricultural perspective, but should the development proceed issues of light attenuation and nuisance are considered inevitable leading to further tree losses. As the application is in outline this matter can be considered further at reserved matters stage.

The development layout including the access road respects the Root Protection Areas of the retained trees, which can be protected in accordance with current best practice BS5837:2012. Tree protection details have been provided on the Tree Protection Plan (Ref THL-0537 Rev4)

It is therefore considered that the proposal is acceptable and in accordance with policy SE.5 of the Cheshire East Local Plan Strategy.

Highway safety

The proposal is for 5no new build homes which would be accessed from a car park which itself is accessed from Crewe Road. The access has catered for the existing car park without incident and is therefore considered acceptable for such a small development. Parking provision is now to standard, with the increase in garage size to a full double size garage. The internal carriageway width is narrow and not to adoptable standards but will assist in reducing vehicle speeds, have enough width for 2 passing cars, and the layout will remain private.

The Highways Officer therefore has no objections with the proposal.

Ecology

The application includes an ecology survey which the Council's Ecologist has considered below.

Japanese Knotweed and New Zealand Pygmyweed

The applicant should be aware that Japanese Knotweed and New Zealand Pygmyweed are present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause either species to grow in the wild. They may be spread simply by means of disturbance and new growth can arise from even the smallest fragment of the plant.

Disturbance of soil on the site may result in increased growth of Japanese Knotweed and New Zealand Pygmyweed on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plants or any material contaminated

with them must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste.

This issue is dealt with under separate legislation from Planning, however it is considered reasonable to add an informative to any permission to bring it to the applicants attention.

Hedgerow

Based on the submitted layout plan it appears feasible for the existing hedgerows can be retained as part of the development. If planning consent is granted it is recommend a landscape condition be attached that includes the retention and enhancement of the boundary hedgerows, and that the lighting scheme should avoid directing light onto the boundary hedgerows and trees.

Breeding Birds

If planning consent is granted, the Ecologist has requested a condition for breeding birds.

PLANNING BALANCE AND CONCLUSION

The application site lies entirely within the Open Countryside, and Policy PG 6 states that, 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. The application site does not fall within the categories, and therefore is a departure from the development plan.

The Council is now in the position of having a 5 year housing land supply, and therefore development should be considered in accordance with the up to date development plan unless material considerations indicate otherwise.

The site is on the edge of a sustainable village, Shavington, and is in a sustainable location in itself, with good links to the wider towns in the area. The site is surrounded by other residential development (or will be in the near future) except to the west, and therefore the impact of the development on the open countryside is negligible.

The proposed development in its indicative design and layout is acceptable and the proposal would not cause amenity issues or highway safety issues. It is therefore considered that on balance the proposal is acceptable and is therefore recommended for approval.

Recommendation: Approve subject the following conditions;

- 1. Outline 3 years**
- 2. Reserve Matters time**
- 3. Reserve Matters to include layout, scale, landscape and appearance**
- 4. Approved plans**
- 5. Lighting plan with reserved matters**
- 6. Arboricultural report implementation**
- 7. Breeding Birds survey**
- 8. Breeding birds features**

- 9. Electrical Vehicle Infrastructure**
- 10. Contaminated Land – Phase 1**
- 11. Contaminated Land – verification report**
- 12. Soil importation**
- 13. Unexpected contamination**
- 14. Foul Water**
- 15. Surface Water**
- 16. Management and Maintenance of Sustainable Drainage systems**
- 17. Levels**
- 18. Boundary treatment**
- 19. Floorspace below 1,000sq.m (including garages)**
- 20. No more than 2 storey**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

