

7. FULL APPLICATION – CONSTRUCTION OF 9 NO. RESIDENTIAL UNITS (USE CLASS C3), COMPRISING 2 NO. 1-BEDROOM FLATS; 2 NO. 2-BEDROOM DWELLINGS AND 2 NO. 3-BEDROOM DWELLINGS FOR AFFORDABLE RENT AND 3 NO. 3-BEDROOM DWELLINGS FOR SHARED OWNERSHIP, ASSOCIATED CAR PARKING, CREATION OF NEW ACCESS, LANDSCAPING AND ASSOCIATED WORKS AT LAND OFF CHURCH LANE, RAINOW (NP/CEC/1118/1125, AM)

APPLICANT: EQUITY HOUSING GROUP

Site and Surroundings

1. The application site is a field extending to approximately 0.21Ha (0.5 acre) located on the northern edge of Rainow just beyond the Robin Hood Pub. The site is outside but adjacent to the designated Rainow Conservation Area which runs along the south west and part of the south-east boundary of the site.
2. The level of the field slopes downwards from the level of Church Lane (B5470) which is to the south-west of the site towards the level of Smithy Lane which is to the north-east of the site. The field is bounded by stone walling and post and wire fencing with a number of mature Sycamore on the boundary with Smithy Lane as the land banks down more steeply at the boundary. There are also a number of individual trees and groups of trees within the north-eastern part of the site including Field Maple, Grey Willow and Goat Willow.
3. The site is within the Southwest Peak Landscape Character Area and Slopes and Valleys Woodland landscape character type for the purposes of the Authority's Landscape Character Assessment.
4. There is no existing vehicular access to the field which historically has been accessed from the adjacent grounds of the Robin Hood public house. A public footpath runs along the north-east boundary of the site with another footpath running northwards through the adjacent fields. A public footpath also runs to the south of the site on the far side of Church Lane from the Old Chapel and southwards up over adjacent fields.
5. The nearest neighbouring properties are the surrounding residential properties including Chapel House, The Old Chapel, Yearns Low Cottage and Byways. The Robin Hood Pub is also located to the south west of the site with the pub car park and garden in-between.

Proposal

6. The erection of 9 residential dwellings on the site along with creation of new access off Church Lane, landscaping and associated works. The proposed dwellings are intended to be affordable to meet eligible local need with 6 of the proposed dwellings for affordable rent and 3 for shared ownership. The development would be managed by the applicant Equity Housing Group Ltd which is a registered provider of social housing.
7. The proposed development would occupy the majority of the existing field and would comprise.
8. 2 one bedroom flats for rent with floor spaces of 50m² and 56m² respectively.
9. 2 two bedroom dwellings for rent each with a floor space of 72m².
10. 2 three bedroom dwellings for rent each with a floor space of 86m².

11. 3 three bedroom dwellings for shared ownership each with a floor space of 86m²
12. The flats and two bedroom dwellings would front onto Church Lane with the new access between. The three bedroom dwellings would be to the rear of the site with finished floor levels set lower due to the sloping levels of the site.
13. Each flat would be provided with one parking space and each dwelling would be provided with two parking space with a further two parking spaces provided on site for visitors. Bin and cycle storage would be within timber clad flat roof outbuildings within the curtilage of each dwelling.
14. In general terms the proposed dwellings would have gable forms with pitched roofs. The external surfaces of the buildings would be clad with artificial stone and concrete roof tile with reconstituted window heads and cills and cream coloured uPVC windows and doors.
15. The access road would be surfaced in tarmac with grey block paving to the parking areas and buff concrete paving to footpaths. The gardens of the properties would be bounded by 1.8m high close boarded timber fencing.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

1. **The submitted application does not demonstrate that the development would meet eligible local needs for affordable housing and therefore fails to demonstrate exceptional circumstances to allow new build housing within the National Park contrary to Core Strategy policy HC1, saved Local Plan policies LH1 and LH2, the Authority's adopted Supplementary Planning Guidance 'Meeting the local need for affordable housing in the Peak District National Park', Emerging Development Management Policy DMH1 and the National Planning Policy Framework.**
2. **By virtue of its scale, density, layout, materials and detailed design the proposed development would fail to reflect or respect the character of the local area and would harm the character and appearance of the area, the setting of the designated Rainow Conservation Area and the landscape character of the National Park contrary to Core Strategy policies GSP1, GSP3, L1 and L3, saved Local Plan policies LC4, LC5, LC20 and LH1, Emerging Development Management Policies DMC1, DMC3, DMC5, DMC8 and DMC13 and the National Planning Policy Framework.**
3. **The proposed development would result in substantial loss of woodland habitat on site which is identified as having moderate potential for breeding and nesting birds. Insufficient information has been submitted to demonstrate that the development can be carried in a manner which avoids or mitigates the impact of the loss of the woodland habitat. The proposal development is therefore contrary to Core Strategy policy GSP1 and L2, saved Local Plan policies LC17 and LC18, Emerging Development Management Policies DMC11 and DMC13 and the National Planning Policy Framework.**

4. **Insufficient information has been submitted with the application to demonstrate that the development would be served by safe access. It is considered likely that the development could lead to highway safety issues in relation to vehicles waiting to turn right into the site. The proposed development is therefore contrary to Saved Local Plan policy LT18, Emerging Development Management Policy DMT3 and the National Planning Policy Framework.**
5. **Insufficient information has been submitted with the application to demonstrate that the development would achieve the highest possible standards of carbon reductions and water efficiency in order to mitigate the causes of climate change contrary to Core Strategy Policy CC1 the Authority's adopted Supplementary Planning Document 'Climate Change and Sustainable Building' and the National Planning Policy Framework.**

Key Issues

16. Whether the proposed development is acceptable in principle.
17. The impact of the proposed development upon the valued characteristics of the National Park.
18. The impact of the proposed development upon amenity and highway safety.

History

19. 2017: ENQ 29936: Pre-application advice in regard to the erection of 4 dwellings on the site.
20. The response from the Officer set out the policy principle for new housing that policies allow in principle for new housing to meet eligible local need but that there is no provision for new build market dwellings. Therefore an application for new building market housing would not be supported..
21. The site could potentially be developed for affordable housing and Officers provided information in regard to the relevant policies and the Affordable Housing Supplementary Planning Guidance. Also advised that the development would need to come forward by or on behalf of a registered social landlord and be based upon an up-to-date housing need survey.

Consultations

22. Highway Authority: No response to date.
23. Cheshire East Council (Contaminated Land): No objections subject to conditions requiring ground investigations and risk assessment to be carried out along with remediation and strategy and verification report if necessary.
24. Cheshire East Council (Rights of Way): No objection but recommends that a footnote is added to any planning permission ensure that the developer is aware of their obligation in regard to the footpath adjacent to the site.
25. Parish Council: The Parish Council accept the principle of affordable housing at this location but have concerns and request these be addressed during the planning process. The concerns are summarised below, the letter can be read in full on the Authority's website.

26. Concern that there are too many properties on the site and that their proximity to neighbouring properties will lead to a lack of privacy for existing residents.
27. Concern that there is insufficient parking and that the proposed two spaces for visitors is insufficient and will result in potential for parking to overflow onto the main road leading to safety implications. Pressure for parking spaces may be further exacerbated as residents are likely to be working in rural activities requiring off road / specialist vehicles in addition to a private car.
28. Concern about visibility and safety of the proposed access onto the main road. Request the developer provide additional safety measures on the main road.
29. Concern about future development on land forming part of the public house which is covered by the Community Asset registration.
30. Concern about the proximity of the development to the public house and request therefore sensitive screening is provided. The Parish Council do not want the operation of the public house to be affected in any way.
31. Request assurance that the proposed arboricultural plan will be adhered to and the existing trees on the property boundary, particularly along Smithy Lane will not be reduced or removed.
32. Request that planning conditions ensure that the homes remain affordable in perpetuity for local people. The Parish Council requests sight of, and the ability to input to, the proposed eligibility criteria.
33. Request assurance that all services will be adequate in particular sewerage and drainage.
34. Materials should be sympathetic to the area.
35. Environment Agency: Makes no formal comment.
36. Historic England: Makes no formal comment and suggest that the views of your specialist conservation and archaeological advisers.
37. PDNPA Archaeology: Advise that no sources indicate that the site has anything other than low archaeological interest and potential, therefore no comment on the application.
38. PDNPA Conservation Officer: Raises serious concerns about the proposed development:
39. *“The proposed site is not included within the Rainow Conservation Area (CA) but is adjacent to it on two sides. The CA was designated at a time when CA boundaries were drawn very tightly: as and when this CA is reviewed by the Authority, there will be a strong argument for the inclusion of this site within the CA. Any development on this site will have the potential to impact on the historic character and appearance of the CA and on its setting, and will be visible in views into the CA from the north-east, views out of the CA from Chapel Brow/Church Lane and views within/across this end of the CA. The application provides no consideration of these impacts, nor of any potential harm to the significance of the CA (which is a designated heritage asset) which could result. This assessment is required in order to inform any consideration of the proposals. Inadequate information has been provided, therefore.*

40. *The proposals represents an over-development of this site, with the layout and form of development not in keeping with the historic character of the built form within the CA. Apart from modern development within the settlement, properties historically face the road either singly, in short terraces or tight-knit groups, or on occasion are positioned gable on the road. Most development is close to the road edge, with the land behind traditional properties largely undeveloped. Other than areas of modern development on the west side of the main road through the village (generally not included within the CA), there are few places within the CA with development on both sides of the road: the north-east end of the CA is characterised, in particular, by properties on one side of the road facing open land on the other.*
41. *The design and detailing to the proposed houses is not in keeping with the traditional vernacular of the CA and the area more widely:*
42. *As stated in the Authority's Design Guide (paras 2.9, 2.10), traditional buildings within the National Park are characterised by their robustness, simplicity and horizontal emphasis. The horizontal form harmonises with the landscape and detailing is simple, with a minimum of decoration. Particular note should be taken of Section 3 of the Design Guide (New development – designing in sympathy) when considering new developments in the Park. As this section states, "In the countryside or on the edge of settlements, buildings should sit comfortably in the landscape. This is best achieved by emulating the horizontal, ground-hugging form of traditional buildings with their strong eaves and ridge lines and simple, low silhouettes parallel with the contours...buildings with a vertical emphasis seem to shoot up from the ground and rarely fit harmoniously into the landscape".*
43. *Regarding detailing, the DG emphasises the characteristic high solid to void ratio of traditional elevations, in which the wall dominates, noted that "reversing the solid to void ratio... visually weakens an elevation and denies it the strong appearance of traditional buildings... Where large openings are necessary, they should be balanced by a complementary area of solid walling alongside. Getting the correct solid to void ratio is crucial". Parag 3.32 notes that "Gables were traditionally left blank or near blank to maintain their structural integrity. Doors are rarely found in gables, and windows where they do occur, tend to be small and narrow." Any new development should note the Summary of Main Considerations outlined in para 3.33.*
44. *Apartments 1 and 2 are non-traditional in form, with a strong vertical emphasis to the north-west and southeast elevations and non-traditional, wide gabled elevations with triple doors to one, a central door and over fenestration to another. Houses 3, 4, and 5 also have a strong vertical emphasis and over-wide gables. Fully glazed, triple doors to the rear of each property are also non-traditional, inverting the traditional solid to void ratio in some cases. Bargeboards and timber fascias are non-traditional features and not part of the local vernacular – these should be avoided. Porches and canopies have been added to some non-listed buildings within the CA, but these are also non-traditional features, which undermine the robust simplicity of the local vernacular and are details which should not be replicated in the new development.*
45. *1.8m high timber fencing is proposed as a boundary treatment to each property. This is, again, non-traditional within the CA, the wider area and the National Park as a whole. In this prominent location on the edge of the countryside, 1.8m timber fences enclosing such a large number of properties will be alien features which would have a negative impact on the historic character and appearance of the CA."*
46. PDNPA Ecology: *Objects to the proposed development for the following reason.*
47. *The application impacts on an area of woodland. Whilst the woodland has been*

surveyed in the Ecological Appraisal, there is no assessment and mitigation/compensation for loss. Loss without providing compensatory planting would be contrary to policy. This information is required before the application can be positively determined.

48. PDNPA Landscape: Objects to the proposed development for the following reasons:
49. There is insufficient information to understand the potential landscape and visual effects of the scheme. A Landscape & Visual Impact Assessment is required to be submitted with the application. This should consider effects on landscape character, the setting of the conservation area and the setting of the village and potential views of the scheme.
50. The scheme constitutes significant over development 9 units on a 0.21 ha site equates to approx. 43 units / ha.
51. There would be a loss of woodland on site and managing and enhancing woodlands is a priority for this Landscape Character Type.
52. There would be potential conflict with landscape character and the setting of the village / heritage assets.
53. The relationship of the proposed housing to the street is poor. Combined bin / cycle store looks to be inadequate.
54. PDNPA Policy: Make the following comment.
55. I would question whether Cheshire East has had any enquiries from the Housing Association about potential housing sites outside the National Park (in Rainow, but outside the NP boundary). Whilst the presence of better sites wouldn't be a good enough reason on its own to reject the application site, we shouldn't feel nervous about asking whether the applicant has considered other sites or approached other owners in the rest of the settlement given that one half of the village isn't in a National Park and should therefore be easier to build in.
56. PDNPA Transport: Makes the following comment.
57. The proposed scheme is located in close proximity to stops servicing two bus routes, providing sustainable access to Hayfield, Macclesfield and New Mills. The inclusion of secure cycle storage within the proposal also offers options for promoting sustainable travel.
58. The design for the road, footways and parking bays appears appropriate for an edge of village location in the South West Peak. However, it is important to ensure that the footways have an adequate width to allow for wheelchair use.
59. The Planning, Design and Access Statement refers to an informal path running along the northern boundary of the site. Whilst this is an informal path, its inclusion within the report indicates regular use; presumably by residents of Rainow. It is therefore important that the route is not lost as part of the development.
60. Whilst the scheme lies outside the conservation area, it borders it, and the impact of potential overspill parking on the surrounding area (including the conservation area) should be taken into account. The development should meet the parking standards within the emerging development management policies.

61. The Planning Design and Access Statement provides details in regard to the size and number of the parking spaces to be provided. The size of cars has increased since the Derbyshire Parking Standards were formulated in 1994. The Peak District National Park Parking Standards take account of this by recommending parking bays of 2.8m x 5.0m. It is noted that the bays within the design are 2.8m x 4.8m. If it is possible to achieve a parking bay dimension of 2.8m x 5.0m within the development without compromising the number of bays or amenity of individual properties, we would recommend this approach.
62. The Statement also provides a table from the Peak District National Park Parking Standards with the Parking Standard for dwellings. The proposed scheme meets the Minimum standards of provision for a housing development of this size and with this mix of housing, with 18 off-street parking spaces.
63. However, given the concerns expressed by the Parish Council in relation to the propose scheme, it is worth bearing in mind, that the Parking Standards allow for additional spaces up to a maximum of 26 for this development, should there be a requirement to allow additional spaces the impact of overspill parking elsewhere within the village. However, we would require evidence to demonstrate such need, particularly at the maximum levels of provision.
64. The Transport Statement incorrectly refers to the Cheshire East Local Plan Strategy 2010 – 2020. Similarly, the Transport Statement quotes the Local Parking Standards from the Cheshire East Local Plan Strategy 2010 – 2020. These are the incorrect standards for the Peak District National Park, where the proposed scheme is located. The Parking Standards which should be referenced are those within either the Peak District National Local Plan 2001 (Appendix 1) or the emerging Peak District National Park Development Management Policies (Appendix 9).
65. The Transport document further quotes Paragraph C2 of the Cheshire East Local Plan Strategy 2010 – 2020 in relation to the potential variance in parking standards on a site by site basis. As the Cheshire East Local Parking Standards do not apply within the Peak District National Park, this paragraph of the Transport Statement (paragraph 3.11) also has no weight in relation to the proposed scheme.
66. We would recommend a rewrite of the “Compliance with parking standards” section of the Transport Statement (page 8), to take account of the errors within it, and to provide clarity on the planning jurisdiction under which the proposed scheme sits.

Representations

67. The Authority has received a total of 8 letters of representation at the date this report was written. All the letters object to the proposed development with one making general comment and raising concerns. All the letters can be read in full on the Authority’s website. The material planning reasons given in objection to the proposed development are summarised below.
 - As you drive through Rainow, the majority of the buildings that can be seen from the main road create the character of the village and should be used as a guideline for any proposed future development, both in terms of building materials to be used and style of property so that anything that is permitted looks like it has always been a part of the village.

- The majority of the surrounding existing properties directly impacted by this development have been in existence since the 1870's. A modern development of properties on the proposed site will not only be overbearing but will be completely out of character in terms of appearance compared with these existing buildings.
- The proposal is to use cheaper materials such as reconstituted tiles on the roof, wall cladding and uPVC windows. Locally sourced slate and stone should be used to ensure that the properties remain 'in keeping'. The use of these inadequate materials mean that the property will not reflect the character of the local area.
- For people travelling through the village the site is positioned straight after entering the National Park – this is inappropriate and not the sort of architecture that visitors will expect to see.
- Proposed number of units is excessive for the size of the site around half the number would be more appropriate.
- The proposed use of wooden fencing is not appropriate this should be dry stone walling to match the local area.
- The proposed development would harm the Rainow Conservation Area.
- A large part of Rainow Parish is outside of the National Park therefore clarification is needed on the housing need figures. Is it appropriate that housing need from within the Parish but outside the National Park is met inside the National Park?
- No formal investigation has been carried out to ascertain where in Rainow it would be appropriate to build new housing. This may be able to highlight how new buildings can be spread out across the village and could offer an opportunity for diverse designs depending upon where they are built and what existing buildings are in close proximity.
- The housing need survey was based on the specific requirements of a few individuals at the time of the survey in 2014 most of which needed to be satisfied within 1 – 3 years. This need is therefore out of date and it cannot be assumed that the same requirements now still apply.
- The housing need survey highlighted the need for bungalows and 1 and 2 bedroom houses. The proposal includes 5 three bedroom houses and therefore this does not appear to be in line with the survey.
- Smithy Lane will be spoilt by development close to and overlooking the lane which is popular with visitors.
- The development will have a detrimental effect on tourism and the associated benefits for local businesses such as the Robin Hood public house.
- Consider that too many trees are proposed to be removed. The development should have provision for replanting and screening above the grass slopes on Smithy Lane to create a similar environment to what currently exists.
- There would be a loss of woodland on the site and managing and enhancing woodlands is a priority in the area. There would be potential conflict with landscape character and the setting of the village and its heritage assets.

- The proposed development will create light pollution affecting Smithy Lane due to the elevated position of the buildings.
- The proposed development will create noise pollution and is a major concern for the immediate neighbours on Church Lane and Smithy Lane.
- There is a health population of bats and birds on Smithy Lane and at dusk this can be seen on most evenings along with birds such as Owls, Lapwings, Curlews and Woodpeckers. The proposed development will have a detrimental effect through noise and light pollution.
- The proposed development has only two visitor spaces and this will lead to visitors and delivery vehicles parking on Church Lane which will be dangerous.
- Additional parking on Smithy Lane will harm the amenity of the area.
- Although the speed limit along Church Lane is 30mph due to the gradient of the hill and the proximity to the 50mph limit section vehicles often speed down the road. The speed survey that has been carried out was in the village but not at this point.
- Vehicles travelling from the east will have little warning to brake around a blind bend if cars are pulling out of the new development and turning right.
- Vehicles travelling from the east will have to stop just after the blind bend to turn right into the proposed development. Following vehicles will not have sufficient visibility to react in time to stop safely.
- The siting of buildings close to the road would make it difficult for cars leaving the site to pull out safely.
- There have been accidents on this road in the past. The accident data provided by the applicant is incomplete as this source of data collects information only about road accidents where people were injured and there are other accidents and near-misses which the data does not capture.
- The properties situated close to Church Lane and Smithy Lane will directly overlook Years Low Cottage and Byways and will result in a significant loss of privacy for occupants of these properties.
- The site is on the periphery of the village and remote from the school.
- Occupants of the properties will be liable to disturbance from the legitimate activities of the public house.
- Provision of sewage and drainage is not clear and should not connect to the drainage below Smithy Lane as there is already a problem with effluent overflowing.
- Raise concerns about the consultation process carried out by the applicant before submitting the application and that the views of local people were not taken into account.
- A Tree Preservation Order should be placed on the mature trees along Smithy Lane.

Main Policies

- 68. Relevant Core Strategy policies: GSP1, GSP3, DS1, L1, L2, L3, CC1, HC1 and T1
- 69. Relevant Local Plan policies: LC4, LC5, LC15, LC16, LC17, LC20, LC21, LH1, LH2, LT11 and LT18

National Planning Policy Framework

- 70. In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recently published National Planning Policy Framework with regard to the issues that are raised.
- 71. Paragraph 172 of the NPPF states that 'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.'
- 72. The NPPF directly refers to the National Parks Circular which makes clear that the Government considers it inappropriate to set housing targets within the National Parks and instead that policies should seek to delivery affordable housing to meet the needs of local communities.
- 73. Paragraph 78 and 79 of the NPPF re-inforce this approach together saying that planning authorities should seek to promote sustainable affordable housing in rural areas and that permission for isolated new housing in the countryside should only be granted where there are special circumstances.
- 74. Paragraph 130 of the NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 75. Paragraph 190 of the NPPF states that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 76. Paragraph 193 of the NPPF says when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

77. Paragraph 194 of the NPPF says that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
78. Paragraph 195 of the NPPF says where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
 79. the nature of the heritage asset prevents all reasonable uses of the site; and
 80. no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 81. conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 82. the harm or loss is outweighed by the benefit of bringing the site back into use.
83. Para 196 of the NPPF says where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Development Plan Policies

84. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
85. Policies GSP3 and LC4 set out development management principles and state that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
86. Further detailed policy on appropriate design for new housing is provided in the Authority's supplementary planning documents: the Design Guide and its appendix, the Building Design Guide.
87. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.

88. The approach to housing and conservation in the NPPF is consistent with the Authority's development strategy (Policy DS1) which says new residential development within the National Park should normally be sited within named settlements, and Policy HC1. C which sets out very similar criteria to the NPPF in terms of the exceptional circumstances in which new housing can be granted planning permission in the National Park.
89. Policy HC1. A says that new housing can be accepted where it addresses eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity.
90. Policy L2 states that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where it is likely to have an adverse impact on any sites, features or species of biodiversity importance or their setting that have statutory designation or are of international or national importance for their biodiversity.
91. Policy LC17 provides more detailed criteria to assess development that may affect protected sites, species or habitats.
92. Policy L3 states that development must conserve and where appropriate enhance or reveal the significance heritage assets and their settings, including statutory designations and other heritage assets of international, national, regional or local importance or special interest. Other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset or its setting, including statutory designations or other heritage assets of international, national, regional or local importance or special interest.
93. Policy LC5 provides detailed policy guidance when considering development that affects the setting of a Conservation Area and the adopted Rainow Conservation Area Appraisal is a material consideration in the consideration of the proposed development.
94. Policies LC15 and LC16 provide detailed criteria to assess development that affects archaeological and historic sites.
95. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency. CC1. B says that development must be directed away from flood risk areas, and seek to reduce overall risk from flooding within the National Park and areas outside it, upstream and downstream.
96. Policies LT11 and LT18 require development to be provided with appropriate access and parking provision which conserves the environmental quality of the National Park.

Meeting the local need for affordable housing Supplementary Planning Guidance (SPG)

97. This document was adopted by the Authority in July 2003 and remains a material consideration in the determine of planning applications where relevant.
98. Paragraph 4.1 of the SPG says that the initial need for an affordable home should derive from the parish and adjoining parishes in which the houses are to be provided. Where parishes are split by the National Park boundary, only need arising from that part of the parish lying within the National Park should be taken into account.

99. Paragraph 4.2 of the SPG says a community's need for affordable housing is generally fairly easy to establish through a parish needs survey or similar survey that demonstrates the number of people with needs for particular types of housing. Where possible this should be carried out by the local authority, Rural Housing Enabler or a registered social landlord in liaison with the parish council. Evidence of need through the use of such a survey will be required for schemes of more than one dwelling.

Emerging Development Management Policies

100. The Authority has reached an advanced stage in the production of Development Management Policies. The process has now moved beyond publication and examination, taking into account earlier representations and the Inspector's interim views on soundness. Owing to the advanced stage of the document, the Authority considers that a revised version of the Publication Document (incorporating all proposed modifications) addresses the remaining soundness issues and as such may be afforded significant weight as a material consideration. When adopted these policies will replace the existing saved Local Plan policies in their entirety.
101. Policy DMH1 says that new affordable housing will be permitted in or on the edge of a Core Strategy policy DS1 settlement provided that there is a proven need for the dwellings and any new building housing is within established size thresholds. Policies DMH2 and DMH3 set out detailed requirements for first occupants to satisfy a local connection and arrangements for second and subsequent occupants and the occupancy cascade.
102. Paragraph 6.42 of the supporting text to policy DMH1 says that when a settlement is split by the National Park boundary, the identification of the most appropriate exception site will be a matter for the Authority, the community, the constituent authority concerned and the developer. Where the majority of residents are outside the National Park but the larger geographical area of the Parish lies inside the National Park it will not necessarily mean there is greater scope for development in the National Park. However, if an appropriate site has been identified inside or on the edge of the National Park part of a cross boundary village, there is no objection in principle to a development of housing inside the National Park. This applies even if most of the population live outside the National Park, provided that all alternatives have been assessed.

Assessment

Principle of proposed development

103. The Authority's housing policy maintains the long established principle that it is not appropriate to build new housing within the National Park solely to meet the high demand to live within its sought after environment.
104. The NPPF directly refers to the National Parks Circular which makes clear that the Government considers it inappropriate to set housing targets within the National Parks and instead that policies should seek to deliver affordable housing to meet the needs of local communities. Paragraph 78 and 79 of the NPPF re-inforce this approach together saying that planning authorities should seek to promote sustainable affordable housing in rural areas and that permission for isolated new housing in the countryside should only be granted where there are special circumstances.
105. Therefore there is no conflict between policies in the NPPF and adopted and emerging development plan policies which state that new housing will not be permitted within the

National Park unless there are exceptional circumstances such as where new build housing would be located within a named settlement and would address eligible local needs for homes that remain affordable with occupation restricted to local people in perpetuity in accordance with policies HC1, LH1 and LH2.

106. The Authority's Affordable Housing Supplementary Planning Guidance (SPG) is also relevant material consideration when assessing proposals for affordable housing. This application is for affordable housing which would be provided by the applicant which is a registered provider of social housing.
107. Paragraph 4.2 of the SPG says a community's need for affordable housing is established through a parish needs survey that demonstrates the number of people with needs for particular types of housing. This is typically carried out by the local authority, Rural Housing Enabler or a registered social landlord in liaison with the parish council. Evidence of need through the use of such a survey is required to establish the need for the development in the local area.
108. The parish of Rainow is located on the edge of the National Park and is split by the National Park boundary. In these circumstances para 4.1 of the SPG is relevant and says that only need arising from that part of the parish lying within the National Park should be taken into account. Given the advanced stage of the emerging development plan policies the supporting text to emerging policy DMH1 is also relevant.
109. The supporting text at para 6.42 takes a more relaxed approach to split parishes than the SPG and says that in these circumstances the identification of the most appropriate exception site will be a matter for the Authority, the community, the constituent authority concerned and the developer. Where the majority of residents are outside the National Park but the larger geographical area of the Parish lies inside the National Park it will not necessarily mean there is greater scope for development in the National Park. However, if an appropriate site has been identified inside or on the edge of the National Park part of a cross boundary village, there is no objection in principle to a development of housing inside the National Park. This applies even if most of the population live outside the National Park, provided that all alternatives have been assessed.
110. By area the majority of the land within the Rainow Parish is located within the National park but the majority of the population live outside of the National Park primarily within the housing estates on the west side of Church Lane.
111. A housing need survey for Rainow was carried out by Cheshire East Council in September 2014. The survey is less than 5 years old and therefore is up-to-date for the purposes of the Authority's policy. The survey identified that there were a total of ten households in need of affordable housing in the parish. Of these ten the need identified was for one bungalow, six flats / apartments and three houses. The report specifies the need is for four 1 bedroom properties and six 2 bedroom properties.
112. Importantly the housing need survey does not identify whether the respondents to the survey live in or outside of the National Park and therefore there is no way to conclude how many of the ten households identified originate from the National Park or not.
113. The application proposes a total of 9 units which would meet almost the entire need in terms of number of proposed units. No evidence has been submitted with the application to demonstrate that the proposed 9 units would be meeting need arising within the National Park which is a requirement of the adopted SPG. Given that the majority of residents within the parish live outside of the National Park it is reasonable to conclude that the majority of the ten households identified by the housing need

survey are outside of the National Park and therefore that the proposal to provide 9 units to meet this need is contrary to paragraph 4.1 of the SPG.

114. Furthermore it is not clear that the proposed development would actually meet the need identified within the survey because the proposed development proposes a mixture of two 1 bedroom flats, two 2 bedroom dwellings and five 3 bedroom dwellings and no requirement for 3 bedroom dwellings is identified by the survey. It is noted that the application states that correspondence in 2017 from the Development Officer at Strategic Housing, Cheshire East Council says that the survey highlights the need for ten affordable homes with a need for 1, 2 and 3 bedroom dwellings however there is no clear evidence to support this conclusion or an updated housing need survey which would be required to demonstrate if the local need had changed since the September 2014 survey.
115. Officers are therefore not satisfied that there is an established need to justify the number of proposed dwellings on this site or the proposed size and type of the dwellings and that the proposed development is therefore contrary to Core Strategy policy HC1 and saved Local Plan policies LH1 and LH2.
116. The supporting text to emerging development plan policy is more flexible for circumstances, such as at Rainow, where a settlement is split by the National Park boundary and potentially allows for sites within the National Park to meet need arising from the part of the settlement outside of the National Park. However in these circumstances the emerging policy expects that the identification of the most appropriate exception site (within and outside of the National Park) and considerations of alternatives to go through a process involving the Authority, the community, the constituent authority and the developer.
117. The applicant has not undergone this process prior to the submission of the planning application and while it is acknowledged that consultation has been carried out by the applicant with the local community there does not appear to have been any consideration of sites in the settlement of the whole or any process of identifying what is the most appropriate site for development in Rainow (within and outside of the National Park).
118. Given the advanced stage of the emerging development plan policies Officers have advised the agent that it is necessary to go through the process of identifying the most appropriate site with the Authority, the community and Cheshire East Council and that this is required before the principle of development on this site could be agreed. However, the applicant requires that the Authority determine this application 'as submitted' and therefore it is concluded that the principle of the development has not been established contrary to policies HC1, LH1, LH2, the Affordable Housing SPG and emerging development plan policy DMH1.
119. Notwithstanding the issue of the principle of the proposed development a number of issues are raised by the Parish Council and in representations. Even if the principle of the development was accepted it is necessary to consider the impact of the development upon the valued characteristics of the National Park and whether the development is acceptable in all other respects.

Design, landscape and visual impact

120. Significant concerns have been raised by the Authority's Conservation and Landscape Officers and Ecologist along with the Parish Council and representations in regard to the impact of the proposed development. A number of concerns are in regard to the number of proposed dwellings, layout and design and the impact upon landscape

character, trees and the Conservation Area.

121. The site is located within the South-west Peak and the Slopes & valleys with woodland landscape character type. This is a pastoral landscape with a varied undulating topography of steel slopes, low ridges and incised valleys. Blocks of woodland are a characteristics feature of this landscape, together with patches of acid grassland and bracken on steeper slopes and higher ground. This is an area of traditional dispersed settlement with probable ancient origins. Views to lower ground are framed by woodlands and valley sides.
122. The site is located outside of but adjacent to the designated Rainow Conservation Area which is linear in form following the main road from the Rising Sun pub up past the site and including the converted chapel, the burial ground and chapel house. The site is prominent from within the Conservation Area when passing on Church Lane and is also seen in the context the Conservation Area from a number of viewpoints including from Smithy Lane, from the pub garden and from the public footpaths to the north east and south of the site.
123. It is clear that development on this site has the potential to impact upon the setting of the Conservation Area and upon the landscape character of the area. The Authority's Conservation Officers advise that insufficient information has been submitted with the application to enable the Authority to properly assess the impact of the development upon the setting of the Conservation Area and upon landscape character.
124. The application is not supported by a landscape and visual impact assessment nor a heritage statement to assess these impacts. Nevertheless on the basis of an assessment of the submitted plans and the site and surroundings there are significant concerns about the density, scale and design of the proposed dwellings.
125. The built development within Rainow historically developed along the main road with single properties, short terraces or in small groups of buildings either facing or gable on to the road. Most development is located close to the edge of the road with the land behind largely undeveloped. There are few places within the Conservation Area with development on both sides of the road. The exception to this settlement pattern is the large amount of modern development within the housing estates on the west side of the main road outside of the National Park. The density and layout of these properties do not make a positive contribution to the historic settlement pattern and are not included within the Conservation Area.
126. The area of the application site is 0.21 Ha and therefore the proposed 9 dwellings would represent a development density of 42.9 dwellings per hectare. This density is significantly greater than the historic development within along the main road and is more similar to that within the housing estates on the west side of the village.
127. The number of proposed dwellings and layout would also not be reflective of the historic settlement pattern. The proposal is not for an individual or small group of properties and only three of the proposed dwellings would face onto the main road with the majority facing towards the proposed access road within the site well set back from the main road.
128. The proposed development would therefore not reflect or respect the historic pattern of development within the National Park which is valued within the landscape and forms an essential part of the Conservation Area which is a designated heritage asset. The scale and density of the proposed development and the layout of houses would more closely reflect that of the housing estates on the west side of the village and would appear as an incongruous addition from and in the context of the Conservation Area

and in the wider landscape.

129. The design and detailing of the proposed dwellings does also not reflect or respect the traditional vernacular within the Conservation Area and is not in accordance with the Authority's design guide.
130. The proposed dwellings are non-traditional in form and have a strong vertical emphasis with wide gables and a significant number of window and door openings and glazed triple windows to the rear. The apartment block's main roof is ridged the opposite way to the local tradition with the ridge running along the shorter dimension of the plan. Furthermore the south-west facing gable of apartment 1 is treated as a principle elevation with central door and five surrounding windows which resulting in an overtly suburban appearance which would be alien in the context of surrounding buildings and a prominent feature adjacent to the access. Houses 3, 4 and 5 also have a strong vertical emphasis and wide gables.
131. The detailed design and materials of the proposed dwellings is also inappropriate with artificial stone walls and concrete roof tiles proposed along with cream coloured uPVC windows and doors, rainwater goods, fascias, soffits and barge boards. These proposed materials and detailing are not reflective of buildings within the Conservation Area which is characterised by the use of natural stone and slate with timber windows and doors and simple gutters on brackets. The proposed 1.8m close boarded timber fencing would also not reflect stone boundary walls in the area and the proposed flat roofed timber bin and cycle store would not be an appropriate design.
132. The proposed detailed design and materials of the development would compound the fact that development would have a suburban appearance and would appear incongruous in scale, form, density and materials to surrounding built development.
133. Concern is raised in regard to the impact of the proposed development upon trees on the site and that the proposed development would result in the loss of woodland which would have a harmful impact upon landscape character. A tree survey has been carried out and submitted with the application.
134. The Slopes & valleys with woodland landscape character type is a pastoral landscape with a varied undulating topography of steel slopes, low ridges and incised valleys. The Authority's adopted landscape character assessment identifies that blocks of woodland are a characteristics feature of this landscape.
135. Around the boundary of the site and in the northern half of the site there are a number of mature and young mature trees including Sycamore, Holly, Grey Willow, Hawthorn, Elder, Field Maple and Red Oak, amongst others. The proposed development would take up the land currently occupied by groups of trees in the northern part of the site and therefore a number of tree groups and two individual trees would be removed to facilitate the development. This is identified in a submitted tree survey along with ground protection measures for trees to be retained.
136. Concern has been raised by the Authority's Landscape Officer and in representations that the impact of the proposed development upon trees on site would have a harmful impact upon landscape character as the development would remove an establishing block of woodland on the site which makes a positive contribution to the landscape character of the area and this edge of the settlement.
137. Officers agree that the removal of this establishing block of woodland would be contrary to the objectives of the Authority's adopted landscape character assessment and would have an adverse impact upon landscape character contrary to policy GSP1 and L1.

This impact adds to conclusions that the scale of the proposed development has too great an impact upon the character of the local area and the wider landscape.

138. Unfortunately Officers have received reports during consideration of the application that a number of these trees have been removed from the site. This work does not require planning permission because the trees are not within the Conservation Area and are not subject to Tree Protection Orders. The agent has advised that this work is unrelated to the current application and has been carried out by the landowner in the interests of the long term management of the land.
139. These trees were categorised as ‘young mature’ and appear to have been self-sown. Nevertheless the trees were an establishing a block of woodland on the site and the removal of these trees is considered to be very unfortunate.
140. Officers have discussed the concerns raised in regard to scale, character and design with the agent and have advised that if the principle of developing this site can be established then a smaller scheme which reflects the built character of Rainow and restores / reinforces and manages the woodland within the northern part of the site would be likely to be more acceptable.
141. Due to the scale, density, layout and design of the proposed development Officers conclude that the proposed development would have an adverse impact upon the character of the area, the setting of the Conservation Area and landscape character contrary to Core Strategy policies GSP1, GSP3, L1 and L3, Saved Local Plan policies LC4, LC5 and LC20, the Authority’s adopted design guide Supplementary Planning Guidance and the National Planning Policy Framework.

Impact upon ecology

142. An ecological report has been submitted with the application following a phase 1 walkover survey carried out in September 2018. The survey included inspection for bats, birds, reptiles and badgers along with habitat. There are no designated sites within 1km of the site and therefore Officers conclude that given the nature of the development and distance to designated sites that the proposal would not result in any significant adverse effect upon designated sites.
143. The vegetation survey identified improved grass land, tall ruderal, scattered trees and woodland habitat types on the site. The bat survey included inspection of trees on site and concludes that these trees are of negligible roost potential for bats and low potential for foraging and commuting bats. The site is considered to have negligible potential to support reptiles and moderate potential for nesting and breeding birds which are likely to utilise the woodland and grassland on site as nesting and breeding habitat. No badger setts were found on the site.
144. Overall the report concludes that the site is of low to moderate ecological value with the habitats present of negligible / site ecological value. The development of the site could result in loss of nesting habitat and disturbance of bird nests if vegetation clearance works are undertaken during the bird-nesting season and loss of badger foraging habitat. The report refers to potential impact to roosting habitat however it is not clear if this reference is relevant because the report refers to an existing building on the site, which is not the case.
145. The report makes various recommendations including to minimise lighting levels, to ensure that vegetation clearance takes place outside of the bird nesting season (March – October), installation of bat boxes, hedgehog homes, protection of hedgerows and trees to be retained and appropriate native planting.

146. The Authority's Ecologist has been consulted and raises the concern that there has been no assessment of the impact of the woodland as habitat or proposals for mitigation or compensation for the loss. The report does identify that the woodland provides moderate potential as habitat for nesting and breeding birds and acknowledges that the development could result in the loss of this habitat.
147. The report proposes that any landscape planting aims for a majority of native species as an enhancement, however there is no assessment of the impact that the development would have upon the woodland which in effect would be removed within its entirety. There is also no assessment of what additional planting would be feasible and whether this would compensate for the woodland that would be lost.
148. Within the National Park great weight must be given to the conservation of biodiversity and policy L2 says that development must conserve and enhance any features of biodiversity importance. Similarly paragraph 170 of the NPPF says that planning decisions should enhance the natural environment by protecting and enhancing sites of biodiversity value and minimising impacts on and providing net gains for biodiversity. Paragraph 175 of the NPPF says that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort compensated for, then planning permission should be refused.
149. The proposal would result in the removal of woodland on the site and this would remove habitat for nesting and breeding birds. There are concerns about the impact of the development and the removal of the woodland in terms of landscape character and it could be possible to avoid this impact with a reduced scheme which retained and managed the land as woodland. Furthermore the submitted application has note demonstrated that the development could be carried out while at the same time mitigating the impact of the removal of the woodland.
150. Therefore it has not been demonstrated that significant harm to biodiversity on site can be avoided or mitigated and therefore the proposal is considered to be contrary to Core Strategy policy GSP1, L2, saved Local Plan policies LC17 and LC18 and the National Planning Policy Framework.

Highway Safety

151. A number of concerns are raised in regard to parking and highway safety. A transport statement has been submitted with the application. There are local facilities in a close walking distance including the local school, pub and church and would be located close to local bus stops which link to Macclesfield. Officers accept that the site is on the edge of the village and agree that the site is in a sustainable location in terms of transport in the context of Rainow.
152. The access to the site would be onto Church Lane which at this point has a 30mph speed limit. The transport statement demonstrates that appropriate visibility splays can be achieved in both directions and that refuse and delivery vehicles will be able to access and leave the site in a forward gear.
153. Concern has been raised in representations in regard vehicles waiting on the highway to turn right into the site. In this circumstance the vehicle would approach from the east and the concern is that following vehicles would have limited visibility of a stopped vehicle due to the road geometry which bends away and where visibility is limited by walling and the access to the converted Chapel.

154. Photographs submitted with representations do indicate that visibility would be limited by these factors for vehicles approaching from the east and it is not clear how much visibility drivers of following vehicles would have to react to and safely stop behind a vehicle waiting to turn right into the site. This issue is not addressed within the submitted transport statement.
155. Having visited the site Officers do have concerns that following vehicles may not have sufficient visibility to safely stop in this circumstance. This is due to the geometry of the road and also due to the fact that the road is dropping down into Rainow at this point from the point where the speed limit drops from 50 mph to 30 mph. Vehicles therefore may not have sufficient visibility to safely react and stop, especially heavier vehicles or vehicles less able to brake on a bend safely such as motorcycles.
156. It is noted that there are no recorded accidents on the highway here as evidenced by the transport statement, however there is no existing access here into the site and therefore the fact that has not been any recorded accidents does not rule out the possibility that the proposed access could create a new safety issue.
157. At the time of writing no consultation response has been received by the Highway Authority. This has been chased by Officers and a response is expected in time for the meeting and members will be updated. As submitted it has not been demonstrated that the proposed development would be served by safe access and it is considered that the proposals could result in a highway safety issue in the circumstance of vehicles waiting to turn right into the site. The proposal is therefore considered to be contrary to Saved Local Plan policy LT18 and the NPPF.
158. The proposed development would meet minimum standards for the provision of off-street parking for the dwellings in accordance with the National Park parking standards. Officers consider that the level of proposed parking is sufficient and that the development would be unlikely to result in additional on-street parking. It is noted that the proposed spaces are marginally smaller than the size recommended by the parking standards and if these scheme was to move forward this should be increased in size if possible without reducing the overall number of spaces.

Other issues

159. Concerns have been raised that the development would harm the privacy and residential amenity of neighbouring properties. Given the position of proposed dwellings on the site the closest neighbouring properties would be Byways on Smithy Lane and Years Low Cottage and The Old Chapel on Church Lane.
160. The Old Chapel is orientated away from the site and in an elevated position approximately 23m from the corner of the closest proposed dwelling. Given the distance and orientation of the existing property and the proposed nearest dwelling Officers are satisfied that the occupants of the Old Chapel would not suffer any significant loss of privacy or amenity.
161. Years Low Cottage would be located, broadly speaking, on the same level as the proposed dwelling and approximately 13.5m from the nearest proposed dwelling. Years Low Cottage is however located further south than the site and therefore the two properties would not face directly towards each other, rather at an angle of around 45 degrees. Given this and the intervening highway it is not considered that occupants of either dwelling would suffer any significant loss of privacy or amenity.

162. Finally, Byways is located lower than the application site on the far side of Smithy Lane, approximately 26m from the nearest proposed dwelling. The rear windows of the proposed dwellings would face south east rather than east towards Byways and given this relationship, the distance between the properties and intervening mature trees which are to be retained it is not considered that occupants of either dwelling would suffer any significant loss of privacy or amenity.
163. Officers are therefore satisfied that the proposal would not harm the amenity of neighbouring properties in accordance with the development plan and the Authority's detailed design guidance insofar as it relates to amenity. The proposal would not directly impact upon the adjacent footpaths or require their closure or alteration.
164. The proposed development would share its south eastern boundary with the pub and concern has been raised that noise from the pub could lead to complaints which could potentially curtail the activities of the pub and its long term viability. Officers consider that there is sufficient distance that noise would not be a significant impact and could be adequately mitigated by appropriate boundary treatment and planting.
165. The site is within Flood Zone 1 and therefore subject to agreement of satisfactory drainage there are no concerns that the proposal would be at risk of flooding or increase the risk of flooding elsewhere. The development would connect to mains sewage which is appropriate.
166. The Environmental Protection Officer advises that the proposed residential use is vulnerable to ground contamination and while the Borough Council's records indicate no former contaminative use, given the sensitivity of the end use a precautionary approach is appropriate and that a risk assessment and ground investigation needs to be carried out with remediation (if required). Therefore if permission was granted conditions would be recommended to secure this.
167. The Authority's Senior Archaeologist advises that the site does not have any known archaeological interest and is likely to have low archaeological significance and therefore there are no concerns that the development would be harmful in this regard.
168. The development does not propose any energy or water saving measures as part of the design. Officer acknowledge that given the proposal for affordable housing there may be more limited scope for incorporating such measures and renewable energy into the scheme. Nevertheless the incorporation of such elements is a policy requirement as part of local efforts to mitigate the impact of climate change in accordance with policy CC1 and the Authority's Climate Change and Sustainable Building SPG.
169. Therefore the failure of the scheme to address these issues is disappointing. If an alternative scheme does come forward then these issues need to be addressed and incorporated into the design. If permission were to be approved for the current application then Officers would recommend that a condition be imposed requiring a scheme of environmental management measures to be approved.

Conclusion

170. Officers have several concerns about the principle of the proposed development on this site and the scale, density, layout and design of the proposed development, impact upon landscape character and the setting of the Conservation Area, biodiversity, trees on site and highway safety.

171. The submitted application does not demonstrate that the development would meet eligible local needs for affordable housing and therefore fails to demonstrate exceptional circumstances to allow new build housing within the National Park contrary to Core Strategy policy HC1, saved Local Plan policies LH1 and LH2, the Authority's adopted Supplementary Planning Guidance '*Meeting the local need for affordable housing in the Peak District National Park*', Emerging Development Management Policy DMH1 and the National Planning Policy Framework.
172. By virtue of its scale, density, layout, materials and detailed design the proposed development would fail to reflect or respect the character of the local area and would harm the character and appearance of the area, the setting of the designated Rainow Conservation Area and the landscape character of the National Park contrary to Core Strategy policies GSP1, GSP3, L1 and L3, saved Local Plan policies LC4, LC5, LC20 and LH1, Emerging Development Management Policies DMC1, DMC3, DMC5, DMC8 and DMC13 and the National Planning Policy Framework.
173. The proposed development would result in substantial loss of woodland habitat on site which is identified as having moderate potential for breeding and nesting birds. Insufficient information has been submitted to demonstrate that the development can be carried in a manner which avoids or mitigates the impact of the loss of the woodland habitat. The proposal development is therefore contrary to Core Strategy policy GSP1 and L2, saved Local Plan policies LC17 and LC18, Emerging Development Management Policies DMC11 and DMC13 and the National Planning Policy Framework.
174. Insufficient information has been submitted with the application to demonstrate that the development would be served by safe access. It is considered likely that the development could lead to highway safety issues in relation to vehicles waiting to turn right into the site. The proposed development is therefore contrary to Saved Local Plan policy LT18, Emerging Development Management Policy DMT3 and the National Planning Policy Framework.
175. Officers have taken into account all material considerations raised and therefore conclude that the proposed development is contrary to the Development Plan and that there are no material considerations that indicate a different decision should be taken.
176. Accordingly the application is recommended for refusal.

Human Rights

177. Any human rights issues have been considered and addressed in the preparation of this report.
178. List of Background Papers (not previously published)
179. Nil
180. Report Author – Adam Maxwell – Senior Planner