

Application No: 16/5350N

Location: Land West Of, BROUGHTON ROAD, CREWE

Proposal: Residential development (Use Class C3) consisting of 67 no. new affordable dwellings comprising 6 no. four bed houses, 21 no. three bed houses, 38 no. two bed houses and 2 no. one bed maisonettes with associated infrastructure.

Applicant: Mr Andrew Garnett, MCI Developments Limited and Wulvern Housing

Expiry Date: 09-Aug-2017

SUMMARY

The site is within the Open Countryside where, under policy PG6 of the Adopted Local Plan Strategy, there is a presumption against new residential development. The proposed development although affordable has not been put forward as a Rural Exception Site and therefore would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. The issue in question is whether there are other material considerations associated with this proposal, which are sufficient material considerations in this case to outweigh the policy objection

The development would provide significant social benefits in terms of much needed affordable housing through the provision of a 100% affordable housing scheme. It would provide economic benefits through the provision of employment during the construction phase, new homes and benefits for local businesses. Due to its landscape designation, it is not considered that the proposal will have a significant landscape impact.

Balanced against this are the adverse impacts of the development including the limited loss of open countryside and the lack of planning obligations for infrastructure which play a vital role in ensuring the social wellbeing of the community. However the contribution of affordable housing is also considered an important and overriding consideration, constituting a significant social benefit.

It is therefore considered that the benefits arising from proposed scheme of 67 Affordable Dwellings on this site weighs significantly in the planning balance, and would outweigh the disadvantages of the scheme, and justify a departure from the Development Plan.

SUMMARY RECOMMENDATION

Approval subject to conditions

PROPOSAL

The application seeks full planning permission for 67 affordable dwellings.

The scheme comprises a mix of 6 x four bed dwellings, 26 x three bed dwellings, 33 two bed dwellings and 2 x one bed maisonettes. As regards tenure mix 53 units will be made available for shared ownership and 14 units will be affordable rented units.

The layout has been subject to some design changes over the course of the application process, and the number of units has been reduced from 82 to 67. Access to the application site from Broughton Road will be via the adjoining residential development to the north, known as Phase 1 which is currently under construction. This development will constitute Phases 2 and 3 of this scheme. Phase 3 (18 units) which occupies the western part of the site is entirely located within the HS2 safeguarded zone which runs parallel to the West Coast Main Line.

SITE DESCRIPTION

The application site is a parcel of land on the western side of Broughton Road on the northern edge of Crewe. Existing properties of Broughton Road adjoin the eastern boundary.

The northern site boundary adjoins a residential development of 81 affordable dwellings (phase 1) which is currently under construction and subject to planning approvals 15/5063N and 16/2263N.

Beyond the western boundary of the site is the railway line which runs north south. The site is pasture land with no agricultural activity taking place on it and it is not accessible to the public. The site is located within the Open Countryside as identified by the Development Plan and covers an area of 1.73ha.

RELEVANT HISTORY

None

POLICY

Cheshire East Local Plan Strategy – Adopted Version (CELP)

The following are considered relevant material considerations as indications of the Adopted Local Plan Core Strategy:

- PG2 – Settlement Hierarchy
- PG6 - Open Countryside
- PG7 – Spatial Distribution of Development
- SC4 – Residential Mix
- SC5 – Affordable Homes
- SC6 - Rural Exceptions Housing for Local Needs
- SD1 - Sustainable Development in Cheshire East
- SD2 - Sustainable Development Principles
- SE3 – Biodiversity and Geodiversity
- SE5 – Trees, Hedgerows and Woodland
- SE 1 - Design
- SE 2 - Efficient Use of Land
- SE 3 - Biodiversity and geodiversity

SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE9 - Energy Efficient Development
SE12 - Pollution, Land contamination and land instability
SE13 - Flood risk and water management
CO1 - Sustainable Travel and Transport
CO4 - Travel plans and transport assessments
IN1 – Infrastructure
IN2 – Developer Contributions

The Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There is however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

NE.5 (Nature Conservation and Habitats)
NE.8 (Sites of Local Importance for Nature Conservation)
NE.9 (Protected Species)
NE17 (Pollution control)
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)
TRAN.3 (Pedestrians)
RT.3 (Provision of recreational open space and children's play space in new housing developments)

Other Material Considerations

National Planning Policy Framework (2012)
National Planning Practice Guidance

Supplementary Planning Documents:

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land
Development on Backland and Gardens
Cheshire East Design Guide

CONSULTATIONS

Environmental Health – No objections subject to conditions regarding the implementation of the Noise Mitigation measures, charging for electric vehicles, travel information pack, dust control

and remediation of contamination. An Informative relating to hours of construction is recommended.

Highways Officer - No objection subject to condition requiring a Construction Management Plan and details of the proposed parking area located to the side of 129 Broughton Road.

Education - No objection subject to an education contribution of £164,809 towards Primary School and Special Educational Need (SEN) places

United Utilities – No objection. The revised drainage strategy showing a direct surface water outfall with the public combined sewer within Broughton Road is acceptable.

Flood Risk – No objections subject to conditions requiring approval of the detailed design, associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods and details of ground and finished floor levels

HS2 Ltd – No objection subject to a condition stating that development shall not commence on plots 50 – 67 (Phase 3) until HS2 Ltd has confirmed that the land subject to the formal Safeguarding Directions is no longer required for the delivery of the high speed railway in that location.

Natural England – No objection

VIEWS OF THE TOWN COUNCIL

Crewe Town Council – Object on the following grounds;

- Lack of amenity and play space for the two phases of development separately and in combination
- Cumulative impact of this site together with other approved schemes on traffic on Broughton Road which has high levels of on street parking

OTHER REPRESENTATIONS

Representations from 52 properties received raising the following points:

- Loss of open countryside, green space and rural character
- Development should utilise brownfield land
- The density and scale of a development detrimental to local semi rural character,
- Poor design and out of keeping with existing homes which are older style properties
- Loss of outlook and rural feel to the area
- This area of Crewe is being over developed
- Too much social housing concentrated in such a small area
- A mixed development of social and privately owned homes should be provided
- Increased pressures on local schools, doctors, hospitals and community infrastructure.
- Lack of on site amenity space/ play areas
- Site access has inadequate visibility
- Increase in traffic will exacerbate highway safety problems along Broughton Road which is a busy, narrow lane with on street parking, also used as a rat run to Parkers Road
- Cumulative impact on highways from all other development planned in this area
- Exacerbate existing parking problems for residents along Broughton Road

- Inadequate parking for residents of development
- No capacity on local road network to accommodate increase in traffic and exacerbating traffic congestion
- Broughton Road in poor repair and subject to flooding
- Traffic survey data on Broughton Road inaccurate and fails to reflect existing traffic volumes
- No safe walking route to school
- Lack of footpath on the left hand side of Broughton Road towards Warmingham Road. The footpath on the right hand side is very narrow and dangerous for pedestrians due to extra traffic and parked cars.
- Loss of trees, hedgerows and wildlife habitat
- Light pollution
- Increased noise and disturbance
- Loss of light
- Overlooking and loss of privacy
- Proposed footpath connection sharing private right of way to Broughton Road will increase security risks for existing properties
- Adverse impact on development from close proximity of HS2 rail line
- Drainage, flooding problems and high water table
- Land required by the HS2 project is included within the development
- Noise and vibration during construction
- Damage to road surface and mud on Broughton Road from construction vehicles
- Detrimental to quality of life
- Reduction in property values
- Increase in crime and vandalism
- Area under siege as third application in a short space of time for development off Broughton Road.
- Existing development site (phase 1) poorly supervised with frequent health safety breaches

Objection received from Cllr Suzanne Brookfield;

As ward member I welcome the provision of affordable housing in the area and note the reduced numbers being proposed here but the reasons are valid insofar as the safeguarding for HS2 Phase 2B. However I continue to have concerns about impact of this development and others within extremely close proximity on the infrastructure and existing residents

My primary concern at this time are the highways and parking conditions. Broughton Road is a very busy thoroughfare from Warmingham Road and Parkers Road - both of which are becoming increasingly busy due to housing development. Therefore speeding (which I accept is primarily a police issue - but note the Local Authority has the remit for safety) and levels of traffic remain a significant concern and provisions to address this need to be made.

There are a number of existing homes that do not have off-street parking but due to the nature of Broughton Road had sufficient on-street parking. This is now not the case and there is concern as to where these residents are to park their vehicles. I welcome there is now proposed off-street parking for dwellings 119-129 Broughton Road and would whilst accepting this is an improvement there is insufficient space for turning/manoeuvring.

The fact there is now no pedestrian access to Broughton Road is of concern and the Developers should be asked to look at the layout again - pedestrian and cycle access is important and a

balance is required here. Is it possible for the parking provision for existing dwellings to be implemented at the rear of their properties.

As such until such time consideration is given to the above I object to the proposed layout but stress I am grateful for the improvements from the original application and would urge consideration is given to suggestions made.'

APPRAISAL

Principle of development

The site lies within the Open Countryside. Policy PG6 of the Adopted Local Plan Strategy states that within the Open Countryside only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Residential development is restricted to agricultural workers dwellings, affordable housing and limited infilling within built up frontages.

The proposed development although affordable has not been put forward as a Rural Exception Site and therefore would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result, it constitutes a "departure" from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined "in accordance with the plan unless material considerations indicate otherwise".

Policy SC6 (Rural Exceptions Housing for Local Needs) of the CELPS only applies to developments which adjoin a Local Service Centre or Other Settlement and are for small schemes (10 dwellings or fewer). As a result the proposed development does not comply with this Policy.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

Housing Land Supply

Paragraph 49 on the NPPF advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

The Inspector's Report published on 20 June 2017 signalled the Inspector's agreement to the plans and policies of the Local Plan Strategy, subject to the modifications consulted on during the spring of 2016 and 2017. On adoption, all of these sites and policies will form part of the Statutory Development Plan. In particular sites that were previously within the green belt are removed from that protective designation and will be available for development. Other sites also benefit from the certainty that allocation in the development plan affords.

In the light of these new sources of housing supply, The Inspector has now confirmed that on adoption, the Council will be able to demonstrate a 5 year supply of housing land. In his Report he concludes:

“I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years”

Given this conclusion from the examining Inspector, the Council now takes the position that it can demonstrate a 5 year supply of housing land.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

There are, however, three dimensions to sustainable development: 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; and These roles should not be undertaken in isolation, because they are mutually dependent.

SOCIAL SUSTAINABILITY

Affordable Housing

The application proposes 67 affordable dwellings, to be provided by a registered provider. The Guinness Partnership (formerly Wulvern Housing) will fund the scheme with the aid of grant funding from the Homes and Communities Agency (HCA).

There is a pressing need for affordable housing of all tenures. This proposal will include 53 units which will be made available for shared ownership and 14 units will be affordable rented units

The 2013 SHMA sets out that there is a requirement for 217 affordable homes in Crewe per annum. Therefore this site will make a significant contribution to this requirement. The 2013 SHMA Update shows that for the sub-area of Crewe there is a need for 217 new affordable homes per year, made up of a need for 50 x one beds, 149 x three beds, 37 x four+ beds, 12 x one bed older persons units and 20 x two bed older persons units.

There are currently 1,653 applicants on Cheshire Homechoice applying for social rented housing who have selected Crewe as their first choice, these applicants require 535 x one beds, 663 x two beds, 381 x three beds, 70 x four+ beds and 4 x five beds.

The Local Plan Strategy's annual affordable housing target for the borough is 7,100 across the Plan period (average of 355 per year). Affordable housing completions since 2010 are reflected in the table below taken from the Councils Annual Monitoring Report (AMR).

	10/11	11/12	12/13	13/14	14/15	15/16
Affordable housing	170	214	184	131	638	448

Given the rates of the completion a key Action of the AMR in, relation to planning for housing in Cheshire East is to;

- Make sure that affordable houses are being provided on appropriate sites

The proposal is strongly supported by the Councils Housing officers, and the split in one, two, three and four bedroom units is welcomed. Therefore the proposal makes a significant contribution to the community in its own right and therefore is socially very sustainable.

Development proposals for housing can traditionally contribute to social sustainable development through the provision of some community benefit; this is often brought about through contributions (financial or otherwise). A main community benefit is itself the provision of affordable housing. However, alongside this, for large developments, other benefits are required to make the development acceptable in planning terms, and to ensure that it does not have a detrimental impact on the community it is to serve.

Education

Following consultation with children's services a financial contribution is required as the development of 65 (2 bed +) dwellings is expected to generate:

11 primary children (60 x 0.19) – 1 SEN
 10 secondary children (60 x 0.15)
 1 SEN children (60 x 0.51 x 0.023%)

The development is forecast to increase an existing shortfall for primary provision (11 Pupils) in the immediate locality and SEN (1 Pupil) provision as set out in the table below ;

<u>Development</u>	land west of Broughton Road				<u>Number of Dwellings</u>	65				
<u>Planning App Number</u>	16/5350N				<u>Primary Yield</u>	11			Less 1 SEN	
<u>Date Prepared</u>	24.11.2016				<u>Secondary Yield</u>	10				
					<u>SEN Yield</u>	1				
	PUPIL FORECASTS based on October 2015 School Census									
Primary Schools	PAN Sep 16	PAN Sep 17	NET CAP May-16	Any Known Changes	2016	2017	2018	2019	2020	Comments
Beechwood Primary School and Nursery	45	45	315	315	343	358	362	362	369	
Brierley	30	30	210	210	207	212	210	208	208	
Edleston Primary School	30	30	210	210	207	207	205	202	200	
Gainsborough Primary and Nursery School	60	60	420	420	415	415	409	406	405	
Hungerford Primary Academy	60	90	420	420	429	437	439	444	448	630 Expansion
Leighton Academy	60	60	420	480	484	495	504	517	534	
Mablins Lane Community Primary School	75	90	525	525	531	560	555	560	566	630 Expansion
Monks Coppenhall Academy	60	90	420	420	422	455	475	489	503	630 Expansion
St Michael's Community Academy	60	60	420	420	400	413	410	407	406	
Underwood West Primary School	60	60	432	432	445	456	464	475	486	
Wistaston Academy	60	60	420	420	404	417	416	414	417	
Developments with S106 funded and pupil yield included in the forecast				181						
Developments pupil yield not included in the forecasts									52	
Pupil Yield expected from this development									11	
OVERALL TOTAL	600	675	4,212	4,453	4,293	4,425	4,449	4,484	4,605	
OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP					160	28	4	-31	-152	

To alleviate forecast pressures, the following contributions would be required:

11 x £11,919 x 0.91 = £119,309.19 (primary)
 1 x £50,000 x 0.91 = £45,500 (SEN)
 Total education contribution: £164,809.19

Open Space

Policy RT.3 states that where a development exceeds 20 dwellings the Local Planning Authority will seek POS on site. There is a therefore a requirement for open space as part of the proposal. The layout indicates an area of open space within the site. This adjoins an approved area of open space which will serve the development of Phase 1, and is of a good size. Although comments from Ansa are awaited regarding the specific requirements for this scheme, it is proposed that a condition be imposed requiring details for the provision of a children play area.

Viability

As part of the proposals a confidential viability assessment has been submitted. However a summary of the position as regards the provision of 100% affordable housing on this site can be viewed on the Councils website.

In the case of the proposal to develop a scheme of 100% affordable housing is a critical consideration in the context of the scheme's viability. The Viability Statement concludes that due to the nature of the scheme, being a 100% affordable housing scheme, it could not bear the costs of any financial planning obligations and could therefore not be fully policy compliant.

This position has been further exacerbated given the that the application originally comprised 82 units but as a consequence of the proximity of the HS2 scheme, has been reduced down to 67 units in total, and will need to be developed in two separate phases (i.e. Phases 2 and 3). Due to the current HS2 safeguarded zone statutory protection, Phase 3 cannot be developed until HS2 is willing to grant its consent. HS2 have advised this is unlikely to occur for at least the next 3-5 years and possibly longer.

However, a key planning obligation is for affordable housing, whereby 30% is expected from all developments. Therefore for this scheme to be providing 100% it is fully compliant with regard to this requirement. Therefore it is for this assessment to consider whether on balance the benefits outweigh the disadvantages of partial policy compliant scheme.

Social Sustainability Conclusion

It is considered that, although the proposal will not make an education contribution, it will however make a very significant contribution to the provision of affordable housing to meet a significant need. On balance this contribution alone does provide significant community benefit, and it is unfortunate that the scheme is unable to provide a financial educational contribution however this has been robustly tested through a viability appraisal which shows that this contribution cannot be afforded by the scheme. It is not considered that the education can be a showstopper, as an affordable housing scheme such as this, developed by a registered provider will be under significant financial pressure, as demonstrated by the viability reports. Although it is finely balanced, this proposal will be sustainable socially by providing much needed affordable housing.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the local area including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Agricultural Land

Policy SE2 of the Local Plan Strategy sets out that development should safeguard natural resources including high quality agricultural land (grades 1, 2, and 3a), whilst recognising that some reduction of agricultural land is inevitable if new development is to proceed.

The National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this case, the agricultural land is designated as “Urban” on the Council’s constraints maps, which on the Magic Agricultural Land Classification comes below Grade 5 and Non Agricultural. It is therefore considered that the proposal does not involve the development of the best and most versatile agricultural land.

HS2

Phase 3 of the development is located within the HS2 safeguarding area and this application has been the subject of extensive negotiations with HS2 Ltd. In this case HS2 have now raised no objection to the development subject to the imposition of a condition.

Economic sustainability conclusion

It is considered that the proposals represent sustainable development in terms of the economic sustainability of the scheme which will provide benefits to the local area through the construction process and the use by residents of local businesses.

ENVIRONMENTAL SUSTAINABILITY

Site Location

Accessibility is a key factor of sustainability that can be measured. A 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 relates to current planning policies set out in the North West Regional Spatial Strategy for the North West (2008).

With regard to environmental sustainability, it is considered that the proposals are sustainable the proposed development is on the edge of Crewe which is a main service centre with a variety of amenities and services and is within close proximity to public transport connection, there is a footpath along Broughton Road. The site location therefore performs well against the desired distances to local facilities which developments should aspire to achieve as set out within the toolkit of the checklist. The site is therefore considered to be locationally sustainable.

Landscape Impact

The site is located to the west of Broughton Road. Residential development is under construction to the north, a parcel of rough ground with the railway lies to the west, and residential development fronting Broughton Road to the east. Therefore to a substantial degree the site is contained from the wider rural landscape.

Whilst the site is designated as Open Countryside, the quality of the landscape is however strongly influenced by the surrounding development. There is a boundary hedgerows and a number of trees on and adjacent to the site. Although development would result in the loss of several existing trees and lengths of hedge, given the context of this site, the proposal will not have a significant landscape or visual impact.

Impact on Trees

An Arboricultural Impact Assessment (AIA) method statement submitted in support of the amended proposals.

The Tree Officer has raised concerns as regards the loss of an Oak tree (T10 Grade A) within Phase 2. However this tree is located some distance from nearby dwellings towards the centre of the site, thereby limiting its contribution to visual amenity. Given the need to maximise the number of units which can be accommodated within phase 2 due to impact of HS2 on the future delivery of Phase 3, area of public open space to retain this tree cannot be incorporated into this part of the site layout.

Although the loss of this tree is regrettable, and to some extent replacement planting elsewhere can compensate for its loss, improvements which have been secured to the layout of Phase 2 and Scheme Viability considerations outweigh its loss.

To address the reservations of the Tree Officer, as regards the impact on trees to be retained, within and adjacent to the site, conditions are recommended for the submission of an updated tree protection plan and updated Arboriculture Method Statement to fully take into account the amended layout.

Ecology

The application site falls within Natural England's SSSI impact Risk Zone for developments of more than 50 units. Natural England has been consulted and raised no objection to the potential impact of the proposed development upon the Sandbach Flashes SSSI.

The development site has a number of ecological issues, and these have been assessed by the Council's Ecologist.

Badgers

Evidence of badger activity was recorded on site, but there is no evidence of a sett being present. The Council's Ecologist advises that the development is unlikely to have a significant adverse impact upon badgers. However, as the status of badgers on a site can change in a short timescale it is recommended that if planning consent is granted a condition should be attached which requires an updated badger survey to be undertaken and submitted prior to the commencement of development.

Hedgerows

A number of hedgerows are present on site. Native species hedgerows are a priority habitat and the submitted ecological appraisal advises that the hedgerows on site on site qualify as being Important under the Hedgerow Regulations historical criteria.

The proposed development will result in the loss of a section of hedgerow to facilitate the access into the site from the development to the north. A condition should be attached to secure the retention of existing hedgerows, except for those lost to the site access, and the enhancement of the retained hedgerows

Lesser Silver Diving Beetle (*Hydrochara caraboides*) and Mud Snail (*Omphiscola glabra*)

These two species were recorded at a number of ponds and ditches in the vicinity of the application site in 1999. An updated survey has now been undertaken. The submitted survey was completed at an appropriate time of year by an appropriately experienced ecologist, and no evidence of these species was recorded. Unfortunately the ditch was in the process of drying out at the time of the survey which limits the reliability of the results to an extent. Another rare invertebrate species was however recorded during the course of the survey.

The Council's Ecologist has advised that whilst on balance the presence of mud snail can be discounted, there remains the possibility that lesser silver diving beetle may potentially occur on the application site in other years if the ditch holds water at the right time of year.

To cover this eventuality, and to provide a replacement habitat for the rare invertebrate present on site, the applicant has submitted an updated Aquatic Invertebrate Survey which proposes that a replacement ditch be created at an off-site location adjacent to the eastern site boundary. The Council's Ecologist has confirmed that this mitigation is acceptable, and will be secured by way of a Grampian condition as it relates to a site on adjoining land not within the applicants ownership.

Roosting Bats

An oak tree has been identified on site that has potential to support roosting bats. A further survey of this tree has not identified any conclusive of roosting bats and the Council's Ecologist has therefore advised that the removal of this tree is not likely to have an adverse impact upon roosting bats.

Reptiles

Reptiles are known to occur in this broad locality of the application site and may occur on the application site on a transitory basis. In order to mitigate any potential impacts on reptiles, a condition should be imposed requiring the development to proceed in strict accordance with the best practice methodologies as detailed in the submitted Great Crested Newt Impact Assessment.

Nesting Birds

Standard conditions are recommended to safeguard nesting birds and to ensure some provision is made for nesting birds and roosting bats as part of the development.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. Flood Zone 1 defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. As the application site is more than 1 hectare, a Flood Risk Assessment (FRA) has been submitted in support of the application.

The Council's Flood Risk Team and United Utilities have been consulted as part of this application and have both raised no objection to the proposed development subject to the

imposition of planning conditions. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

Contaminated Land

The Environment Agency and Environmental Health have been consulted with regard to contamination, the Contaminated Land team has risen no objections however the Phase I report recommends a Phase II ground investigation be undertaken in order to further investigate the potential contamination risks at the site.

The Phase II report has now been submitted and is currently under review by Environmental Health.

Air Quality

Following consultation with Environmental Health it is clear that the cumulative impact of a number of developments in the area, (regardless of their individual scale) has the potential to significantly increase traffic emissions, and as such adversely affect local air quality for existing residents by virtue of additional road traffic emissions.

Crewe has three Air Quality Management Areas and unless managed, the cumulative impacts of developments in the town will make the situation worse. It is the view of the Environmental Health Officer that any increase in concentrations within an AQMA is significant as it is directly converse to local air quality objectives and the Air Quality Action Plan. The NPPF requires that development be in accordance with the Council's Air Quality Action Plan.

Modern Ultra Low Emission Vehicle Technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such, it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern, sustainable developments. Conditions in relation to air quality have been recommended.

Noise Impact

The Council's Environmental Health Officer originally raised concerns that the noise report had not satisfactorily addressed the impact on the site from railway noise arising from the West Coast mainline railway and also as a result of High Speed 2 (HS2).

To address these concerns, the applicant submitted a Technical Memorandum which provided further details and clarification of aspects of the noise assessment which had been undertaken. The originally submitted noise report and the additional information has been reviewed by the Council's Environmental Health Team, and it has been confirmed that the concerns raised previously have been satisfactorily addressed and noise impact affecting the site can be satisfactorily mitigated.

This is subject to a planning condition requiring the implementation of a scheme of noise mitigation measures as set out in the Noise Report. These measures include up-rated glazing and ventilation requirements, and the use of mechanical systems for first floor bedroom windows facing the railway.

Environmental Health have also accepted that as the HS2 scheme is at very early stage in its design, its impact on this site will not be known for some time. Therefore it is neither reasonable or practical for measures beyond those proposed to be incorporated within this development to specifically address the potential impact of HS2.

Design

The importance of securing high quality design is specified within the Framework. Paragraph 61 states that:

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

The local area comprise a variety of house types including modern semi-detached and detached housing, and Victorian terraced dwellings which back onto the site. The site is contained within the landscape, and other than the access points into the site and distant views from the Bradfield Road railway bridge to the south, it would not be prominent from public vantage points.

Following discussions with the Council’s Design Officer, the proposals have been amended during the application process and various improvements have been made to the layout to create a greater sense of place and a more sustainable environment for the future residents of the site.

The amendments have achieved a greater cohesiveness of the grouping of buildings particular around squares and focal points. The Buildings enclose spaces well, having been designed turn corners with active frontages. Additional detailing on house types has providing increased visual interest. The amended layout has included the removal of some car parking from frontages, and improvements in the road layout with a hierarchy of surfaces and road widths. The highways design has been agreed with the Highways Officer and is designed to an adoptable standard.

The amended layout ensures that scheme can be satisfactorily implemented as two distinct phases, given that Phase 3 lies within the HS2 Safeguarded Zone and its delivery will follow some time after Phase 2. Whilst Phase 2 of the scheme does not include a dedicated area of open recreational space an alternative approach has been adopted following the principles of the Cheshire Design Guide through the provision of squares set into the street layout. These are designed as shared surfaces which whilst provided vehicular access, can successfully be used by residents for purposes including public one space and informal play space.

An originally proposed pedestrian route utilising an existing access track to link the site to Broughton Road has been omitted. However this is currently a right of way serving the rear garden plots of the adjacent terraced houses, and passes in close proximity to ground floor living room windows in the end terraced house (No.129 Broughton Road). The proposed pedestrian route was long and would have inadequate natural surveillance, and whilst providing additional connectivity to Broughton Road, would have potential to adversely impact on the amenities of existing properties as well as creating conditions for crime and anti-social behaviour. In

any event the main site access to Broughton Road lies just to the north of the proposed pedestrian route, and consequently it would offer little advantage in reducing walking and cycling distances to local facilities. Amended plans have proposed that this area be used as private parking for the residents of the adjacent terraced houses. However, it is considered that a condition should be imposed requiring further details of the layout of this area, and ensure that parking arrangements are safe and practical.

The proposals are of an overall density (38 dwellings per hectare) which would not adversely affect the landscape and townscape of the surrounding area. The development is of a character and design which represents a logical extension to the adjoining development to the north, which is known as Phase 1.

It is considered that the amended scheme is of an acceptable design/layout has been achieved it is considered that the proposed development accords with the principles of the Cheshire East Design Guide and Policy SE.1 of the Adopted Local Plan Strategy .

Neighbour Amenity

Whilst the concerns of local residents are understood, care has been taken to ensure the layout of the proposed development does not create issues with overlooking, loss of privacy or loss of light to existing properties due to the juxtaposition of the proposed dwellings and provision of adequate separation distances. In particular, the scheme satisfactory meets the Interface distances which are required to be provided between facing principle living rooms windows of proposed and existing dwellings (21m)

The proposed dwellings within the site will have an area of private amenity space, and will not create conflict by overlooking, loss of light, or loss of privacy within the scheme. Therefore, it is considered that the proposed development accords with policy BE1 of the Crewe and Nantwich Local Plan.

Highways

There have been objections raised by neighbouring properties in relation to highway issues and the impact on the surrounding road network. A Transport Assessment, and subsequently submitted addendum, has been assessed by the Highways Officer.

Transport Impact

In terms of Network Capacity, assessments have been carried out which include forecast flows from this development and the first phase, and from application 13/5085N which was granted on appeal for development of 124 units on the eastern side of Broughton Road.

The existing 2-way vehicle flow on Broughton Rd is approximately 200 vehicles in either of the peak hours. This proposal and its first phase are forecast to generate approximately 70 two-way vehicle trips during the peak hour, and application 13/5085N roughly 60 vehicles in the peak hour.

The Highway Officer has determined that when taking into account existing flows, those of committed development and of this proposal, the two-way peak hour flows will be approximately 350 vehicles or 6 vehicles per minute.

It is recognised that Broughton Road is a single carriageway road with unrestricted on-street parking. However, National guidelines set out in DMRB for such a carriageway, indicate a link capacity of 900 vehicles per hour which is roughly double the total forecast flows. The Highway Officer has therefore concluded that Broughton Road is considered capable of accommodating the forecast traffic flows.

The junctions of Broughton Road with Bradfield Road and Parkers Road have also been assessed and shows no significant queuing beyond these junctions capacities. During site visits the Highway Officer observed that existing junctions' queue lengths were small, and in the region of only a few vehicles at most.

Sustainable access

Broughton Road has footways on both sides of the road which provides pedestrian access to the wider Crewe area and to bus stops which are within a short walking distance from the site. This proposal will provide footways within the site which connect to the initial phase of development which itself connects onto Broughton Road.

Safe and suitable access

The proposal is an extension of the initial phase of development, where access onto Broughton Road has already been agreed, having taken into consideration speed surveys and visibility splays.

The internal layout has been designed to adoptable standards. The off-road parking provision for 1 bed and 3+ bed units accords with CEC requirements. The provision for 2 bed units (38 units in total) is below standard, at 1 space per unit.

Car ownership data indicates that the number of cars owned per affordable dwelling is below that of market housing. The data for the local area indicates that the development would result in a small level of on-street parking and will not impact on the operation of the network or raise any safety concerns. Public transport is also available within a short walk from the site and the principle of 1 space for 2 bed units was accepted on phase 1.

Parking has been proposed for a number of the existing properties that front onto Broughton Road with the intention of removing off-road parking for 6 vehicles. While the principle of this is accepted, the details of this are yet to be agreed as it is currently unclear if 6 vehicles can be safely accommodated here. A condition is therefore recommended for details of its layout to be submitted.

The Highway Officer has also recommended that a condition is required for the submission and approval of a Construction Management Plan which details contractor and construction vehicle parking locations, materials loading/unloading locations, and wheel wash facilities.

Summary

The additional development does not have a material traffic impact that warrants an objection to the application. The internal layout as amended is in improvement on the previous submission and whilst there are areas that can be improved, technically the design meets standards and is not a reason for refusal.

Representations

Objections to the proposal have been received from neighbouring properties and the wider area are to the proposed development on various grounds which have been considered and are addressed in the main body of the report.

PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where in making any determination under the planning Acts, regard is to be had to the development plan; the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

The National Planning Policy Framework includes a presumption in favour of sustainable development. Paragraph 12 of the Framework states that *'the National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place'*

The site is within the Open Countryside, where new development for housing is restricted to agricultural, forestry, limited infilling and affordable housing through Rural Exception Sites. The proposed development although affordable has not been put forward as a Rural Exception Site and therefore would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside.

The issue in question is whether there are other material considerations associated with this proposal, which are sufficient material considerations in this case to outweigh the policy objection

The proposed development is for a 100% affordable housing scheme, which is needed within Cheshire East. The development cannot afford financial contributions, however the provision of affordable housing itself is a significant social benefit to the scheme. On balance, although it is regrettable that the scheme cannot contribute to a full package of community benefits, it is considered that the benefits of the scheme weigh significantly in the planning balance and outweigh the disadvantages of the scheme.

The benefits in this case are:

- The development would provide significant benefits in terms of much needed affordable housing provision
- The development would provide significant economic benefits through the provision of employment during the construction phase, new homes and benefits for local businesses.

- The design of the proposed development has been improved to adopt some key urban design principles.
- The proposal will not have an adverse landscape impact.

The development would have a neutral impact upon the following subject to mitigation:

- The impact upon protected species/ecology is considered to be neutral subject to the imposition of conditions to secure mitigation.
- There is not considered to be any significant drainage implications raised by this development.
- The impact upon the residential amenity/noise/air quality/landscape and contaminated land could be mitigated through the imposition of planning conditions.
- Highway impact would be broadly neutral due to the scale of the development and have no adverse impact of the local highway network.

The adverse impacts of the development would be:

- A limited loss of open countryside (given the location of the site between the settlement boundary and a consented development)
- The impact upon education infrastructure as this cannot be mitigated through the provision of an education contribution as demonstrated by the viability assessment

The scheme is therefore recommended for approval.

RECOMMENDATION

Approve subject to the following conditions:

- 1. Commencement of development (3 years)**
- 2. Development in accordance with approved plans,**
- 3. Materials**
- 4. Surfacing materials**
- 5. Delivery of affordable housing**
- 6. Grampian condition to secure mitigation for lesser silver diving beetle**
- 7. Nesting bird survey to be submitted**
- 8. Provision of features for breeding birds**
- 9. Development undertaken in accordance with Reptile method statement**
- 10. Submission of landscape scheme, including details of hedgerow retention**
- 11. Implementation of landscaping**
- 12. Provision of children's play area**
- 13. Details of surface water drainage scheme**
- 14. Contamination - Phase II investigation to be submitted**
- 15. Contamination - Importation of soil**
- 16. Remediation of unexpected contamination**
- 17. Arboricultural method statement and tree protection measures**
- 18. Boundary treatment**
- 19. Details of parking layout on land adjacent 129 Broughton Road**
- 20. Dust Management**
- 21. Noise mitigation scheme**
- 22. Details of construction management plan**
- 23. Electric vehicle charging points to be provided for dwellings**
- 24. Residents Travel Information Pack to be submitted**

25. Cycle storage details

26. Bin Storage details

27. No development of phase 3 (plots 50-67) until confirmation that Safeguarded Area is not required for the purpose of the HS2 rail project

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

