

Planning Reference No:	P07/0639
Application Address:	Land at Lockitt Street/Mill Street Crewe Cheshire
Proposal:	Outline application for Mixed Use Development Comprising Residential, Retail (Food and Non Food Uses), New Pedestrian/Cycle Link and Associated Car Parking, Landscaping, Servicing and Access
Applicant:	Clowes Developments (North West) Ltd
Application Type:	Outline
Grid Reference:	70778 55143
Ward:	St Johns
Earliest Determination Date:	6 th January 2010
Expiry Dated:	30 th July 2007
Date of Officer's Site Visit:	
Date Report Prepared:	12 th March 2010
Constraints:	None

SUMMARY RECOMMENDATION: Subject to the signing and completion of a Section 106 Agreement to secure 35% affordable housing, provision of pedestrian/cycle link, public open space, phasing of development, and public art

Approve subject to conditions

MAIN ISSUES:

Impact of the development on

- Principle of the development in terms of compliance with Local Plan and National Policy
- Character and appearance of the area and whether the proposals will deliver regeneration benefits
- The delivery of satisfactory level of affordable housing
- The delivery of a high quality pedestrian/cycle link between the town centre and train station
- Congestion on the local highway network in particular Mill Street and safe access to the site
- Air quality in terms of the Nantwich Road Air Quality Management Area
- The impact on the amenity of neighbouring uses through noise and disturbance, loss of light, privacy
- The impact on future occupiers of the dwelling through noise and disturbance
- Contaminated Land and its impact on end users

1. REASON FOR REFERRAL

The application is included on the agenda of the Strategic Planning Board as the site includes retail development on a site that is greater than 2. ha and represents a significant departure to the Development Plan.

2. DESCRIPTION OF SITE AND CONTEXT

The site consists of a 3.95 hectare area comprising of a mixture of vacant and occupied single storey general industrial and warehouse buildings. It is bounded to the north and east by railway lines filtering into Crewe railway station, to the south by residential properties and to the west by Mill Street. The application site excludes the existing Wickes DIY store and a landscaped area to the west of this building and Mill Street. The site is allocated under Policy S.12.2 of the Borough of Crewe and Nantwich Local Plan as a mixed use regeneration area and also forms part of the Mill Street/Pedley Street sub area within the Crewe Rail Gateway Adopted Development Brief.

3. DETAILS OF PROPOSAL

This application was initially submitted in 2007 as an outline application with means of access for approval and all other matters reserved, for a mixed use development comprising residential, employment and retailing. The application was included onto the agenda of the Development Control Committee of Crewe and Nantwich Borough Council on the 23rd August 2007 who subsequently resolved to approve the development subject to the completion of a Section 106 agreement to secure affordable housing, public open space and the phasing of the development. However, due to changing market conditions the developer has never progressed the Agreement and accordingly the application remains live. On-going discussions have taken place between the applicant and officers from Development Management and Spatial Planning to identify ways of ensuring that the redevelopment of the site can take place as a viable development whilst at the same time delivering the key objectives of the Crewe Rail Gateway Development Brief.

The applicant has subsequently modified the scheme and provided additional supporting documentation to reflect the amended scheme. A full re-consultation exercise has been undertaken. The amended scheme proposes the deletion of the office development and the earlier proposed flatted accommodation for standard housing. The applicant also now proposes an additional non-food retailing unit together with reductions in the earlier proposed food and non food bulky goods units. The scheme incorporates, a unit of 1,329 sq.m gross floor space for sale of convenience goods (food), a unit of 2,323 sq.m gross floor space for comparison goods (non food) and a unit of 2,323 sq.m gross floor space for bulky goods. The scheme also includes a 325sq.m restaurant, 53 dwellings (35% affordable), and the provision of a pedestrian/cycle link and open space/landscaping. Overall the scheme results in a net increase of 1,490 m² of retailing floorspace over the earlier scheme. The application seeks to establish the principles of development only with all other matters, except for the means of access reserved for subsequent approval. A comprehensive set of indicative plans and supporting documentation have been submitted to support the application.

4. RELEVANT HISTORY

P06/0876 – Outline application for Mixed Use Development Comprising Housing (Class C3), Employment (Class B1) and Retail (Class A1) uses, New Pedestrian/Cycle Link through the site and Associated Car Parking, Landscaping, Servicing and Access. Withdrawn 26th October 2006.

5. POLICIES

The development plan includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

The relevant development plan policies are:

RSS

DP.1 (Spatial Principles)

DP.2 (Promote Sustainable Communities)

DP.3 (Promote Sustainable Economic Development)

DP.4 (Make the Best Use of Existing Resources and Infrastructure)

DP.5 (Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility)

DP.7 (Promote Environmental Quality)

DP.9 (Reduce Emissions and Adapt to Climate Change)

RDF.1 (Spatial Priorities)

L.5 (Affordable Housing)

RT.2 (Managing Travel Demand)

RT.9 (Walking and Cycling)

EM.2 (Remediating Contaminated Land)

MCR.4 (South Cheshire)

Local Plan Policy

NE.17 (Pollution Control)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

BE.6 (Development on Potentially Contaminated Land)

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

RES.7 (Affordable Housing within the Settlement Boundaries of Crewe, Nantwich and the Villages Listed in Policy RES.4)

TRAN.1 (Public Transport)

TRAN.3 (Pedestrians)

TRAN.4 (Access for the Disabled)

TRAN.5 (Provision for Cyclists)

TRAN.6 (Cycle Routes)

TRAN.9 (Car Parking Standards)

RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)

S.10 (Major Shopping Proposals)

S.12.2 (Mixed Use Regenerations Areas) Mill Street, Crewe

Cheshire Replacement Waste Local Plan

Policy 11 (Development and Waste Recycling)

Other Material Considerations

PPS.1 (Delivering Sustainable Development)

PPS.3 (Housing)

PPS.4 (Planning for Sustainable Economic Growth)
PPG.13 (Transport)
PPS.23 (Planning and Pollution Control)
PPG.24 (Planning and Noise)
PPS.25 (Development and Flood Risk)

Department for Transport – Manual for Streets

Local Development Framework – Crewe Rail Gateway Adopted Development Brief and Sustainability Appraisal Supplementary Planning Document

6. CONSULTATIONS (External to Planning)

Strategic Highways Manager: Mill Street carries a high traffic flow rate with 40 plus recorded accidents in the past 5 years. A right turn lane is needed in Mill Street, with the proposed residential element being designed in accordance with Manual for Streets. Proposed pedestrian link will need to be upgraded to accommodate both pedestrians/cyclists and to link into Crewe cross town centre cycle route. Cheshire East Council will look to adopt all roads, footways and cycle ways in relation to this development through a section 38 agreement and secure the right turn lane through a section 278 agreement. Subject to the above being carried out and plans provided for approval by the LPA prior to construction, no highway objections

United Utilities: There is a rising main crossing the site which appears to be built over. No diversion request received and not certain if the right of way to the pumping station was ever agreed. United Utilities object.

Environment Agency: No objection subject to condition restricting any development over the Valley Brook culvert or within 8m of the outer edge of the culvert sidewalls.

Drawing No 7008/02_02 Rev C shows the line of the Valley Brook culvert with an 8m easement either side of the culvert centre line. Any revised scheme should show no development within 8m of the outer walls of the culvert.

Environmental Health: Satisfied that providing the measures set out in the Noise report are incorporated into the final design for the site there should not be any disamenity due to noise. The main recommendations for the residential part of the site are set out in section 6.0 of the assessment and recommend that for those properties closest to Mill Street increased glazing and a 2m close boarded fence and the area affected by rail noise increased glazing should be sufficient. The report also mentions the use of acoustic trickle vents for the areas set out above and we would recommend that these are installed in bedroom windows.

With respect to commercial noise a 2m close boarded fence is proposed along the boundary adjacent to the Wickes service area. With respect to the proposed commercial units on the site it is not possible at this stage to predict what noise levels will be generated and as such the report recommends that a further assessment is carried out once more detail is known about the final use of these units.

Satisfied that the modeling work contained in the report demonstrates that any extra traffic that may be generated by the development will have little or no impact on the air

quality in the surrounding area or the Nantwich Road Air Quality Management Area (AQMA).

Recommendations in 6.2 of report relating to the operational phase of the site, would be useful to reduce vehicle trips if these could be included in conditions that may be attached to any permission for the site. Would be useful to ensure that there are sufficient cycle facilities, pedestrian walkways and provisions for use of public transport.

Environmental Health (Contaminated Land): No objection subject to a condition requiring further investigations to fully assess the ground conditions at the site.

Spatial Planning: The application is in accordance with policies RES.2 and RES.3 in relation to the principle of housing development and housing density. As its area exceeds 0.5 hectares and proposes more 15 dwellings, it needs to satisfy policy RES.7 (Affordable housing). This requires that 35% should be affordable. The proposal offers 34.43%. This is considered to be acceptable given the acknowledged regeneration benefits the development would bring. The residential element of the scheme is now focussed on more traditional housing with gardens. Of the 53 units proposed 35% will be affordable and the proposal accords with Local Plan policy.

The principle of the mixed use development of the site accords with the adopted Replacement Local Plan and the Supplementary Planning Document for Crewe Rail Gateway and PPS4. Regeneration in this area is of vital importance to improve the links between the town centre and the railway station. The retailing, the housing and the pedestrian/cycle link will assist this strategic objective.

The applicant has demonstrated that the proposed retail element will not have an adverse effect on the vitality and viability of the town centre; and is crucial to achieve the regeneration of this area.

District Valuation Officer: Initially responded to state that they accept that a large proportion of the inputs appear reasonable, although there are some significant areas where clarification and sensitivity analysis would be useful. The values adopted are reasonable for present market conditions however the build costs used are high. The appraisal could easily be adjusted to show a developers profit but not one which is excessive. The only reason why this might not be the case would be a significant change in the market conditions prior to implementation of any consent. Merely pointing that viability conditions may change.

There is a potential difference of approach in respect of land value and this would need to be fully explored/agreed before any final opinion could be given on the amount of accommodation, particularly A1, which could reasonably be required to produce a viable scheme. If land values were to be adopted on the value of the existing site (assuming vacant) then the viability would be greatly improved. Recommend that any assessment be reviewed within 1 year of any grant and has not substantially commenced within one year of that grant.

Further comments dated 5th March 2010 in response to Developers comments on Valuation Officers initial response: Majority of comments seem ok. The conclusion is that on a viability basis the scheme is a reasonable one and that if the retail element were to be reduced then there is a strong argument that it would not be. The caveat to

this is that we are looking at the situation in a very poor market and that even in a minor recovery could produce greatly enhanced returns. Therefore recommend a review mechanism.

Housing Officer: Happy with the reduction of affordable housing units on the site if this is what is required to make the site viable. Also happy with the commitment to a range of tenures in the Planning and Retail Statement, however, would like to see the percentage split in the SPD (23% social rented, 12% shared ownership). The housing sizes proposed is acceptable.

It appears the affordable units are together and on one part of the site. Would prefer the affordable units to be pepper-potted across the site. Support the delivery of houses as they have in many cases been more difficult to deliver than flats and there have been affordable flats delivered recently.

7. OTHER REPRESENTATIONS:

None received at time of writing report

8. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement (Prepared by Hattrell DS One Architects dated 8th March 2010)

Main content is as follows:

- Site may be described as edge of centre having been used for retail and business for a number of years;
- Site within the Crewe Rail Gateway Development Brief
- Number of constraints - Access to the signalling station to the east of the site must be retained, Wickes' is also accessed via Lockitt Street, Underground services along Mill Street, number of electrical and drains easements running across and through the site, in addition a culverted stream runs from north-western corner of site to beneath the railway to the east, substantial change in levels at north western corner of site.
- Proposals include a retail development of three units, including a food retailer unit fronting onto Mill Street, larger unit behind to provide 4,646sqm of non-food and bulky goods retail, a stand alone unit to function as a restaurant
- Housing development to provide 65% privately occupied units and 35% to be offered to a local Housing Association which will either be leased or as shared home ownership
- A new path to establish walking and cycle links between town centre and Crewe station
- Landscaping - car parking, frontage onto Mill Street, and housing will all require hard and soft landscaping
- Retail units on Mill Street frontage to be 7m in height with larger retail units to be 10m in height. Maintaining domestic scale along Mill Street with higher buildings sitting back from the street. Slope of land may mean that larger buildings will have to be partially excavated, reducing their perceived height
- Layout shows 213 space car parking provision, all servicing lorries will exit via one exit on Lockitt Street
- Two (6.5m) and three (9.5m) storey residential units of 2, 3 and 4 bed homes

- Intend that part of the housing layout should reflect the street pattern and grouping of traditional 19th Century railway cottages, in a contemporary style
- Design will also take into considerations "Development on Backland and Gardens" SPD
- Proximity to railway will need to take into consideration noise disturbance measures
- Parking for one space per dwelling, within the site demise of the house or shared areas nearby
- New pathway through site – recognise that needs to be attractive. Option for pathway to continue through car park to station, but shown as terminating in housing estate.
- Position of underground culvert has determined the position of the open space and housing. Detailed consideration will be required for the change of levels at north western corner of site
- At the centre of the development is an urban square which the town centre/station link will cross, will also serve as external eating for restaurant, also allows permeability to retail units
- Formal planting around retail units, Lockitt Street and service screening, frontage to Mill Street will be landscape to complement the existing mature trees
- A buffer strip of landscaping is proposed between the housing and railway with walls and fences and to screen the houses from Wickes'
- Proposed development offers opportunity to enhance the approach into Crewe from the railway station by providing new pedestrian link and a lively mix of commercial and residential uses
- Site within walking distance of town centre and buses and train station within convenient walking distance
- Various measures will be incorporated to reduce carbon emissions and reduce energy and water wastage.

Planning and Retail Statement (Update) (Prepared by White Young Green Group, dated October 2009)

Main content as follows:

- Revised proposal includes 1,329 sq.m gross floor space for sale of convenience goods (food), 2,323 sq.m gross floor space for comparison goods (non food) and 2,323 sq.m gross floor space for bulky goods. The scheme also includes a 325sq.m restaurant, 53 dwellings (35% affordable), the provision of a pedestrian/cycle link and open space/landscaping
- Regeneration – scheme will improve connectivity between town centre and the railway station, as well as introducing new investment into the physical fabric of the area, whilst contributing towards addressing economic and social regeneration needs. The scheme will deliver important regeneration benefits in accordance with the objectives to the site specific policy and Development Brief.
- Retail – recognition of weight to be afforded to the overriding regeneration benefits associated with the site redevelopment and provision of the pedestrian/cycle route.
- A different configuration of retail floorspace is now proposed including the introduction of a unit for non-food goods.
- New scheme comprises a cumulative increase in gross retail floorspace of 1,490sq.m
- It is concluded that a quantitative need for the uplift in comparison goods floorspace associated with the non food retail unit can be established, whilst having regard to existing commitments
- In order for the scheme to deliver a landmark, high quality development the scheme must be both commercially viable and deliverable. On site physical constraints and

the need to provide town centre/railway station linkage, the site will need to be developed for uses which create value.

- Sequential test was explored in the 2007 application which concluded that the site was the most appropriate location for development having regard to issues of suitability, viability and availability, the Development Brief, and proximity to Wickes. Other sites were identified which may be sequentially preferable locationally however suitability, viability and availability is debated. Further, provision outwith the site would not deliver the regeneration and pedestrian/cycle link benefits.
- It is maintained that there will be no detrimental impact to the town centres vitality and viability. Any adverse impact that may be anticipated will be more than outweighed by the benefits arising from development. Remain willing to accept conditions and a s.106 to control floorspace, type and scheme phasing.
- Site accessible and well served by a choice of means of travel.
- Housing – 35 % affordable housing is in accordance with Policy. A range of tenures are proposed which will be secured by a s.106.
- The proposal retains a commitment to providing a wide mix of quality dwellings to contribute to Crewe's requirements for housing delivery, including more affordable homes.
- Other planning issues – Traffic and Transport, Air Quality, Design, Amenity, Site Investigations and Flood Risk also considered in report.

Retail Statement Addendum (Prepared by White Young Green, January 2010)

Main content as follows:

- Produced in response to the release of PPS4: Planning and Sustainable Economic Growth (December 2009), which supersedes PPS6.
- PPS4 has introduced 5 general impact considerations:
 - That the *proposal has been planned over the lifetime of the development to limit carbon dioxide emissions and to provide resilience to climate change*. The sites accessible location is expected to secure the fullest possible use of sustainable transport, and will enable the creation of functional linkages, and the efficient use of the site will ensure that its accessible location is fully exploited. Sustainable travel will contribute towards the Governments ambition of a low carbon economy. The methodology for surface water attenuation also allows for the effect of climate change.
 - The *accessibility of the proposal by a choice of means of transport and the impact on local traffic levels and congestion after public transport and traffic management measures have been secured*. Sites location will make good use of opportunities available for public transport, and allow for some walk-in and bicycle-borne visitors. Application contributes towards wider accessibility objectives. The Transport Assessment confirms that the amended scheme can satisfactorily accommodate any increase in traffic on the roads immediately surrounding the site.
 - *The proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions*. The redevelopment offers the opportunity to regenerate an area of underused and dilapidated buildings with a modern, high quality mixed use development. Whilst providing new activity and functionality to the site.
 - *The impact on physical and economic regeneration in the area (including the impact on deprived areas and social inclusion objectives)*. The proposal makes use of the vacant and underutilised land by bringing it back to

beneficial use with a variety of uses. The link between town centre and train station will allow easy pedestrian movement and will provide wider benefits to the town centre and station area. The scheme may act as a catalyst for wider regeneration.

- *The effect on local employment.* In addition to construction jobs, the development will provide permanent jobs related to the retail element.
- It is therefore evident that there will be no adverse impacts in relation to the general impact considerations.
- The sequential approach – This test is fundamentally unchanged. The site is allocated for mixed use under the Local Plan as a wider strategy to deliver its regeneration and to improve the town centre/station linkage. Therefore the proposal accords with development plan strategy. This was explored in the 2007 application which concluded that the site was the most appropriate location for development having regard to issues of suitability, viability and availability, the Development Brief, and proximity to Wickes.
- There may be other sites which may be sequentially preferable locationally however their suitability, viability and availability is debated. Further, development on an alternative site would not deliver the regeneration and pedestrian/cycle link benefits associated with this site. As such there are no sequentially preferable sites to accommodate the development proposed.
- Therefore to the extent necessary to do so the requirements of the sequential approach contained within Policy EC15 have been complied with.
- The Assessment of Impact on Centres (Policy EC.16) – Despite the development plans support for the sites redevelopment the impact has previously been explored.
- It has not previously been concluded that the development will have a detrimental impact on Crewe town centre (with reference to the Councils previous resolution and the uplift in non-food retail identified in the Planning and Retail Statement).
- *Impact on existing, committed and planned public and private investment in the centre.* The ability of the scheme to be complimentary to any town centre redevelopment scheme was accepted and acknowledged in the resolution to grant consent for the original proposal. However in the interim the town centre proposal has not progressed. In the context of the uplift in floorspace now proposed, it is maintained that the scheme will not put at risk any future town centre scheme. It should be regarded as being complimentary as part of a wider strategy of supporting an enhance role for Crewe within the regional shopping hierarchy and encouraging town centre activity.
- *Impact on vitality and viability* – The ability of the proposal to deliver the new pedestrian/cycle route which will become an attractive link to the town centre have been weighed heavily in favour when considering the impact on the vitality and viability of the town centre. Any adverse impacts that may be anticipated will be outweighed by the benefits arising as a result.
- The link, public realm improvements and the general redevelopment of the site will enhance the overall attractiveness of the area, in a neglected part of central Crewe, which in turn is likely to lead to more pedestrian activity in the town centre.
- Thus any impact on vitality and viability should be regarded as positive and complementary.
- *The impact of the proposal on allocated sites outside town centres developed in accordance with the development plan.* There are no out of centre allocated sites that could be impacted upon as reflected in the Councils resolution to approve the previous proposal. The site is regarded by the developer as an out of centre allocated site.

- *The impact of the proposal on in-centre trade/turnover and trade in wider area.* Whilst it was anticipated to occur from individual food and non food outlets, it was concluded that this would not affect the viability of the stores in question, and most significantly the health of Crewe town centre. The resolution reached by the Council has seen the Mill Street site regarded as a retail commitment as part of the Councils consideration of the trading effects of other retail proposals (including the Vernon Way Tesco store). It has therefore been established that the impact of the proposal on in-centre trade and turnover and on trade in the wider area will not be prejudicial.
- The uplift in retail floorspace, relative to those approved, will not have an adverse impact on in-centre trade and turnover even when taking into account approved commitments in the interim.
- The scheme has been designed in order to fully exploit the opportunities available for knock on town centre enhancement with Increased accessibility to the town centre will provide a real opportunity for new expenditure.
- No significant adverse impacts will occur in relation to the impact considerations of EC.16.
- With no adverse impact identified under Policy EC10 and EC16, under Policy EC17 it becomes appropriate for the LPA to take account of the positive and negative impacts of the proposal and any other material considerations.

Economic Statement (Prepared by White Young Green, dated November 2009)

Main content as follows:

- Credit crunch resulted in tightening of conditions required to obtain funding, failure to obtain funding concluded that the previous scheme was unviable and undeliverable and the s.106 agreement remaining unsigned.
- Costs and revenues identify that the residential element in isolation is estimated to make a loss. The pedestrian/cycle link, areas of public realm and landscaping are also loss making.
- Need to introduce floorspace with a greater capital value and profit value became apparent in order for the scheme to become profitable and viable.
- Therefore the non-food retail unit has become the critical element, without which the scheme would not be viable and the opportunity to deliver the pedestrian/cycle link or affordable housing.
- It is maintained that this is entirely planning policy compliant

Noise Assessment (Prepared by White Young Green, dated October 2009)

Main content as follows:

- Noise level data was collected at appropriate locations to determine the impact of road traffic noise from vehicles using Mill Street and noise from the nearby rail lines. The report demonstrates that noise levels fall generally within Noise Exposure Categories (NEC) A and B with data collected during the night-time period in relation to road traffic noise from Mill Street falling to just NEC C.
- The report demonstrates that, in principle, the site is suitable for redevelopment for residential and commercial end use.

Flood Risk Assessment (Prepared by White Young Green, dated October, 2009)

Main content as follows:

- EA flood risk maps show the site as being entirely within Flood Zone 1; outside the extent of 0.1% (1 in 1000) flooding.
- Previously the northern boundary of the site was shown to be within Flood Zone 3, inside the extent of 1% (1 in 100) flooding from Valley Brook. However, previous appraisal of flood levels and site topography had demonstrated that this zone was more likely to fall in Flood Zone 1.
- Development is considered to pass the PPS25 sequential test by steering a suitably classified development to Flood Zone 1. The development is suitable for the site.
- No other sources of flood risk were identified
- Site is currently served by public surface water sewer system that discharges into Valley Brook
- The site will be largely covered by impermeable surfaces which if not managed properly surface water run off could lead to increases in flood risk in other areas of the development itself. Therefore to mitigate it is recommend that – surface water run off should discharge indirectly into Valley Brook via existing public sewer in Lockitt Street. UU advised that discharge rate should be limited to 150l/s from the site
- An estimated 600m³ of formal attenuation storage should be provided within the drainage system of a 1 in 30 standard in order to limit flows to the maximum permissible discharge rate. This could take the form of underground tanks with Hydrobrake outflow control device
- An estimated further 685m³ of storage should be provided in order to ensure that flows in exceedance of the 1 in 30 design standard, up to the 1 in 100 plus 30% climate change event are stored on site and attenuated to the agreed rate. This storage should be provided through controlled flooding of surface areas (access roads, car parking and landscaping) and should be designed in such a way as to ensure that the risk of property flooding occurring is minimised.

Transport Assessment (prepared by White Young Green, dated November 2009)

Main Content as follows:

- Demonstrated that the site is well served by public transport, with some 13 bus services operating in the vicinity of the site. Crewe bus station is also located within acceptable walking distance.
- Personal injury accidents occurred along Mill Street within vicinity of the site is not so great as to identify the site as a cause for concern. No common identifiable cause of accident identified.
- Traffic impact of the development has been considered in detail. It has shown that the scheme is likely to generate some 96 trips in the morning peak period, 231 trips in the evening, and 439 trips in the Saturday peak period.
- Residual trips would be 8 trips in the morning peak period, 86 trips in the evening and 118 trips in the Saturday peak period.
- The site access will operate well within capacity
- The impact of the scheme on adjacent junctions is considered to be acceptable.

Air Quality Assessment (prepared by White Young Green, dated December 2009)

Main content as follows:

- Baseline air quality conditions were defined and potential impacts during the construction and operational phase identified and assessed.
- Potential construction impacts were identified from dust.

- These were assessed and predicted to be between major-intermediate, adverse and neutral. The use of practical dust control measures would provide suitable mitigation for a development of this size.
- Operational phase impacts were identified as exhaust emissions travelling to and from the site. The proximity of the site to the Nantwich Road Air Quality Management Area required a detailed assessment to quantify NO₂ and PM₁₀ concentrations both with and without the development. Impacts were predicted to be neutral at all sensitive receptor locations within the vicinity of the site.

Ground Condition Report (Prepared by White Young Group, dated February 2007)

Main content is as follows:

- Evidence of potentially contaminative land uses occurring within the site boundary such as gasworks, railways and industrial uses;
- Site is currently extensively hard covered however redevelopment to mixed use will result in areas of vegetation increasing probability of site users being exposed to contamination;
- The site carries an assessment of moderate to high risks;
- Risk to surface water receptors is considered moderate;
- Groundwater is considered to be a low risk; however there may be some shallow perched groundwater present at the base of the made ground;
- Overall risk to buildings and services is assigned as moderate. It should be noted that the likely presence of extensive made ground deposits along the north and east of the site may have significant impacts upon foundations requirements in this area;
- It is recommended that a detailed site investigation is conducted in order to more fully characterise the risks associated with potential contamination within the ground and shallow perched groundwater and any land gas issues;
- In addition, the investigation should determine geotechnical properties of underlying soils;

Geo-Environmental Appraisal (Prepared by ENCIA Consulting dated January 2008)

Recommends further investigations be undertaken:

- Supplementary investigation of currently inaccessible areas of the site, following demolition of existing buildings and acquisition of Network Rail land
- Provision of a quantitative risk assessment to enable assessment of the contamination risk to controlled waters and to derive site specific clean up criteria for inorganic and organic contamination
- Supervision of future remediation
- Complete gas monitoring programme

9. OFFICER APPRAISAL

Principle of Development

The site is allocated in the Adopted Borough of Crewe and Nantwich Replacement Local Plan 2011 under Policy 12.2 as a mixed use regeneration area and also forms part of the area covered by the Crewe Rail Gateway Adopted Development Brief. The thrust of the Local Plan allocation is to encourage the regeneration of this site with a mixture of uses including employment (B1, B2 and B8), appropriate sui-generis uses and retail subject to the retailing complies with the requirements of Policy S.10 (Major

Shopping Proposals). The main objectives of the Development Brief for the Mill Street/Pedley Street Sub Area is to provide mixed use regeneration with housing being promoted as part of a mixed use scheme, the provision of improved linkages between the town centre and station through high quality public realm and landscaping, and a mixed density scheme with active frontages and providing a sense of place.

The scheme with the resolution to approve complied with all the elements of the Policy by providing employment, retail, and residential development along with the improvements to the public realm and provision of the pedestrian/cycle link. That resolution to approve was made on 23rd August 2007, however permission has never been granted due to the failure to sign the s.106 agreement. According to the applicant, changes in the economic climate meant that the scheme was no longer viable. In order to produce a viable scheme the applicant has eliminated the B1 employment floorspace, and increased the retail floorspace from an overall total of retail floorspace from 4,485sqm to 5,975sqm, which is an increase of 1,490sqm. The scheme has also substituted the flatted accommodation with housing.

Retailing

Local Plan Policy

The suitability of the site for some retail use is established by the policy, Development Brief and previous resolution. The issue in question is the amount of retail floorspace. As described above Policy S.12.2 allocates the site for a variety of uses including retailing, where it accords with Policy S10. Policy S.10 requires retail developments with a gross floorspace over 2500m² to demonstrate need for the development, and as no need assessment has been carried out by the applicant to justify the development. Planning Policy Statement 4 states that where development is not in accordance with an up to date Development Plan then the policy criteria of PPS4 should be applied. It is considered that the proposed development is not in accordance with the Policies contained within the Local Plan and therefore the tests within PPS4 should be considered. The scheme has therefore been advertised as a departure to this end.

National Guidance

The guidance within PPS4 states that where not in accordance with an up to date Local Plan applications should be refused where the applicant has not demonstrated compliance with the requirements of the sequential approach. This seeks to ensure that new retailing development is contained where possible to town centre sites.

Where the site is “edge of centre” PPS4 states that the proposal must be of appropriate scale (in terms of gross floorspace) in relation to the size of the centre and its role in the hierarchy of centres. PPS4 describes edge of centre locations to be those within 300m of the boundary of the town centre with good pedestrian links. The application site is immediately adjacent to the town centre boundary at its closest point and partly within 300m of the primary shopping frontage. Part of the site is within 300m of the primary shopping frontage, although the retail element of the scheme is approximately 480m from the primary shopping frontage. Notwithstanding this point PPS4 allows “local circumstances” to be taken into account. These can include “perceptions of walking distance” and the “attractiveness and perceived safety of the route”. One of the overarching principles of this development is to deliver a high quality

pedestrian/cycle link between the Town Centre, the site and the railway station. It is therefore considered that the site can be classed as “edge of centre”. The guidance then goes on to advise that where no significant adverse impacts have been identified as described above planning applications should then take account of any positive and negative impacts which can include regenerative benefits and social inclusion objectives, which is considered later in this section of the report.

Sequential Test

With regard to the sequential approach, sites should be assessed for availability, suitability and viability. Whilst there are sites closer to the town centre, their availability can be called into question. For example the town centre redevelopment scheme, does not benefit from planning permission at present, there are land acquisition issues and existing occupiers. By contrast the application site is currently largely vacant, in the ownership of the developer, and available for immediate redevelopment. Whilst a department “anchor” store was shown as part of the town centre redevelopment scheme, there is clearly limited opportunity to provide multiple large format and bulky goods retail units within the principal shopping area. Had the scheme comprised smaller units some or all could have been accommodated in the town centre. On this basis it is considered there is no sequentially preferable site to deliver the proposed development and where there are no town centre locations the Policy allows for preference to be given to edge of centre sites. In terms of the flexibility shown by the developers in terms of scale of floorspace, as required under PPS4, there is a strong case that a reduction in floorspace would mean that the development would be unviable as outlined by the Valuation Officers comments.

Scale

In “edge of centre” locations Policy EC16.1.e of PPS4 with regard to an impact assessment requires the proposal to be of an appropriate scale (in terms of gross floorspace) in relation to the size of the centre. The scheme proposes a total of 5,975sqm of gross floorspace, which is 1,490sqm larger than the previous scheme. It is considered that the proposed amount of retail floorspace in this edge of centre location is unjustified in terms of scale of retail development. It is considered that 5,975sqm is a significant amount of floorspace for Crewe, although there is an existing resolution to approve of 4,485sqm, the amended scheme represents an uplift of 1,490sqm which is an increase of 33% retail floorspace. There is concern that the scale of retail development is not “appropriate in relation to the size of the centre” and therefore this requirement has not been met. However this is not the only consideration in determination.

Regeneration/Social Inclusion Issues

The proposed scheme will help to deliver the key regeneration benefits that the site requires, as outlined within the Crewe Rail Gateway Development Brief, including the provision of a mixed use scheme and creation of a large section of high quality pedestrian/cycle link between the town centre and station. The scheme will also result in the provision of 35% affordable housing within the site, which is a material consideration weighing in favour of the development as this will provide significant social inclusion benefits in fostering new sustainable communities close to the centre of Crewe. Spatial Planning are also in support of the proposed development and

consider that regeneration in this area is of vital importance to improve the links between the town centre and the railway station.

Other Material Considerations - Viability

The proposed development satisfies the sequential test and there are significant regeneration arguments which weigh in favour of the development. However the scale of the development is inappropriate, but this must be balanced against other considerations. The scheme with the resolution to approve was considered to be acceptable in terms of the amount of retail floorspace. However that original scheme is now not considered to be viable and cannot therefore be built and the regeneration benefits would not be provided.

The applicant has provided an economic statement which includes a breakdown of figures that demonstrates that the residential and infrastructure costs do not on their own show profit and that the retailing is the only component which returns profit. This was sent to the Valuation Office for an independent assessment of this report and figures. The Valuation Office has stated that on a viability basis the scheme seems reasonable and without the additional retailing there is a strong argument that the scheme would not be viable. They do however confirm that the comments are made in a weak market and therefore should possibly be reviewed in the future.

To conclude this section the additional retailing provision is considered to be justified as a way of delivering the key regenerative benefits identified in the adopted Development Brief and also the social benefits in the form of affordable housing and crucially delivering the majority of the pedestrian and cycle links between the town centre and the railway station which is a key objective of the Crewe Rail Gateway Development Brief. The proposal is however, considered to represent a departure from the Development Plan 2011.

Residential

As originally submitted the scheme included for some 159 residential units predominantly in the form of apartments. The Cheshire East Annual Monitoring Report (2008/09) indicates that for the Crewe and Nantwich Area there is an 11.68 year supply of housing, for Cheshire East this figure is a 5.14 years supply. The level of housing proposed is not considered to be a significant figure to have implications on the figures. However, due to the economic downturn it is recognised that flatted accommodation in Crewe is currently unviable. The Housing Officer is in support of the delivery of houses as they have in many cases been more difficult to deliver than flats. Accordingly the applicant has amended the scheme to include for standard housing. The Housing Officer is in support of the delivery of houses as they have in many cases been more difficult to deliver than flats. Whilst the site plans are indicative the application now shows 53, 2-4 bedroom dwellings. This number may change once the detailed designs are put forward. However, given that the site lies within the settlement boundary of Crewe and occupies a sustainable position close to the Crewe Town Centre and also considering the requirements of the Development Brief the principle of residential development on the site as part of a mixed use scheme is acceptable.

Policy NE.2 (Unallocated Housing Sites) states that within the settlement boundaries of Crewe and Nantwich as defined on the proposals map, the development or

redevelopment of unallocated sites for housing will be permitted in accordance with policies BE.1-BE.5. Policy RES.3 insists that residential development should be built at densities between 30 and 50 per hectare. The application is considered to be in accordance with those policies.

Furthermore, as its area exceeds 0.5 hectares and proposes more 15 dwellings, it needs to satisfy policy RES.7 (Affordable housing) which requires that 35% of dwellings should be affordable. The applicant has stated that they intend to provide 35% affordable housing which is in line with the Policy requirement and can be secured through the signing of a s.106 agreement. The applicant has stated that a range of tenures will be secured however no details of split have been submitted. The Housing Officer is in support of this commitment but would like to see the tenure split identified within the Crewe Rail Gateway Development Brief of 23% social rented and 12% shared ownership, based on the 35% target. In terms of houses sizes the Housing Officer is comfortable with proposal to provide 2, 3 and 4 bedroom affordable units. It is considered that this split can be secured through the s.106 Agreement.

Highway Impacts

The means of access into the site is to be formally considered as part of this outline application. The existing vehicular access will be used from Mill Street and an internal road layout is proposed to provide access to the development. The existing access is to be improved to incorporate a ghost island right turn lane on Mill Street with central pedestrian refuges to assist crossing.

The applicant has submitted an updated Transport Assessment in support of the application and this considers the traffic impacts of the scheme and also takes into account existing and proposed developments including recent permissions for new Tesco and Sainsbury stores on Vernon Way and also the Crewe town centre redevelopment proposal. The assessment recognises that the site is well served by public transport and notes that there are 13 bus routes within the vicinity of the site. The assessment also concluded that the accident rate for this section of Mill Street does not give rise to concerns. The assessment demonstrates that the proposed scheme will result in 96 trips in the morning peak period, some 231 trips in the evening and 439 trips in the Saturday peak period and that the access will operate within capacity during these peak times. It also notes that the existing vehicular access is satisfactory for the proposed scheme and it has sufficient visibility splays.

The Strategic Highways Manager whilst not objecting to the application on principle has highlighted a high accident record along Mill Street which it is understood relates predominantly to rear end collisions. A right turn lane is therefore requested to be incorporated into the Mill Street access which will reduce queuing traffic waiting to enter the site. This was identified within the earlier Transport Assessment and accordingly it is considered reasonable to require this prior to the residential element becoming operational. A plan to show the right turn has been received and agreed as acceptable. A s278 agreement will be required to secure the right turn.

In addition to the upgraded highway junction with Mill Street a number of works are proposed to improve the pedestrian and cycle access through the site. These include the new pedestrian cycle route as well as a re-aligned footway along the front of the site.

The submitted plans show parking areas contained largely within small courtyards within the residential areas and to the front of the retail units. The Department for Transport document Manual for Streets requires developments to establish a hierarchy for access and movement within a site with pedestrians and cyclists at the top and car borne traffic at the bottom. Whilst the site clearly has to be accessible to motorists the provision of the centrally located footway/cycleway promotes non car-borne users and with the inclusion of a central area of public realm, surrounded by active frontages the concepts advocated within Manual for Streets will be delivered.

The amount of parking is a detail to be considered fully at reserved matters although the indicative plans show that sufficient parking can be made available within the site without compromising the overall design quality. It is important to note however that the standards set out in Appendix 8 of the Replacement Local Plan prescribe maximum standards for car parking. This is in accordance with National Planning Guidance which seeks to reduce the reliance of the private car and encourages restraint on car parking provision, particularly at sustainable sites accessible by a variety of means. In this case the site is within walking distance of both the town centre and also Crewe railway station and therefore is considered to be a highly sustainable location. It is therefore appropriate in this instance to reduce car parking standards below those prescribed in the local plan.

Amenity

The proposed development, whilst providing an opportunity to improve the character of the area, will involve a considerable change to the overall character of the area. The site adjoins established residential areas to the south and although the design, height and scale of the buildings is a reserved matter the impact of the development upon the amenity of the adjacent occupiers is a key consideration at this stage.

The proposed food retail unit is shown to the north of the residential properties on Wesley Place. It should be noted however that there is a change in levels here with the application site approximately 2 metres lower than the adjacent dwellings. Accordingly the impact of the proposed development upon the front aspect of the houses on Wesley Place is not considered to result in a noticeable loss of amenity through over domination.

The application is accompanied by a noise assessment given the position of the site relative to railway lines and road traffic on Mill Street. Noise readings were taken from various points within the site.

PPG 24 (Planning and Noise) states that, *“Local Planning Authorities should consider carefully in each case whether proposals for new noise-sensitive development would be compatible with existing activities”*. The guidance further explains that noise sensitive development should not normally be permitted where high levels of noise will continue throughout the night, especially when people are normally sleeping (23:00 – 07:00). Noise Exposure Categories (NEC's) ranging from A-D are set out in PPG 24 to help local planning authorities in their consideration of applications for residential development near transport related noise sources. The night time NEC for the site is A and B during the night time and just falls into category C in relation to road traffic noise from Mill Street.

The noise survey recommends a series of mitigation measures for the proposed dwellings including alternative ventilation for living spaces, restrictions on operating or delivery hours and provision of an acoustic barrier. The Environmental Health officer has confirmed that subject to appropriate mitigation measures mainly comprising increased acoustic glazing and boundary treatments that there is no objection to the proposed development.

Design

The scheme with the resolution to approve was in outline with approval sought for access only. The indicative layout for that scheme provided a high quality scheme showed a boulevard style pedestrian/cycle link running through the site which was in part lined with retail units and mixed use housing/employment buildings. The scheme also proposed a medium sized food retail unit fronting onto Mill Street with the bulky goods unit to the rear of the site.

This application is also in outline with all matters reserved with the exception of access. However, it is necessary to ensure that the mix/type of development proposed can still deliver a standard of layout and design of equally high quality to the previous scheme. The applicant has submitted an indicative layout plan for the development and has discussed the design concepts in the accompanying Design and Access Statement. This attempts to demonstrate that the amount of development can be satisfactorily accommodated on the site. The site is largely constrained with easements, culverts and existing access arrangements which have restricted the way in which the site can be developed.

The proposed siting of the retailing units is to the southern end of the site and partly fronting onto Mill Street. The proposed retailing units are shown to provide more interest than standard “box like” retail units and will provide the opportunity to create interest and add character to the area through the creation of landmark buildings. The restaurant is shown as set back in the site and fronting onto an urban square which will allow for al-fresco dining. The Development Brief encourages the some large more prominent buildings within this area which could be achieved with the 4,646sqm retail unit.

The proposed residential element is proposed to the north east of the site and broadly in a wedge shape tapering towards the existing railway bridge over Mill Street. The proposed housing has been designed to reflect the pattern of traditional Crewe railway housing with several housing types replicating the earlier concepts of the Grand Junction Railway with small house types set within modest communal gardens and larger housing with individual gardens to the rear and arranged onto the areas of public open space. This is considered to be a good design concept and will allow for modern housing to reflect the railway heritage which is particularly fitting given the location of the site relative to the railway lines and also that the site forms a key link between the railway station and the town centre.

A pedestrian/cycle link is shown to pass through the residential element of the site, and areas of landscaped open space, and also crossing the urban square. The proposed development will deliver a large section of the important link between the town centre and station and the provision of a high quality public realm with landscaping is a key objective of the Development Brief which is largely reflected in the proposed indicative layout.

The scheme allows for active frontages the some residential properties fronting onto the pedestrian link and the layout showing permeability of pedestrians through the retail section and also between the residential and retail elements across the square. This will allow for interaction between the pedestrians and buildings.

A key objective of the Development Brief is to deliver a high quality public realm with a mix of hard and soft landscaping.

Impact upon Water Environment

The applicant submitted a flood risk assessment with the original application and this has been updated in light of the amended scheme. The Environment Agency have highlighted that the Valley Brook is culverted beneath a large part of the site and require an easement of 8 metres with no building above this. The route of the pedestrian cycle/route running through the site has been designed to follow predominantly the line of the culverted brook and accordingly the applicant can satisfy the easement requirements from the Environment Agency. A condition is recommended to secure this easement in any future reserved matters submissions.

An objection has been raised by United Utilities with regard to the failure to agree a diversion for the rising main which crosses the site. It is acknowledged that there are a number of constraints affecting the site and the proposed layout largely reflects these limitations. However, the application is in outline with the final layout likely to be subject to some change. It is considered that the development can be accommodated on the site to address the concerns of United Utilities.

Contaminated Land

The site has a history of use as a Gas Works and Railway Engine Sheds which has the potential for the land being contaminated. The scheme involves residential development which is a sensitive end use which would be affected by any contamination present. The submitted report recommends further investigations are undertaken to fully assess the ground conditions at the site. The Contaminated Land Officer has recommended that further investigative works be carried out in accordance with PPS23, which can be secured by condition.

Air Quality

Environmental Health is satisfied that the proposed development would have little or no impact on the air quality in the surrounding area or the Nantwich Road Air Quality Management Area. However, they have also stated that it would be useful for the recommendations within the report (cycle facilities, pedestrian walkways and provisions for use of public transport) be included in conditions to reduce the number of vehicle trips.

Landscape and Ecology

The site is largely brownfield with trees being constrained to the north western corner of the site and along Mill Street. Whilst landscape is a reserved matter it is considered that the development could be carried out without significant loss of vegetation on the site. There will be a loss of vegetation at the north western corner of the site however

these are mainly shrubs and additional landscaping would compensate for their loss. Furthermore, given the brownfield nature of the site it is considered that there would be no adverse impact on protected species.

Sustainable Development

Policy EM18 of North West England Plan Regional Spatial Strategy (RSS) which outlines that, in advance of the setting of local targets for decentralised/renewable/low-carbon source energy supply that a least 10% of predicted energy requirements should be from such sources unless it is demonstrated not to be viable.

Precise details of how this will be achieved will be an issue for the reserved matters stage. However, it is recommended that conditions be added to any approval to ensure that such measures as outlined above are incorporated into the final design of the building and to ensure compliance with RSS Policies DP 9 (Reduce Emissions and Adapt to Climate Change), EM 16 (Energy Conservation & Efficiency), EM 17 (Renewable Energy), and EM18 (Decentralised Energy Supply).

The proposal will involve the demolition of a number of existing buildings on site. It is considered that a waste management plan should be submitted to ensure that opportunities are taken to reuse on site or for appropriate disposal of demolition waste off site. This process is in line with policies EM9 (Secondary and Recycled Aggregates) and EM11 (Waste Management Principles) as well EM11 of the RSS which relate to waste management principles and the provisions of Policy 11 (Development and Waste Recycling) of the Waste Local Plan

Open space

Policy RT.3 (Provision of Recreational Open Space and Children's Play space in New Housing Developments) states that *"in new housing developments with more than 20 dwellings, with the exception of sheltered housing, the local planning authority will seek the provision of a minimum 15 sq m of shared recreational open space per dwelling. Where the development includes family dwellings (i.e. those with two or more bedrooms) an additional 20 sq m of shared children's play space per family dwelling will be required as a minimum for the development as a whole."*

Some open space is shown on the concept plan submitted as part of the planning application. However, matters of layout are reserved for a subsequent application and in order to achieve the best solution in urban design terms it may not be possible to provide the full quota of public open space on the site.

In such circumstances any shortfall in the open space requirement for the site could be provided off-site, through the provision of a commuted sum which would be used by the Council to enhance existing open space in the locality. Policy RT.3 of the Local Plan advises that *"where sufficient recreational open space is already available in close proximity to a proposed development, the local planning authority may require the developer to enhance that open space instead of providing new space through a planning obligation."* The precise amount of open space to be provided on-site would be a matter to be considered at the Reserved Matters stage, thus ensuring that the Council have the ability to secure an acceptable residential environment.

The Section 106 Agreement should therefore include provision for on site open space and equipped children's playspace in accordance with Policy RT.3 of the Local Plan with any shortfall in provision to be made up by way of a developer contribution in lieu of public open space calculated at £1000 per house (index linked). This reflects what has been agreed in respect of other residential developments within the town.

10. CONCLUSIONS

There is concern with regard to the scale of retail development. However the scale of retail development proposed is considered to be justified to make the scheme viable. The scheme will be a major contributor to delivering the regeneration objectives of the Crewe Gateway Development Brief, through the provision of the important Town Centre/Station link, through high quality public realm. The mixed use scheme of retailing and housing will assist this strategic objective. The applicant has demonstrated that the proposed retail element is required to achieve the regeneration of this area. The residential element of the scheme is now focussed on more traditional housing with gardens. Of the 53 residential units proposed 35% will be affordable and the proposal accords with Local Plan policy. The development is not considered to result in the loss of amenity to nearby properties and the vehicular access and egress arrangements are considered to be satisfactory. The proposed design concepts are also considered to be acceptable.

11. RECOMMENDATIONS

APPROVE: subject to a legal agreement to secure:

the provision of on site open space and equipped children's playspace in accordance with Policy RT.3 of the Local Plan with any shortfall in provision to be made up by way of a developer contribution in lieu of public open space calculated at £1000 per house (index linked).

also

affordable housing provision, which shall include a requirement that

- 35% of the total provision shall be affordable**
- 23% shall be social rented housing**
- 12% shall be shared ownership**

Also

Details of phasing of development to include, inter alia, provision of the pedestrian / cycle link within the first phase of development

Also

A scheme of public art to be agreed for the site

and the following conditions:-

1-3 Standard Outline

4 Maximum floor area for retail food development 1,329sqm

- 5 Maximum floor area for retail non-food comparison 2,323sqm and remainder bulky goods**
- 6 Footway/cycleway details as part of first reserved matters application**
- 7 Noise mitigation measures to dwellings to include glazing**
- 8 No Development within 8m of side walls of culvert**
- 9 Flood Risk Assessment Mitigation Measures**
- 10 Air Quality Assessment Mitigation Measures**
- 11 Provision of Right Turn off Mill Street – timing to be agreed**
- 12 Design Concept to be high quality and inclusive design, and shall have regard to the principles set out in the adopted SPD and shall include an element of Traditional 19th Century Railway Housing**
- 13 No further sub-division of retail units.**
- 14 Contaminated Land**
- 15 Sustainable Urban Drainage Systems as part of Reserved Matters**
- 16 Incorporation of sustainable features as part of Reserved Matters**
- 17 Waste Management Plan to be submitted**
- 18 Signage to Town Centre and Heritage Centre**
- 19 Scheme of CCTV to be submitted and agreed**
- 20 Speed humps to car park**
- 21 Boundary treatment**
- 22 Scheme of management of open space - to include cutting**
- 23 Scheme of lighting to be submitted and agreed**
- 24 Scheme of street furniture to be submitted and agreed**
- 25 Materials – to include surfacing materials**

LOCATION PLAN:

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