

Application No: 12/0831N

Location: Land to the North and South of Maw Green Road, Coppenhall, Crewe

Proposal: Outline planning permission for the erection of 165 dwellings on land to the north and south of Maw Green Road, Crewe. Access is proposed via a new roundabout off Maw Green Road.

Applicant: Richborough Estates

Expiry Date: 30-May-2012

SUMMARY RECOMMENDATION

- **APPROVE subject to Section 106 Agreement and Conditions**

MAIN ISSUES

**Planning Policy And Housing Land Supply
Affordable Housing,
Highway Safety And Traffic Generation.
Contaminated Land
Air Quality
Noise Impact
Landscape Impact
Hedge and Tree Matters
Ecology,
Design
Amenity
Open Space
Drainage And Flooding,
Sustainability
Education**

REFERRAL

The application has been referred to Strategic Planning Board because it is a large scale major development and a departure from the Development Plan.

1. SITE DESCRIPTION

The application site measures 9.59ha (23.7 acres) and is located in the suburb of Maw Green. The site is situated on the residential edge of Maw Green and is on the north eastern edge of Crewe. The site comprises an irregularly shaped piece of land, divided into two areas, located the north and south of Maw Green Road.

The southern site predominantly comprises open rough pasture consisting of a number of fields with hedgerow boundaries. Areas of mature trees are present in the south west corner.

The northern site comprises two distinct portions in the west and east. The western portion comprises further areas of rough pasture and paddocks. An area of mature trees and a pond is present in the south east corner, together with a number of barn type structures. The eastern portion of the site comprises a former landfill site. The application site generally slopes from north to south.

The site area is bounded to the north by residential dwellings and farm buildings, and the remainder of the landfill site, to the north east by land associated with the landfill site, to the east and south east by agricultural land beyond which is the Crewe – Manchester railway line with open agricultural land beyond, the southwest by the rear of residential properties and open countryside beyond. This area has recently secured a resolution to grant planning permission for 650 dwellings as part of the Coppenhall East development.

2. DETAILS OF PROPOSAL

Outline planning permission is sought for the erection of 165 dwellings. Approval is also sought for means of access with all other matters, including appearance, landscaping, layout and scale, reserved for a subsequent application. Access is proposed via a new roundabout junction on Maw Green Road, providing access to the two parcels of land to the north and south of the road.

2. RELEVANT PLANNING HISTORY

There are no relevant previous planning applications relating to this site.

3. PLANNING POLICIES

Regional Spatial Strategy

Policy DP 1 Spatial Principles

Policy DP 2 Promote Sustainable Communities

Policy DP 4 Make the Best Use of Existing Resources and Infrastructure

Policy DP 5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

Policy DP 7 Promote Environmental Quality

Policy DP 9 Reduce Emissions and Adapt to Climate Change

Policy RDF 1 Spatial Priorities

Policy RDF 2 Rural Areas

Policy L 1 Health, Sport, Recreation, Cultural and Education Services Provision

Policy L 2 Understanding Housing Markets

Policy L 5 Affordable Housing
Policy RT 2 Managing Travel Demand
Policy RT 3 Public Transport Framework
Policy RT 4 Management of the Highway Network
Policy RT 9 Walking and Cycling
Policy EM 15 A Framework For Sustainable Energy In The North West
Policy EM 16 Energy Conservation & Efficiency
Policy EM 17 Renewable Energy
Policy MCR 4 South Cheshire

Policies in the Local Plan

NE.2 (Open countryside)
NE.5 (Nature Conservation and Habitats)
NE.9: (Protected Species)
NE.20 (Flood Prevention)
NE.21 (Land Fill Sites)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
RES.5 (Housing In The Open Countryside)
RT.6 (Recreational Uses on the Open Countryside)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)

National Policy

National Planning Policy Framework

Other Material Policy Considerations

Interim Planning Policy: Release of Housing Land (Feb 2011)
Interim Planning Statement: Affordable Housing (Feb 2011)
Strategic Market Housing Assessment (SHMA)
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994
North West Sustainability Checklist

4. OBSERVATIONS OF CONSULTEES

Environment Agency

Contaminated Land

- Have reviewed the Phase II Site Investigation Land Off Maw Green Road, Crewe (Ref: 113-11-087-09 Rev 1), ASL, January 2012 report

- The controlled waters at this site are of low environmental sensitivity, and we are satisfied that the report demonstrates that the contamination on site poses a low risk to controlled waters.
- request condition stating if, during development, contamination not previously identified is found to be present at the site then no further shall be carried out until the developer has submitted a remediation strategy
- The additional information submitted on 9th May 2012, clarifies the protections proposed for landfill infrastructure on the proposed open space and outlines the protection proposed for houses within 50m of the landfill site.
- No objection providing the Permitted Development rights under Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, are removed to ensure no further alterations or improvements are undertaken on the site.

Flooding / Drainage

- The submitted revised Flood Risk Assessment (FRA) explains the flood risks arising from the proposed development and how these are to be managed. The FRA also explains that the discharge of surface water from the proposed development is to be regulated, with attenuation provided that includes allowances for climate change. Both are acceptable in principle.
- The final discharge of surface water from the proposed development is into an existing watercourse, which is acceptable in principle. This watercourse passes under Maw Green Road and continues in culvert along the eastern boundary of the landfill site, adjacent to the railway embankment, before discharging into Fowle Brook.
- The FRA demonstrates that there is an overland flow route, above the line of the culvert, in the event of exceedence of the capacity of this culvert.
- The FRA demonstrates that the discharge of surface water from the proposed development is to be restricted to a maximum of 35.9 litres/second, which is acceptable in principle. The FRA also demonstrates that attenuation is to be provided above this rate up to the 1 in 100 years design event, including allowances for climate change, via attenuation ponds. This is acceptable in principle.
- The proposed development will only meet the requirements of the National Planning Policy Framework if the following measures, as detailed in the Flood Risk Assessment ref. BMW/2011/FRA Rev. D, dated 17/05/2012, are implemented and secured by way of a planning condition on any planning approval.
 - The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), ref. BMW/2011/FRA Rev. D, dated 17/05/2012
 - Limiting the surface water run-off generated by the proposed development, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
 - Provision of a scheme to manage the risk of overland flow of surface water during extreme rainfall events.
 - The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
 - Overland flow is to be contained within the site, such that new buildings are not affected.

- Would encourage the applicant to layout the houses so that they are front facing to any watercourses on site. This will integrate the watercourse into the development better. It will also deter house owners from tipping garden waste into the watercourse which would cause long term damage.
- Would also encourage the applicant to place the green open spaces adjacent to any watercourses and ponds on site.
- The development provides an ideal opportunity for the use of, Sustainable Drainage Systems (SuDS). These include the incorporation of retention ponds, swales, porous pavement and green roofs to reduce the damage upon of our aquatic resources.
- Environment Agency policy includes a general opposition to culverting, because it involves the destruction of river and bankside habitat and the interruption of a wildlife corridor, acting as barrier to the movement of wildlife. This development can contribute positively to getting all water bodies, such as Fowle Brook, to achieve “*good ecological status*” by 2027.
- No rainwater contaminated with silt/soil from disturbed ground during construction, must drain to the surface water sewer or watercourse without sufficient settlement.
- The proposed development is in a location served by public sewers. The Agency understands that the development could be connected to a public sewer
- Only clean surface water from roofs and paved areas should be discharged to any surface water soakaway. Site operators should ensure that there is no possibility of contaminated water entering and polluting surface or groundwater.

Biodiversity

- Request the following planning conditions:
 - Prior to the submission of detailed plans an ecological survey shall be carried out and detailed design, construction, mitigation and compensation measures shall be submitted
 - These surveys should include surveys for lesser silver water beetle (*Hydrochara caraboides*) any rare, declining, legally-protected or otherwise important flora, fauna or habitats assess their importance; identify the impacts; propose mitigation; propose wildlife/ habitat enhancement measures; and propose management plans.
 - provision and management of a 5 metre wide undeveloped buffer zone alongside the watercourse and ponds
 - Submission of a landscape management plan,

Waste

- Applicants should be aware that if any controlled waste is to be used on the site the operator will need to obtain the appropriate exemption or authorisation
- If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility.

United Utilities

No objection to the proposal provided that the following conditions are met: -

- This site must be drained on a total separate system, with only foul drainage connected into the public foul sewerage system. Surface water should discharge to soakaway and or watercourse.
- No surface water will be allowed to discharge in to the public sewerage system.

Network Rail

- No objection

Environmental Health

- The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
- Should there be a requirement to undertake foundation or other piling on site, then a method statement which shall be submitted and approved.
- Should there be a requirement to undertake “floor floating” (the process of mechanical smoothing of concrete to a floor area) the Local Authority Environmental Health Service should be informed of the details of the location, days / hours of work, and contact details of a responsible person prior to the onset of the work.
- Floor floating operations should be restricted to within the following days / hours Monday – Friday 08:00 – 20:00hrs; Saturday 08:00 – 14:00hrs; Sunday and Public Holidays Nil
- Prior to its installation details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include any proposed lighting of the 5-a-side football pitch marked on the site plan.
- A full and detailed noise mitigation scheme for protecting the proposed dwellings from traffic noise arising from Maw Green Road and Groby Road to be submitted and agreed.
- The proposal adds sensitive receptors in the vicinity of the existing waste landfill site and this effectively increases the likelihood of odour complaints from its activities. The odour assessment considers the risks of loss of amenity due to this and concedes that this is possible to some extent.
- The potential for complaints due to landfill activities is reduced by the location of the development (being upwind from prevailing winds), the existing odour and dust management plans and the historically low number of complaints relating to odour/dust from this site. The proposed north to south phasing of the development, buffer zone and screening should all be implemented as measures to reduce the likelihood of complaints. However, the control of odour and dust from the waste landfill site and the response to complaints resulting from activities is the responsibility of the Environment Agency and Environmental Health will be lead by their recommendations on this issue.
- The Air Quality Impact Assessment submitted has not taken into consideration the cumulative impact of all live applications in the vicinity. This must be taken into consideration within the report.

- In terms of dust control, recommend a condition is attached to the application to ensure there is no adverse impact by virtue of dust generation during the construction phase of the development.
- The developer shall agree with the Local Planning Authority an Environmental Management Plan (EMP) with respect to the construction phase of the development. The EMP shall identify all potential dust sources and outline suitable mitigation.

Public Rights of Way

- The proposed development presents an opportunity to improve walking and cycling facilities in the area for both travel and leisure purposes. The aim to improve such facilities is stated within the policies of the Cheshire East Rights of Way Improvement Plan (ROWIP) 2011-2026 and Cheshire East Local Transport Plan (LTP) 2011-2026 policies H2, H3, S7 and S8
- These aims are further stated within the Draft Spatial Vision for Cheshire East stated in the Local Development Framework Core Strategy
- The application makes reference to the pedestrian and cyclist access to, from and through the site.
- The Masterplan depicts 'proposed green links/footpaths': consideration should be given to these being created as shared use pedestrian/cyclist facilities to best practice standard in order to provide 'connectivity and permeable access throughout the site' for both types of user. Considering the distances involved to facilities in the locality, active travel can be anticipated to be by bicycle.
- There is no discussion as to the proposed status of these routes i.e. Public Rights of Way or other path status. The status and maintenance of any new route would require agreement with the Public Rights of Way team and Highways and the corresponding due legal process completed should the route be dedicated or adopted. Contributions for ongoing maintenance will be required if maintenance is not to be undertaken through a third party as agreed through a s106 agreement – the Heads of Terms makes no reference to the paths specifically, other than the public open space being maintained for 10 years by the management company established through the development.
- In terms of access to and from the site for pedestrians and cyclists, the provision of a new footway along Groby Road is noted, together with the proposed zebra crossing of Groby Road to the Coppenhall East development site. Also noted is the proposed provision of 2m wide footways on both sides of Maw Green Road. Consideration, in liaison with Highways, should be given to these footways being constructed and designated as shared use pedestrian/cyclist facilities to increase the accessibility of the site and its connectivity to the Sustrans recommended route along Elm Drive, and safe provision in the vicinity of the development site for those travelling by bike to Sandbach to the east. Such shared use paths alongside Maw Green Road would need to be continued around the proposed new roundabout on Sydney Road/Remer Street/Groby Road/Maw Green Road.
- There are two zebra crossings proposed: one on Maw Green Road and one on Groby Road. It is suggested, again in liaison with Highways, that these crossings should be provided to Toucan standard so that cyclists as well as pedestrians can use the facility and therefore access the site safely and sustainably.

Sustrans

- Would like to see travel planning for the site with targets and regular monitoring.
- To encourage every day walking and cycling to schools, the town centre and station etc. would like to see the development contribute to adjacent highway measures to assist pedestrians/cyclists, such as crossings of Sydney Road/Remer Street onto the signed Elm Drive route and further improvements to that route. (This is on-road, not as described in 8.2.4 of the Transport Statement)
- The concept of a greenway connecting the site to the proposed Coppenhall East is supported. This should be constructed to a 3metre wide bitmac standard. The zebra crossing of Groby Road should be at a 4metre width to cater for pedestrians and cyclists.
- The design of the site should restrict vehicle speeds to 20mph.
- Would like to see Maw Green Road at the site traffic calmed.
- The design of any smaller properties should include storage areas for residents' buggies/bikes

Highways

- No comments received at the time of report preparation.

Education

- By applying the pupil yields of 0.162 for primary and 0.13 for secondary a development of 165 dwellings is expected to generate 27 primary aged pupils and 21 secondary pupils.
- The position at the local schools when this contribution was considered as of 15.03.2012 in respect of primary schools within a 2 mile radius of the Maw Green development site, including the Capacities, numbers on roll and pupil forecasts at the time of consideration is that pupil numbers are increasing for the period of our projections with 108 places being available over all year groups of the 14 local schools considered for this proposal.
- The vast majority of these sites are duplicates of the sites considered for education contributions by the Coppenhall East development (generating 102 primary pupils) and the Parkers Road development (65 primary aged pupils). In the instance of these two schemes the local schools were filled to 100% capacity and then a sum was awarded based on every pupil generated once the schools were full.
- In light of this it is fair to consider that the primary schools local to the Maw Green development are full and as such a primary contribution of $27 \times 11919 \times 0.91 = \text{£}292,850$.

Greenspaces

- No comments received at the time of report preparation.

Archaeologist

- The application is supported by an archaeological-desk-based assessment, which has been prepared by Northamptonshire Archaeology on behalf of the developers. This notes that there is little evidence for past activity on the site and concludes that across much of the area further archaeological mitigation would not be appropriate. The one exception to this conclusion concerns a small element of the northern part of the site, along the Groby Street frontage between Shandon House Farm and Maw Green farm, where the report concludes that the depiction of buildings on various early 19th-century maps may indicate some potential for earlier archaeological remains.
- The archaeological potential of this part of the site is not sufficient to sustain an archaeological objection to the development or to necessitate further pre-determination work. The archaeological issues may, however, be addressed by a limited programme of archaeological mitigation which should consist of a targeted watching brief during relevant operations (initial topsoil strip followed by the excavation of foundation trenches if required) in a 20m wide strip alongside the street frontage referenced above. A programme of work is acknowledged as reasonable on Page 15 of the Design and Access Statement. The programme of mitigation may be secured by condition.
- The use of such a condition is in line with the guidance set out in Paragraph 141, Section 12 (Conserving and Enhancing the Historic Environment) of the new National Planning Policy Framework. The Cheshire Archaeology Planning Advisory Service does not carry out archaeological fieldwork and the applicants will need to appoint their archaeological consultant to arrange the archaeological mitigation. Alternatively, a specification for the work and a list of archaeological contractors on request can be supplied on request.

5. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

6. OTHER REPRESENTATIONS

10 letters of objection have been received from various addresses making the following points:

Principle of development

- This is not a brownfield site. It is open country, greenfield and outside the existing established town housing boundary.
- Gradual encroachment onto the green gap between Crewe and Haslington. This gap is designed to preserve the individual character of each location.
- This lovely area, as well as being a delight to the local people is viewed by thousands of rail users every day which is a good advert for Crewe as a place to live.
- This area of land was put forward for possible future development by Crewe and Nantwich Borough Council but was deemed unsuitable and removed from the list of possible future buildings sites

National Planning Policies

- The Government has revised the planning rule book which has been in place since 1990.
- Councils are now forced to develop brownfield sites and town centres before before developing on the edge of towns
- There is a 12 month transition period to allow councils to adopt local plans that will guide where building can take place
- The automatic approval to any planning applications for which councils have not formulated a local plan has been removed. Cheshire East's local plan has not yet been formulated.
- Councillors have gone on record to say that over the next few years, people will provide the Council with details of land that may be suitable for development. The Council will then assess each site and make a decision through the local plan.
- The Director General of the National Trust said of the new rules that the emphasis now should be on local plans that protect peoples environment, guide development to the right places and restore people's confidence they can live in places they are proud to be part of
- The Default yes to planning applications has gone.
- The Government has finally woken up to the senseless loss of our countryside driven by faceless developers with no knowledge and even less interest in the areas they pursue for development and profit.

Localism

- The Government has now given residents a say in future proposed sites and an involvement which local Councils are now duty bound to abide by.
- The Localism Bill gives local communities control over a more active role in place shaping, the development of planning policies, housing and planning decisions, creates a democratically accountable planning system and puts communities at the heart of the decisions that affect their quality of life.
- The Coalition Government has taken the view that the current planning system of imposed regional strategies aligned with a target driven approach is undemocratic ineffective and bureaucratic. The view is that this approach alienates people and sites them against development. Is this what the Council is trying to do?
- The Bill removes the ability of the Planning Inspector re-write local plans– Is the council following this procedure?
- Neighbourhood plans will enable communities to permit development in full or in outline without the need for planning applications or refuse them. The current planning system is too complex and inaccessible to communities. This point needs to be taken into account with the decision making process for this proposal which will have major impact on the community surrounding it.

Ecology

- Impact on many forms of wild life homeless including protected species such as stoats, rabbits, badgers, owls, hawks, stoats, ferrets, bats, newts and birdlife too numerous to list. .

- This green buffer between the railway line and Sydney Road is a natural haven for a whole spectrum of wildlife from amphibians, toads, frogs and newts etc, to field mice, rabbits and hedgehogs, and predators such as foxes, stoats and even a polecat. It is a regular hunting ground for many birds of prey and several species of bats.
- The landfill site has already had an enormous visual and audible impact on this area including a fire that jetted toxic fumes and ash 3000 feet into the sky and depositing it over a 15 mile area to the south of the site, over a period of at least seven days. This landfill site has destroyed many acres of wetland habitat.
- The proposed building site is an attractive area of meadowland that has remained unchanged for decades, especially the southern part with its overgrown hedgerows and marshy lower areas. It has never been sprayed with herbicides or pesticides to our knowledge. It has been used for grazing cattle and horses and yielded an annual harvest of hay. The new chain-link fence that the railways have erected makes it very difficult for animals to migrate from one side to the other.
- This beautiful wedge of green countryside should be retained untouched to redress the devastation caused by the landfill site.
- What are the proposals to ensure that natural routes of exploration will not be affected.

Flooding / Drainage

- Flooding is already a problem on the Groby Road side of Maw Green and much of the run off water goes on to the fields opposite which is the proposed site for the new dwellings.
- Sewage is also a problem along Groby Road with several properties suffering from sewage floods in the past due to an old and over worked sewage system.
- At present all drainage ditches from the entire site run into the adjacent Fowle Brook which is a conservation watercourse that flows into an area of Special Scientific Interest namely Moston Brine Subsidence flashes. It should not therefore be depleted or contaminated.
- The Fowle Brooke already floods regularly, making the railway bridge and therefore all of Maw Lane impassible fairly regularly. It is therefore also inaccurate to state that the proposed development will not increase flood risk elsewhere.
- The Brook cannot be expected cope with any sudden deluge of water which would occur from land which has been covered in buildings
- The site is a natural flood plain for surface water from Sydney Road. There is a natural fall over several; metres from Sydney Road to the lowest point of the site.
- The field is constantly water logged and even though it is considered localised flooding there would be an issue of taking the surface water away from the field.
- The area on the other side of Maw Green Road was permanently under water until the area was back filled at the start of the land fill development.
- There is no natural drainage for the whole of the site as all land surrounding the site is considerably higher.
- Even following 2 dry winters there is still standing water in evidence.
- The ditch at the south east side of the southern plot also takes away surface water from neighbouring dwellings. What guarantees are in place that this will not be affected?
- The proposal is for a pumping station. To deal with this amount of sewage is there a guarantee that this will be an effective way of disposing the sewage and that it will be free of major problems?

- If the pumped sewage is affected by a mechanical failure what will be the affect on neighbouring property if there is a large build up of sewage within he proposed development.
- There are existing properties that are on septic tanks that are in the near vicinity of this southern site. How do the proposals to take this into account?
- The path which is proposed around the east side of the site is proposed to follow along the side of the main watercourse ditch which serves several properties including teh railway. This will make it an easy access for the dumping of rubbish in the watercourse. This will exacerbate the blockage of the existing culvert under the road
- The proposed pond in the north eastern corner of the site will also be filled with rubbish.

Amenity of existing residents

- Loss of privacy and natural light due to properties directly over looking them.
- Residents paid a premium for the views over looking fields, and do not want to overlook another housing estate.
- Concern about the noise and dust from heavy machinery that the residents will be subjected to over a long period of time.
- Concern about how neighbouring residents will maintain boundary walls
- The proposed development would cause unbearable stress and discomfort to elderly residents and would be detrimental to their health.
- On the master plan submitted with the application, no.54 Sidney Road is not shown on the plan. There is no significant screening and the house and gardens will be overlooked by a total of 14 houses
- All properties on Sydney Road are bungalows and will be overlooked by the proposed dwellings which are mostly 2 storey. The siting of these buildings is right to low hedgerow boundaries.
- All properties on Sydney Road and surrounding area have had to ensure the ongoing noise pollution form the huge volume of heavy vehicle traffic using the, landfill site in maw Green Road for the past 20 years. As a result the residents have lived at the rear of their properties to escape. This sanctuary will be lost.

Amenity for future residents

- Lower environmental and road safety standards for future residents due to situating this estate around the single dangerous access road and junction and adjacent to the site where the worst of the town's domestic waste is tipped,
- Noise from hundreds of circling scavenging seagulls
- Danger to residents and their children associated with foul rubbish, whether spread by wind, birds, insects or vermin.
- Those living at the northern end would be overshadowed by the huge grassed over mound of town rubbish, while those at the south end would be under the shadow of the four track railway line with the freight lines adjacent to the site carrying the noisy heavy freight trains 24 hours a day.
- Also the startling 25,000V flash-over as accelerating electric trains pass from the live to the neutral section at this point will be very disturbing at night. Is this not degrading situation for a housing estate for 400 people?

Contaminated Land

- Concerns over the pollution and toxic landfill gases from the ground being disturbed by the building work,
- The application states that the proposed site is not on contaminated land, but it has previously been used for landfill.

Brine Subsidence

- The area is on a natural fault line.
- The subsoil is delicate and the stability of buildings is affected due to brine extraction
- Whilst there have been no claims since 1984, it does not guarantee that the land will not be affected in the future.
- Properties in the area have made claims against the insurance due to structural movement
- Any foundations will have to be agreed by the brine board
- The railway line is also affected by the stability of the ground and has a 30mph speed limit.

Infrastructure

- Pressure on school places at Monks Coppenhall and Sir William Stanier
- Pressure on doctors surgeries

Highways

- The granting of planning permission for the development of 600 plus dwellings at the Cross Keys area of Crewe and the introduction of a new roundabout at the junctions of Maw Green Road, Groby Road, Remer Street and Elm Drive will produce enough challenges for this area without the granting of a new application adjacent to this.
- The development, along with existing approved sites will introduce a minimum of 1500 vehicles into this already heavily congested area.
- Adding a roundabout will not help because the main flow of traffic is along Sydney Road/Remer Street.
- All the roads in and out of Crewe centre e.g. Queen Street, Broad Street, Middlewich Street, are congested now due to narrow roads and parked cars etc. the same applies to Sydney Road bridge and Crewe Green roundabout.
- The amount of extra traffic that will be generated by all this development will be horrendous.
- Common sense and responsibility needs to be applied which would lead to this application being refused as the infrastructure will simply not be able to cope.
- Since there are no local employment sites or shops, it must be assumed that each house will have at least one, and probably two cars. It can already take 10 minutes to turn out of Maw Green Road onto Sydney Road/Remer Street, and the addition of another 300 or so cars will be a disaster.
- Hundreds of cars use Maw Lane/Maw Green Lane as a rat run between the Haslington, Sandbach, Middlewich and Crewe, especially to avoid congestion at Crewe Green roundabout. They already drive at dangerous speeds, causing a danger to

residents and to the drivers themselves as there are several sharp bends, plus cows crossing at Clayhanger Hall Farm. The additional traffic, plus the additional speeds at which these extra cars will travel as they put their foot down after leaving the traffic-calmed area will pose an even greater danger to all involved. Maw Lane simply isn't suitable for this volume of traffic or the speeds at which they travel.

- Groby Road does not have any street lighting or pavements
- Section 10 of the application states that there will not be any parking spaces provided on the site. Can we then assume that all these cars will park on the already overcrowded roads of Elm Drive and surroundings?
- The Council should conduct a realistic traffic survey.
- The entrance to Maw Green lane is constrained due to existing house and substation and there is no space for improvement.
- There are 2 schools in the area and children walk to school in peak hours
- Several years ago a large plot of land south of Maw Lane was put forward as a traveler site. It was refused because the access onto Maw Lane was too dangerous
- There has already been a large increase in traffic over the last 20 years due to the landfill site. This development will exacerbate the problem. The landfill will now be operational until 2017 so there will be a considerable overlap with the development.
- Sydney Road, Remer Street North Street and Bradfield Road form the main route for emergency vehicles to Leighton Hospital.
- The proposed roundabout on Sydney Road to access Elm Drive, Groby Road and Maw Green Road would have to be absolutely huge to enable the HGV's to enter Maw Green Road to get to the landfill
- Maw Green Road is highly dangerous and inadequate for the following reasons;
 1. It rises up a steep gradient to an offset five-way junction, and is the only access to the proposed housing estate and the landfill site for all vehicles including emergency vehicles and the HGVs. All pedestrians including the disabled and elderly, mothers with prams & schoolchildren would have to pass along this narrow pavement with a high retaining wall giving no refuge in the event of an accident
 2. Consequent upon the roundabout all traffic would enter from the right which has restricted visibility.
 3. While the roundabout will improve traffic flow it will be more difficult for pedestrians to traverse.
 4. Maw Green Road and Maw Lane provide a very good though dangerous shortcut for cars and LGVs from the A534 Haslington bypass, avoiding Crewe Green roundabout. It is used by 100s of vehicles in both directions every day.
 5. The road cuts through the middle of the proposed housing estate creating hazards e.g. children running across to the recreation areas.
 6. The whole road from the entrance to the landfill site and including the five-way junction will be coated with a film of contaminated clay and filth from the tip lorries.
 7. The temptation for all ages to take a walk or cycle ride into the countryside under the railway bridge and along Maw Lane would be near suicidal.

7. APPLICANT'S SUPPORTING INFORMATION:

- Waste Management Plan
- Utilities Statement
- Geo-Environmental Statement

- Flood Risk Assessment
- Development Concept Plan
- Design and Access Statement
- Transport Assessment
- Section 106 Proforma
- Agricultural Land Classification
- Open Space Assessment
- Affordable Housing Statement
- Planning Statement
- Ecological Survey
- Tree Survey
- Architectural Analysis

8. OFFICER APPRAISAL

Main Issues

Given that the application is submitted in outline, the main issues in the consideration of this application are the suitability of the site, for residential development having regard to matters of planning policy and housing land supply, affordable housing, highway safety and traffic generation, contaminated land, air quality, noise impact, landscape impact, hedge and tree matters, ecology, amenity, open space, drainage and flooding, sustainability and education.

Principle of Development.

Policy Position

The site lies in the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where policies NE.2 and RES.5 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Residential development will be restricted to agricultural workers dwellings, affordable housing and limited infilling within built up frontages.

The proposed development 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*”.

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.

Members should note that on 23rd March 2011 the Minister for Decentralisation Greg Clark published a statement entitled ‘Planning for Growth’. On 15th June 2011 this was supplemented by a statement highlighting a ‘presumption in favour of sustainable

development' which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

"The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy".

Housing Land Supply

Whilst PPS3 'Housing' has been abolished under the new planning reforms, the National Planning Policy Framework (NPPF) reiterates at paragraph 47 the requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

"identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land".

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government's overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) which was adopted in March 2012.

The SHLAA has put forward a figure of 3.94 years housing land supply.

Paragraph 47 of the NPPF requires that there is a five year supply of housing plus a buffer of 5% to improve choice and competition. The NPPF advocates a greater 20% buffer where

there is a persistent record of under delivery of housing. However for the reasons set out in the report which was considered and approved by Strategic Planning Board at its meeting on 30th May 2012, these circumstances do not apply to Cheshire East. Accordingly once the 5% buffer is added, the Borough has an identified deliverable housing supply of 3.75 years.

The NPPF clearly states at paragraph 49 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.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- *specific policies in the Framework indicate development should be restricted.”*

The forthcoming Cheshire East Local Plan will set new housing numbers for the area and identify sufficient land and areas of growth to meet that requirement up to 2030. The Submission Draft Core Strategy will be published for consultation in the spring of 2013. Consequently, the current shortfall in housing land will be largely remedied within the coming year or so. However, in order that housing land supply is improved in the meantime, an Interim Planning Policy on the Release of Housing Land has been agreed by the Council. This policy allows for the release of appropriate greenfield sites for new housing development on the edge of the principal town of Crewe and as part of mixed development in town centres and in regeneration areas, to support the provision of employment, town centres and community uses.

The Council is currently consulting on a revision to this document. This broadens the scope of land release to include small, non strategic sites on the outskirts of other towns, provided that they are not within the green belt, do not intrude into open countryside and that certain sustainability criteria are met. The Consultation draft limits the size of such sites to 1Ha.

The proposal does reflect the spatial vision for the area both in terms of the Interim Policy and the emerging Core Strategy as it located on the edge of Crewe. In addition, the proposal supports wider policy objectives, such as achieving sustainable development, in close proximity to the more major town centres and sources of employment and supporting urban regeneration, in the parts of the Borough where it is most needed.

As well as being adjacent to the settlement boundary of Crewe, the interim policy requires that the site is, is not within the Green Gap; is not within an allocated employment area and is not within an area safeguarded for the operational needs of Leighton Hospital. It is considered that the application site meets all of these requirements.

The interim policy also states that the development must be well related to the existing fabric of the settlement. Although the application is submitted in outline, the indicative layout that has been provided, shows that the development is well related to its context in terms of highway access, green infrastructure, landscape considerations and the pattern of streets and spaces. These matters will be discussed in greater detail below.

A further requirement of the interim policy is that the site is capable of being fully developed within five years of the granting of outline planning permission. The current proposal is a relatively small scheme for 165 houses and could easily be delivered within 5 years.

The proposal will certainly increase the supply of housing in Crewe and, as will be discussed in more detail below, it will also improve the, choice and quality of housing in the town through the provision of a range of house types and tenures, including affordable housing, and through sustainable development.

'All Change for Crewe' is the route map for charting the town's development over the next two decades. The strategy intends that by 2030, Crewe will be a nationally significant economic centre with a total population in excess of 100,000 people (currently it has about 83,000), one of the leading centres for advanced, engineering and manufacturing in England and recognised as a sought-after place in the South Cheshire Belt for people to live, work, put down roots, and develop their talents. In order to achieve these objectives, significant additional housing will be required. This proposal will go some way towards supporting the delivery of the Council's overall vision and objectives for Crewe. It therefore meets all of the requirements of the adopted and draft Interim Planning Policies on the release of housing sites.

The value of the Interim Planning Policy lies in the fact that this represents the democratically decided expression of the Cheshire East Community on how housing supply should be positively managed ahead of the Local Plan. This accords with the sentiments in the NPPF which indicates that local people and their accountable Councils can produce their own planning proposals, which reflect the needs and priorities of their communities. However, it is not a development plan document or a supplementary planning document and accordingly carries only limited weight as a material consideration. This has been confirmed by previous Appeal Inspectors who have considered earlier versions of the policy.

A further important material consideration is the Written Ministerial Statement: Planning for Growth (23 March 2011) issued by the Minister of State for Decentralisation (Mr. Greg Clark). It states that *"Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy."*

The Statement goes on to say *"when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development."* They should, inter alia, consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession; take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

consider the range of likely economic, environmental and social benefits of proposals; and ensure that they do not impose unnecessary burdens on 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 town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain. Provided, therefore, that the proposal does not compromise the key sustainable development principles, it is in accordance with government policy and therefore should be supported in principle.

Appeals

There are several contemporary appeals that also feed into the picture of housing supply in Cheshire East. At Elworth Hall Farm in Sandbach, a proposal for 26 homes was allowed on a small site on the outskirts of the town.

In contrast, appeal decisions on larger sites in the same town have not reached a conclusive outcome. Hindheath Road (269 homes) has been remitted back to the Secretary of State following a successful high court challenge, whilst Abbeyfields (280 homes) is going to the court of Appeal in July. The appeal at Loachbrook Farm in Congleton (200 homes) also remains undecided.

Meanwhile in Neighbouring Cheshire West & Chester, the lack of a five year supply and the absence of any management measures to improve the position were material in allowing an appeal for housing on a greenfield site in the countryside in the Cuddington Appeal case, which Members will be aware of from previous Appeals Digest reports.

Conclusion

From the above, it can be concluded that:

- The Council does not have a five year supply of housing – and the presumption in favour of sustainable development should apply.
- Both the adopted Interim Planning Policy and the revised draft version currently under consultation promote the development of sites on the edge of the principal town of Crewe and this development accords with that policy. The proposal also accords in principle with all of the criteria for permitting the development of sites on the periphery of Crewe as laid down by the Interim Policy.
- The proposal would be in accordance with the spatial vision for the area as set out in the emerging core strategy and the supporting evidence base, including the Crewe Vision, and the Council's Interim Policy on the Release of Housing Land.
- The Cuddington Appeal in Cheshire West and Chester indicates that significant weight should be applied to housing supply arguments.

- The NPPF is clear that, where a Council does not have a five year housing land supply, its housing supply relevant policies cannot be considered up to date. Where policies are out of date planning permission should be granted unless:
 - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
 - *specific policies in the Framework indicate development should be restricted.”*
- These arguments are considered to be sufficient to outweigh the general presumption against new residential development within the Open Countryside as set out in the adopted development plan.

Overall, housing supply is a very important consideration in the determination of this application and must be given considerable weight. It is considered that the principle of the scheme is acceptable and that it accords with the general policy of encouraging housing on the edge of Crewe to meet the supply needs of the authority. The application turns, therefore on whether there are any significant and demonstrable adverse effects, that indicate that the presumption in favour of the development should not apply and this is considered in more detail below.

Sustainability

The site is considered to be sustainable by the SHLAA which states that the site is *“In a sustainable location within easy reach of Crewe town centre and the employment areas to the south east of the town.”* To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

The toolkit sets maximum distances between the development and local amenities. These comprise of:

- a local shop (500m),
- post box (500m),
- playground / amenity area (500m),
- post office (1000m), bank / cash point (1000m),
- pharmacy (1000m),
- primary school (1000m),
- medical centre (1000m),
- leisure facilities (1000m),
- local meeting place / community centre (1000m),
- public house (1000m),
- public park / village green (1000m),

- child care facility (1000m),
- bus stop (500m)
- railway station (2000m).

In this case the development meets the standards in the following areas:

- playground / amenity area (proposed on site),
- primary school (650m),
- public park / village green (proposed on site),
- child care facility (650m),
- bus stop (482m)

Where the proposal fails to meet the standards, the facilities / amenities in question are still within a reasonable distance of those specified and are therefore accessible to the proposed development. Those amenities are:

- railway station (3218m).
- medical centre (2397m),
- pharmacy (1126m),
- local meeting place / community centre (1126m),
- post box (1126m),
- post office (1126m),
- a local shop (691m),
- bank / cash point (691m),
- leisure facilities (1126m),
- public house (1448m),

It should be noted that a public house and local shop will be provided as part of the adjacent Coppenhall East development which will be much closer to this site than the existing facilities referred to above.

In summary, whilst the site does not comply with all of the standards advised by the NWDA toolkit, as stated previously, these are just guidelines and are not part of the development plan. Owing to its position on the edge of Crewe, there are some amenities that are not within the ideal standards set within the toolkit and will not be as close to the development as existing dwellings which are more centrally positioned. Indeed this is not untypical for suburban dwellings. However, all of the services and amenities listed are accommodated within Crewe and are accessible to the proposed development on foot, by bus or bike and therefore it is considered that this small scale site is sustainable.

Policy DP9 of the RSS relates to reducing emissions and adapting to climate change. It requires:

- proposals to contribute to reductions in the regions' carbon dioxide emissions from all sources;
- take into account future changes to national targets for carbon dioxide and other greenhouse gas emissions

- to identify, assess and apply measure to ensure effective adaptation to likely environmental social and economic impacts of climate change.

RSS (Policy EM18) policy also necessitates that, in advance of local targets being set, large new developments should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated that this is not feasible or viable. The developer has indicated that they are committed to ensuring that 10% of the energy requirements of the development will be from decentralised and renewable or low carbon sources and would be willing to accept a condition to this effect.

As all matters are reserved with the exception of access, aspects of the design relating to climate change and sustainability cannot be discussed in detail at this stage. However, the indicative layout demonstrates that dwellings will be sited so as to have their main elevations facing south enabling them to benefit from passive solar gain. There will also be shaded areas through the development, that will provide relief from the sun in summer months. Additionally, the sites sustainable location contributes to achieving a development that takes climate change and sustainability into account.

It is therefore considered that it is viable and feasible to meet the requirements of the RSS policy and a detailed scheme can therefore be secured as part of the reserved matters through the use of conditions.

Loss of Agricultural Land

Policy NE.12 of the Local Plan states that development on the best and most versatile agricultural land (grades 1, 2 and 3a in the ministry of agriculture fisheries and food classification) will not be permitted unless:

- the need for the development is supported in the local plan;
- it can be demonstrated that the development proposed cannot be accommodated on land of lower agricultural quality, derelict or non agricultural land; or
- other sustainability considerations suggest that the use of higher quality agricultural land is preferable to the use of poorer quality agricultural land.

The applicant has submitted an agricultural land classification study which concludes that the proposal, would not involve the use of 'best and most versatile (BMV) agricultural land' because the site comprises Grade 4 land. It is therefore considered that the proposal complies with the requirements of this policy without the need for assessment against the criteria.

Affordable Housing

The Strategic Housing Market Assessment 2010 shows that for the sub-area of Crewe which includes Maw Green, there is a requirement for 256 new affordable units per year, comprising 123 x 1 beds, 20 x 2 beds, 47 x 3 beds, 40 x 4 beds and 26 x 1/2 bed older persons units. Therefore there is an established requirement for affordable housing in this part of Crewe

The Councils Interim Planning Statement (IPS) for Affordable Housing states that the Council will seek affordable housing on all sites with 15 units or more, and the Interim Planning Statement on the Release of Housing Land states that any sites that are released for housing on the edge of Crewe will be required to provide 35% affordable housing. In this case, this would equate to 57 units.

The Affordable Housing IPS states that the tenure mix split the Council would expect is 65% rented affordable units (these can be provided as either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rent) and 35% intermediate affordable units. The affordable housing tenure split that is required has been established as a result of the findings of the Strategic Housing Market Assessment 2010.

The application offers 35% affordable housing. However this is on a tenure split of 75% intermediate tenure and 25% social rented, which does not meet the target tenure mix as set out in the Interim Planning Statement. If there are viability issues Housing Officers would be willing to accept the proposed tenure split or consider accepting a lower overall percentage of affordable housing, for example 30%, in order to achieve the target 65% rented and 35% intermediate tenure mix. Details of the viability of the scheme have been submitted with the application and it is the developer's preference to make 35% overall provision and the tenure as set out in the application rather than reduce the headline figure. Officers have agreed that this is the preferable approach and that the affordable housing should therefore be 35% of which 75% is intermediate and 25% is social rented.

The Affordable Housing Interim Planning Statement requires that the affordable homes should be provided no later than occupation of 50% of the open market units, unless the development is phased and there is a high degree of pepper-potting, in which case, the maximum proportion of open market homes that may be provided before the provision of all the affordable units may be increased to 80%.

The developer has proposed 80% and believes that this is necessary given market conditions. Affordable housing is delivered/subsidised by the market housing and it is important for viability that the return on capital employed is efficient. Paragraph 173 of the NPPF states that requirements such as affordable housing should, when taking into account of normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable. The above changes to tenure mix and percentage trigger for provision, although not in strict accordance with the interim policy will help to ensure deliverability. If deliverability is threatened then permissions will not convert into completions and the housing supply situation will not improve and, more importantly will the very real demand for affordable and market housing be met.

Paragraph 3.7 of the draft heads of terms states that if the Developer has not been able to transfer the affordable housing to an affordable housing provider or a qualifying purchaser has not been found after 6 months, then they can sell the unit on the open market free of any affordable housing restriction. This does not guarantee affordable housing will be

provided in perpetuity, is contrary to Council policy and should not be included within any Section 106 Agreement.

All the Affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency and should achieve at least Level 3 of the Code for Sustainable Homes (2007). The Affordable Homes should also be integrated with the open market homes and not be segregated in discrete or peripheral areas. The master plan shows some of the affordable units in quite large clusters and it would be preferable for them to be dispersed throughout the site in smaller clusters. However, application is submitted in outline and therefore the masterplan is indicative only. The Section 106 Agreement could make provision for this detail to be agreed at the reserved matters stage, once the final layout has been determined.

It is the Council's preference that the affordable housing is secured by way of a S106 agreement, which requires the developer to transfer any rented affordable units to a Housing Association and includes the requirement for the affordable house scheme to be submitted at reserved matters and also includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Council's allocations policy. This is in accordance with the Affordable Housing IPS which states that

"the Council will require any provision of affordable housing and/or any control of occupancy in accordance with this statement to be secured by means of planning obligations pursuant to S106 of the Town and County Planning Act 1990 (as amended)"

It also goes on to state that

"in all cases where a Registered Social Landlord is to be involved in the provision of any element of affordable housing, then the Council will require that the Agreement contains an obligation that such housing is transferred to and managed by an RSL as set out in the Housing Act 1996"

Highway Safety and Traffic Generation.

A Transport Assessment has been submitted with the application which concludes that:

- *The Maw Green Road/Sydney Road/Elm Drive/Groby Road/Remer Street series of priority junctions currently suffer from traffic congestion, with queuing along Maw Green Road and Groby Road; a new roundabout junction has been agreed as part of the Coppenhall East development, to be delivered under a Section 278 agreement.*
- *Peak hour capacity analysis for the design year of 2022 has been undertaken for the improved junction with the proposed development in place; this demonstrates that the junction has sufficient capacity to accommodate the additional development traffic flows within minimal impact on queuing and delays.*

- *It is acknowledged that Sydney Road Bridge is currently at practical capacity during peak hours, in particular during the evening peak period; it is also acknowledged that Crewe Green Roundabout is severely congested during the same periods. CEC has agreed that a contribution-led approach is appropriate for both locations.*
- *CEC has also raised concerns regarding the use of Maw Green Road as a rat-run for through traffic looking to avoid Crewe Green Roundabout; therefore, the developer is proposing a 'compact' roundabout site access junction to assist in changing the perception of the route and to reduce traffic speeds in the vicinity of the site.*
- *The access roundabout will also provide a formal zebra crossing on Maw Green Road between the north and south development parcels, whilst the carriageway will be narrowed to 6.2m and formal 2m footways provided on both sides between the site and Sydney Road, tying into the proposed Coppenhall roundabout.*
- *A further zebra crossing facility and new 1.5m wide footway will be provided along Groby Road.*
- *It is also proposed to upgrade the closest bus stops on Remer Street to provide shelters with formal seating arrangements and timetable information.*

Existing Problems

Before considering the impact of this development on the road network it is worth noting the current problems on the network locally, which would be intensified as a result of this proposal. The Remer Street / Sydney Road corridor is the principal route on the eastern side of Crewe linking the A530 with the A534. It has existing congestion problems at a number of locations. The principle congestion points are:-

- Crewe Green Roundabout that currently operates at over capacity and long queues form in the peak hours.
- Sydney Road Bridge that is at capacity in peak hours especially in the evening peak period.
- Maw Green Road/Sydney Road/Elm Drive/Groby Road double stagger arrangement, this has long queues forming on Maw Green Road in both the morning and evening peaks.

Due to the congestion problems that exist, the use of Maw Green Road has become increasingly popular as it links to the A534 Haslington By-pass. This is predominantly a rural road that is narrow in places and certainly not suited to large volumes of traffic. It also has a blind bend underneath the railway bridge in Maw Green Road close to the proposed development site.

Committed Development

There are two major developments which have recently been approved that will add additional flows through these junctions. These are the 650 dwellings at Coppenhall East and 400 dwellings at Parkers Road. As part of those approvals, a number of mitigation measures were secured. The ones that principally affect this development are the new

roundabout junction at Maw Green Road/Sydney Road/Elm Drive/Groby Road and the financial contributions for Sydney Road bridge and Crewe Green roundabout.

Impact of Proposed Development

The scope of impact of the further development now proposed has been agreed with the Strategic Highways Manager and the applicant has assessed the previously indicated junctions in their Transport Assessment and concluded that they currently have congestion problems.

To provide the likely trip generation for the development, the predicted flows for the new dwellings has been derived from the TRICS database. The predicted flows are as follows:-

- Morning 08.00 – 09.00 would produce a total of 97 trips
- Evening 17.00 -18.00, would produce a total of 106 trips

The use of these rates is considered to be acceptable and has also been agreed with the Strategic Highways Manager. The development flows have then been distributed onto the road network in accordance with the previously agreed distribution for Coppenhall East given that it is so close to this site. The assessment undertaken on the road network has been tested on a base of 2022 that does include growth and the committed development traffic.

Using the agreed trip rates, the applicant has also undertaken assessments of the three junctions referred to above, taking into account the previously approved development and the additional Maw Green traffic.

The applicant in the Transport Assessment has indicated that there are problems with the existing double stagger arrangement at the Maw Green Road/Sydney Road/Elm Drive/Groby Road junction. However, they have also assessed their proposals in the light of the new roundabout at this junction, which has been agreed as part of the Coppenhall scheme and shown that the impact of the additional development can also be catered for by this improvement. The Transport Assessment results do not indicate large queues forming on any arms of the roundabout.

The operation of Sydney Road bridge has also been assessed and it has been concluded that there is likely to extensive queues forming either side of the bridge in the assessment year of 2022. It is quite clear, that the approved committed development almost doubles the length of queue to some 50 vehicles and then this is increased further with this application to 60 vehicles in the evening peak hour and even these queue lengths have only been achieved by doubling the cycle time of the signals.

A capacity analysis of Crewe Green roundabout was not undertaken by the applicant as it was agreed that this junction has already exceeded capacity and that funding towards the CEC improvement scheme would be required as mitigation to this development.

In summary, in considering the impact of the development of 165 additional dwellings on the road network, account needs to be taken of the existing road conditions and the congestion that occurs. It is clear that there are certain major junctions that already suffer from large queues and operate at or above capacity. These would be made significantly worse by the

cumulative effect of the previously approved major residential developments, coupled with the current proposal, despite the implementation of previously approved mitigation measures.

Proposed Mitigation

As mitigation for the impacts of the development, the applicant has proposed a number of financial contributions, these are detailed below.

- Maw Green Road Signage Scheme - £20,000
- Crewe Green Roundabout - £60,000
- Sydney Road bridge - £215,000
- Public Transport Contribution - £12,000

Assessment of Proposed Mitigation

With regard to the junction of Maw Green Road/Sydney Road/Elm Drive/Groby Road, the Traffic Assessment, assumes that the new roundabout will come forward prior to or in parallel with the application proposal. However, the Strategic Highways Manager has expressed concern that there is no timescale of when this new roundabout will be implemented by Taylor Wimpey and as this development relies on this junction improvement to provide an acceptable access to the site, the applicant should provide details of the junction improvement to be provided should the Coppenhall development for any reason not be implemented.

Focusing on Maw Green Road, the Highway Authority does not want to encourage further usage of this route to the A534 as it is narrow and also has safety concerns with the right angled bend at the railway bridge. Whilst the proposed signage will assist in discouraging vehicles, the use of this route is likely to increase as motorists attempt to avoid worsening congestion at Sydney Road Bridge and Crewe Green. As a result the solution to the Maw Green Road problem lies in resolving the issues that these two bottlenecks.

Despite a number of financial contributions being agreed with approved developments, this funding is insufficient to allow improvement schemes to be implemented, at Sydney Road Bridge and Crewe Green. Even taking into account the additional financial contributions, which the developer has offered as part of this application, the improvements to these junctions would not materialise for a number of years unless the level of contribution was significantly increased in order to fund all or most of the improvements.

Of greatest concern is Sydney Road Bridge. The Highways Department has commissioned a report into possible solutions to the problem of the Sydney Road Bridge. There are number of options that have been considered but the only real long term solution is option 5, which involve the use of a new structure to support an additional lane for west bound traffic and to maintain the existing bridge for east bound traffic. The report indicates that the cost of this scheme would be £4.5m.

There is no doubt that significant queues will form at Sydney Road bridge, this is as a result of recent approvals for large residential developments. These congestion problems will be exacerbated by this development albeit not to the scale of the committed schemes. Should no improvements be made to the bridge, long queues will form and also drivers will be made

to wait much longer due to increased cycle times. Incremental increases to traffic will add to delays and lead to the reassignment of traffic to other less suitable routes and it is the Highway Authority view that this development should not proceed until an improvement scheme at Sydney Road Bridge is fully funded

Therefore, despite the financial contributions set out above, which the developer initially offered the application was considered to have a detrimental impact on the road network by increasing congestion levels and raising road safety concerns and was recommended for refusal.

In response the developer has indicated that, if the percentage of affordable housing offered as part of the scheme, were reduced, accordingly, the highways contributions could be increased. The *additional* highway contributions that can be offered if the affordable housing is reduced are set in the table below. As stated above the original highway contribution package included £215,000 for the Sydney Road bridge improvements (as well as contributions to the Crewe Green island and to Maw Green Road improvements) and the table therefore also shown the overall financial contribution that can be achieved. Taylor Wimpey have also agreed to a contribution towards the Sydney Road bridge of £643,320 as part of their Coppenhall East scheme and the table below calculates the overall contributions that could be made from the current development and the committed Coppenhall East development.

The developer has therefore set out 3 scenarios as follows:

Affordable %	Additional highway commuted sum	Existing Sydney Road commuted sum offer	Overall Sydney Road commuted sum	Copenhall East committed Sydney Road bridge commuted sum	Copenhall East & Maw Green Sydney Road commuted sum
0%	£ 1,213,000	£ 215,000	£ 1,480,000	£ 643,320	£ 2,071,320
10%	£ 867,000	£ 215,000	£ 1,082,000	£ 643,320	£ 1,725,320
20%	£ 520,000	£ 215,000	£ 735,000	£ 643,320	£ 1,378,320

In calculating the commuted sum that can be generated by reducing the affordable housing, the developers have taken regard of the following:

- The required affordable mix as set out in the S106 Heads of Terms with the exception of the cascade mechanism, which it has been indicated above would be unacceptable.
- The estimated open market value of the market housing is £160/ft² for the northern parcel and £165/ft² for the southern parcel, the differential being due to the landfill proximity. Evidence from estate agents Butters John Bee has been submitted to verify this point
- An estimate of what the selling price of the affordable housing would sell at based on information from the applicant's affordable housing consultant.
- The cost of providing the affordable housing is the difference between what the properties would sell for in the market and what they would achieve as affordable housing. However, as house builders base their profit on turnover then an adjustment needs to be made if there are more market houses on the site.

The benefits with running with the additional highway commuted sum, and a reduced affordable housing provision include:

- Unlocking the site which will help improve the housing supply situation.
- Making a significant step forward in solving the Sydney Road highway problems, which prevents other subsequent applications facing the same problem, as other scheme could more easily make up the remaining shortfall in the funds required to carry out the work.
- Assisting with the achievability of the “Crewe Vision” by taking a significant step towards solving the highway issues in the northern part of Crewe
- Reducing the pressure for the release of sites elsewhere in the Borough which do not accord with the interim policy or the spatial vision for the Borough.
- The reduction of affordable housing on this site increases the likelihood of affordable housing being increased elsewhere, as it frees up highway capacity to enable other developments to come forward.

Furthermore, development site is in a part of Crewe where, property prices are relatively low compared to other parts of the town and the Borough as a whole and where there is already an abundance of affordable housing, as set out already in the Housing Market Assessment which accompanied the application. It could be argued therefore that increasing the market housing element would help to provide a mixed community in this part of Crewe. This was the view taken by the Inspector at the Appeal relating to the Bath Vale Works site in Congleton where, due to the Bromley Farm Council Estate near to the site, he agreed to providing no social rented tenure to achieve a mixed community.

It is therefore considered that, in principle, the reduction of the affordable housing provision in order to increase the highways contribution is an acceptable one in this case. With regard to the most appropriate of the scenario listed above, from a purely highways point of view, obviously the 0% scenario would be preferable, as it would provide the most significant contribution towards the full cost of the bridge. Notwithstanding the comments above, about the relatively high percentage of low cost and affordable housing in the surrounding area generally it is considered that without an element of affordable housing, the development itself would not constitute a mixed, balanced or sustainable community. Whilst a formal response was awaited at the time of report preparation, the Strategic Highways Manager has indicated that the 10% scenario would be acceptable and would be reasonable and proportionate to the scale of development and level of impact at the bridge which has been identified as being attributable to this proposal.

The Strategic Highways Manager’s comments in respect of the impact of this development on the junction of Maw Green Road/Sydney Road/Elm Drive/Groby Road, in the event that the Coppenhall East scheme did not come forward and deliver the improvement are noted.

However, the Coppenhall scheme is considered to be committed development and it must therefore be assumed that it will be delivered. The Traffic Assessment in terms of the impact on Sydney Road bridge has been based on the assumption that both schemes will come forward and it is this cumulative effect which has generated the requirement for the reduced affordable housing condition and the enhanced mitigation package for the bridge.

In the event that the Coppenhall scheme did not come forward, such a large contribution towards mitigating the impact on the bridge could not be justified on the basis of the Maw Green scheme alone. Therefore, there would be a surplus highways contribution which could be used to implement the Maw Green Road/Sydney Road/Elm Drive/Groby Road junction improvement.

Site Access and Internal Arrangements

The new roundabout access to the site is of a compact design with overrun areas to accommodate HGV turning movements, a zebra crossing has also been incorporated into the design. As this is an outline application no comments have been made on the internal road layout as this would be dealt with at the reserved matters stage.

Contaminated land

The developer has submitted a Phase 1 desk study for contaminated land, the findings of which indicated that the site's history dating back to 1882 until the present day has comprised undeveloped agricultural land, residential dwellings and farm buildings across the majority of the site and a landfill in the north-eastern portion of the site since 1992. There were also some former ponds which had the potential to be infilled.

The Conceptual Site Model (CSM) identified the critical receptors which could be affected by these sources to be an existing pond at the site and Fowle Brook (controlled waters) and a female child resident (human health). The qualitative risk assessment identified a medium to high potential risk to the identified human health receptors in parts of the site (associated with the landfill site) with the remainder of the site being predominantly low risk. A medium to high risk was identified for controlled waters receptors. It was recommended that an intrusive investigation (Phase 2 site investigation) be completed before commencement of any development works to assess the actual contaminative status of the site.

The intrusive investigation proved the published superficial deposits geology comprising Glacial Till (which is also a non aquifer). In addition, limited thicknesses of Made Ground were encountered across the site area, in particular in the areas of the former ponds.

Localised exceedances of arsenic, lead and benzo(a)pyrene have been identified within the made ground materials present within the south-west, north-west and north-east of the site.

In areas of the site corresponding to backfilled ponds and in the north of the site, removal of at least 600mm of Made Ground together with the placement of 600mm of 'clean' growing media is required in all garden areas to be protective of human health. This will successfully remove the pathways from the arsenic, lead and benzo(a)pyrene contaminants of concern and therefore remediate these areas to ensure they are suitable for residential use.

Due to the presence of the former landfill area, it is recommended that increased gas protection measures in accordance with Characteristic Situation 3 (using guidance in CIRIA C665) are included in the properties within 50m of the former landfill area to reduce the risks associated with landfill gas. This will include a suitable floor slab, passively ventilated underfloor sub-space and the inclusion of a gas membrane (in line with guidance in CIRIA C665).

Gas protection measures are not considered necessary for the remainder of the site, except for around the backfilled ponds which require gas protection measures in accordance with Characteristic Situation 2 (in line with CIRIA C665).

Construction and maintenance workers are to use the appropriate PPE (personal protective equipment) and the adoption of appropriate site safety protocols during construction and maintenance works.

The qualitative risk assessments with regards to the potential risk to controlled waters identified that none of the contaminants of concern were identified in excess of their relevant Tier 1 screening criteria at the site (water quality standard such as EQSs for example). No further assessment of the potential risk to controlled waters from contamination present in perched or groundwater is considered necessary. No remediation of groundwater to be protective of controlled waters is considered necessary.

Environmental Health have had the opportunity to review the Phase I Preliminary Risk Assessment report and various Phase II site investigation reports.

The results of the soil sampling show that there is a low potential risk to future residents from concentrations of contaminants, and only limited remediation is required on some areas to make the site suitable for its proposed use.

However, given the presence of the Maw Green landfill adjacent to the proposed development site, and the inclusion of an area of restored landfill as public open space, Environmental Health required further information in addition to that supplied with the planning application. This related primarily to further assessment of the gas regime on the site, best practice guidance recommends between one and two years worth of gas monitoring based on the sensitivity of the proposed site and the proximity of the landfill. As there are fewer rounds than the typical/idealised number in the guidance, we would expect to see the uncertainty in the quantity of results addressed, as well as more in-depth monitoring such as continuous monitoring to provide a more substantial dataset. This information is still outstanding.

In addition, Environmental Health required further information with respect to the public open space, such as further monitoring of the shallow gas regime and further soil sampling from this area to demonstrate the capping layer is suitable for its proposed use. The soil results have been assessed and found to be suitable. However the assessment pertaining to the gassing regime is still outstanding.

As such, until a more robust dataset with respect to ground gases, has been received Environmental Health are unable to comment on the site's suitability for its proposed use as residential housing. The consultant has indicated that further monitoring results will be presented shortly and this assessment will enable Environmental Health to provide a more thorough comment. A further update will be provided on this matter prior to committee.

Air Quality

The site is not located within or close to any designated Air Quality Management Areas. However, the proposed development is located in close proximity to the Maw Green Road landfill site. An Air Quality Assessment was therefore undertaken to provide consideration of odour and dust levels across the site as a result of emissions from the landfill, assess the suitability for residential end use and define any required mitigation strategy. Potential air quality impacts associated with the development were also identified and assessed, as appropriate.

Information on the operation of the landfill, complaints record and prevailing meteorological conditions was obtained for use in a risk assessment of potential dust and odour effects at the proposed development as a result of emissions from the site. Based on the collected information, it is considered that odour and dust releases may cause impacts at the proposed development when certain activities and meteorological conditions combine. Due to the relevant management procedures in place at the landfill and the prevailing wind direction, it is not anticipated these will occur for a significant proportion of the year. However, there is the potential for loss of amenity during rare instances.

The landfill site has consent to operate until 31st December 2017. As such, any new residents occupying the proposed development prior to this date may be subject to the predicted level of impact. It should be noted that the landfill is visually prominent and therefore it is likely that any prospective buyers would be conscious of the site prior to purchase. The choice to proceed with the acquisition would therefore be subject to awareness of the potential impacts associated with residing in close proximity to such a facility.

It is considered in the report that natural phasing of the development and also predicted build rates will provide some mitigation for potential dust and odour impacts as the plots closest to the landfill are anticipated to be the last constructed. As such, the length of cross-over time between occupation by new residents and closure of the landfill is likely to be limited.

The report also states that during the construction phase of the proposed development there is the potential for air quality impacts as a result of fugitive dust emissions from the site. A risk assessment was undertaken to consider the likelihood of effects at sensitive receptors in the vicinity of the site and suitable mitigation measures identified to control impacts to an acceptable level.

Following completion of the development potential air quality impacts may occur as a result of exhaust emissions associated with vehicle trips generated throughout the operational phase of the development. An assessment was therefore undertaken using the DMRB calculation spreadsheet to quantify NO₂ and PM₁₀ concentrations both with and without the proposals. However, the report concluded that predicted impacts on NO₂ and PM₁₀ concentrations as a result of operational phase road vehicle exhaust emissions were predicted to be negligible at all sensitive receptor locations within the vicinity of the site. The overall significance of potential impacts was determined to be negligible, in accordance with the EPUK guidance.

The Council's Environmental Health officers agrees that the potential for impact on future residents is reduced by the location of the development (being upwind from prevailing

winds), the existing odour and dust management plans and the historically low number of complaints relating to odour/dust from this site. The proposed north to south phasing of the development, buffer zone and screening should all be implemented as measures to reduce the likelihood of complaints. Consequently, Environmental Health have raised no objection, although they point out that the control of odour and dust from the waste landfill site and the response to complaints resulting from activities is the responsibility of the Environment Agency. It is noted, however, the Environment Agency. Have also raised no objection to the proposal

Environmental Health have commented, however, that the Air Quality Impact Assessment submitted has not taken into consideration the cumulative impact of all live applications in the vicinity. This has been brought to the attention of the developer and supplementary information has been received. Environmental Health have advised that this is satisfactory and the conclusions are accepted. Consequently, they have raised no objection to the proposal

Noise Impact

The site is located in close proximity to a main line railway and a working landfill site, both of which have the potential to create noise and disturbance to residents of the proposed development. Therefore the developer has submitted with the application a Noise and Vibration Impact Assessment.

The report states that a residential suitability assessment has been carried out based upon measured noise levels from an on-site survey. Consideration has been taken paid to the main surrounding noise sources; railway, road and landfill site. A noise modelling exercise has been carried out to assess the noise levels across the entirety of the site. The results have been compared to PPG24 and a relevant British Standard (BS8233) on design standard for internal living and resting noise levels. For the non-mitigated situation, the noise assessment calculated that during the daytime the proposed development area would fall into NECs 'A' and 'B', with very small areas close to Maw Green Road falling into NEC C.

During the night-time the majority of the site would fall into NECs 'B' and 'C' with a very narrow strip adjacent to Maw Green Road falling into NEC 'D' which would only be used as external space and not dwellings.

External amenity levels have been predicted to be below the 55dB(A) upper limit according to WHO Guidelines in rear gardens.

Appropriate site layout and consideration of the building design has been included within the masterplan. This has included a set back distance of 70m from the rail line and specification of glazing and ventilation to ensure internal target noise levels of achieved.

Based upon a worst case monitoring location, vibration levels have been monitored at the site and assessed in accordance with BS 6472 and BS 7385. It has been found that building vibration levels are well below acceptable levels in the proposed residential buildings.

The assessment has concluded that suitable internal noise and vibration levels can be achieved for the proposed development and that the site is suitable for residential end use.

The report has been examined by the Councils Environmental Health officers, who have accepted its conclusions and raised no objection subject to the imposition of conditions requiring full details of proposed mitigation measures to be submitted, approved and implemented. As a result it is not considered that a refusal on noise grounds could be sustained.

Drainage and Flooding

The applicant has submitted with the application, a detailed Flood Risk Assessment (FRA). The findings of the report can be summarised as follows The Environment Agency Flood Zone mapping shows the site to be located entirely within Flood Zone 1 (Low Probability). This Flood Zone is defined in PPS25 as land assessed as having a less than 1 in 1000-year annual probability of river flooding, although through discussions with the EA it is evident that the EA flood maps do not include the smaller ditches (Ordinary Watercourses) on the boundaries of the site.

The site is not considered to be at significant risk of flooding, as a result of low spill levels from the brook on the eastern boundary on to Maw Green Road and beyond in to the landfill site; therefore there is no specific mitigation required with regard to finished floor levels. However, it is recommended that finished floor levels are generally elevated above surrounding ground levels in accordance with best building practice and a minimum of 300mm above the level above the Maw Green Road culvert (i.e. 44.94mAOD) and recommended 600mm above at 45.24mAOD.

The risk of flooding from other sources has also been assessed and concluded to be low and readily accounted for in appropriate design of floor levels generally above surrounding ground levels and the infilling of depressions and hollows across the site through a site wide earthworks operation.

Maw Green Road around the entrance to the landfill has a reported history of flooding problems, which supports the above assessment. However it should be noted that consultation with the Environment Agency and local landowners, immediately adjacent the Maw Green Road culvert, has confirmed that since the 'new' 600mm diameter culvert was installed under Maw Green Road there has not been any significant incidents of flooding.

There are also reported problems of flooding underneath the Maw Green rail bridge. Consultations with the EA and a review of OS mapping and contours suggests that this flooding is derived from runoff from the local catchment to the east of the railway line and likely to be as a result of drainage restrictions under the bridge or any drain between the bridge and the outfall with the brook, most likely within the landfill operation. Since runoff from the proposed development is to be limited to greenfield rates, and is not directly related to the flooding under the railway bridge, it is concluded that the development will not exacerbate any flooding at Maw Green Road.

It is also recommended that a 6m easement be located between the ditch on the eastern corner of the site and the edge of development. This is to allow maintenance access to the ditch should a blockage occur and/or for general maintenance of the system.

Surface water drainage from the site is to be drained via Sustainable Drainage System (SuDS) in the form of porous paving in unadopted areas of the proposed road network and via two separate attenuation basins, one serving the land to the north of Maw Green Road and one serving land to the south. Both systems will discharge to the ditch system on the eastern boundary of the southern fields, which in turn drains through the landfill site and ultimately to the Fowle Brook.

Appropriate drainage design will ensure flows are restricted to greenfield rates and as such would not increase as a result of the development and therefore there would be no detrimental impact on flood risk to adjacent land. Drainage arrangements will be progressed in accordance with Environment Agency recommendations during detailed design.

The report concludes that In compliance with the requirements of NPPF, and subject to the mitigation measures proposed, the development may proceed without being subject to significant flood risk. Moreover, the development will not increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site.

United Utilities and the Environment Agency have considered the report and raised no objections subject to the imposition of appropriate planning conditions. It is therefore concluded that the proposed development will not adversely affect onsite, neighbouring or downstream developments and their associated residual flood risk.

Layout and Design

An indicative site plan has been submitted with the application which shows a new roundabout, mid way along the Maw Green Road giving access to the north and south portions of the site. Properties are shown facing on to both sides of Maw Green Road. The main access roads are within the site, creating active frontage to all principle routes outside and within the development, whilst retaining the majority of the existing roadside hedges on Groby Road and Maw Green Road.

A pedestrian access is proposed through the boundary hedge from Groby Road in the north west corner of the site to allow permeability through the new development for pedestrians travelling between, Groby Road and the public footpath which runs across the Coppenhall East site and Maw Green Road and the other part of the development site to the south. This is considered to be a positive aspect of the design.

The proposed layout shows properties gable end on to the new paths which in places, run between buildings and gardens. This raises some concerns that they will not be well overlooked and would have an enclosed aspect, which would discourage use and result in it becoming a target for antisocial behaviour. However, this is an issue which could be addressed at the reserved matters stage.

It is also noted that the Council's Public Rights of Way Officer has welcomed the development, as it will improve pedestrian and cycle connectivity in the area subject to a number of provisions relating to the detailed treatment of the of the route. In particular, the shared use of the route between cycles and pedestrians and its status and maintenance need to be agreed. Given that layout is a reserved matter, the first 2 matters could be

addressed at a later stage, whilst maintenance would be dealt with via the management company established by the Section 106 Agreement.

The surrounding development comprises a mixture of ages and architectural styles, ranging from modern suburban development to larger inter-war properties, within substantial curtilages, on the adjacent housing estates to the south. There is ribbon development along Remer Street, and traditional vernacular farm buildings, which pre-date the expansion of Crewe on the more rural parts of Groby Road to the north. Notwithstanding this, there is consistency in terms of materials with most dwellings being finished in simple red brick, and grey / brown slates / concrete / clay tiles. The predominant roof forms are gables although some are hipped. Although external appearance and design are also reserved matters, it is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area.

Amenity

It is generally considered that in New Residential Developments, a distance of 21m between principal windows and 13m between a principal window and a flank elevation is required to maintain an adequate standard of privacy and amenity between residential properties.

The layout and design of the site are reserved matters. However, the indicative layout demonstrates that 165 dwellings could be accommodated on the site, whilst maintaining these minimum distances between existing and proposed dwellings. It also illustrates that the same standards can be achieved between proposed dwellings within the new estate.

A minimum private amenity space of 50sq.m is usually considered to be appropriate for new family housing. The indicative layout indicates that this can be achieved in the majority of cases. However, there are a number of mews properties shown that would only achieve a private garden area of approximately 40sq.m. There are also 2 properties shown on the layout which would have only 20sq.m of private amenity space. Nevertheless, the 50sq.m figure is only a guideline and regard must be given to making the most efficient use of land in accordance with the advice in the NPPF and to the nature of the housing proposed. The 50sq.m standard does not discriminate between house types and it is acknowledged that 2 bedroom mews properties are likely to appeal to smaller families than the four bedroom dwellings on the site which do achieve the 50 sq.m requirement. Similarly, the properties which only have 20sq.m of amenity space are 1 bedroom semi's and therefore the lower level of private amenity space is considered to be acceptable and justifiable.

It is therefore concluded that the proposed development would be acceptable in amenity terms and would comply with the requirements of Policy BE.1 of the Local Plan.

Countryside and Landscape Impact

As part of the application a landscape appraisal has been undertaken. The Council's Landscape Officer has examined the submission and would broadly agree with the baseline description and landscape and visual appraisals. One of the constraints identified is that the existing trees and hedgerows should be retained where possible, and protected to ensure their longevity as 'key visual/structural/amenity elements of the development'. A number of

the boundary hedges are leggy, gappy or of inappropriate species and this will need to be addressed at the detail design stage.

Only minimal space has been shown for establishment of screen planting in the south eastern part of the site where it is in close proximity to the railway line and also along the northern boundary where there are clear and very obvious views across to the still operational landfill site at Maw Green. The illustrative Masterplan has attempted to show that existing trees and hedges will be retained, but on the whole existing perimeter hedging is in poor condition and existing tree cover is sparse. Generally it is not considered that sufficient space has been allowed for these to be substantially improved to a level that would make them any more effective as perimeter boundaries or to provide any significant site infrastructure planting. These matters could also be dealt with at the Reserved Matters stage, however.

A large public open space is shown in the north east corner of the site. The illustrative Masterplan shows that this area would have areas of grassland, extensive woodland planting, a 5-A-Side area and NEAP play area. This area is the location of a former landfill site and the Landscape Officer was initially concerned as to whether it would be an acceptable or realistic area for any woodland planting to take place at all.

This matter is wholly dependent on the nature and quality of the restoration that was used since this will determine how and if the ground can be prepared and whether it will be possible for trees as detailed in the Landscape Appraisal to be planted. The same issue will also determine whether or not it will be possible to install any play equipment in this area. The NEAP area shown also appears to be the location for a number of wells. This matter is discussed in more detail below.

Forestry

The tree population is located around the periphery of the site and there are hedgerows to sections of the boundaries and intersecting the area. None of the trees are subject to Tree Preservation Order protection.

The Council's Landscape Officer has considered the Tree Survey and Constraints Advice document dated 14 November 2011. The survey includes a parcel of land to the south of Maw Green Road and west of the site area which is excluded from the application site.

The report considers 15 individual trees, 12 groups of trees and 15 hedges. As an outline application with all matters excepting access reserved, it is not possible to fully assess the implications of the development on trees. The proposed access points off the roundabout would result in some hedgerow loss (discussed below) but no tree removal. The indicative layout suggests existing trees could be retained and incorporated into the development. However the landscape officer has some concerns in relation to off site trees which overhang and dominate land close to the southern boundary and the indicative Masterplan fails to take sufficient account of this impact.

The Illustrative Masterplan suggests additional tree planting could be accommodated as part of the development which is to be welcomed. However, beyond plot landscaping the majority of the additional areas of planting would be on the proposed public open space on the

former waste site. Full details of planting proposals would need to be considered at detail stage but this could be secured by condition.

Hedgerows

Where proposed development is likely to result in the loss of existing agricultural hedgerows which are more than 30 years old, it is considered that they should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. Should any hedgerows be found to be 'Important' under any of the criteria in the Regulations, this would be a significant material consideration in the determination of the application. Hedgerows are also a habitat subject of a Biodiversity Action Plan.

The submission indicates that all but one of the hedgerows are classified as 'Important' because they meet the criteria contained in Paragraph 5 of section 1 of the Schedule of the Regulations – in that they appear to be recorded as an integral part of a field system pre-dating the Inclosure Acts. Of these, 2 sections are also important on ecological grounds. (Whilst the planting within the hedges may post date the Inclosure Acts, a Government Inspector has upheld on appeal the value of younger hedges marking same boundaries of a Pre Inclosure Act field system).

The retention and protection of hedgerows around the site must therefore be considered an important consideration. Whilst the majority of hedgerows are shown to remain on the indicative masterplan, there would be some loss for the main new roundabout off Maw Green Road and for the multiple new accesses off Groby Road.

Policy NE5 of the Crewe and Nantwich Local Plan states, inter alia, that the local planning authority will protect, conserve and enhance the natural conservation resource proposals for development will only be permitted where natural features such as hedgerows, are, wherever possible, integrated into landscaping schemes on development sites.

Given that the above lengths of hedgerow are proposed for removal it is considered that a natural feature, which has been identified as being historically important, would not be retained and integrated into the development and as a result the requirements of this policy would not be met.

However, with regard to the proposed roundabout access, this would involve the removal of only a small 30m section in the middle of the site frontage on each side of the road. The gaps to create the proposed the multiple accesses off Groby Road would comprise shared driveways, each serving approximately 3 dwellings and would therefore be only 5m each in width. In view of the fact that the historic line of the hedgerow, which is considered to be important, and that as its line follows that of the road, it could still be traced in the landscape following the implementation of the development, it is not considered that a refusal on the grounds of Policy NE.5 could now be sustained.

It is questionable if the hedgerows could be maintained in the all the retained locations indicated on the illustrative masterplan. For example, in situations where hedges are intended to form the boundary treatment for residential properties, the hedgerows may not provide appropriate security. However, it should be noted that the application is submitted in outline and careful consideration could be given to the resolution of this issue at Reserved

Matters stage. The retention of important hedgerows within the Reserved Matters design could be made a condition of the outline approval.

In the event of approval comprehensive tree and hedge protection conditions would be appropriate, together with provision for any necessary tree works for retained trees and measures to ensure maintenance and management of areas of new tree planting. Replacement hedge planting should also be sought via condition to ensure that any losses are adequately compensated for.

Open space

A large area of on-site public open space is proposed on the eastern portion of the northern site. A children's play area (NEAP) and five-a-side pitch are shown in the centre of the area, with the remainder to be used as informal recreational space and wildlife mitigation / landscape buffer. This is the area which was formerly part of the landfill site.

The Council's Landscape Officers initially had concerns as to whether the former landfill site is suitable for use as public open space and that it can support the proposed uses. The landfill was licensed for most organic and inorganic waste including "special waste" and the clay cap was conditioned as 250mm of inert over the waste, 250mm compacted clay, 250mm compacted subsoil and 250mm or more of subsoil then 250mm topsoil. It was therefore considered to be necessary to establish the view of the Environment Agency on the suitability of this site for public access and how close foundations or cultivation for tree planting could go to the clay cap and more detail was needed about the cap, depths of soil forming material, amelioration etc.

The Landscape Officer commented that information initially submitted about the site was very scant. The applicant had prepared a phase two investigation of the application area. Four hand excavated trial pits were dug on the former landfill site, but they are not detailed in the report nor in the field records. Table 1 in the report identifies the thickness of cover soils to be a minimum of 0.95 m and a maximum of 1.9 m. Apart from a general description of the cover material there is nothing to suggest that the 5 separate layers described in the original Agricultural Land Management Plan are present. No information was provided about the presence, depth, integrity, compaction etc of the required 250mm clay cap. The presence of landfill gases within the soil profile above the cap or at ground level has not been assessed. Without this information it was difficult to take any view about the suitability of the site for public access, installation of play facilities or tree planting.

The Environment Agency publication LFE4 Earthworks in Landfill Engineering – this states the properties of a clay liner/cap and in paragraph 2.13 that the requirements for a cap can normally be achieved by placing 1.0m of compacted clay over the waste. The original restoration requirement is therefore well below modern standards. Advice from the Environment Agency is clearly essential in this matter especially as the site was licensed for "most organic and inorganic waste streams (including special waste)".

The ASL Phase 2 Investigation report states that:

- The material covering the waste is around 2 metres deep (This is contradicted by table 1 and questionable due to insufficient sample points)
- Settlement will be ongoing – use only small or lightly loaded structures

- Any reprofiling should be by raising levels – not cutting
- The soil is clay that requires cultivation (this could be because it is compacted), addition of nutrients, lime and sand, should be cultivated, also for tree planting it should be ripped to a depth no greater than 600mm.
- Any proposals should be agreed with the operator and Environment Agency.
- Intrusive investigation is required

It would appear that the site is functioning as rough agricultural grazing land, but substantial work and importation of additional material will be required to create surfaces capable of use for amenity grass, football area and a play area (NEAP). The NEAP is partially on a 1:8.6 slope and the 5 a side pitch on a 1:26 side slope – some ground remodelling (raising) will be required. No details are provided. Surface cultivation and ripping to 0.6m will not render the site suitable for mature tree growth – Forestry Commission advice is that a rootable depth of 1.0m is required in the NW of England for mature tree growth. The suggested species mix is inappropriate and will not lead to the creation of mature woodland on the site. Foundation depths for specific pieces of play equipment may require depths greater than 600mm and it may not be possible to safely provide the full requirements for a NEAP.

The existing gas collection system has not been superimposed on the plan showing proposals for the public open space. However, from the eastern edge of the site it appears to run through two belts of tree planting under the footpath and through the NEAP and associated planting. Such pipe work may require access for maintenance, and a wayleave strip would be required. It was therefore considered that evidence should be submitted about any requirements or constraints placed on the site by gas and leachate collection systems so that their implications for the proposed design can be assessed.

These concerns were brought to the attention of the applicant and a revised masterplan, POS layout drawing and NEAP Level Sections drawing were submitted.

The site masterplan identifies the revision to the red line boundary on the northern section and the revised layout of footpaths /access to the nature reserve and planting to accord with this revision. Likewise it has had an impact on the layout of the attenuation pond so this has been slightly amended too.

The public open space drawing illustrates the landfill infrastructure clearly including pipelines and monitoring wells. The POS was designed specifically and carefully in response to both these constraints and the level constraints to ensure they were not compromised. The NEAP was designed specifically on two terraces with a grass slope between the upper and lower level over the pipeline dissecting the NEAP to ensure its access is achievable. With regard to the required build up of material for the 5A side and NEAP, the developer has worked with the existing levels on site and located these features where there was minimum requirement to build up levels (particularly in respect of the 5 A Side pitch). With regard to the NEAP, this was designed carefully in response to the constraints of levels, pipework/vents/wells infrastructure and also minimum required distance of a NEAP from residential development. The existing and proposed contours are shown on the level sections drawing.

The developer has also carried out some further research on plant establishment on landfill sites and looked in particular at two trial studies carried out over a 3 or 10 year period to determine which species are most suitable i.e. have the highest survival and growth rates,

and what conditions they require to establish successfully. (Arboriculture and Urban Forestry: Experimental Tree Planting on UK Contaminated Landfill Sites: Results of 10 year monitoring. May 2008; and University of Liverpool, School of Biological and Earth Sciences: Woodland establishment on closed old-style landfill sites in NW England - 3 year monitoring 2004.)

They identified the following key issues were identified as limiting growth and survival performance:

- Infertility of ground
- Soil compaction of cap
- Soil drought
- Mammal browsing.

Recommendations:

- Nitrogen fertiliser application as part of the ground prep/ installation and on-going maintenance regime
- Ripping/cultivation of the top 500mm - 1.0m of soil prior to planting
- Species which are drought tolerant
- Plastic tree guards or fencing.

Tree Species recommended:

- Red Alder (*Alnus rubra*) – nitrogen fixing tolerant of dry conditions
- Whitebeam (*Sorbus aucuparia*)
- White poplar (*Populus alba*)
- Wild Cherry (*Prunus avium*)
- Ash (*Fraxinus excelsior*)
- Quercus petraea (Sessile oak)

Shrub species recommended:

- Hawthorn (*Crateagus monogyna*)
- Sloe/Blackthorn (*Prunus spinosa*)

These have been incorporated within the species recommendations in the Landscape Design Strategy. Furthermore, the developer has also submitted a Technical Note: Supplementary ground investigation report and details of the proposed groundwork's remediation and planting proposals to successfully establish the use of this former landfill site for public open space.

This report has been prepared to provide comprehensive supplementary ground investigations of the former landfill area and demonstrate the technical methodology to implement successful ground conditions that enables the establishment of long term tree and native shrub planting whilst not compromising the engineering integrity of the underlying capping material.

The Landscape Officer has examined the report and is satisfied that providing the gas monitoring (discussed in the document) does not reveal a significant problem, the landfill site can be developed as "country park" as described.

To turn to the detail of the proposed open space provision, the NEAP is shown as being on two levels – the upper level for the older children and the lower level for the younger children. The Greenspaces Officer has examined the application and commented that there only appear to be 6 pieces of play equipment whereas 8 pieces of play equipment should be provided. The NEAP is shown as being 2,180sqm in size. If the 5 a side pitch (600sqm) is added to this, the size would increase to 2,780sqm. The Local Plan Policy requires 3,220sqm. The NEAP should be increased in size, to accommodate the two additional pieces of play equipment.

The plans show that wood is to be used for the retaining walls on the NEAP and that wooden stepping logs and balancing poles are also to be used. The use of wood on play areas is not favoured, due to previous experience that has shown that the material soon decays and causes maintenance problems. The retaining walls should be made from a durable material that will require very little future maintenance, such as concrete.

It is not clear from the plans what surfacing is proposed to be used. The surfacing that should be used is porous wet pour safer surfacing.

The plans show that the slope between the upper and lower level of the NEAP is proposed to be grassed; it is not considered that this is the most appropriate option. Previous experience has shown that the grass will quickly get worn and will result in bare soil/mud, as the grass will not then be able to re-establish itself. In addition, as it is proposed that a slide is located on the slope this problem will be exacerbated by children that have gone down the slide, then climbing up the slope, so that they can use it again. It is therefore suggested that concrete steps are put here and that the slide is set in concrete

Bins have not been provided. Two bins would be acceptable, with one being provided on each level.

It is not clear, from the drawings what is proposed in terms of railings to the NEAP. The key to the plan does show gated access, so it is assumed that the NEAP will be fenced off in some way. Metal bow top railings are required; in addition, the pedestrian access gates should be provided in the same style but a contrasting colour to the railings. They should be outward opening, with rubber caps on the clapping side and have a mechanical self-closing mechanism.

A NEAP should provide seating; bicycle parking and appropriate signage. None of these items appear to have been provided on the submitted drawings.

However, given that the application is submitted in outline, all of these details can be incorporated within a detailed specification which can be submitted with the reserved matters and secured through the Section 106 agreement.

The Greenspaces Officer has suggested that floodlighting should also be provided, to the NEAP and the five a side pitch, to go off at 10pm. However, given the location of the site on the rural fringe and its elevated position, landscape and planning officers are concerned with regard to the visual impact of floodlighting and potential for light pollution of the surrounding countryside. This is not therefore considered to be appropriate on this site.

Ecology

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places. Art. 16 of the Directive provides that if there is no satisfactory alternative and the derogation is not detrimental to the maintenance of the populations of the species at a favourable conservation status in their natural range, then Member States may derogate "in the interests of public health and public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the environment" among other reasons.

The Directive is then implemented in England and Wales The Conservation of Habitats and Species Regulations 2010. ("the Regulations"). The Regulations set up a licensing regime dealing with the requirements for derogation under Art. 16 and this function is carried out by Natural England.

The Regulations provide that the Local Planning Authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of their functions.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development, the planning authority must have regard to the requirements for derogation referred to in Article 16 and the fact that Natural England will have a role in ensuring that the requirements for derogation set out in the Directive are met.

If it appears to the planning authority that circumstances exist which make it very likely that the requirements for derogation will not be met then the planning authority will need to consider whether, taking the development plan and all other material considerations into account, planning permission should be refused. Conversely if it seems from the information that the requirements are likely to be met, then there would be no impediment to planning permission in this regard. If it is unclear whether the requirements will be met or not, a balanced view taking into account the particular circumstances of the application should be taken and the guidance in the NPPF.

In line with guidance in the NPPF, appropriate mitigation and enhancement should be secured if planning permission is granted. The application is supported by an ecological assessment undertaken by a suitable qualified and experienced ecologist.

The application is supported by an extended Phase One habitat survey and a detailed survey for great crested newts. The Council's ecologist has examined the submitted documentation and commented that, the ecological surveys have been undertaken by suitably experienced ecological consultants and he has the following comments to make.

Great Crested Newts

The submitted great crested newt survey has been undertaken in accordance with the specification agreed with the Council. No evidence of great Crested Newts was recorded

during the survey and this species does not present a constraint on the proposed development.

Barn Owls

A number of trees have been identified on site with potential to support barn owls and an active barn owl roost is present in a tree to the north of the application site.

The tree supporting the barn owl roost will be retained as part of the development. However the additional disturbance associated with the operation of the development may deter barn owls from using this roost. To compensate for the potential loss of this roost the provision of two additional barn owl boxes is being proposed together with the creation of an area of rough grassland habitat as part of the open space/nature conservation area on the 'landfill field'.

Whilst the above mitigation/compensation for barn owls is in accordance with best practise there remains a possibility that barn owls may cease to use the application site as a result of the increased level of disturbance associated with the proposed development. To offset this potential residual impact the Council Ecologist suggests that a financial contribution is made to the Cheshire Barn Owl Group to fund habitat creation and nest box erection throughout the Borough. A sum of around £1500 appears to be reasonable and it is recommended that the payment of this sum be secured through a section 106 agreement associated with any planning permission granted.

Reptiles

There are records of grass snake being present to the north of the application site. The application site however offers limited habitat for reptile species, and therefore the risk posed to these species is low. The submitted ecological mitigation proposals recommend a suite of reasonable avoidance measures to reduce the risk posed to reptiles. The Council's Ecologist is satisfied that this is an appropriate and proportionate approach.

Breeding Birds

If planning consent is granted the conditions are required to safe breeding birds.

Open Space/Nature Conservation Area

The indicative layout of the open space/nature conservation area is acceptable. However, as access will be required to the nature conservation area to allow management to be undertaken, a finalised layout plan will be required in support of any future reserved matters application. If planning consent is granted a 10 year management plan will be required for the open space/nature conservation area.

Education

The Council's Education Officer has examined the application and concluded that any existing capacity within local schools to absorb the predicted pupil yield from the

development has already been absorbed by the previously approved Coppenhall East development. The development is expected to generate a requirement for 27 primary school places, and on the basis of the established formula, this equates to a financial requirement of £292, 850. This can be secured through the Section 106 Agreement.

9. CONCLUSIONS

It is acknowledged that the Council does not currently have a five-year housing land supply and that, accordingly, housing supply policies are not considered up to date. In the light of the advice contained in the newly adopted National Planning Policy Framework, where the development plan is “absent, silent or relevant policies are out of date” planning permission should be granted unless

“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”

Or

“specific policies in this Framework indicate development should be restricted.”

The Development plan is not absent or silent with regard to this application. However, in the absence of a five year supply housing land supply, policies are not considered up to date. Other policies however are considered to be in line with NPPF advice.

The boost to housing supply is considered to an important benefit – and this application achieves this in the context of a site on the edge of Crewe which aligns with the adopted Interim Planning Policy and the revised version currently under consultation.

Following the successful negotiation of a suitable Section 106 package, the proposed development would provide adequate public open space and monies towards highway improvements and the future provision of primary school education.

It is acknowledged that in order to achieve this, the affordable housing provision on site will need to be reduced to 10%. However, given the nature of the surrounding area, this is still considered to go some way towards providing a sustainable, mixed and balanced community. Moreover, it is considered that the benefits in terms of highway improvements outweigh the disbenefits of not providing the normal required percentage of affordable housing and that this is a material consideration which should be given significant weight.

The proposal is considered to be acceptable in terms of its impact upon residential amenity, ecology, drainage/flooding and it therefore complies with the relevant local plan policy requirements for residential environments

Whilst the site does not meet all the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, there is not a significant failure to meet these and all such facilities are accessible to the site. The development is therefore deemed to be sustainable.

Whilst the proposal will result in the loss of only grade 4 agricultural land, which is not the best and most versatile agricultural land and it is considered that the benefits of the delivering the site for much needed housing would outweigh this loss, given that the site does not offer a significant quality of land

On the negative side, the housing will be built on open countryside contrary to the provisions of Policy NE2 of the Local Plan, although the proposal will not have a significant impact on the landscape character of the area.

The proposal is acceptable in terms of air quality and noise implications and initial concerns over the potential impact of land contamination arising from the former landfill site, which lies within the application site boundary, particularly in relation to the use of that area as public open space, have now been resolved to the satisfaction of landscape, Environmental Health and Environment Agency officers.

Overall, it is considered that the adverse impacts of the development – in terms of conflict with the development plan on Countryside and affordable housing issues are outweighed by the benefits of the proposal in terms of residential provision. Given the scale and location of the development, its relationship to the urban area and its proximity to other services, it is not considered that these adverse impacts significantly and demonstrably outweigh the benefits – and so accordingly the application is recommended for approval, subject to a Section 106 Agreement and appropriate conditions.

10. RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

- **10% affordable housing (20 dwellings), on a tenure split of 75% intermediate tenure and 25% rented, (either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rents)**
- **Transfer of any rented affordable units to a Housing Association**
- **Affordable house scheme to be submitted at reserved matters**
- **Affordable homes to be let or sold to people who are in housing need and have a local connection. (The local connection criteria used in the agreement to match the Councils allocations policy.)**
- **Provision of play area / five-a-side pitch**
- **Provision of detailed specification for play area to incorporate :**
 - **8 pieces of play equipment should be provided.**
 - **5 a side pitch (600sqm)**
 - **NEAP (2,620sqm)**
 - **Durable retaining walls – concrete or brick**
 - **porous wet pour safer surfacing.**
 - **concrete steps to the bank**
 - **the slide to be set in concrete**
 - **Two bins with one being provided on each level.**
 - **Metal bow top railings are required; pedestrian access gates in the same style but a contrasting colour to the railings.**
 - **Gate to be outward opening, with rubber caps on the clapping side and have a mechanical self-closing mechanism.**

- NEAP to provide seating; bicycle parking and appropriate signage.
- Provision for a management company to maintain the on-site amenity space / play area
- 10 year management plan for landscaping
- Education Contribution of £292, 850.
- Commuted sum of £1500 to barn owl group
- Highways Contributions:
 - Maw Green Road Signage Scheme - £20,000
 - Crewe Green Roundabout - £60,000
 - Sydney Road bridge - £ 1,082,000
 - Public Transport Contribution - £12,000

And the following conditions

1. Standard Outline
2. Submission of reserved matters
3. Plans
4. No approval for indicative layout
5. Breeding Bird Survey for works in nesting season
6. Bat, barn owl and bird boxes
7. Design and layout of open space/Nature conservation area
8. Design of proposed ponds
9. Submission and implementation of revised ecological mitigation proposals in support of reserved matters application.
10. Updated protected species survey prior to commencement
11. if, during development, contamination not previously identified is found to be present at the site then no further shall be carried out until the developer has submitted a remediation strategy
12. Removal of permitted development rights
13. The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), ref. BMW/2011/FRA Rev. D, dated 17/05/2012
14. Limit on the surface water run-off generated by the proposed development, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
15. Provision of a scheme to manage the risk of overland flow of surface water during extreme rainfall events.
16. The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.
17. Overland flow to be contained within the site, such that new buildings are not affected.
18. Reserved matters to make provision for houses to face waterfronts and footpaths
19. Reserved matters to make provision for green open spaces adjacent to any watercourses and ponds on site and provision and

management of a 5 metre wide undeveloped buffer zone alongside the watercourse and ponds

20. Submission / approval and implementation of details of Sustainable Drainage Systems (SuDS).
21. This site must be drained on a total separate system, with only foul drainage connected into the public foul sewerage system. Surface water should discharge to soakaway and or watercourse. No surface water will be allowed to discharge in to the public sewerage system.
22. Only clean surface water from roofs and paved areas should be discharged to any surface water soakaway.
23. Submission of a scheme to limit the surface water run-off generated by the proposed development,
24. Submission of a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to and approved in writing by the Local Planning Authority.
25. The hours of construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
26. Should there be a requirement to undertake foundation or other piling on site, then a method statement which shall be submitted and approved.
27. Should there be a requirement to undertake “floor floating” (the process of mechanical smoothing of concrete to a floor area) the Local Authority Environmental Health Service should be informed of the details of the location, days / hours of work, and contact details of a responsible person prior to the onset of the work.
28. Floor floating operations should be restricted to within the following days / hours Monday – Friday 08:00 – 20:00hrs; Saturday 08:00 – 14:00hrs; Sunday and Public Holidays Nil
29. Prior to its installation details of any external lighting shall be submitted to and approved in writing by the Local Planning Authority. This shall include any proposed lighting of the 5-a-side football pitch marked on the site plan.
30. A full and detailed noise mitigation scheme for protecting the proposed dwellings noise to be submitted and agreed.
31. The developer shall agree with the Local Planning Authority an Environmental Management Plan (EMP) with respect to the construction phase of the development. The EMP shall identify all potential dust sources and outline suitable mitigation.
32. Programme of archaeological mitigation which should consist of a targeted watching brief during relevant operations (initial topsoil strip followed by the excavation of foundation trenches if required) in a 20m wide strip alongside the street frontage
33. At least 10% of predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated that this is not feasible or viable.
34. Submission of boundary treatment

- 35. Submission of materials**
- 36. Submission of landscaping**
- 37. Implementation of landscaping**
- 38. Important hedgerows and trees to be retained and to be incorporated within reserved matters layout**
- 39. Submission of tree and hedgerow protection measures**
- 40. Implementation of tree and hedgerow protection measures**
- 41. Replacement hedge planting**
- 42. Reserved Matters to include details of bin storage.**

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.



(c) Crown copyright and database rights 2012. Ordnance Survey 100049045, 100049046.

