

# Strategic Planning Board

## Supplementary Agenda

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**Date:** Wednesday, 16th June, 2021

**Time:** 10.00 am

**Venue:** The Assembly Room - Town Hall, Macclesfield SK10 1EA

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7. **21/1065C LAND SOUTH OF, CLEDFORD LANE, MIDDLEWICH:** Outline planning application with all matters reserved for future determination except for means of access for an employment development (Use Classes B8, B2 and ancillary E(g)) with associated landscaping, drainage and infrastructure including an energy centre. (Pages 3 - 6)

To consider the above application.

8. **20/3762N LAND OFF SYDNEY ROAD, CREWE:** Residential development for 151 new build dwellings & associated works (Pages 7 - 12)

To consider the above application.

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**STRATEGIC PLANNING BOARD –16th June 2021**  
**UPDATE TO AGENDA**

**APPLICATION NO:** 21/1065C

**LOCATION:** LAND SOUTH OF, CLEDFORD LANE, MIDDLEWICH

**PROPOSAL:** Outline planning application with all matters reserved for future determination except for means of access for an employment development (Use Classes B8, B2 and ancillary E(g)) with associated landscaping, drainage and infrastructure including an energy centre.

**CONSULTATIONS**

LLFA Flood Risk – No major objections to this proposed development are raised. The currently layout does offer limited availability to ensure open watercourses are retained within the site boundary, this will need to be picked up with the reserved matters application and a more sustainable approach is expected.

They did however comment that the Flood Risk Assessment mentions some micro drainage calculations and asked for them to be provided. This will inform any potential condition.

These calculations have been provided to the Flood Risk Team and any observations will be incorporated into the suggested condition no.18.

Natural England – No comments received at the time of writing this update report.

Brine Compensation Board – No further comments received at the time of writing this report.

**KEY ISSUES**

**Ecology**

The Council's Ecologist has confirmed the following by way of an update:

“Lesser Silver Diving Beetle

Further surveys for this protected/priority species have been completed in May 2021. No evidence of the species was recorded at the ponds on site. Whilst some ponds in this locality have deteriorated recently the suitability of ponds for this can change over time depending upon land management practices. I therefore recommend that if outline consent is granted a condition be attached which requires the submission of updated surveys with any future reserved matters application.

Ponds

The applicant has provided confirmation of the location of the 4 ponds proposed off-site. A legal agreement will be required to ensure the delivery of these along with the other Biodiversity net gain measures discussed below.

Biodiversity Net Gain

In accordance with Local Plan Policy SE3 all development proposals must aim to deliver an overall net gain for biodiversity.

In order to quantify the overall losses and gains of biodiversity resulting from the proposed development the applicant has submitted a Biodiversity Metric calculation. The submitted metric has been revised in the light of my earlier consultation comments and comments provided by Cheshire Wildlife Trust.

The on-site works would result in a loss of biodiversity for General Habitats amounting to -23.46 units (30.43%). In order to address this loss the applicant has submitted outline proposals for the creation of additional habitat at an off-site location which delivers an overall minor gain for general habitats.

The proposed development will result in the loss habitat associated with the diversion of the existing tributary on site. The metric assesses the loss of habitat associated with running water separately to habitats in general. The metric shows that the proposed development would result in the loss of biodiversity associated with running water of -2.84 units, even if the diverted stream is designed to deliver habitats of a high standard. It is unlikely to be feasible to deliver any further habitats on-site associated with running water and securing a suitable off-site location for the enhancement of running water habitats may be difficult. I therefore advise that the proposed development is likely to result in a residual loss of biodiversity in respect of this habitat type.

Losses and gains for biodiversity are summarised below:

Habitat type	Units and Percentage loss/gain
General Habitats	+ 1.07 units (1.07%)
Hedgerows	+ 1.17 units (7.21%)
Watercourses	-2.84 units (56.44%)

There is therefore a minor gain for General Habitats and a gain for Hedgerows, but a loss of biodiversity for Watercourses at this site.

If planning consent is granted a habitat creation method statement, 30 habitat management plan and ecological monitoring strategy will be required for both on and off-site habitat creation proposals. **This must be secured by condition/section 106 agreement.**

If the development is anticipated to come forward in phases the wording of the condition for the on-site habitat creation must ensure that each phase delivers its proportionate contribution to the proposed on site habitat creation works. I therefore suggest that a condition be attached to ensure that each reserved

matters application includes habitat creation proposals to reflect the Biodiversity Net Gain report and Biodiversity summary plan submitted with the application.”

The Council’s Ecologist is finalising the details of the off-site provision with the applicant’s agent, on a site close by and this will be confirmed to Members at the meeting, and will need to be subject to the Section 106 Agreement.

**Other issues:**

Timescales – The applicant writes:

“The timeframes for completion of the MEV (subject to DfT) funding approval are for the main works aware in 2021 and completion in 2023 (22-month construction period). End users are very unlikely to commit to units proposed as part of the Phase 3 development until the MEB is close to opening. As a result, Reserved Matters applications are not likely to be prepared and submitted until this time. Based upon the above timescales for the construction of the MEB, a conventional 3 year timeframe for the submission of Reserved Matters is highly likely going to result in the outline planning permission lapsing. A longer period of 10 years for the submission of Reserved Matters applications is therefore required.”

In view of need for the MEB to be in place before any development can commence, the size of this site, and the likelihood it will come forward in phases, it is agreed an extension of time for submission of reserved matters is appropriate. Ten years is considered acceptable in this context.

**CONCLUSION:**

There are no proposed changes to the recommendation, however for clarity with regards to the Section 106 agreement there are two components, as highlighted in the report.

1. Highways – Requirement to contribute to the MEB at a rate of £53 per sq m – subject to a review mechanism. The triggers for payments will need to be on the occupation of each unit which are likely to be delivered on a phased basis.
2. Ecological mitigation to be secured: habitat creation method statement, 30 habitat management plan and ecological monitoring strategy will be required for both on and off-site habitat creation proposals

With regards to conditions the following changes are proposed:

A new condition to require submission of a phasing plan as this large site is likely to be delivered in phases.

Condition no. 1 should be amended to allow 10 years for submission of reserved matters.

Finally condition 19. (updated reports for ecology) needs to include reference to Lesser Silver Diving Beetles.

**STRATEGIC PLANNING BOARD –16th June 2021****UPDATE TO AGENDA**

**APPLICATION NO:** 20/3762N

**LOCATION:** Land off Sydney Road, Crewe

**PROPOSAL:** Residential development for 151 new build dwellings & associated works

**CONSULTATIONS**

The following consultation responses have been received since the preparation of the report.

**Education** - No objection subject to a revised financial contribution towards local primary and secondary school and SEN places based on 151 units of the amended proposals.

**Public Rights of Way** - No objection to amended proposals Reiterate comments of original consultation response

**REPRESENTATIONS**

Since preparation of the report, 12 further representation has been received objecting to the proposals following the reconsultation exercise undertaken on 24 May 2021 in relation to the amended proposals

The grounds of objection of these representations reiterate those summarised within the Committee report which were made to the original proposals.

Representations do however question whether there is a need to develop this site given the Council has a 5-year Housing land Supply and housing delivery over the past three years has exceeded the number of homes required. The housing position is updated below.

**OFFICER APPRAISAL****Housing Land Supply**

The Local Plan Strategy sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (minimum 36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

The council's most recent Housing Monitoring Update (base date 31 March 2020) was published on the 11th March 2021. The published report confirms a deliverable five-year housing land supply of 6.4 years. The 2020 Housing Delivery Test Result was published by the Ministry of Housing Communities and Local Government on the 19 January 2021 and this confirms a Cheshire East Housing Delivery Test Result of 278%. Housing delivery over the past three years (8,421 dwellings) has exceeded the number of homes required (3,030). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%. In the context of five year housing land supply and the Housing Delivery Test, relevant policies concerning the supply of housing should therefore be considered up-to-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is not engaged through either of these mechanisms.

Importantly, the existence of a 5-year supply of housing land is not a reason, in principle, to prevent permission being granted for a site that is allocated in the Local Plan for housing development. The requirement is to maintain at least a 5-year supply of deliverable housing land. This is an ongoing requirement reliant on the timely release of additional land for housing development so this can be maintained. It is also a minimum requirement. It is not a ceiling that should be used to prevent the release of land for further housing development where such schemes are consistent with Local Plan policy – as is the case with this site, in principle, through its allocation.

The Allocation of a site in the Local Plan Strategy establishes the principle of development on that site. The site contributes towards the Council's housing land supply and assist in meeting the development requirements of Crewe and the wider Borough. It is important that the Council maintains not only a five year supply of deliverable sites but also provides for sufficient sites to meet the overall Plan supply of a minimum of 36,000 new dwellings (2010 – 2030) at an average of 1,800 dwellings per annum. Indeed, the Housing Monitoring Update (base date 31 March 2020), appendix 5 also includes the allocated site at Crewe Green (LPS 6) within its forecasting and assumes that the site delivers 84 units within the next five years.

This site therefore contributes to the Council's overall five-year supply of deliverable sites.

### **Education**

The Council's Education team has re-calculated the expected impact on primary school, secondary school, and SEN places in the locality because of the amended scheme increasing the total number of proposed dwellings from 148 to a 151.

The amended scheme comprising of 151 dwellings (dwelling 2bed+), is expected to generate:

28 primary children (146 x 0.19) 28 – 1 SEN child

22 secondary children (146 x 0.15) – 1 SEN child

2 SEN children (146 x 0.51 x 0.023%)



As set out in the Committee report the development is expected to impact on primary school, secondary school, and SEN places in the locality. To alleviate forecast pressures, the following contributions would be required to account for the increase of units within the scheme;

28 x £11,919 x 0.91 (Cheshire East weighting factor) = £303,696

22 x £17,959 x 0.91(Cheshire East weighting factor) = £359,539

2 x £50,000 x 0.91 (Cheshire East weighting factor) = £91,000 (SEN)

Total education contribution: - **£754,235**

Without a secured contribution of £754,235, Children's Services would raise an objection to this application. This position is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without mitigation, the proposal would not comply with LPS 6 in the CELPS.

The increased contribution will be secured through a Section 106 agreement and the recommendation is therefore amended accordingly to reflect this.

### **Design, Character and Appearance**

The applicant has submitted updated landscaping and site layout drawings to address issues arising from the assessment of the proposals by the Council's Design Officer. This has included the provision of enhanced plot planting, increased tree planting throughout the scheme and reduced visual impact of blocks of car parking.

Following assessment of the latest amendments the Design Officer has advised that improvement has been achieved, but there remain some additional opportunities to enhance the overall greening of the scheme. As recommended previously to secure further improvements a condition is considered suitable requiring the submission of full details of site landscaping and enable details of planting to be finalised and approved.

The applicant has confirmed that gates can be provided to the entrances to the underpasses serving parking courts to address issues raised by Cheshire Police (Designing Out Crime Officer) as regard the potential for anti-social behaviour / criminal activity. This will provide additional security to those areas, (southern courtyards) and give the impression of private space. The detailed design of these gates and their provision will be secured through a planning condition.

### **PROCEDURAL MATTER**

At Page 112 of the Agenda Reports Pack, Condition no. 9 (Details for the provision of growing space/community gardens) has been added in error and should be omitted. As set out in the Committee report, the Leisure Officer has advised that to fulfil the requirement for growing space under Policy SE6, an area for the provision of fruiting

trees should be provided within the main POS near the pumping station. Details for the provision of this planting can therefore be secured by Condition 6 as part of the approved landscaping scheme for the development.

## RECOMMENDATION

**APPROVE, Subject to conditions and the prior completion of a S106 Agreement to secure the following:**

	<b>Requirement</b>	<b>Triggers</b>
<b>Affordable Housing</b>	30% of total dwellings to be prided  (65% Affordable Rent / 35% Intermediate)	No more than 80% open market occupied prior to affordable provision within each phase. (dependent on agreement of Affordable Housing Statement)
<b>Biodiversity Net Gain - Off site Ecological Mitigation</b>	£86,656 toward off- site habitat creation in conjunction with Cheshire Wildlife Trust.  <ul style="list-style-type: none"> <li>- To offset the 5.91 habitat units: £76,698.</li> <li>- To offset the 0.42 hedgerow units: £9,758.</li> </ul>	Prior to commencement
<b>Open Space</b>	Management Scheme for POS and landscaped areas	Prior to occupation
<b>Indoor Sport</b>	£26,650 towards Crewe Lifestyle Centre	Prior to commencement
<b>Recreation &amp; Outdoor Sports Contribution</b>	£1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment.	Prior to commencement
<b>Education</b>	Total - <b>£754,235</b>	50% Prior to first occupation

	<p>Primary £303,696 - towards the expansion at Hungerford Academy.</p> <p>Secondary £359,539 - towards mitigation measure as local schools are forecast to be cumulatively oversubscribed</p> <p>SEN £91,000 - Due to significant shortage of SEN placements across the Borough.</p>	50% at occupation of 75 <sup>th</sup> dwelling
<b>Healthcare</b>	£149,652 towards development of Hungerford, Millcroft and Earnswood Medical Centres.	50% Prior to first occupation 50% at occupation of 75 <sup>th</sup> dwelling

- 1. Commencement of development (3 years)**
  - 2. Development in accordance with approved plans**
  - 3. Details of materials and finishes**
  - 4. Details of Surfacing materials**
  - 5. Details of Levels**
  - 6. Submission and approval of Landscaping scheme**
  - 7. Implementation of landscaping scheme**
  - 8. Design detail, specification and implementation of NEAP and play area/features of Pocket Park**
  - 9. Submission of Landscape Management Plan**
  - 10. Details of Boundary treatment and retaining structures**
  - 11. Tree Protection**
  - 12. Details of lighting – minimise impact on bats**
  - 13. Safeguarding of nesting birds**
  - 14. Development in accordance with Ecological Assessment Version 2**
- Submission of strategy to secure features to enhance biodiversity**
- 15. Details of surface water drainage scheme to be submitted, approved and implemented**
  - 16. Development in accordance with Flood Risk Assessment (FRA)**
  - 17. Provision of Toucan crossing**

- 18. Implementation improvements to cycleway/footways**
- 19. Provision of Electric Vehicle infrastructure**
- 20. Provision of Ultra Low Emission Boilers**
- 21. Contaminated Land – Remedial scheme to be carried out in accordance with Enabling Works Remediation Strategy**
- 22. Contaminated land – works to stop if any unexpected contamination is discovered on site**
- 23. Contaminated land - imported soil**
- 24. Implementation of noise mitigation**
- 25. Submission, approval, and implementation of a Construction Environmental Management Plan (CEMP)**
- 26. Details of cycle storage**
- 27. Details of Bin Stores**
- 28. Detailed scheme to secure southern parking courts**
- 29. Removal of permitted development rights (Part 1 Classes A-E)**

**In order to give proper effect to the Strategic Planning Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.**