



Strategic Planning Board Update

Date: Wednesday, 9th March, 2022
Time: 10.00 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

The information on the following pages was received following publication of the Board agenda.

Planning Update (Pages 3 - 8)

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APPLICATION NO: 21/4434N

PROPOSAL: Reserved matters application proposing details of layout, appearance, scale and landscaping for the residential element (C3 use) of the outline development 15/1537N - Outline planning application (with all matters reserved) for a mixed-use development comprising residential use (Use Class C3) (up to 325 residential dwellings); employment use (Use Class B1), local centre comprising health centre and community facility (Use Class D1), food/non-food retail (Use Class A1), public house/restaurant (Use Class A4/A3) and associated works including construction of a new access road with access from the Crewe Green Link Road South, creation of footpaths and provision of public open space and landscaping.

LOCATION: Land to the west of David Whitby Way, Weston, Crewe

CONSULTATIONS

Health and Safety Executive: Does not advise on safety grounds, against the granting of planning permission.

As the development lies within the consultation distance of a major hazard pipeline, the LPA should consider contacting the pipeline operator before deciding the case. This is due to the proximity of the site to the pipeline and the standards to which the pipeline is designed and operated may restrict occupied buildings or major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline, or its operation, if the development proceeds.

It should be noted that a consultation letter has been forwarded to Cadent Gas Ltd and no comments have been received.

Weston and Basford Parish Council: No objection.

Having studied the revised plans along with your officer's comprehensive report, I can confirm that the Parish Council now considers this proposal to be acceptable and raises no objection to the application. We particularly support the suggested condition 3 which safeguards the Crotia Mill site pending the submission of a detailed scheme for this area.

The Parish Council would, however, request that a liaison group is established with the developer and contractors, involving members of the Parish Council, to ensure that any problems encountered during the construction of the scheme don't become major issues. We have a similar arrangement with Onward who are developing the area on the eastern side of David Whitby Way, and this seems to be working well.

A condition requiring the provision of a Liaison Group is considered reasonable and is added to the amended recommendation below.

OFFICER APPRAISAL

Ecology

Further information has been submitted to address issues raised by the Council's Ecologist including the provision of a revised protected species survey and mitigation method statement, and details of surface water outfalls and of the crossing over Basford Brook. The Council's Ecologist has taken account of the additional information provided by the applicant as set out in the commentary below.

Condition 39 : Reserved Matters Application shall include an updated protected species assessment and mitigation strategy.

A revised protected species survey and mitigation method statement has been submitted (version 4) in support of this application as required by this condition.

White Clawed Crayfish

The submitted assessment advises that the brook crossings should be designed to maintain connectivity along the brook. Designs for the culvert crossing have been submitted in support of this reserved matters application, but no information has been provided as to how the designs have been arrived at. The outfalls and culverts designs are yet to be approved by the EA.

Version 4 of the protected species mitigation assessment and mitigation has been amended by 'cutting and pasting' the recommendations in my last consultation comments. In order to minimise impacts on White Clawed Crayfish the submitted strategy now includes a recommendation that the brook crossings must consist of:

- A bottomless culvert/bridge of suitable wide span to retain the existing banks of the brook,
- Precast offsite (not constructed on site to avoid concrete pollution of the brook).
- Be Craned into position.

The strategy includes a recommendation (paragraph 2.37) that 'Proposals must include the timing of this operation to avoid sensitive periods'. No dates are however given for the species 'sensitive periods'. The purpose of this submission is to allow the discharge of a condition attached to the outline consent at this site. Reference to 'proposals' needing to avoid sensitive periods without identifying these time periods is neither informative nor enforceable.

The drainage outfalls must also be designed to minimise impacts on crayfish. Plans have been submitted which show the outfall headwalls being set back from the brook. This approach is acceptable.

Version 4 of the submitted strategy now includes a requirement for outfalls channels and headwalls being installed in position prior to construction breaking through the existing bank of the brook.

Plans of the proposed culvert designs have been submitted. Whilst bottomless culverts are proposed, these do not 'bridge' over the existing brook and associated bankside habitats as anticipated, but rather result in the loss of the existing brook, banks and vegetation as would the case with a conventional culvert. This design would therefore result in a reduction in the available crayfish habitat in the vicinity of the culverts. This would have an adverse impact upon this white clayed crayfish and the Basford Brook Local Wildlife Site. Importantly the submitted designs do not comply with the requirements of the submitted Protected Species Assessment and Mitigation Strategy (version 4) submitted under condition 39, which requires the provision of 'A bottomless culvert/bridge of suitable wide span to retain the existing banks of the brook'. Revised designs for the culverts are therefore required.

The translocation of crayfish must be undertaken by a licenced ecologist. It is recommended that a condition be attached requiring the submission of details (including qualification and licences held) of the appointed Ecological Clerk of Works to be submitted prior to the commencement of development.

There is an overlap between mitigation measures, such as essential biosecurity measures, which are proposed to be included in the CEMP and those measures which are to be detailed in the condition 39 submission. This potential duplication may cause confusion and reduce the clarity of what is required on site. The Councils Ecologist therefore recommends that all the White Clawed Crayfish mitigation is fully detailed in the condition 39 submission only, but references be made in the relevant section of the CEMP to highlight the need to implement works in the vicinity of the brook in accordance with the mitigation measures detailed in the condition 39 submission.

Great Crested News (GCN)

The submitted assessment advises that the developer is considering entry into Natural England's District level Licencing Scheme as a means of address the adverse impacts of the proposed development upon this species. This approach is supported. The application must however be supported by a copy of the countersigned Impact Assessment and Conservation Payment Certificate as evidence that the development is eligible to join the licencing scheme.

Common Toad and Slow Worm

The revised mitigation strategy includes measures to reduce the risk of these species being harmed during site clearance works.

Access to ponds

This condition requires the submission of proposals to limit public access to the retained ponds. The submitted landscape plans show native hedgerows around the ponds. These hedgerows will however take time to mature before they form an effective barrier. It is recommended that an appropriate fence be installed in addition to the hedgerows. This fence can be installed behind the proposed hedgerows if that is preferred. The plans should also include a secure gate to allow access to the ponds for maintenance purposes.

Features for nesting birds

Proposals for the incorporation of features for nesting birds have been submitted (Plan 1373 BB 01 Rev B. The delivery of these measures would form part of compliance with condition 39.

Condition 40 : A Reserved Matters Application for any phase, shall include a scheme for habitat creation and woodland planting within the triangular shaped, red line land located to the east of the link road and to the south of the railway line.

Acceptable proposals as required under this condition were submitted under consented application 19/2545n for the infrastructure works at this site. Confirmation is however required as to who would deliver the agreed habitat creation and management of this area. This could be included in the submitted Habitat management plan.

Condition 41: In accordance with the Great Crested Newt Mitigation Strategy and Environmental Statement, the proposed ecological mitigation ponds shall not be utilised as part of the drainage/SUDs scheme for the development.

Based on the submitted drainage scheme this condition appears to be complied with.

Condition 43 : A Reserved Matters Application for any phase of the development shall include a strategy to include details of the siting and design of surface water outfalls into and proposed road crossings, to safeguard the ecological value of Basford Brook and its bankside habitat.

There are a number of outfalls proposed into the Basford Brook (as shown on drainage plans 1 and 2). Basford Brook, which is a Local Wildlife Site supporting one of the few remaining populations of white clawed crayfish in Cheshire, is very sensitive to changes in water quality. It must therefore be ensured that the scheme is designed in accordance with the requirements of this condition.

Plans of the proposed headwalls have been submitted which shows the outfall headwalls being set back from the brook. This approach is acceptable as a means of avoiding the loss of habitat and minimising disturbance of the brook.

As discussed above, The protected Species Assessment and Mitigation Strategy (version 4) specifies a bottomless culvert/bridge of a wide span to retain the existing banks of the brook. Plans of the proposed culvert designs have been submitted. Whilst bottomless culverts are proposed, these do not 'bridge' over the existing brook and associated bankside habitats as anticipated, but rather result in the loss of the existing brook, banks and vegetation as would the case with a conventional culvert. This design would therefore result in a reduction in the available crayfish habitat in the vicinity of the culverts. This would have an adverse impact upon this white clayed crayfish and the Basford Brook Local Wildlife Site. Importantly the submitted designs do not comply with the requirements of the submitted Protected Species Assessment and Mitigation Strategy (version 4) submitted under condition 39, which requires the provision of 'A bottomless culvert/bridge of suitable wide span to retain the existing banks of the brook'. Revised designs for the culverts are therefore required.

Condition 44 : Reserved Matters Application shall be supported by a Habitat Management Plan for that phase.

The revised habitat management (Plan TEP Version 4 dated 10/02/22) is acceptable.

The Council's Ecologist has advised that the outstanding ecological issues set out above essentially relate to elements of detail and are resolvable, including that the design of the crossing over Basford Brook is consistent with the revised Species Assessment and Mitigation Strategy (version 4) . It is therefore recommended that the Committee resolves to approve the application subject to the receipt of additional information which satisfactorily mitigates the impact on safeguarded species and delegates the decision to the Head of Planning and the Chair (Or Vice Chair) of SPB.

Furthermore to ensure that the mitigation of sensitive, protected species (White Clawed Crayfish) is satisfactorily co-ordinated and undertaken during the course of the development , an additional condition is recommended requiring the appointment of an Ecological Clerk of Works.

RECOMMENDATION

Delegate to the Head of Planning in consultation with the Chair of Strategic Planning Broad (or in their absence the Vice Chair) to APPROVE subject to receipt of evidence that the development is eligible to join Natural England's District level Licencing Scheme, the provision of additional ecological information to ensure the mitigation of protected species and habitat, and the following Conditions:

1. In accordance with outline permission
2. In accordance with approved plans
3. Further details to be submitted and approved of the design and layout the south- eastern part of the scheme adjoining Croatia Mill
4. Submission/approval of facing and roofing materials
5. Details of hard surfacing treatments
6. Implementation of landscaping
7. Tree Protection Scheme and Arboricultural Method Statement
8. Management of veteran trees
9. Noise mitigation – Implementation
10. Design detail, specification and implementation of play areas/features
11. Cycle storage details – Apartments
12. Provision of public art/interpretation
13. Inclusion of pedestrian crossing points on the main east-west spine and southern avenue
14. Submission of working design/details for SuDS basins and rain gardens
15. Details of lighting and street furniture to be submitted
16. 25-year landscape management period
17. 10 years maintenance/retention of roadside trees
18. Remediation of Unexpected Contamination
19. Importation of soils
20. Appointment of Ecological Clerk of works
21. Liaison Group

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.