

# Strategic Planning Board

## Agenda

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**Date:** Wednesday, 19th October, 2011  
**Time:** 10.00 am  
**Venue:** Crewe Alexandra Football Club, Gresty Road, Crewe, CW2 6EB, CW2 6EB

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**Members of the public are requested to check the Council's website the week of the Strategic Planning Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.**

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any personal and/or prejudicial interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 1 - 6)

To approve the minutes as a correct record.

4. **Public Speaking**

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For any apologies or requests for further information, or to arrange to speak at the meeting  
**Contact:** Sarah Baxter  
**Tel:** 01270 686462  
**E-Mail:** Sarah.Baxter@cheshireeast.gov.uk

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not members of the Planning Committee.

A period of 3 minutes is allocated for each of the planning applications for the following individual/groups:

- Members who are not members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **11/1879N - A Hybrid Planning Application Seeking Residential Development for up to 400 New Dwellings with Open Space; Comprising a Full Planning Application for Phase A of 131 Dwellings and Phase B which Seeks Outline Planning Permission for up to 269 Dwellings with Access and Associated Infrastructure. In respect of the Outline Element (Phase B), Only Access is Sought for Approval and All Other Matters are Reserved for Determination at a Later Date, Land North of Parkers Road, Leighton for Bloor Homes and Linden Homes (Pages 7 - 48)**

To consider the above application.

6. **11/2212N - Demolition of Buildings. Residential Development with Associated Access & Landscaping, Land at Gresty Green, Gresty Green Road, Shavington Cum Gresty, Crewe for Bellway Homes Limited (Pages 49 - 74)**

To consider the above application.

7. **11/1643N - Outline Application for the Erection of 650 Dwellings, a Public House, a Local Shop and Associated Infrastructure and Open Space Provision Together with the Demolition of the Former Cross Keys Public House, Land at Copenhall East, Remer Street, Crewe for Taylor Wimpey UK Limited (Pages 75 - 130)**

To consider the above application.

## **CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Strategic Planning Board**  
held on Wednesday, 28th September, 2011 at The Assembly Room - Town  
Hall, Macclesfield SK10 1DX

### **PRESENT**

Councillor H Davenport (Chairman)  
Councillor C G Thorley (Vice-Chairman)

Councillors J Hammond, Rachel Bailey, P Edwards, D Hough, B Murphy,  
G M Walton, R West, S Wilkinson and J Wray

### **OFFICERS PRESENT**

Ms S Dillon (Senior Lawyer), Mr D Evans (Principal Planning Officer), Mr A  
Fisher (Head of Planning and Housing), Mr B Haywood (Principal Planning  
Officer), Mr S Irvine (Planning and Development Manager), Mr N Jones  
(Principal Development Officer) and Mrs E Tutton (Principal Planning Officer)

### **50 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors D Brown, J Jackson  
and W J Macrae.

### **51 DECLARATIONS OF INTEREST/PRE DETERMINATION**

None.

### **52 MINUTES OF THE PREVIOUS TWO MEETINGS**

#### **RESOLVED**

That the minutes of the meeting held on 30 August 2011 be approved as a  
correct record and signed by the Chairman subject to the inclusion of  
Councillor P Edwards in the list of apologies and subject to the inclusion of  
the following in respect of application 11-1982N - Construction of a Dual  
Carriageway All Purpose Road Known as Crewe Green Link South  
(CGLS) on Land Between Weston Gate Roundabout and the A500 Land  
between Weston Gate Roundabout and the A500, Weston:-

- i) As part of the Council's bid to the Department of Transport for  
grant funding for this road, the Council agree to carry out  
'before' and 'after' traffic assessments to ensure that the new  
road does not increase traffic congestion / problems in the  
adjacent area.

- ii) In granting the construction contract for the building of this road, the Council impose a condition within the contract that ensures that construction traffic on this job use alternative routes, other than going through Weston or other adjacent villages, to access the site.
- iii) A Liaison Group is established to ensure that there are no problems with:

- the construction traffic during the building of the road,
- general traffic immediately after the opening of the link road,

It should be set up to sit every 2 months once construction starts and be made up of a representative of the applicants construction company and relevant Parish Council's.

- iv) The provision of a cycle path and pedestrian link to Crotia Mill Lane.

Finally, under condition 8, it was agreed that a good proportion of evergreens would be included in the tree planting mix.

That the minutes of the meeting held on 7 September 2011 be approved as a correct record and signed by the Chairman subject to the inclusion of Councillor P Edwards in the list of apologies and not in the list of those present.

### 53 PUBLIC SPEAKING

RESOLVED

That the public speaking procedure be noted.

### 54 11/2212N-DEMOLITION OF BUILDINGS, RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ACCESS AND LANDSCAPING, LAND AT GREY GREEN FARM, GREY GREEN ROAD, SHAVINGTON, CREWE FOR BELLWAY HOMES LTD

(During consideration of the application, Councillor Rachel Bailey arrived to the meeting and in accordance with the Code of Conduct she did not take part in the debate or vote on the application).

Consideration was given to the above application.

(Councillor D Brickhill, the Ward Councillor, Paul McHugh, a representative of Shavington and Grey Residents Association, John Latham, an objector and Mr Barton, the agent for the applicant attended the meeting and spoke in respect of the application).

RESOLVED

That the application be deferred to a future meeting for the following reasons:-

1.For clarification about the specific impact of the proposal on the local and strategic highways network in Crewe in respect of traffic generation and highways safety, plus the cumulative impact of this scheme when it is combined with the others coming forward in the Crewe area.

2.For information about the availability of developable land in the Crewe area, the number of units that could be developed and its implications for the Council's 5-year housing land supply.

3.To further consider the adequacy of the applicant's highways S106 contribution in addressing the impact of new housing on the local and strategic road network.

(This decision was contrary to the Officer's recommendation of approval).

**55 11/2833C-OUTLINE APPLICATION FOR 68 RESIDENTIAL DWELLINGS OVER 2.25 HECTARES, ACCESS FROM THE GREEN WITH SOME MATTERS RESERVED, LAND SOUTH WEST OF THE GREEN, MIDDLEWICH CHESHIRE FOR MULLER PROPERTY GROUP**

Consideration was given to the above application.

(Town Councillor Bagnall, Middlewich Town Council and Patrick Downes, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be approved subject to completion of a prior, appropriate, Planning Obligation securing:

- £21,152.67 for the upgrading of an existing children's play facility at Moss Drive (not be 'time limited')
- Provision for a management company to maintain the on-site amenity space

And subject to the following conditions:-

1. Standard Outline
2. Submission of reserved matters
3. Amended plans
4. Contaminated land investigation
5. Submission and approval of external lighting
6. Hours of construction
7. Details of pile driving operations

8. Submission of details of bin storage
9. Scheme to manage the risk of flooding
10. Scheme to limit surface water runoff
11. Discharge of surface water to mimic that of the existing site
12. Sustainable Urban Drainage System,
13. Only foul drainage to be connected to sewer
14. Provision of bat and bird nest boxes
15. Retention of important trees
16. Submission of Comprehensive tree protection measures
17. Implementation of Tree protection
18. Timing of the works and details of mitigation measures to ensure that the development would not have a detrimental impact upon breeding birds.
19. Hedgerows to be enhanced by 'gapping up' as part of the landscaping scheme for the site.
20. Development to proceed in accordance with proposed Great Crested Newt mitigation measures
21. Submission of a scheme for the provision of affordable housing to include:
  1. Numbers / type / tenure / location including 19 affordable houses (19no. 2 and 3 bed units), split on the basis of 65% social rent and 35% intermediate tenure as per the requirements of the interim planning statement. (Subject to further update)
  2. Timing of construction / phasing
  3. Arrangements for transfer to Registered Provider (excluding discounted sale houses)
  4. Affordability in perpetuity
  5. Occupancy criteria

(Prior to consideration of the application, Councillors C Thorley and G Walton left the meeting and did not return).

**56 11/2112M-DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 40 DWELLINGS INCLUDING PARKING, PUBLIC OPEN SPACE, AND LANDSCAPING, HAVANNAH MILL, HAVANNAH LANE, EATON, CONGLETON FOR ROWLAND HOMES LIMITED**

Consideration was given to the above application.

(Rawdon Gascoigne, the agent for the applicant attended the meeting and spoke in respect of the application).

**RESOLVED**

That the application be approved subject to the completion of a S106 Agreement securing the following:-

- Provision of 12 affordable houses, 6 x 2 bed dwellings for social rent, 6x 3 bed dwellings for intermediate tenure, available through a cascade provision
- Highway works relating to the upgrading of Havannah Lane; provision of a public footpath along the length of the road and upgrading of other footpaths crossing the site
- Provision of Public Open Space maintained by a Management Company
- Commuted sum of £52,500 in lieu of an on-site LEAP (Locally Equipped Area for Play) This money will be spent on upgrading the existing LEAP at St. John's, to the south of the site
- Habitat/landscape management plan
- Management plan for on & off site SBI works

And subject to the following conditions:-

1. Commencement of development (3 years)
2. Development in accord with approved plans
3. Materials as submitted
4. Removal of permitted development rights
5. Energy Supply
6. Protection of Site of Biological Importance
7. Protection for breeding birds
8. Implementation of landscaping scheme submitted with application
9. Landscaping (implementation)
10. Tree retention
11. Tree protection
12. Tree pruning / felling specification
13. Hours of Construction
14. Pile Driving
15. Contamination Investigation (Env Health)
16. Programme of archaeological work to be submitted
17. Submission of construction method statement
18. Provision of car parking
19. Footpath scheme
20. Disposal and Storage of Refuse/Recyclables
21. Details of drainage
22. Surface Water

23. Provision of bat roosts
24. Protection of SBI during construction phase
25. Finished floor levels (Flooding)
26. Levels of access roads, parking and pedestrian areas (Flooding)
27. Assessment of contaminants into watercourse
28. Remediation strategy
29. Contamination assessments during development

(Prior to consideration of the following item, Councillor R West left the meeting and did not return).

## **57 DRAFT NATIONAL PLANNING POLICY FRAMEWORK**

Consideration was given to the above report.

Members welcomed the content of the report and the consultation responses devised by Officers.

It was suggested that the response should say more about the importance of agriculture- as a producer of food and as an important business and that the role of agricultural land should be given greater prominence in the debate over the development of land.

It was reported that any comments made would carry more weight if positive wording was put forward in some cases.

**RESOLVED**

That Cabinet be recommended to approve the consultation response detailed in Appendix 1 of the report.

The meeting commenced at 2.00 pm and concluded at 5.15 pm

Councillor H Davenport (Chairman)

Application No: 11/1879N

Location: LAND NORTH OF PARKERS ROAD, LEIGHTON

Proposal: A Hybrid Planning Application Seeking Residential Development for up to 400 New Dwellings with Open Space; Comprising a Full Planning Application for Phase A of 131 Dwellings and Phase B which Seeks Outline Planning Permission for up to 269 Dwellings with Access and Associated Infrastructure. In Respect of the Outline Element (Phase B), Only Access is Sought for Approval and All Other Matters are Reserved for Determination at a Later Date

Applicant: Bloor Homes and Linden Homes

Expiry Date: 12-Sep-2011

#### **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 largescale major development and a departure from the Development Plan.

#### **1. SITE DESCRIPTION**

The site comprises 15.1ha of agricultural land (plus highway land – Parker’s Road) located on the north western edge of Crewe. The site is defined by Parkers Road to the south, Moss Lane to the east existing development to the west and a public footpath along part of its northern boundary. It is bisected by a network of existing hedgerows, some of which contain trees. In addition, there are a small number of free standing trees within fields.

Existing residential development lies to the east, south and south west of the site. Leighton Hospital lies to the west of the site. The wider site context includes Crewe Town Centre and railway station to the south west, Bentley Cars to the south on Pyms Lane and the village of Bradfield Green to the North West.

## **1. DETAILS OF PROPOSAL**

The proposal is a “hybrid” application (i.e. part outline and part full planning permission). Full planning permission is sought for 131 dwellings in Phase A to the south of the site close to Parkers Road and outline planning permission is sought for up to an additional 269 dwellings of the remainder of the site (Phase B). In total planning permission for a maximum of 400 dwellings is being applied for.

## **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)

## **Other relevant planning guidance:**

PPS1 (Delivering Sustainable Development)  
PPS3 (Housing)  
PPS4 (Planning for Sustainable Economic Development)  
PPS7 (Sustainable Development in Rural Areas)  
PPS9 (Biodiversity and Geological Conservation)  
PPG13 (Transport)  
PPG17 (Open Space Sport and Outdoor Recreation)  
PPS25 (Development and Flood Risk)

## **4. OBSERVATIONS OF CONSULTEES**

### **Leighton Hospital**

- Mid Cheshire Hospitals Foundation trust (MCHFT) wishes to make representations to the Council and make them aware of concerns that the immediate infrastructure is not suitable to support further planned development.
- MCHFT have their Leighton Hospital campus off Smithy Lane Leighton, immediately adjacent to the planned Parkers Road development.
- There are already traffic delays at certain times of the day to the Smith Lane / flowers Lane, Bradfield Road / Minshull New Road mini roundabout junctions. The poor sight lines from Smithy Lane causes traffic to back up along Smithy Lane past the hospital entrances. This means that blue light vehicles attempting to access and egress the hospital site frequently cause vehicles to have to mount the pavement. The fact that there is only a pavement on one side of the road is additionally problematic.
- The Leighton hospital site also houses Crewe West Ned Police Station.
- Delays occur at the mini roundabout due to the increased traffic leaving Bentley Motors and gaining easier access across the mini roundabout due to there being far better sight lines from Minshull New Road, giving priority to these vehicles. This causes a delay for Smithy Lane traffic.
- At the opposite end of Smithy Lane delays also occur when attempting to join Middlewich Road due to the restricted junction width at this end of Smithy Lane (i.e. no

- right turning lane). In short traffic congestion occurs at both ends of Smithy Lane and would be worsened by the development without mitigation measures being introduced.
- MCHFT would thus appeal to the Council to not make the current situation worse as a result of the Parkers Road development. It could ultimately result in a life or death issue
  - MCHFT does however, see a need for up to 25 one or two bedroom key worker housing units and as the largest rural employer in the area, can thus see a need for key worker housing. However they cannot see a need for such a high percentage of affordable housing in the more rural setting of Leighton. They would therefore appeal to the Council to consider a higher compliment of affordable housing in its more urban sites such as the Coppenhall development. Thus a reduction in affordable housing at the parkers Road site should allow additional revenue to be invested in highways infrastructure including pedestrian pavements and cycle lanes.
  - MCHFT believe that the Traffic Impact Assessment as undertaken is not sufficiently developed and should
    - o Be undertaken at peak travel time (i.e. when Bentley Motors staff change shift – early evening)
    - o Take the Councils Committee Development s(i.e. Coppenhall housing) into consideration
    - o Include a long term traffic projection past 2016
  - MCHFT would like to see
    - o Road junction improvements to both ends of Smithy Lane so as to ease the impact of the additional Nantwich traffic
    - o The realignment of the mini roundabout give that the land adjacent will be owned by the applicant
    - o A second vehicular existing onto Flowers Lane so that the Middlewich Bound traffic could bypass the mini roundabout
    - o Additional pedestrian pavements and cycle lane linking the housing development to Leighton Hospital and Bentley Motors (as the two largest employers in the area) thus encouraging walking as an alternative means of transport
  - Finally as part of the major development on the land adjacent to the hospital MCHFT would wish to see it include widening and straightening of Smithy Lane, bus lay-bys at either side adjacent to the main entrance and a pedestrian crossing point, the latter items being to encourage both staff and visitors to travel by public transport.

## **Sustrans**

If this land use is approved by the Council's planning committee comments are as follows:

- a) The site will be a generator of significant additional traffic on roads such as Bradfield Road which already carry substantial flows of vehicles
- a) The site lies within 1/2 km of the unfinished Leighton greenway, which leads to Crewe town centre, (current end point Frank Bott Avenue) and 1km of Leighton Hospital.
- b) Would like to see the developer make a contribution to the walking/cycling network beyond the site to encourage more sustainable modes of travel. Examples are: an off highway 3 metre footway/cycle track from the site to the existing facilities at Parkers Road/Bradfield Road junction.

- c) Conversion of the south footway on Bradfield Road between the toucan crossing at the Merlin to the Smithy Lane/Bradfield Road roundabout to a 3 metre shared footway/cycleway.
- d) There should be several access points, for pedestrians and cyclists only, onto Parkers Road/Moss Lane away from motor traffic.
- e) The site layout should restrict vehicle speeds to less than 20 mph.
- f) Would like to see Moss Lane closed to through traffic to stop it becoming in short-cut when all other roads are congested.
- g) Smaller properties/apartments should include storage areas for residents' buggies/bicycles.

### **Archaeology**

- The Planning Statement and Design and Access Statement submitted in support of the application note that a programme of archaeological assessment and evaluation has been undertaken with regard to these proposals. This work consisted of an initial desk-based assessment, which was prepared by Wessex Archaeology, and a subsequent geophysical survey of part of the site, which was carried out by Archaeo Physica. This process did not identify any major archaeological constraints and, across the bulk of the area affected by these proposals, it is advised that no further archaeological mitigation will be required. The one exception to this advice concerns a restricted area at the eastern limits of the application area and the boundary between Phases A and B of the development (c SJ6922 5820), immediately adjacent to Moss Road. Here desk-based work has identified the site of a building depicted on early 19<sup>th</sup>-century mapping and it is advised that the site of the building should be subject to an archaeological strip and record exercise, followed by the production of a report. The work may be secured by condition.

### **Environment Agency**

No objection in principle to the proposed development but requests that any approval includes the following planning conditions.

- The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) May 2011/817B/Lees Roxburgh Consulting Engineers and the following mitigation measures detailed within the FRA:
  - Limiting the surface water run-off generated by the development to a maximum discharge rate off the site to a maximum of 88 litres/second (calculated to be the existing greenfield run-off rate for the area of the site).
  - Provide acceptable means of on-site surface water attenuation to cater for the 100-year critical rainfall event - plus allowances to deal with the impact of climate change.
  - Raise floor levels of buildings a minimum of 150mm above surrounding ground levels.
- The development hereby permitted shall not be commenced until such time as a detail design for a surface water regulation scheme has been submitted to, and approved in

writing by, the Local Planning Authority.

- The scheme shall be fully implemented and subsequently maintained, 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.

### **United Utilities**

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

- This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system United Utilities will require the flow to be attenuated to a maximum discharge rate determined by United Utilities.
- Currently, United Utilities policy is not to adopt SUDS (Sustainable Urban Drainage System) structures. This stance has been taken as SUDS structures, typically ponds, do not align with United Utilities asset base and would represent a substantial maintenance liability. United Utilities will only consider the adoption of surface water sewers draining to a balancing pond (as opposed to any other SUDS structure), providing the following conditions are met: -
  - a) The Local Authority takes responsibility for the maintenance of the pond
  - a) The freehold of the land on which the pond lies is transferred to the Local Authority
  - b) That measures have been taken to prevent flooding of properties
  - c) That a legal agreement is in place between all parties.
- A water supply can be made available to the proposed development.
- Water pressure in this area is regulated to around 20metres head. This should be taken into account when designing the internal plumbing.
- A separate metered supply to each unit will be required
- United Utilities encourages the use of water efficient designs and development wherever this is possible. Including utilising drought resistant varieties of trees, plants and grasses when landscaping and installing water efficient appliances such as dishwashers, washing machines.

### **Amenity Greenspace**

No objection subject to:

- A private management company to be set up by the developer to maintain the open spaces within the development.
- The development to incorporate an equipped children's play area conforming to NEAP Standard. This means that there need to be a minimum of 8 pieces of equipment, plus

1.4 metre high bowtop railing surround with two pedestrian access gates and a double leaf vehicular access gate. Railings to be painted green; pedestrian gates to be yellow.

- The equipment must be predominantly metal, inclusive, and conform to BS EN 1176. Equipment to have wetpour safer surfacing underneath it, conforming to BS EN 1177. The surfacing between the wetpour to be tarmacadam with pre-cast concrete edging surround.
- Access paths to gates to be tarmacadam.

### Natural England

- It is noted that the development is proposed on existing agricultural land. The owner of this land will need to liaise with Natural England over the loss of land included in an Entry Level Stewardship agreement. The agreement holder will need to liaise with Natural England on how loss of this land to development might affect the agreement and payments received. However, this is a matter between Natural England and the agreement holder, and would not preclude the planning application being considered, given that the land does not have any statutory nature conservation designation.
- The wording in this *Summary of Construction Mitigation Measures* table suggests that these procedures and mitigation strategies are optional with the word 'should' used throughout. Natural England would recommend that the wording is rephrased to indicate commitment of these procedures and mitigation.
- It is noted that the photomontages provided do not provide a realistic visualisation of the proposed development in terms of landscape and visual impacts. Whilst Natural England acknowledge that this is an outline application but Natural England would expect to see realistic photomontages in the next phases of development which take into account the facade, mass and materials to be utilised in the proposed development (including the photovoltaic panels).
- Whilst Natural England support the use of renewable energy and in principle Natural England do not have major concerns about the use of photovoltaic panels on the properties proposed for Phase A, it will be necessary for these panels to be assessed for impacts on the Landscape Character and Visual Amenity of the area in which it is proposed. Thus far, there is no reference made to the photovoltaic panels in the Landscape and Visual chapter. This will need to be rectified in subsequent submission so that the effects of this development can be accurately assessed.
- Natural England note that an arboricultural survey has been undertaken on the trees within the site boundary and have highlighted a number of trees that require felling. A number of these trees have also been highlighted for their potential to support owls and bats. The Authority would need to be satisfied that if bat and owl roost are present that Natural England would be in a position to approve any licence required for the destruction of a roost. It is understood that bat surveys are underway to determine the presence of a roost. The authority would be advised to wait for the results of these surveys before determination.
- Should the surveys result in no roost, Natural England would still expect to see measures put in place to ensure that the trees are 'soft' felled and left in situ for a period of 48 hours before removal and that the Authority impose conditions that reflect the mitigation measures. As a couple of trees have the potential to have substantial cavities and good potential to offer roosting opportunities, Natural England would

recommend that these sections of trees are attached to any remaining trees thus minimising the loss of potential bat habitat. Any smaller branches and trunks could be used as suitable hibernacula and habitats in the ecological mitigation area.

- It is stated that there is no opportunity on the existing development footprint for breeding (i.e. ponds) and that there is a network of ponds that surround the site, which do support breeding newts. Natural England support the inclusion of the habitat area to the north east of the development but would recommend that this area incorporates a water body suitable to support and enhance the overall population of newts. Natural England would look favourably upon this inclusion.
- Natural England support zero carbon methodologies for housing and there is an opportunity for the development to also include biodiversity enhancements within the fabric of the dwellings that still allow for zero carbon construction. Dr Carol Williams has produced a book (Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build) that provides information on how to introduce low and zero carbon biodiversity into new builds. Natural England recommends that this book is utilised to help in the development of this project.
- Natural England support the proposals for mitigation (which should include the recommendations stated above). The Authority should ensure that all the mitigation measures are captured in sufficiently robust conditions should they be minded to grant planning permission. Natural England would recommend that consideration be given to the landscaping scheme and the potential for introducing night scented shrubs/flowers that will attract insects and thus increase the food resource for bats.
- It is not clear what mechanism will be in place to ensure the success of the planting (particularly oak trees). It is acknowledged that this species will take a number of years for them to reach maturity and as such how will the success of this planting be monitored and rectified in the case of failure to survive. Natural England would recommend that an agreement (through a section 106 potentially) is considered between the applicant and the Authority.
- As previously stated above all dead trees for felling should be undertaken carefully and any sections that have the potential to offer roosting opportunities should be erected on any remaining trees within the development site.
- Natural England support the inclusion of refugia in the proposed mitigation habitat but would also welcome the inclusion of a water body. This will help to enhance the overall population and habitats available.
- Post monitoring of the habitat will be required as part of the EPS licence but Natural England would also recommend that post monitoring surveys are undertaken that include for the other species that have been mitigated for so that any alterations/changes can be implemented to support the mitigation strategy and longevity of the biodiversity enhancements.
- Natural England support the inclusion of bird nesting boxes.
- Natural England do not agree with the residual effect of negligible for trees especially as a number of oak trees will be lost as a result of the development. The oak trees will take a number of years to mature (as acknowledged) and therefore the adverse effects are likely to remain for a number of years post construction.
- Whilst Natural England would not expect to see every dwelling cater for all species of bats there is a potential to provide roosting opportunities in 1 or more of the dwellings for brown longed-eared bats. Natural England would recommend that this is investigated further.

- Natural England support the inclusion of the Travel Plan and would recommend that this commitment forms part of an appropriate condition of any planning approval.
- It is acknowledged that sustainability has been considered in this application. Natural England supports the incorporation of sustainable design solutions.
- Natural England is satisfied with the contents of the Environmental Statement, but wish the above comments (above) to be given due consideration during the development of future stages within the planning process.

## **Environmental Health**

No objection to the application subject to the following comments

- This site is located on areas of ground which have the potential to create gas.
- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present.
- As such, and in accordance with PPS23, recommend conditions requiring a phase II investigation and remediation should planning permission be granted.
- Due to the size of the development, recommend an Air Quality Impact Assessment prior to the development commencing.
- Due to the close proximity of busy roads, recommend a noise assessment survey to be undertaken prior to the development commencing.
- The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Monday to Friday, 09:00 to 14:00 hours on Saturday, with no work at any other time including Sundays and Public Holidays. To protect the amenities of nearby residents and the occupiers of nearby property.
- Where piling of foundations is necessary this is to be undertaken between 9am – 5pm Monday to Friday and no works of this nature to be undertaken on Saturday, Sunday or Bank Holidays.
- Any external lighting of the proposed site should be submitted to and approved by the borough council before being installed, due to the close proximity of local residents.

## **Highways**

- To summarise the application, the proposal is for a residential development of 400 units with two points of access: one from Parkers Road and one from Flowers Lane.
- The first junction is from Parkers Road and will provide a properly designed priority junction which will incorporate a ghost island right turn lane with a pedestrian refuge.
- In addition this junction will incorporate a right turn lane improvement for the diagonally opposed junction into Becconsall Drive which will improve traffic management between the two junctions.

- Also on this frontage, the developer will be providing a PUFFIN crossing on the notional pedestrian desire line to the local facilities, school and shop.
- The second junction onto Flowers Lane will again be a simple priority junction and this will be supplemented by an extension to the street lighting on Flowers Lane which will effectively extend the 30 mph speed limit for the full frontage of the site.
- This has multiple advantages.
- The junction will be well lit and the approach speed to the new roundabout design will be reduced.
- In addition the treatment of Flowers Lane will see significant footway improvements on both sides of the road together with the provision of a zebra crossing between the new access and the roundabout which will improve pedestrian safety.
- Bradfield Road/Parkers Road traffic signal junction: The provision of an improvement in the signal controller with the introduction of MOVA software which will improve traffic management and make the signals responsive to traffic load on the separate arms of the junction and allow more efficient queue reduction at times of peak flow.
- Bradfield Road/Flowers Lane/Smithy Lane roundabout: A new roundabout is proposed at this location to improve the capacity allowing the development traffic to be accommodated whilst offering some overall betterment to the general junction capacity. It is a non-standard roundabout design but is acceptable in terms of design and safety.
- This improvement will be made within land owned by the applicant and land which falls within the public highway.
- Flowers Lane/A530 traffic signals: A minor improvement to the signal junction has been proposal by the developer and this is now agreed by the Highway Authority.
- Smithy Lane/A530 junction: The proposal at this junction is for the provision of traffic signals to replace the existing priority junction with a ghost island right turn lane. The Highways Development Management Team consider this to be an effective proposal and the space available at the junction will accommodate an effective signal design.
- The design of this junction is agreed by the Highway Authority
- Financial Note: These highway improvement proposals have been broadly costed and the value of the works will be in the region of one million pounds.
- Contribution to the wider highway network: In addition the developer is also offering financial contribution to the wider highway network and has provisionally offered a sum of £300,000 towards the Remer Street corridor upon which this development proposal is shown to have an impact.

- The Transport Assessment offers a detailed analysis of the modal choice and sustainable links which will serve this site.
- It does show that the site has reasonable connectivity across the town of Crewe despite its location on the north west side of the Crewe area.
- There have been some lengthy discussions between the developer and the Highways Development Management team regarding the accessibility of the site and the improvements being offered.
- Improvements take the form of improved footpath links local to the site and some cycleway provision.
- The provision of the PUFFIN and zebra crossings also aid connectivity.
- Moss Lane: It is important at this point to inform members about the issues surrounding Moss Lane and the local concern about traffic impact from this development. Clearly Moss Lane is a narrow country lane which should not be burdened with additional through traffic from a new development. The development guards against this through the provision of two points of access which can be utilised from anywhere within the site. This means that if generated traffic is to travel in the direction of Middlewich or Winsford, it will use the Flowers Lane access and will not need to use Moss Lane which would be a longer and slower route.
- If generated traffic is to travel in the direction of Crewe or Warrington it will use the Parkers Road access and will not need to use Moss Lane which would be a longer and slower route.
- The Strategic Highways Manager is confident that there will not be a problem with traffic from the development using Moss Lane.
- This site is proposed for phased development of the residential units and significant negotiations have taken place regarding the internal layout.
- It is important that the site is brought forward with a design which is driven by the guidance within the Manual for Streets document issued by the Department for Transport.
- This document leads on guidance for quality development and the need to ensure residential developments provide a sense of place through quality design which will provide good social infrastructure.
- Amongst these design initiatives, the detail of highway design within residential development has changed to provide more innovative layout which supports the quality design whilst providing highway layout which supports traffic needs in a more controlled environment.
- The design being offered for this site is innovative and will provide a design of good quality and one which the Strategic Highways Manager supports.

- The development impact has been assessed and there are mitigation measures being provided on the road network that will satisfactory cater for the development traffic and also there a financial contribution provided towards the wider strategic highway improvements that will need to come forward in due course.
- The Strategic Highways Manager does not object to the planning application subject to the applicant entering into a S106 Agreement for the sum of £300,000 towards highway improvements on the strategic road network.
- The applicant will need to enter into a S278 Agreement with the Highway Authority to provide the junction improvements identified in this report

### **Education**

- By applying the pupil yield of 0.162 this development will generate 65 primary school places and CEC pupil projections have 28 surplus places in the "local schools" (I.e. schools within a 2 mile walking distance).
- Therefore a contribution has been sought for the additional 37 pupils which cannot be physically accommodated.
- This equates to a payment of £398,990.

### **5. VIEWS OF THE PARISH / TOWN COUNCIL**

1. The infrastructure is inadequate to cope with these additional dwellings.
1. The highways will also be inadequate to cope with the additional traffic generated by 400 homes.
2. Flooding: The issue of drainage and flooding is an on-going problem in the parish, so much so that "Drainage" is a standing item on the Parish Council agendas; this development will exacerbate the problem.
3. Finally, if the Strategic Planning Board is minded to approve the application, the Parish Council would urge that landscaping measures are introduced which are compatible with the street scene on Moss Lane at Leighton.

### **6. OTHER REPRESENTATIONS**

Letters of objection have been received from 1 Barrows Close 1 Fox Covert Way 1, 15, Burton Grove 1, 6, 14, 15, Parkfield 1, 7 Tollemache Drive, 4, 9, 10 Bleasdale Road, 10 Rydal Mount 10 Verdin Court 103 Kestrel Drive 8, 9, 20, 23, 33, 35, 47, 52, 56, 57, 58, 60, 66, 69, 72, 74, 77, 81, 85, 86, 108 Beconsall Drive 6, 11, 12 19, 52, 53 Farmleigh Drive 2, 3, 11, 15 Moss fields 11, 15, 35, 37, 49 Thornfields 6, 27, 30, 33, 34, 39, 52, 61, 64, 111, 115, 117 Lamborn Drive, 5, 12, 39 Elmstead Crescent, 7, 13 Lyceum Way, 14 Burton Grove, 16 Melrose Drive 16 Mills Way, 2, 17 20, 22, 28, 29, 48, 49, 68, 70, 72, 74 , 76 Beltony Drive, 2 Fox Covert Way, 2 Simpson Court, 2, 6 Thorpe Close, 21 Ardleigh Close, 4, 5, 6, 9, 22, 27, 29, 30, 33, 36, 74 Thorntree Drive 28 Parkers Road 28 84, Verdin Court, 4, 98, Beconsall Close, 8, 9, 41 Lambourne Drive, 46 James Atkinson Way, 5 Barrows Close, 63 Lime Tree

Avenue, 7 Lyceum Close, 74 Merlin Way, 8, 9, Magecroft, 8 Parkfield, 9 Englefield Close, 9 Lawford Close, 97 Millstone Lane making the following points:-

### ***Principle of Development***

- Houses are not needed and there is no demand
- There are many unfinished developments in Crewe already- in particular the prominent location neighbouring Morrison's Supermarket.
- You cannot justify leaving that site unfinished and an obvious eye-sore to all Crewe residents and visitors to the town
- Is the due to a poor planning decision being made previously? If so it should serve as a warning to the Planning Officers investigating the above mentioned application. Maybe the Councils resources would be best used in forcing this company to complete this eyesore before approving planning applications elsewhere.
- Other areas that have been left unfinished and should be completed prior to any other building areas.
  1. Underwood Court apartments which have been closed down.
  1. Replacement of houses or apartments which were knocked down several years
  2. The proposed development local to the Cross Keys local to the end of North Street.
- Would it not make sense to complete one development before starting another?
- Maybe that option isn't as financially rewarding, and what does the Council propose to do with the anticipated profits of the proposed Bloor Homes site off Parkers Road?
- Unfinished developments are proof that there is no demand for new homes in Crewe
- The site may also not be completed leaving an eyesore
- There are many vacant properties and houses for sale which are failing to sell. The market would not accommodate a further 400 homes.
- The area has already experienced over development in the past.
- There are a large number of brownfield sites in Crewe which are in need of development.
- This is over development for the area and the taking of a green field site and is contrary to the Crewe and Nantwich Local Plan.
- The local landscape is being eaten away by developers exploiting every single piece on land they can their hands on. If this was Willaston, Shavington or Wistason, there would be an outcry. The area should be left as it is.
- This proposal will also completely obliterate the current residents open space. Families & children enjoy free time here and the general country side feel to the area will be lost. Dog walkers will have no option but to revert to the streets and the routes to more than one school will become a precarious one. What kind of community will this create?
- The long period of development associated with this project and the governments own decision to stop development plans where they were not considered necessary should be taken into account
- It is ridiculous to think that all housing demand for the whole of Cheshire East will be met by putting the houses all in one town, which seems to be Cheshire East's plan. I would argue that the NIMBYs (Not In My Back Yard) at Cheshire East Council have introduced this policy to keep development away Congleton and Macclesfield and such places. It is interesting to note that Congleton's MP made a comment in response to

the policy - 'Release of housing land is an issue of concern to all communities in the Congleton constituency. Residents object strongly to the release of Green Belt for housing purposes' - Fiona Bruce. There was no response listed from Crewe and Nantwich MP.

- There is no proven need for extra houses in the North West anyway. A recent report from Institute for Public Policy Research says ' The North West of England is the only region where supply could meet demand, with 40,000 extra homes compared to the number of households, due to the high rate of unoccupied premises at present'.
- Crewe is the area of the borough that least needs 'affordable homes', which seems to how these developments are justified. The house prices in Crewe are the cheapest within Cheshire East.
- Some of the terraced streets in Crewe are already starting to look run-down and since the recession some properties are boarded up. Building on Green Field sites on the edge of town will only force down prices in Crewe further and lead to further decay of the properties in the town centre.
- The people of Crewe will have to suffer increased congestion, degradation of property prices, increased pressure on public services such as schools, doctors, etc., so that building companies can do easy building on flat green fields to make huge profits. All this because Cheshire East can't be bothered to put together a properly thought-out plan, or are too afraid of litigation if they fail to release enough housing. Five years on Crewe will be more sprawling and have problems more associated with larger cities, without any of the benefits of a large city. Either that or these new developments will end up the way of the ghost estates of Ireland.
- We feel that all these should be completed as it would give a lot of additional properties for habitation before you propose to build on the Green Area for planning application ref; 11/1879N.

### **Highways**

- The proposed access road on to the estate is almost opposite to the present access into Beconsall Drive and at the present time it is very difficult to access Parkers Road especially in the morning.
- Risk to lives as access to Leighton hospital is congested
- The local infrastructure already struggles to cope with existing levels of usage. There is severe congestion
- Many local roads are very dangerous and poorly maintained.
- The Council is already failing to maintain the existing road structures to a safe and satisfactory level, the extra traffic generated by further housing development will exacerbate the problem.
- Residents do not think an in depth survey of the traffic movements has been done especially taking into consideration the effects that another large scheme in the area is planned.
- Not only are improvements required to the immediate infrastructure there is a need also for road and safety aspects at Barrows Green and Minshull New Rd roundabout and the current proposals do nothing to alleviate this.
- The matter of an access road has not been sufficiently detailed. It gives no detailed location. It only states North of Parkers Road. Where exactly is the access road going to be? Moss Lane is unable to sustain the amount of traffic exiting from 400 houses.

Bradfield Road is West of Parkers Road as are all other roads leading to the main Middlewich – Nantwich Road.

- The period of time that the cars are "nose to tail" on Middlewich Road and the surrounding lanes is constantly increasing!
- The priority should be to redevelop and improve what we already have to enable us to cater for our existing population and not to bring more chaos.
- Parkers Road is heavily congested to the lights every weekday morning. Middlewich Road is backed up regularly in both directions and Smithy Lane is blocked every morning and night, which impedes the hospital. This is already a problem that needs solving, not compounding.
- It appears by noted current practice that Cheshire East only adopts housing estates once the maximum time period to do so has passed, and does not properly correspond to complaints regarding sewerage issues and street lighting. This practice would entail and frustrate owners of the proposed 400+ houses.
- Some residents have already had a ten year battle to have their street adopted, this is despite of (or, as the case may be, in spite of) constant complaints of drainage issues and unconnected street lighting.
- How are the hospital emergency vehicles supposed to cope with even more traffic on an already overloaded infrastructure? The period of time that the cars are "nose to tail" on Middlewich road and the surrounding lanes is constantly increasing! To compound matters the roads are in an absolutely disgusting condition.
- The infrastructure in the area is already congested with Hospital traffic and Bentley Motors employees. 400 houses will bring some additional 600 cars and the area will not cope and lives will be put at risk
- Crewe is a railway town and had lots of rail lines running through it, with bridges over at various points. This means that whatever planners try to do with the roads, there is always congestion. It's getting worse and will be worse still with thousands of extra cars which arrive with the extra homes. It takes residents longer to get from Leighton to Weston Road than it does from Nantwich to Hanley! Cheshire East planners and decision makes have obviously never had to travel around Crewe.

### ***Design & Visual Impact***

- The impact on the environment and the general landscaping will ruin the area and the tranquil setting.
- Residents have moved to the area for it's rural location, and for the country lanes surrounding, that are a precious place to walk and cycle.
- Also, green spaces lead to increased quality of life, which has quantified economic benefits
- The development will will become the slums of the future, due to the developer trying to maximise the number of units through minimising the living area.

### ***Ecology***

- There will be a negative effect on local wildlife due to the destruction of large areas of green.
- The developments are on precious green spaces and there has already been massive habitat destruction in Crewe in recent years, leading to very visible wildlife deaths.

- Natural ecosystems provide the air we breathe, the soil we grow our food on and the water we drink;
- There are great crested newts in the area

### **Infrastructure**

- Does Cheshire East already plan to grant Planning Permission for not only 2,281 houses, but also all land necessary for increasing the infrastructure and if so, how and when will those plans be put to public consultation?
- Impact upon medical services in the area, are not limited to the hospital, and include GP's, health centres, midwives, health visitors, dentists, and other council services. Local services are already at stretching point and additional demand will not ease the situation.
- Whilst the report created by Bloor Homes states Doctors and Dentists are currently taking on NHS patients, residents fail to see this actually happening in the area, with many local residents already having to travel out of the area for some services.
- It is already difficult to get doctors appointments; with another 16,000 people coming in to the area it will put more strain on the system.
- Impact upon education. Local schools are already at capacity and adding additional places will only impact upon the ability to provide quality schooling. Residents fail to see how the Bloor Homes report can suggest that for 400 homes less than 150 children will arrive in the area.
- Whilst these figures are based upon some 'research' by Bloor, they do have a 'crystal ball' and cannot guarantee this statement. When the figure exceeds 150 and the situation within local schools becomes untenable, where will be Bloor Homes be then, certainly not taking any responsibility or offering to build more schools?
- Further enquiries regarding future school population numbers need to be made in depth which residents do not believe has been done.
- An E. V. A. should be done and the results fully published and made available and guarantees made that all the infrastructure and benefits are in place before the estate is built.
- This year, even without the proposed houses, residents have found that local children have found it difficult to secure places on the school rolls.
- There is a lack of local amenities, lack of local shops and already low water pressure;
- The developers have promised to deliver another childrens play area. What the area needs is a doctors, pharmacy, development of an existing or addition of a new school, a restructuring of the current road system, redevelopment of the town centre. These are the kind of things the area needs, not more housing bringing more cars and people to our already overcrowded roads.
- Both Mablins Lane and Leighton Primary Schools are full to capacity and are already having to use small porta-cabins to accommodate the extra places that were required for the new estates built in the last 10 years.
- Waste collection services are overrun and there are no plans to re-instate weekly collections. What impact will the thousand or so people have on the immediate environment?
- Bloor Homes have offered no incentive to the Local Residents (eg junction improvements, zebra crossings etc,) if this is the case, why is this application even being considered?

### ***Lack of Jobs***

- Employment in the area is very hard pressed - bringing more people into the town will not help the current residents to find employment; It will make the task even harder.
- Locate new housing development where there is work available. People who do purchase houses on the site will be travelling out of the area using fuel and putting further strain on the planets resources.
- It is a fact that large companies like Bombardier may be in decline and could well close especially since the recent disappointing news

### ***Amenity of existing properties***

- During the development, which is due to last at least 5 years, the dust, noise and general disruption will be of great disturbance and of detrimental impact to the health and well being of residents, along with the long term damage of extra congestion.
- There would be dust, mud on wet days along with noise
- The increased volume of traffic & road noise would be considerable, with at least 400-800 vehicles leaving and arriving several times daily, plus service vehicles, deliveries and visitors. The increasing road noise is already a problem and we are unable to leave windows open and at times it is impossible to relax in the garden.
- Would block view of countryside
- Residents bought houses with back gardens backing onto Parkers Road with an outlook across agricultural land which is mainly grassland used for the production of hay etc. A year or so ago a Communications Mast was erected which looks a eyesore but they live with it. Then an application is submitted for Planning permission for a residential Development for up to 400 houses!
- The whole area especially Beconsall Drive area will be surrounded by houses, and will no longer be living on the outskirts of a pleasant rural area but will be in the centre of a ever increasing housing estate.

### ***Flooding***

- Drainage and flooding issues. The proposed site and surrounding fields are renowned for their poor drainage, and the area is regularly flooded, often spilling out onto the local highways. This area is not able to deal with additional homes and is likely to increase flooding risk for future generations.
- The proposed site suffers from poor drainage and this is likely to worsen with additional concrete/tarmac coverage.
- How will adequate drainage be provided on a field that constantly floods and has done-witnessed by residents for over thirty years?
- Why has a proposed planning application been submitted for approval on what is quite obviously a flood plain?

### ***Other matters***

- Local people do not want this development
- Proposal will devalue the local area in relation to social as well as economic viability.
- Residents remember the last homes being built off Parkers Road where they had to put up with workmens caravans and portaloos during which time one resident

contracted hepatitis which they still believe was down to the drainage work being carried out.

## **7. APPLICANT'S SUPPORTING INFORMATION:**

- **Arboricultural Impact Assessment**
- **Consultation Statement**
- **Draft Section 106 Heads of Terms**
- **Environmental Statement**
- **Open Spaces Assessment**
- **Planning Statement**
- **Sustainable Energy Statement**
- **Transport Assessment**
- **Utilities Assessment**
- **Affordable Housing Statement**
- **Design and Access Statement**
- **Flood Risk Assessment**
- **Landscape Statement**
- **Travel Plan Framework**

## **8. OFFICER APPRAISAL**

### **Main Issues**

Given that the application is submitted as a hybrid, the main issues in the consideration of this application are the suitability of the whole site, in principle, 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. In addition, the acceptability of the detailed design of the southern part of the site in respect of the access, layout, appearance, scale and landscaping must also be considered.

### **Planning Policy and Housing Land Supply**

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 material consideration associated with this proposal, which are sufficient to outweigh the policy objection.

National policy guidance (PPS3) states that Local Authorities should manage their housing provision to provide a five year supply. This suggests that Cheshire East Council should be providing its 5-year housing supply information for Cheshire East as a whole rather than the former districts or any housing market areas. Correspondence from Government Office for the North West confirms that in order to establish the appropriate housing requirement for Cheshire East, the district figures included in the published Regional Spatial Strategy (RSS) should to be added together to give the new unitary authority requirement.

The RSS proposed a dwelling requirement of 20,700 dwellings for Cheshire East for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. Although the Government has expressed it's intention to revoke the Regional Spatial Strategy the Council's Cabinet on 18<sup>th</sup> October agreed to adopt a housing requirement figure for a minimum of 1,150 net additional dwellings to be delivered annually, pending the adoption of the LDF Core Strategy.

Paragraph 71 of PPS3 states that *“ where Local Planning Authorities cannot demonstrate an up to date five year supply of deliverable sites, for example where local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including considerations in Paragraph 69.”*

The recently published draft National Planning Policy Framework which will replace PPS3 has reiterated this requirement and states that Local Planning Authorities should *“identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The supply should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land”*.

The above mentioned Cabinet report noted that following a review, the Council appeared to have 4.58 years housing land supply. At recent public inquiries relating to sites at Abbeyfields, Hind Heath Road and Elworth Hall Farm in Sandbach, the Council has conceded that the housing land supply situation is now worse than initially thought and that current supply stands at 3.65 years.

Consequently the Council has adopted, an Interim Planning Policy on the Release of Housing Land. This policy states that when it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by PPS3, subject to other saved policies of the relevant Local Plan being satisfied, the Council will allow the release of appropriate greenfield sites for new housing development on the edge of the principal town of Crewe.

Members may recall that at the meeting of the Strategic Planning Board on 6<sup>th</sup> October 2010 a report was considered relating to Issues and Options for the Local Development

Framework Core Strategy, which outlined 3 options for apportioning growth across Cheshire East. Although each of the options is different, the common theme between them is an emphasis on growth in Crewe. Therefore, whilst the options are under consideration, and there is uncertainty as to which option will be taken forward, it is appropriate that any Greenfield development required to make up a shortfall in housing land supply should be directed to Crewe. This reflects the position of Crewe as a priority for Development and Regeneration within the adopted Sustainable Community Strategy for the Borough entitled "Ambition for All". PPS1 2005 in *The Planning System: General Principles* at para. 14, states that "*Emerging policies in the form of draft policy statements and guidance can be regarded as material considerations, depending on the context. Their existence may indicate that a relevant policy is under review, and the circumstances which led to that review may be need to be taken into account.*"

Furthermore, Paragraph 69 of PPS 3 states that in determining planning applications, local planning authorities should have regard to a number of criteria, including, inter alia, "*ensuring the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area an does not undermine wider policy objectives e.g. addressing housing market renewal issues.*"

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. 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. In this case the applicant has confirmed that because 2 separate house builders will be involved in bringing the site forward, it will 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 Interim Planning Policy on the release of housing sites.

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, 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.

The Cheshire east annual housing figure of 1150 homes is derived from the previous Regional Spatial Strategy (RSS). The RSS quotes an annual requirement of 450 dwellings for the former Crewe and Nantwich area. This equates to a five year housing land supply requirement of 2500 units. As by far the largest town in the plan area it is to be expected that Crewe and its immediate surroundings would be expected to accommodate the greater part of this growth. Objectors and Members have previously expressed concern about releasing Greenfield land for development, whilst there are undeveloped brownfield sites remaining. Members have previously received a list of all the brownfield and mixed brownfield/greenfield sites for the Borough from extracted from the Strategic Housing Land Availability Assessment (SHLAA). This shows that There are 125 sites in and adjacent to Crewe that are brownfield (or mixed green / brownfield) and that are considered to be "deliverable" – these have a capacity to bring forward 666 dwellings in the 1-5 year period.

If only exclusively brownfield sites are considered then the total is reduced to 121 sites with a capacity for 587 dwellings in the 1-5 year period. By any measure its clear that brownfield sites alone cannot meet the future housing needs of Crewe, never mind the Borough as a whole.

Therefore, in summary, it is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing. The current proposal is considered to be "suitable" as it is located on the periphery of Crewe, and 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 which directs the majority of new development towards Crewe. 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. According to PPS1 these emerging policies are material considerations and consequently, 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.

### **Affordable Housing**

The Interim Planning Policy on the Release of Housing Land states that greenfield sites permitted under this policy will be expected to deliver: a minimum of 35% affordable housing in accordance with the Interim Planning Statement on Affordable Housing. According to the latter, the 35% provision should be split on a 65% social rent, 35% intermediate tenure basis.

The site lies partly within the Crewe sub-area and partly within the Minshull Vernon sub-area in the Strategic Housing Market Assessment (SHMA) 2010. The current affordable housing need for the area in Crewe, as identified in the SHMA is for 256 new affordable homes annually. This is made up of 127x 1-beds, 20x 2-beds, 47x 3-beds, 40x 4/5-beds 26 x 1/2 bed older persons units. For the Minshull Vernon sub-area the SHMA 2010 shows there is an annual requirement for 5 new affordable homes per year between 2009/10 – 2013/14. This is made up of a need for 3 x 3 beds and 2 x 1/2 bed older persons units.

In addition to this information taken from the SHMA 2010, Cheshire Homechoice is used as the choice based lettings method of allocating social rented accommodation across Cheshire East. There are currently 1130 for Crewe the majority of which require 1, 2 and 3 bed accommodation, but there are also 54 applicants who require 4 bed or larger accommodation. For Minshull Vernon there are 3 current applicants, who require a 1 bed, 2 bed and 3 bed.

It is expected that the affordable housing to be delivered at this site will primarily serve the need for Crewe but may also assist by serving some of the need for Minshull Vernon.

The proposed layout for Phase A submitted with the application includes a schedule of accommodation indicating affordable housing provision of 11 x 2 beds, 14 x 3 beds and 1 x 4 bed, this totals 26 units which equates to only 20% of the 131 units to be developed in Phase A. This would mean a requirement that of the remaining 269 units to be developed in the subsequent phases 114 would need to be affordable in order to meet the requirement of 35% affordable across the whole site.

The reason Bloor Homes have given for the reduced percentage provision of Affordable Housing in Phase A is due to the need to kick-start the development through private market housing provision. Housing would accept the reduced affordable housing provision in Phase A subject to the S106 Legal Agreement ensuring the requirement that 35% of the 400 units proposed across the whole site are delivered as Affordable Housing.

The Affordable Housing Interim Planning Statement also requires that the affordable units should also be tenure blind and pepper potted within the development. The external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration. The location of the affordable units appears to achieve pepper potting, and the design and appearance appear to be similar and therefore the proposal is also acceptable in this regard.

Therefore the proposal is compliant with the Interim Policy in terms of overall provision. The Housing Section are also satisfied with the proposed split of type and tenure of housing, as well as its design and distribution throughout the site, including the provision of a lower percentage of affordable housing in Phase A and a higher percentage in Phase B, which will average out to 35% across the site. Therefore, it is considered that subject to a suitable prior legal agreement to control occupancy of the properties and provision of the social rented affordable units through a Registered Provider who are registered with the Tenant Services Authority to provide social housing, that the scheme is acceptable in terms of affordable housing provision.

### **Contaminated land**

A desk study has been submitted with the application which has identified that the site comprised agricultural fields since the first edition historical map of 1875. The site has remained undeveloped until present. Former ponds were recorded in the western and central portions of the site and were backfilled by 1893 and 1977. Drainage ditches were also present on the site and some appear to have been filled in between 1977 and 1988. Given the findings of the desk study and nature of the existing use, no source of contamination has been identified. However due to its proposed use it is recommended that further investigation to identify the presence of possible contaminated land and subsequent requirements for remediation or mitigation relating to human health risks.

The Council's Environmental Health officers have examined the report and agreed with its conclusions. They have commented that the site is located on areas of ground which have the potential to create gas. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. Therefore, they have raised no objection on contaminated land grounds subject to the imposition of an appropriate condition requiring an intrusive investigation to be carried out.

### **Air Quality**

The application has been accompanied by an Air Quality Impact Assessment which utilised 2009 monitoring data and has not highlighted any air quality issues as a result of the development. Therefore the Environmental Health Section has raised no objection subject to an updated assessment being submitted at the reserved matters stage using current data. This can be secured by condition. Environmental Health have also recommended the submission and implementation of a Construction Environmental Management Plan (CEMP) and a Travel Plan to minimise any impact on air quality arising from dust construction and traffic following completion of the development respectively. This can also be secured by condition.

## **Noise Impact**

The developer has submitted a Noise Impact Assessment with the application which states that noise levels have been measured at a number of different locations around the site. Traffic noise levels were found to be relatively modest generally falling into Noise Exposure Category A or B of PPG 24. The highest noise levels (falling onto the boundary of NEC B/C) were measured at locations close to Parker's Road. The proposed layout with the nearest dwellings to Parker's Road facing towards the road is a good design as it means that the rear gardens will be screened effectively from traffic noise by the houses themselves. Where necessary, some acoustic fencing has been recommended. Sound insulation measures have been recommended for habitable rooms of those dwellings in Phase 1 that will be closest to Parker's Road. No special measures are required for any other areas of the site.

Subject to these recommendations being implemented, noise levels in gardens and inside rooms will be within the standards that are recommended in British Standard 8233. Therefore there will be no unacceptable traffic noise impacts on the proposed residential development.

The Environmental Health section were considering the findings of the noise impact assessment at the time of report preparation and a further update will be provided on this issue for Members prior to their meeting.

## **Landscape Impact**

The Environmental Impact Assessment includes a Landscape and Visual Impact Assessment undertaken using a methodology developed by Capita Symonds and states that it recognises and respects the advice contained within the Guidelines for Landscape and Visual Impact Assessment (2002) (second edition) (GLVIA) published by The Landscape Institute and Institute of Environmental Management and Assessment.

The assessment concludes with comments to the effect that the site is visually well contained, has no national landscape designation and the landscape is not considered to be particularly sensitive. The conclusion is made that the proposed development will create a change in the land-use and landscape character of the development site. The nature of this change will however be similar in scale and complimentary in character to that existing elsewhere within the local area and the mitigation measures incorporated into the design will help to assimilate the development into the wider landscape and townscape context.

Whilst it does not identify that initially it would be necessary to remove a significant length of hedgerow on the Parkers Lane frontage, in general the assessment appears to be comprehensive and the Council's Landscape Officer would broadly agree with the methodology and its findings. Whilst the landscape and character of the site would be irreversibly altered, subject to landscape mitigation measures as indicated, in the local context reasonably such change could be deemed acceptable.

Overall the indicative landscape proposals appear reasonable. Taking into account the site location, the Landscape Officer has some concerns about some of the tree species proposed for use on the site, e.g. Dawn Redwood and Plane. However, such details can be agreed as part of detailed landscape proposals. For Phase A, a fully detailed and specified

landscape scheme would need to be secured by condition. Boundary treatments will also need to be given careful consideration and boundary treatment conditions should be applied.

With regard to Phase B, the Landscape Officer had expressed concern about the width of the landscape buffer to the northern boundary. The amended plans show that the buffer strip has been widened to 3m along the western half of the northern boundary and 12m on the eastern half of the northern boundary. The west facing section of the 'northern' boundary is now at a width of 8m. The applicant considers that these areas are significant and when roads and front gardens that will front the boundary are taken into account there is a very wide areas of no/low built form to the site edge. In particular, the 12m strip offers much more than simply a grass verge. This provision will support and enhance the existing public footpath (which exits the site from the north-west corner passing through the adjacent land) and will allow for future tree/shrub planting, recreational use and movement through and out of the site. From a landscape, open space, ecological and permeability perspective the developer considers that the layout offers an appropriate and balanced option for the site. The Landscape Officer has commented that there has been a marginal increase in the width of the buffer strip for the north west section of the northern boundary which is welcomed although it should be noted that it would only really accommodate the existing hedge, hedgerow trees and a wide grass verge.

The second access on to Flowers Lane, which is also shown on the amended plans will involve the loss of a hedge and possibly an Ash tree. However, the tree is in decline and a replacement hedge could be secured by condition. The amended layout also includes a reduction in the POS to the south west and places development in a more prominent position when viewed from Flowers Lane. This lane has a rural aspect and the larger area of POS would have provided a good buffer to the development. However, reduction in this area of public open space provides for a wider strip along the northern boundary than in one block at the western end of the site, and given that the application for for Phase B is only in outline, a further buffer strip could be included at the reserved matters stage.

### **Hedgerow and Tree Matters**

The tree survey submitted with the application identified 47 Trees, comprising 38 Oak and 9 Ash. Of these 6 were identified as category R and recommended for removal in the context of the development. Of the remainder, 38 were of high quality (category A), and 18 of moderate quality (Category B) and 7 low quality (category C).

The proposed layout for the land to the south would appear to allow for the retention of existing mature trees and the Landscape Officer is satisfied that with appropriate protection measures this should be achievable.

The proposed new access from Parkers Road would result in the loss of a length of hedgerow which contains a significant number of young trees. The trees were not included in the tree survey. However, mitigating planting could be achieved by using similar size planting stock.

Whilst only indicative, the proposed layout for the land to the north demonstrates that a layout could be achieved which allowed for the retention of existing significant trees.

The specification for tree protection fencing in the tree survey would not be sufficiently robust without additional bracing and in the event that the development is deemed acceptable, comprehensive tree protection conditions will be necessary for both phases of development. These should include arboricultural method statements specific to each phase with details of arboricultural supervision.

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 Design and Access Statement (para 5.8.3) indicates that it would be necessary to remove 65 metres of hedgerow in order to accommodate the development. However, the Ecological Assessment cites a much higher figure and it appears that approximately 160 metres would have to be removed on the Parkers Road Frontage alone and potentially two 20 metre sections mid site in Phase B to facilitate access.

Under the Hedgerow Regulations, the lengths of hedgerow proposed for removal are checked against various archaeological, historic and ecological criteria to ascertain if it qualifies as 'Important'. The site ecological survey (para 9.68) identifies that none of the hedgerows on the site were species rich and none qualifies as important under the ecological criteria in the Hedgerows Regulations 1997.

The Shared Services Archaeologist has confirmed that the hedgerows have been checked against the Cheshire Historic Environment Record under the following criteria as defined in Schedule 1, Part II of the Hedgerow Regulations and that these hedgerows are not covered under the stated criteria. Consequently they are not considered to be of archaeological importance.

To turn to historic importance, an evaluation of the heritage value of hedgerows to be removed from the site has been undertaken in accordance with the requirements of the Hedgerow Regulations 1997.

The hedgerows on the site are associated with agricultural field structure and are not related to any historic parish or township. They incorporate no archaeological features included in the schedule of monuments. The hedgerows are not situated wholly or partly within an archaeological site included in the schedule of monuments and are not associated with any such feature. The hedgerows are not connected to any pre-1600 estate or manor or any such associated buildings.

The hedgerows form part of a field system although the date of the formation of this system is unknown. The earliest document held at the Record Office which indicates the presence of hedgerows at the site is from 1847, which post-dates the Inclosure Act of 1845. Due to

the absence of any documentary evidence of the presence of hedgerows prior to 1845, the hedgerows on-site are not classed as important under the 1997 Regulations.

Based on the analysis presented above, the hedgerows present on the site are not classified as 'important' under the criteria specified in the Hedgerow Regulations 1997. Consequently, it is considered that the proposed hedgerow removal is acceptable. However, a hedgerow protection condition will be necessary to ensure that all hedgerows to be retained as part of the development are protected during the course of construction operations.

### **Ecology**

According to the interim policy, it must be demonstrated that proposed developments and their infrastructure must not impact on designated or candidate European Sites (Special Areas of Conservation; Special Protection Areas; Ramsar Sites and Offshore Marine Sites) protected under the European Habitats Directives 92/43/EEC or the Conservation of Habitats and Species Regulations 2010

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 by the Conservation (Natural Habitats etc) Regulations 1994 ("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.

Regulation 3(4) of the Regulations provides 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 paragraph 116 of PPS9.

In line with guidance in PPS9, appropriate mitigation and enhancement should be secured if planning permission is granted. In respect of this site, a number of ecological surveys have been undertaken. The Council's ecologist has commented that all of the surveys have been undertaken to a high standard by suitably experienced ecological consultants.

### Great Crested Newts

Great Crested Newts, a European protected species, have been recorded breeding at a number of ponds in close proximity to the proposed development.

In the absence of mitigation the proposed development would pose a significant risk of killing/injuring any animals on the site and would result in the loss of significant areas of terrestrial habitat and potentially isolate a known breeding pond from the surrounding terrestrial habitat. No breeding ponds will be lost as a result of the proposed development.

To mitigate the risk of great crested newts being directly harmed by the proposed development the applicant is proposing their exclusion from the development footprint through the implementation of pit fall traps and amphibian exclusion fencing. This approach is in accordance with standard best practice methodologies.

To mitigate and compensate for the loss of terrestrial habitat and isolation of the ponds all immediate terrestrial habitat (within 50m of each pond) will be retained and enhanced, a new pond will be created and a buffer strip of tree planting/vegetation/ open space has been provided along the northern boundary of the site.

However, the proposed mitigation includes limited habitat creation and the strategy relies on newts having access to the open countryside to the north of the proposed newt habitat area. As such its success would be extremely vulnerable to any further development on land to the north of the site. However given that the land to the north does not benefit from any allocation or extant planning permissions for development, the proposal must be assessed on its own individual merits, and as such is considered to be acceptable. It should also be noted that Natural England appears to be supportive of the proposed mitigation and have not objected to the application. To ensure the success of the newt mitigation area the public must be excluded from accessing it and management proposals must be provided to ensure its long term viability. These can be secured by condition.

### Bats

Bats are a protected species and a BAP priority species and were recorded foraging around the site. However there was no evidence of roosting bats being present. The proposed new pond and planting to the north of the site will at least partially compensate for any loss of foraging habitat and the Council's Ecologist does not anticipate that the proposed development having a significant impact upon bats.

### Breeding Birds

The hedgerows and trees on the proposed development site are likely to support breeding birds including Biodiversity Action Plan Priority species. If planning consent is granted the conditions are required to safeguard breeding birds and to ensure some additional provision is made for roosting bats and birds as part of the development. Specifically, prior to undertaking any works during nesting season, a detailed survey is required to check for nesting birds and a scheme for the incorporation of features suitable for use by roosting bats and breeding birds including house sparrow and swifts, should be submitted, approved and implemented.

### Hedgerows

Hedgerows are a local BAP habitat and a material consideration. The proposed development will result in the significant loss of hedgerows. However, this could be partly compensated for through the provision of newly planted native species hedgerows on the northern boundary of the site, which could be secured by condition.

### **Open space**

The proposed layout makes provision for a large central formal open space, incorporating a children's play area, within Phase A and a further area of informal recreation space, adjacent to the Flowers Lane Access as Part of Phase B. Other peripheral areas of informal open spaces are also proposed. These are in addition to the wildlife mitigation areas referred to above. The Council's Greenspace Officer has examined the proposal and raised no objection to the proposed on-site provision, subject to a private management company being set up by the developer to maintain the open spaces within the development.

He has also requested that the development incorporate an equipped children's play area conforming to NEAP Standard. This means that there need to be a minimum of 8 pieces of equipment, plus 1.4 metre high bowtop railing surround with two pedestrian access gates and a double leaf vehicular access gate. The railings should be painted green and pedestrian gates should be yellow. The equipment must be predominantly metal, inclusive, and conform to BS EN 1176. Equipment should have wetpour safer surfacing underneath it, conforming to BS EN 1177. The surfacing between the wetpour should be tarmac with pre-cast concrete edging surround. Access paths to gates should be tarmac.

Subject to the above requirements, which could be secured through a Section 106 agreement, and in the absence of any objection from the Amenity Greenspaces Section, it is considered that the proposal is considered to be acceptable in terms of open space provision.

### **Drainage and Flooding**

The applicant has submitted with the application, a detailed Flood Risk Assessment, which concludes the site lies in an area of Zone 1 Flood Risk. It has concluded that the risk of flooding to the development arising from external sources can be discounted. United Utilities have confirmed that their public foul system to the east has sufficient spare capacity to serve the proposed development. It is proposed to limit surface water flows from the development effectively to the greenfield run off rate and to connect into the public system to the east also as agreed with United Utilities.

The proposed drainage systems will be designed in accordance with Sewers for Adoption. The systems will be put forward for adoption by United Utilities under a Section 104 Agreement and United Utilities will therefore become responsible for the long term maintenance of the new site drainage system.

Overall the development proposals should seek to contain a 1 in 100 year event plus an allowance for climate change with additional storage to be provided along the ditch corridor at the Moss Lane boundary or alternatively increasing the capacity of the adoptable piped system. Private drainage, i.e. not adoptable, serving houses and individual units within the development will be designed to current building standards. Floor levels will be set a minimum of 150mm above external ground level.

It is concluded that in accordance with PPS25 the development is not at risk of flooding from external sources, will not increase flood risk associated with the development and its environment and is therefore appropriate and will have no adverse impacts.

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.

## **Sustainability**

The Council's Interim Policy carries a requirement for a high quality development designed to Code for Sustainable Homes Level 4 or higher and Building for Life Silver standard or higher.

According to the design and access statement, the approach to meeting Code for Sustainable Homes Level 4 is principally through improvements to the fabric of the building (e.g. improvements to insulation and air tightness over building regulations and the installation of a low carbon Flowsmart boiler and a solar thermal (hot water) system.

Other measures include reducing water usage internally, attenuating the rate and volume of surface water runoff so it does not exceed the current rate post development and using building materials that have a low environmental impact. These measures, in conjunction with others required to meet code level 4, standards will help to fulfil the developments responsibilities with regard to sustainability and 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 prepared an energy strategy for the proposed development to optimize the energy consumption of the site which considers the following measures:

- Maximising the thermal efficiency of individual buildings through thermal mass and insulation

- Minimising demand for water heating, space heating and cooling, lighting and power in individual dwellings through efficient equipment and controls
- Calculating the residual energy demand for the site
- Maximising the amount of the residual demand which can be provided through on-site generated renewable energy (either collective or on individual dwellings)
- Meeting the remaining demand efficiently, e.g. CHP (non-biomass or waste powered), district heating and cooling, ground source heating and cooling

The development will take into account the following hierarchy for feasible heating systems:

1. Solar Water heating
1. Co-generation, preferably powered by renewable
2. Community Heating
3. Heat pumps
4. Gas condensing boilers and efficient temperature and timer controls

The energy strategy considers appropriate on site renewable energy production including those listed and assesses which is the most feasible for the site. At least 10% of total site energy demand will be produced from an on-site renewable scheme. The energy strategy demonstrates that this target will be met through energy efficiency measures and the installation of 160 kWp photovoltaic panels.

The information submitted by the developer indicates 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.

### **Design**

Phase A of the development has been laid out with 4 blocks of properties along the southern boundary facing on to Parkers Road, and a number of detached dwellings on the eastern boundary orientated towards Moss Lane. This creates an active frontage to both roads, which adds visual interest and improves the security of this area. The main gateway to the development is from a T-junction access mid-way along the Parkers Road frontage with a main spine road running due north from this junction and bisecting the site. This provides a welcoming and interesting gateway to the development.

Moving though the development the site has been subdivided into a number of blocks of houses by a series of streets and squares, in accordance with current urban design and Manual for Streets thinking. The squares are overlooked by the properties, which ensures natural surveillance and creates a sense of place. It also helps to create a sense of anticipation as the visitor moves through the site from one square to the next and each space is gradually revealed. Amended plans have been secured to include a second access point to Flowers Lane, which as well as providing a better highway access solution, which is discussed in more detail below, also improves pedestrian and cycle permeability of the site. This is particularly important for people travelling to and from the development and other residential areas to the east and south east, towards Leighton Hospital which lies directly to the west. The roads and squares will be lined with trees, which helps to compensate for existing trees that will have to be removed, and will create a more pleasant residential environment. Shared surfaces have been utilised in accordance with Manual for Streets best

practice, to slow vehicle speeds, reduce the visual impact of highway over-engineering and to give pedestrians natural priority.

At the heart of the development, as stated above, is a large central formal open space, incorporating a children's play area. This is overlooked by properties, and will benefit from natural surveillance as a result, as well as contributing to a pleasant residential environment.

The indicative layout to Phase B shows a continuation of the main spine road and the remainder of the site divided up into blocks, similar to those within Phase A, by secondary vehicle and pedestrian routes. A further area of open space is shown adjacent to the Flowers Lane access. The amended plans also provide for an increased landscape buffer to the northern boundary of the Phase B site where it adjoins open countryside.

To turn to elevational detail, the surrounding development comprises predominantly modern, suburban, cul-de-sac, development, on the adjacent housing estates to the south and west. To the north and west is open countryside with sporadic traditional vernacular farm buildings, which pre-date the expansion of Crewe. There is consistency in terms of materials with most dwellings being finished in simple red brick, and grey / brown slates / concrete / clay tiles.

The proposed house types have been influenced by the form and mass of surrounding residential properties. The dwellings include traditional features such as, chimneys and stone cills and lintels to windows. The use of half dormers and bay windows to feature house types helps to break up the massing of the buildings and maintain visual interest. The predominant roof forms are gables although some are hipped, which reflects the general mix in the surrounding area. It is therefore considered that the proposed development will sit comfortably alongside the mix of existing development within the area.

Although external appearance and design of Phase B are reserved matters, on the basis of the designs which have been produced for Phase A it is considered that an appropriate design can be achieved for the remainder of the site.

The proposal is therefore considered to be acceptable in design terms and compliant with the requirements of Policy BE2 (design) of the adopted Local Plan.

### **Amenity**

A distance of 21m between principal windows and 13m between a principal window and a flank elevation are generally regarded to be sufficient to maintain an adequate standard of privacy and amenity between residential properties. The layout provided for Phase A demonstrates that distances in excess of 25m will be maintained to the nearest neighbouring dwellings on the opposite side of Parkers Road to the south. A distance of approximately 35m will be maintained between the nearest proposed dwelling and The Gables Nursing Home which is situated to the east of the site. An even greater separation will be achieved between the proposed development and the properties to the east in Thorn Tree Drive and the other dwellings on Bradfield Road and Flowers Lane to the west. Intervening landscaping both existing and proposed will also help to mitigate any adverse effect on amenity of existing dwellings outside the site.

To turn to the amenity standard that would be achieved within the development, in the majority of cases, the recommended minimum separation distances set out above would be achieved. However, there are a number of cases where separation distances between principal windows have been reduced to 18m to the rear of properties and 15m to the front of properties.

In most cases, reduced distances between rear windows only apply where properties are not directly facing and measurements are taken at the closest point. Furthermore, whilst the minimum density standard of 30 dwellings per hectare has been omitted, Government advice in PPS.3 indicates that local planning authorities should still have regard to the need to make effective and efficient use of land in the consideration of planning applications. If the minimum standards were to be achieved, it would not be possible to accommodate the number of dwellings which are currently proposed and additional greenfield land would be required in order to meet the housing land supply shortfall which currently exists.

In respect of separation distances to the front of dwellings, modern urban design principles encourage tightly defined streets and spaces, with parking to the rear to avoid car dominated frontages. The reduction of separation distances between front elevations helps to achieve these requirements. Furthermore, those rooms which face on to the highway are always susceptible to some degree of overlooking from the public domain. On this basis, it is considered that, where it is desirable in order to achieve wider urban design objectives, a reduction to 15m between dwellings could be justified.

A private amenity space of c.50-60sq.m is also usually considered to be acceptable for new family housing. The indicative layout indicates that this can be achieved in the majority of cases. 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.

### **Education**

A planning obligation must comply with the following three tests as set out in the Community Infrastructure Regulations 2010:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In effect this means that contributions towards new education facilities can only be sought where the education authority is able to demonstrate that new housing development is likely to generate more children than local primary and secondary schools can accommodate, and that the contribution should be proportionate to any shortfall in capacity.

It is accepted and common practice for local authorities to consider capacity at all primary schools within walking distance of an application site. In the case of primary schools, the Department for Education defines walking distance as a two mile radius from a pupil's home address. CEC's education department recently provided data which showed the pupil roll and current capacity at each primary school within this two mile zone. It showed that according to pupil projections there are 28 surplus places in the "local schools".

The proposed development is expected to generate demand for an additional 65 primary school places, based on CEC's own child yield assumptions (0.162 primary school age children per dwelling). This would mean whilst there is some capacity in local primary schools, there would be a shortfall in capacity of 37 places. In accordance with Circular 05/05 it is necessary for the developer to contribute toward the cost of provision for an additional 37 primary school places in order to meet the need for school places in the future.

To calculate the S106 contributions required for 15 additional primary school places, the education department have used the latest DfE building cost multiplier for the period 2008/09. This is £12,257 (Q4 2008) which, when indexed, gives a current multiplier of £11,850. Cheshire East Council's regional weighting factor is 0.91. The proposed contribution has therefore been calculated as follows:  $15 \times £11,850 \times 0.91 = £398,990$ .

This is a widely accepted method for calculating contributions which we have seen applied by numerous Councils on previous planning applications for housing developments. Furthermore, it is considered that a contribution of £398,990 is fairly and reasonably related in scale and kind to the proposed development, in accordance with the Community Infrastructure Regulations 2010.

### **Highway Safety and Traffic Generation.**

This site has been the subject of extended highway negotiations both at pre-application stage and since it was registered with the Local Planning Authority. A scope was agreed with the developer's highway consultant and a draft Transport Assessment provided shortly before the application was submitted. Subsequently there have been two revisions to the Transport Assessment as the Strategic Highways Manager has asked for improved analysis and additional information.

Most recently, the developer and their highway consultant negotiated with the Highways Development Management team a significant new package of measures which demonstrated a more thorough approach towards the mitigation of development impact. These proposals have now been the subject of a technical addendum note to the Transport Assessment and were received by the HDM team on 14<sup>th</sup> September.

### **Access to the site**

The proposed development will have two points of access from the existing highway infrastructure. The first junction is from Parkers Road and will provide a properly designed priority junction which will incorporate a ghost island right turn lane with a pedestrian refuge. In addition this junction will incorporate a right turn lane improvement for the diagonally opposed junction into Beconsall Drive which will improve traffic management between the two junctions. Also on this frontage, the developer will be providing a PUFFIN crossing on the notional pedestrian desire line to the local facilities, school and shop.

The second junction onto Flowers Lane will again be a simple priority junction and this will be supplemented by an extension to the street lighting on Flowers Lane which will effectively extend the 30 mph speed limit for the full frontage of the site. This has multiple advantages.

The junction will be well lit and the approach speed to the new roundabout design will be reduced.

In addition the treatment of Flowers Lane will see significant footway improvements on both sides of the road together with the provision of a zebra crossing between the new access and the roundabout which will improve pedestrian safety.

## Impact on the Wider Network

The new proposals also offer more significant improvements to the local highway infrastructure and this is seen as a much more positive position by the Strategic Highways Manager. The Transport Assessment has identified an impact at the following junctions and accordingly a number of highway improvements have been negotiated, which would be provided by the developer under a Section 278 Agreement under the Highways Act 1980. These are detailed below.

**Bradfield Road/Parkers Road traffic signal junction:** The developers propose the provision of an improvement in the signal controller with the introduction of MOVA software which will improve traffic management and make the signals responsive to traffic load on the separate arms of the junction and allow more efficient queue reduction at times of peak flow. The Strategic Highways Manager is satisfied that this is a straightforward improvement that will mitigate any adverse impact at this junction.

**Flowers Lane/A530 traffic signals:** The proposal by the developer was for an altered design of these traffic signals which when assessed by the Highways Development Management team did not adequately satisfy standards and therefore needed to be revisited in order to find a solution. This work has now been carried out and the Strategic Highways Manager is satisfied with the design that has been put forward.

**Smithy Lane/A530 junction:** The proposal at this junction is for the provision of traffic signals to replace the existing priority junction with a ghost island right turn lane. The Highways Development Management Team consider this to be an effective proposal and the space available at the junction will accommodate an effective signal design.

**Bradfield Road/Flowers Lane/Smithy Lane roundabout:** The developers have proposed an improvement to the size and geometry of the roundabout to improve capacity and mitigate development traffic impact whilst offering some overall betterment to the general junction capacity. This improvement will be made within land owned by the applicant and land which falls within the public highway and as originally proposed, involved the construction of a non-standard roundabout (and was the subject of concern. Highways audited the scheme and provided safety comments on it. An amended design was then submitted but again safety (and potentially capacity) remained compromised. To try and overcome these issues highways have looked at a double-roundabout design with a view to discussing such a proposal with the Applicant and their consultant. Whilst this is a safer design it would not work in capacity terms.

The highways team are currently looking at another design that involves a non-standard (though larger) type of roundabout and may require more land in the control of the Applicant. A further update on this matter will be provided to Members at committee.

**Moss Lane:** There is significant local concern about traffic impact from this development on Moss Lane, which is a narrow country lane which should not be burdened with additional through traffic from a new development. The development guards against this through the provision of two points of access which can be utilised from anywhere within the site. This means that if generated traffic is to travel in the direction of Middlewich or Winsford, it will use the Flowers Lane access and will not need to use Moss Lane which would be a longer and slower route. If generated traffic is to travel in the direction of Crewe or Warrington it will use the Parkers Road access and will not need to use Moss Lane which would be a longer and slower route. The Strategic Highways Manager is confident that there will not be a problem with traffic from the development using Moss Lane.

**Contribution to the wider highway network:** In addition the developer is also offering financial contribution to the wider highway network and has provisionally offered a sum of £300,000 towards the Remer Street corridor upon which this development proposal is shown to have an impact.

### Accessibility

The Transport Assessment offers a detailed analysis of the modal choice and sustainable links which will serve this site. It does show that the site has reasonable connectivity across the town of Crewe despite its location on the north west side of the Crewe area. There have been some lengthy discussions between the developer and the Highways Development Management team regarding the accessibility of the site and the improvements being offered. Improvements take the form of improved footpath links local to the site and some cycleway provision. The provision of the PUFFIN and zebra crossings also aid connectivity.

### Internal Layout

This site is proposed for phased development of the residential units and significant negotiations have taken place regarding the internal layout. It is important that the site is brought forward with a design which is driven by the guidance within the Manual for Streets document issued by the Department for Transport. This document leads on guidance for quality development and the need to ensure residential developments provide a sense of place through quality design which will provide good social infrastructure. Amongst these design initiatives, the detail of highway design within residential development has changed to provide more innovative layout which supports the quality design whilst providing highway layout which supports traffic needs in a more controlled environment. The design being offered for this site is innovative and will provide a design of good quality and one which the Strategic Highways Manager supports.

### **Conclusion**

The development proposal for this site is considered to have sound potential. The highway improvements and designs for the site are also comprehensive in their intent, and the overall package is an acceptable one. With the exception of the non-standard roundabout (ovalabout) at Minshull New Rd/Smithy La/Flowers La/Bradfield Rd the Strategic Highways Manager is satisfied the proposals can be suitably delivered through a Section 278 agreement, subject to compliance with road safety audits. The financial contribution and

provision of the Minshull New Rd/Smithy La/Flowers La/Bradfield Rd can be achieved through the Section 106 Agreement. Therefore, in summary, the Applicant has overcome the transport issues associated with the development proposal, and only the Minshull New Rd/Smithy La/Flowers La/Bradfield Rd issue remains outstanding. The Highways Team are working with the Applicant to overcome this and a further update will be provided to Members at their meeting.

## **9. CONCLUSIONS**

Therefore, in summary, it is acknowledged that the Council does not currently have a five year housing land supply, which is a requirement of both current advice contained within PPS3 and the recently published Draft National Planning Framework. Accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing. The current proposal is considered to be "suitable" as it is located on the periphery of Crewe, and is in accordance with the Council's agreed position to manage the supply of housing land as set out in the Interim Policy on the Release of Housing Land, which directs the majority of new development towards Crewe. It is also consistent with the emerging Core Strategy which, although it includes a number of options for growth, directs the majority of new development towards Crewe. Housing development in Crewe is also supported by the Crewe Vision which recognises that population growth is key to economic growth and regeneration of the town itself. According to PPS1 these emerging policies are important material considerations.

It has also been demonstrated that the current housing requirements for Crewe cannot be met through the redevelopment of existing brownfield sites.

The proposal is also supported in principle by the Government's "Planning for Growth" agenda which states that Local Authorities should adopt a positive approach to new development, particularly where such development would assist economic growth and recovery and in providing a flexible and responsive supply of housing land. This proposal would do both. The Government has made it clear that there is a presumption in favour of new development except where this would compromise key sustainability principles.

It is considered that the development is acceptable in terms of affordable housing provision and that the highway safety and traffic generation issues can be addressed through a number of junction improvements, which would be provided by the developer through a combination of Section 278 and Section 106 Agreements as well as appropriate developer contributions to other off-site highway improvements along the Remer Street corridor, although the detailed design of Minshull New Rd/Smithy La/Flowers La/Bradfield Rd is still to be negotiated. Matters of contaminated land, air quality and noise impact can also be adequately addressed through the use of conditions.

Although there would be some adverse visual impact resulting from the loss of open countryside, it is considered that due to the topography of the site, this would not be significant relative to other potential housing sites in the Borough. Furthermore, it is considered that the benefits arising from housing land provision would outweigh the adverse visual impacts in this case. The proposal is acceptable in terms of the proposed landscaping strategy and it is considered that through the use of appropriate conditions significant trees can be incorporated into the development. The hedgerows on site to be removed are not

considered to be significant under the criteria set out in the Hedgerow Regulations in respect of archaeological, historic or ecological value.

With regard to ecological impacts, the Council's ecologist and Natural England are satisfied with the proposed mitigation measures and have withdrawn their initial objection to the scheme in respect of the impact on Great Crested Newts. Any adverse impact on Breeding Birds can be mitigated through the use of an appropriate condition relating to the timing of works.

The scheme complies with the relevant local plan policies in terms of amenity, policy requirements in respect of public open space provision have been met within the site, and it is considered that the layout and design respects the character and appearance of the surrounding area.

The Flood Risk Assessment has not identified any significant on or off site flood risk implications arising from the development proposals that could be regarded as an impediment to the development

The information submitted by the developer indicates that it is viable and feasible to meet the requirements of the RSS policy in respect of renewable energy and to achieve Code for Sustainable Homes Level 4 and therefore a detailed scheme can therefore be secured as part of the reserved matters through the use of conditions.

The proposed education contribution has been calculated using a recognised methodology and is considered to be fairly and reasonably related in scale and kind to the proposed development, in accordance with Circular 05/05.

The highway impacts of the scheme, both in terms of highway safety and traffic generation, have been fully assessed and subject to an appropriate package of mitigation measures to be secured through a combination of Section 278 and Section 106 Agreements, as well as conditions, it is considered that these can be mitigated.

It is therefore considered that the proposal would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy. Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

## **9. RECOMMENDATION**

**APPROVE subject to completion of Section 106 legal agreement to secure the following:-**

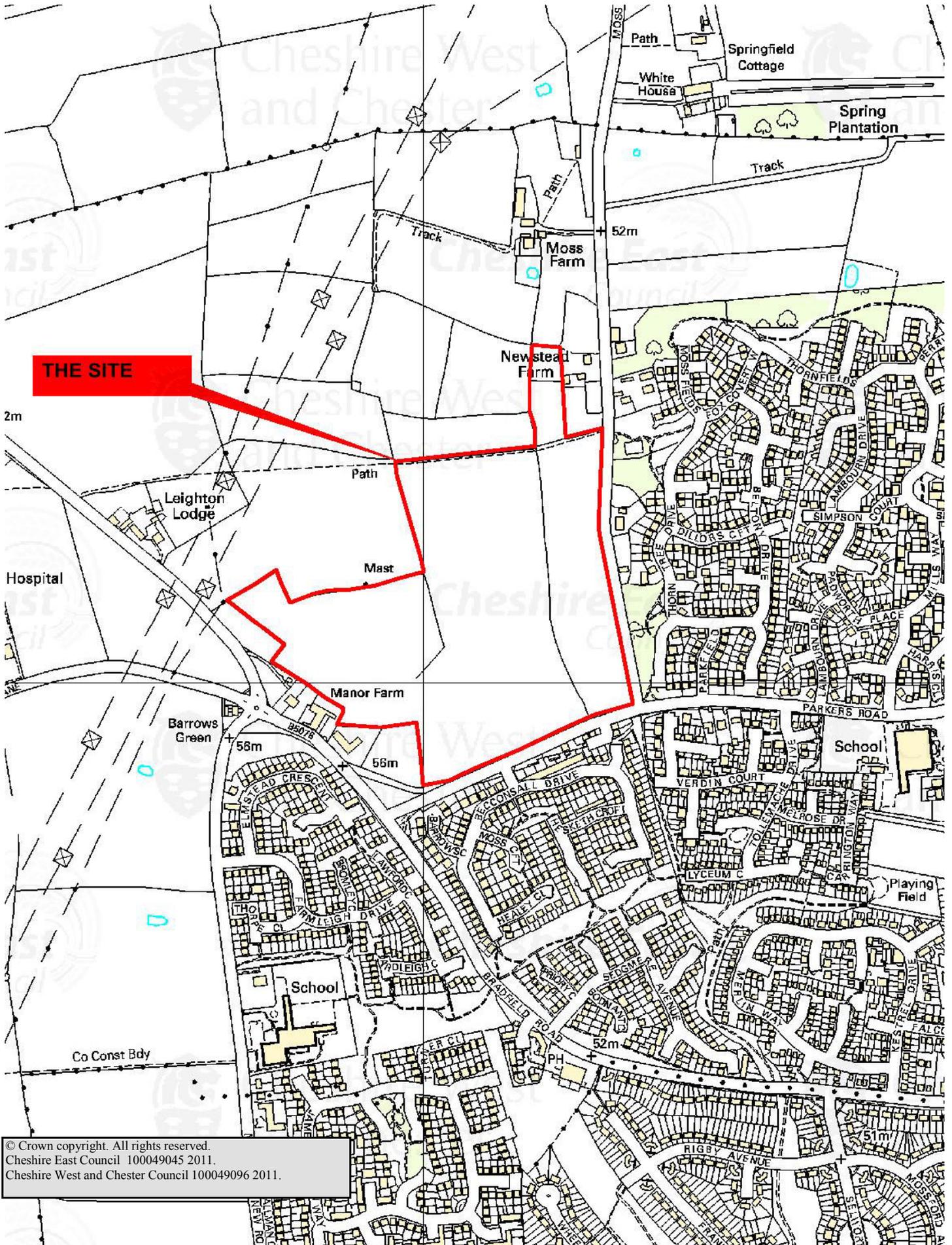
- 1. Provision of education contribution of £398,990**
- 1. Provision of £300,000 towards highway improvements to the Remer Street corridor**
- 2. Provision of a new roundabout at Minshull New Rd/Smithy La/Flowers La/Bradfield Rd junction.**
- 3. Provision of public open space including amenity greenspace and an equipped children's play area conforming to NEAP Standard, to include:**

- a. A minimum of 8 pieces of equipment,
  - b. 1.4 metre high bowtop railing surround with two pedestrian access gates and a double leaf vehicular access gate.
  - c. Railings to be painted green and pedestrian gates to be yellow.
  - d. Equipment to be predominantly metal, inclusive, and conforming to BS EN 1176.
  - e. Equipment to have wetpour safer surfacing underneath it, conforming to BS EN 1177.
  - f. Surfacing between the wetpour to be tarmacadam with pre-cast concrete edging surround.
  - g. Access paths to gates to be tarmacadam
4. Provision for future management of children's play areas and amenity greenspace to include transfer to and future maintenance by a private management company.
  5. Provision of 35% of the 400 units proposed across the whole site as affordable housing in perpetuity. Provision within Phase A shall be 26 units comprising 11 x 2 beds, 14 x 3 beds and 1 x 4 bed, this totals which equates to only 20% of the 131 units to be developed in Phase A. The tenure split to be on a 65% social rent, 35% intermediate tenure basis. The mix of house types and tenure for within Phase B to be agreed as part of subsequent reserved matters applications.

And the following conditions

1. Standard 3 year time limit (Phase A)
1. Standard outline time limit (Phase B)
2. Submission of reserved matters (Phase B)
3. Plans
4. Materials
5. Boundary Treatment
6. Landscaping submission
7. Landscaping implementation
8. Breeding bird survey to be carried out prior to commencement of any works during nesting season
9. Features for use by birds and bats
10. Habitat creation and management plan
11. Design of proposed pond
12. Design and layout of the proposed newt mitigation area including proposals to ensure no public access.
13. Submission of details of bin storage.
14. Archaeology investigation / report
15. Compliance with flood Risk Assessment
16. Restrict surface water run-off
17. Surface water attenuation
18. Minimum Floor Levels
19. Surface Water Regulation Scheme
20. Site to be drained on a separate system
21. Phase II contaminated land investigation and remediation
22. Travel Plan

- 23. Updated Air Quality Impact Assessment**
- 24. Limit hours of construction to 08:00 – 1800 Monday to Friday and 0900 – 1400 on Saturday with no working on Sunday or Bank Holiday**
- 25. Details of external lighting to be submitted and approved**
- 26. Construction of Access**
- 27. Provision of Parking**
- 28. Highway Construction details to be submitted**
- 29. Replacement hedge and tree planting**
- 30. Tree / hedge protection measures**
- 31. Implementation of Tree / hedge Protection**
- 32. Arboricultural Method Statement**
- 33. Code for Sustainable Homes Level 4**
- 34. Provision of 10% renewable energy on site unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.**



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Application No: 11/2212N

Location: LAND AT GRESTDY GREEN, GRESTDY GREEN ROAD, SHAVINGTON  
CUM GRESTDY, CREWE

Proposal: Demolition of Buildings. Residential Development with Associated Access  
& Landscaping

Applicant: Bellway Homes Ltd

Expiry Date: 13-Sep-2011

### **SUMMARY RECOMMENDATION**

**APPROVE** subject to conditions and the completion of Section 106 legal agreement to secure the following:-

- 1. Provision of 18 affordable housing units – 12 to be provided as social rent with 6 as intermediate tenure**
- 2. Provision of education contribution of £86,268**
- 3. The provision of a LEAP and Public Open Space to be maintained by a private management company**
- 4. A commuted payment of £51,000 towards highway improvements (to be put towards the construction of the Crewe Green Link Road or capacity improvements at the junction of Gresty Road and South Street with Nantwich Road)**

### **MAIN ISSUES**

**Impact of the development on:-**  
**Planning Policy and Housing Land Supply**  
**Affordable Housing,**  
**Highway Safety and Traffic Generation**  
**Landscape Impact**  
**Hedgerow and Tree Matters**  
**Ecology**  
**Design**  
**Amenity**  
**Open Space**  
**Drainage and Flooding**  
**Sustainability**  
**Education**

### **REASON FOR REFERRAL**

This application was deferred from the Strategic Planning Board meeting on 28<sup>th</sup> September 2011 for the following reasons;

- For clarification about the specific impact of the proposal on the strategic highways network in Crewe.
- For information about the availability of developable land in the Crewe area, the number of units that could be developed and its implications for the Council's 5-year housing land supply.
- To further consider the adequacy of the applicant's highways contribution in addressing the impact of new housing on the local and strategic road network

## **1. DESCRIPTION OF SITE AND CONTEXT**

The application site is located to the west of Gresty Green Road and to the north of Gresty Lane within the open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The site includes Gresty green Farm which comprises a traditional farmhouse and a range of modern and traditional farm buildings. The majority of the site is a relatively flat field which is bound by traditional hedgerows and a number of large trees. To the north of the site is a railway line with a depot beyond. To the opposite side of Gresty Green Road is a mix of residential properties which vary in height from single-storey to two-storey. To the east of the site are storage buildings which are occupied by Crewe Cold Stores.

## **2. DETAILS OF PROPOSAL**

This is a full planning application for the erection of 51 dwellings. Access to the site would be taken from Gresty Green Road. The development would consist of 28 four bedroom dwellings, 15 three bedroom dwellings and 8 two bedroom dwellings. All of the properties on the site would be two-storeys in height. Public Open Space would be provided in three separate parcels, the largest would be located alongside the railway with two smaller parcels located onto the frontage with Gresty Lane.

## **3. RELEVANT HISTORY**

The site has no relevant planning history

## **4. POLICIES**

### **Local Plan policy**

BE.1 – Amenity

BE.2 – Design Standards

BE.3 – Access and Parking

BE.4 – Drainage, Utilities and Resources

BE.5 – Infrastructure

BE.6 – Development on Potentially Contaminated Land

NE.2 – Open Countryside

NE.5 – Nature Conservation and Habitats

NE.9 – Protected Species

NE.17 – Pollution Control

NE.20 – Flood Prevention

RES.7 – Affordable Housing

RES.3 – Housing Densities

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

### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP7 – Promote Environmental Quality

L4 – Regional Housing Provision

L5 – Affordable Housing

RDF1 – Spatial Priorities

EM1 – Integrated Enhancement and Protection of the Regions Environmental Assets

MCR1 – Manchester City Region Priorities

MCR 4 – South Cheshire

### **National Planning Policy**

PPS1 – Delivering Sustainable Development

PPS7 – Sustainable Development in Rural Areas

PPS9 – Biodiversity and Geological Conservation

PPS23 – Planning and Pollution Control

PPG24 – Planning and Noise

PPS25 – Development and Flood Risk

### **Other Considerations**

'Planning for Growth'

'Presumption in Favour of Economic Development'

Draft National Planning Policy Framework

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

Interim Planning Statement Affordable Housing

Interim Planning Statement Release of Housing Land

## **5. CONSULTATIONS (External to Planning)**

**Environment Agency:** The Environment Agency originally objected to the application but following the receipt of additional information they have made the following comments: The Environment Agency is now able to remove the objection to the development. The Environment Agency would however maintain that the development proposal has missed the opportunity to "open up" and restore the watercourse, and therefore all the associated benefits that have been highlighted in previous correspondence will not be achieved as part of the development proposals. The EA would recommend that the following planning conditions be imposed on any planning permissions to ensure that the requirements of the approved Flood Risk Assessment (FRA) (Lees Roxburgh Consulting Engineers, 4897/R1, June 2011 & supporting supplementary information) are carried forward to the detailed design stages of the project;

- The development hereby permitted shall not be commenced until such times as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the local planning authority.
- The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the on-site surface water drainage system has been submitted to, and approved in writing by, the Local Planning Authority.

**United Utilities:** No objection

**Network Rail:** The proposed development is next to Network Rail land and infrastructure and therefore the development has the potential to impact negatively upon operational railway land. Therefore Network Rail would very strongly recommend that;

-The land is subject to a conveyance and as such there is a requirement relating to the application to Network Rail for development consent.

- The potential for any noise/ vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of PPG24 and the local planning authority should use conditions as necessary. The current level of usage may be subject to change at any time without prior notification including increased frequency of trains, night time train running and heavy freight trains.

- All roads, paths or ways providing access to any part of the railway undertaker's land both temporary and permanent, shall be kept open at all times during and after the development.

- The developer/applicant must ensure that their proposal both during construction and after completion of works on site does not encroach onto Network Rail land, it must not affect the safety, operation or integrity of the railway and its infrastructure.

- Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures.

- Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail.

- All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the boundary with Network Rail.

- Fully detailed plans of the development within 10 metres of Network Rail's boundary, including cross-sections where alterations to the existing ground levels are proposed, should be submitted to the Network Rail Asset Protection Engineer before development commences.

- The Developer must provide at their expense a suitable trespass proof palisade fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land.

- The applicant must ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary.

- Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains.

- Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway.

**Strategic Highways Manager:** The highways authority has been liaising with the developer over proposed alterations to the junctions Gresty Green Road with Gresty Lane, and Green Lane with Crewe Road. The preferred option is for the existing priority to remain the same, and include alterations to accommodate the largest of delivery vehicles accessing this area and the provision of a footpath link into Crewe Road. This work should be carried out under a section 278

agreement and no work shall commence on site until a plan has been agreed by the LPA and HA. Furthermore, a developer contribution of £2500 per plot will be required towards improving the surrounding highways infrastructure in accordance with the results of the transport assessment model carried out by MVA on behalf of CEC during 2011, and should be paid on commencement of development.

**Environmental Health:** No objection but suggest conditions in relation to air quality, contaminated land, noise mitigation measures and external lighting.

**Education:** Given that this is a development for 51 new dwellings it will generate 8 new primary school places and 7 new secondary places. There is very little capacity in the local primary schools (i.e. primary schools within a 2 mile walking distance of the site) at present and due to be less than 1% spare capacity by 2015. In light of this the Council will require a developer's contribution of £86,268 towards work on the local schools. No requirement will be needed for secondary school provision.

**Public Open Space:** The general layout of the open space is acceptable. A 5 piece LEAP will be required, this means that there needs to be a minimum of 5 pieces of equipment, plus 1.4 metre high bow top railing surround with two pedestrian access gates and a double leaf vehicular access gate. Railings shall be painted green; pedestrian gates to be yellow. The equipment must be predominantly metal, inclusive, and conform to BS EN 1176. The equipment shall have wetpour safer surfacing underneath it, conforming to BS EN 1177. The surfacing between the wetpour shall be tarmacadam with pre-cast concrete edging surround, the access paths to gates to be tarmacadam.

## 6. VIEWS OF THE PARISH COUNCIL

Object to the application on the following grounds;

- The application is premature because houses will not be needed until the Basford East employment sites are completed
- Access will be dangerous until the Basford East Spine Road is completed and removes traffic from Crewe Road
- The local Crewe and Nantwich plan is still in force and this site is outside the settlement boundary shown on it
- A new Parish Plan for Shavington-cum-Gresty is currently underway and this proposed development should await its findings
- The access roads are dangerous and inadequate - Gresty Lane is already a dangerous rat-run with a fatal accident only recently
- Gresty Green Lane is a narrow cul-de-sac unsuited to traffic. It is not a through road
- The junction with Crewe Road at the Cheshire Cheese is dangerous enough already without any further traffic movements
- The proposed modification to the junction would make things worse and not improve the situation
- There have been three fatal accidents in the vicinity
- The site is green field farmland, originally green-gap itself and now adjacent to the green gap. It divides Crewe from Shavington
- There are protected bats on the site and the remedial measures are considered inadequate. The proposed seating area would become a magnet for rowdy undesirables

- The building of the houses will kill or remove all bats contrary to the law which is in place to protect them - there would also be no food supply for the bats once the houses were built
- The local infrastructure is inadequate to cope with additional house building
- There are insufficient places at local primary schools: Pebble Brook and Shavington Primary Schools
- There is already a significant drop in electricity supply voltage at peak times
- The existing drains are already unable to take heavy rainwater now
- Crewe Road extremely busy and overloaded with traffic, particularly at peak hours
- Mains water pressure in the drops dramatically at peak times already
- The doctors surgery is at capacity, and there are no local dentists - the waiting time at Leighton hospital has increased considerably already
- The development is outside the settlement boundary
- The boundary is currently defined by the local plan which has not yet been replaced and which was confirmed on appeal by an Inspector
- The Council's current policy is for development IN villages and NOT at the edge of Crewe
- The Council's current policy is for the villages to be separated from Crewe not joined up with Crewe by new housing sites
- The site is subject to flooding
- The Gresty brook takes all surplus surface water from the surrounding area and it already floods the site
- This development and the approved Basford West Industrial site will reduce the grass soakaway areas
- There will therefore be even more surface water and this site will flood badly and often
- Noise and Smell - the site is adjacent to a busy railway and the noise level would severely disturb new householders
- The site is adjacent to the Morning Foods factory with odours and noise which would reduce the amenity of new houses
- Loss of Amenity to Others - the development will cause loss of amenity particularly to the homes on Gresty Green Road
- Additional pressure on the infrastructure will cause loss of amenity to all local residents
- The increased development in Shavington parish will substantially change the locality and destroy its suburban village ethos

## 7. OTHER REPRESENTATIONS

Letters of objection have been received from the occupants of 241 properties, raising the following points;

### Principal of the development

#### Loss of Greenfield land

The settlements of Crewe and Shavington should be kept separate

A number of vacant units in the area

Overdevelopment of the site

Loss of village identity

No requirement for additional housing around Crewe

The development is outside the Settlement Boundary

Loss of Green Gap land

The proposal does not meet Local Plan Policy

The Local Plan Inspector concluded that housing was unacceptable on this site

The development would increase pressures on the operation of local businesses  
There is sufficient Brownfield land within Crewe  
The application is premature  
Excess housing in Crewe

#### Highways

Increased traffic congestion  
Parking problems  
Highway safety  
Conflict with large vehicles serving local businesses  
The roads in the area are of a poor quality  
Access to the A500/M6 is poor  
Public transport in the area is inadequate  
The proposed access is dangerous  
The roads surrounding the site are an existing rat run

#### Amenity issues

Visual impact  
Noise from the railway line would have a detrimental impact upon the occupants of the future dwellings  
Noise and light pollution from the nearby railway depot  
Noise and smell from Mornflakes depot

#### Infrastructure

Existing schools are full  
Problems with electricity supply  
Inadequate drainage/  
Inadequate sewage infrastructure  
Health centre and local dentists are full  
Increase in waiting times at Leighton Hospital  
Impact upon Broadband

#### Ecology

Impact upon protected species  
Loss of habitat  
Bats roost on the site  
The bat mitigation measures are inadequate and will attract ant-social behaviour  
Loss of hedgerow  
The impact upon Badgers  
The impact upon Great Crested Newts  
Loss of birds

#### Other issues

Timing of the application  
Location of the Committee meeting  
No jobs to serve the occupants of these dwellings  
Proximity of the proposed housing to an existing mobile phone mast  
Lack of consultation  
No demand for new houses

The proposal does not include any community facilities  
Inaccuracies in the supporting documentation  
Increased flooding from the site  
Noise/traffic and amenity issues caused by the construction of the dwellings  
Lack of consultation in relation to the Interim Planning Policy  
Impact upon property value

Letters of objection have also been received from 2 local companies (Morning Foods Ltd and Direct Rail Services) raising the following points of objection;

- Not consulted about the Interim Planning Policy
- Morning Foods is a major employer in the Borough and has a number of extant planning permissions for the expansion of the Gresty Road Mill
- Residential development to the south of Morning Foods would constrain future expansion of the mill, which is laid out with the site emitting noise to the south
- At the Local Plan Inquiry this site was discounted for housing by the Planning Inspector
- The site is isolated from Crewe due to its position on the opposite side of the railway line
- Noise generated from Morning Foods, the railway line and the other surrounding employment units would impact upon the amenities of the future occupiers of the proposed dwellings
- Support is given to local residents who are opposing the scheme
- The site is not allocated as part of the current local plan

A letter of representation has been received from Richborough Estates (the applicants for the Hind Heath Road site, Sandbach). This raises the following points;

- The appeal decisions at Hind Heath Road and Elworth Hall Farm gave little weight to the Interim Planning Policy Statement on the Release of Housing Land
- The site is adjacent to the railway line and not the Crewe Settlement Boundary and therefore the development does not comply with the IPP

A letter of objection has been received from Cllr Brickhill raising the following points of objection;  
The application is premature because:-

- Houses will not be needed until the Basford East employment sites are completed
- Access will be dangerous until the Basford East Spine Road is completed and removes traffic from Crewe Rd
- The local Crewe and Nantwich plan is still in force and this site is outside the settlement boundary shown on it.
- A new local parish plan is under way and this development should await its findings.

The access roads are dangerous and inadequate:-

- Gresty Lane is already a dangerous rat run with one decapitation accident recently
- Gresty Green is a narrow cul-de-sac unsuited to traffic. It is not a through road.
- The junction with Crewe Road at the Cheshire Cheese is dangerous enough already
- The proposed modification to the junction will make things worse
- There have been three fatal accidents in the vicinity

The site is green field farmland

- It was originally green gap until Gerry Mandering removed it
- It is immediately adjacent to a green gap
- It does help divide Crewe from Shavington

There are protected bats on the site

- The remedial measures are inadequate. The seating area will become a magnet for rowdy undesirables

- The building of the houses will kill or remove all bats contrary to the law to protect them.
- There will be no food supply for the bats when the houses are built.

The local Infrastructure is inadequate

- There are insufficient places at local primary schools Pebble Brook and Shavington.
- There is already a big drop in electricity supply voltage at peak times
- The drains are unable to take heavy rainwater now
- Crewe road is badly overloaded at peak times now
- Water pressure in the mains drops badly at peak times already
- The doctors surgery is full and there are no local dentists
- The waiting time at Leighton hospital has increased considerably already

The development is outside the settlement boundary

- The boundary is currently defined by the local plan which has not yet been replaced
- The boundary was confirmed on appeal by an Inspector.
- Current policy is for development IN villages NOT at the edge of Crewe
- Current policy is for the villages to be separated from Crewe not joined up with Crewe by new housing

The site floods

- The Gresty brook takes all surplus surface water from the surrounding area and it already floods the site
- This development and the approved Basford West Industrial site will reduce the grass soakaway areas
- There will therefore be even more surface water and this site will flood badly and often

Noise and Smell

- The site is adjacent to a busy railway and the noise level will severely disturb new householders
- The site is adjacent to Morning Foods factory with bad odours and noise which will reduce the amenity of new houses
- Morning Foods employs 200 FTE. Objections from nearby residents could reduce or impede output and destroy jobs.

Loss of Amenity to Others

- The development will cause loss of amenity particularly to the homes on Gresty Green road
- Additional pressure on the infrastructure will cause loss of amenity to all local residents.
- The increased development in Shavington will substantially change the locality and destroy its suburban village ethos

## **8. APPLICANT'S SUPPORTING INFORMATION**

To support this application the application includes the following documents;

- Supporting Planning Statement
- Design and Access Statement
- Vibration Impact Assessment
- Bat and Bird Survey
- Environmental Noise Study
- Transport Assessment
- Phase 1 Habitat Survey
- Statement of Community Involvement
- Site Investigation Report
- Flood Risk Assessment
- Energy and Climate Change Strategy Report
- Arboricultural Report

These documents are available to view on the application file.

## **9. OFFICER APPRAISAL**

### **Principal of Development**

The site lies in the Open Countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where policy NE.2 states 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.

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 exceptional circumstances associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

PPS3 states that, in determining housing provision, local planning authorities should take account of various factors including housing need and demand, latest published household projections, evidence of the availability of suitable housing land, and the Government's overall ambitions for affordability. PPS3 advises that where a LPA cannot demonstrate a five year supply of available and deliverable housing land it should consider favourably suitable planning applications for housing

Government Guidance, published following the revocation of the RSS notes that LPA's will still need to justify their housing supply policies in line with PPS3 and that evidence which informed the preparation of the revoked Regional Strategies may also be a material consideration.

The Council intends to rely upon the figures contained within the RSS until such time as the LDF Core Strategy has been adopted. The RSS proposes a dwelling requirement of 20,700 dwellings for Cheshire East for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. The Council's Cabinet has decided that the Council will continue to use the RSS housing requirement figure for a minimum of 1,150 net additional dwellings to be delivered annually, pending the adoption of the LDF Core Strategy.

In terms of housing land supply this issue has been dealt with at the recent public inquiries at Abbeyfields, Hind Heath Road and Elworth Hall Farm in Sandbach. At these appeals the Councils has conceded that the housing land supply situation is now worse than initially thought and that the current supply stands at 3.65 years.

Members may recall that at the meeting of the Strategic Planning Board on 6<sup>th</sup> October 2010 a report was considered relating to Issues and Options for the Local Development Framework Core Strategy, which outlined 3 options for apportioning growth across Cheshire East. Although each of

the options is different, the common theme between them is an emphasis on growth in Crewe. Therefore, whilst the options are under consideration, and there is uncertainty as to which option will be taken forward, it is appropriate that any Greenfield development required to make up a shortfall in housing land supply should be directed to Crewe. This reflects the position of Crewe as a priority for Development and Regeneration within the adopted Sustainable Community Strategy for the Borough entitled "Ambition for All". PPS1 2005 in *The Planning System: General Principles* at para. 14, states that "*Emerging policies in the form of draft policy statements and guidance can be regarded as material considerations, depending on the context. Their existence may indicate that a relevant policy is under review, and the circumstances which led to that review may be need to be taken into account.*"

In order to address the lack of a 5 year housing land supply, the Interim Planning Policy on the Release of Housing Land has been produced. This policy will allow the release of appropriate Greenfield sites for new housing development on the edge of the principal town of Crewe and encourages the redevelopment for mixed uses, including housing, of PDL within settlements.

Furthermore, Paragraph 69 of PPS 3 states that in determining planning applications, local planning authorities should have regard to a number of criteria, including, inter alia, "*ensuring the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area an does not undermine wider policy objectives e.g. addressing housing market renewal issues.*"

Paragraph 72 of PPS.3, states that LPA's should not refuse applications solely on the grounds of prematurity. However, PPS1 also deals with the question of prematurity to an emergent plan, and advises that in some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a Development Plan Document (DPD) is being prepared or is under review, but it has not yet been adopted.

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 centre's 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. In response to this it is considered 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. In this case the scheme could be achieved 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 recognized 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 Interim Planning Policy on the release of housing sites.

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.

Therefore, in summary, it is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing. The current proposal is considered to be "suitable" as it is located on the periphery of Crewe, and 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 which directs the majority of new development towards Crewe. 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. According to PPS1 these emerging policies are material considerations and consequently, 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.

## **Brownfield Land**

The Cheshire east annual housing figure of 1150 homes is derived from the previous Regional Spatial Strategy (RSS). The RSS quotes an annual requirement of 450 dwellings for the former Crewe and Nantwich area. This equates to a five year housing land supply requirement of 2500 units. As by far the largest town in the plan area it is to be expected that Crewe and its immediate surroundings would be expected to accommodate the greater part of this growth. Objectors and Members have previously expressed concern about releasing Greenfield land for development, whilst there are undeveloped brownfield sites remaining. Members have previously received a list of all the brownfield and mixed brownfield/greenfield sites for the Borough from extracted from the Strategic Housing Land Availability Assessment (SHLAA). This shows that There are 125 sites in and adjacent to Crewe that are brownfield (or mixed green / brownfield) and that are considered to be “deliverable” – these have a capacity to bring forward 666 dwellings in the 1-5 year period.

If only exclusively brownfield sites are considered then the total is reduced to 121 sites with a capacity for 587 dwellings in the 1-5 year period. By any measure its clear that brownfield sites alone cannot meet the future housing needs of Crewe, never mind the Borough as a whole.

## **Affordable Housing**

As the site is located outside of the settlement boundary of Crewe the developer will be required to deliver a high quality, well designed development with a minimum of 35% of the housing being affordable in accordance with the Interim Planning Statement on Affordable Housing and the Interim Affordable Housing Policy. This percentage relates to provision of both social rented and/or intermediate housing as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

The developer proposes 51 units and has confirmed that in accordance with the Policy stated above, there will be a provision of 18 of the units to be provided as affordable housing. Of the 18 units 12 would be provided as social rent with 6 as intermediate tenure. The affordable units that would be provided are ten 3 bed Chatsworth house type and eight 2 bed Studley house type.

The design of new housing developments ensures that affordable homes are integrated with open-market homes to promote social inclusion and are not segregated in discrete or peripheral areas. The external design, comprising elevation, detail and materials, is compatible with open market homes on the development in question thus achieving full visual integration.

The affordable housing provision on this proposed development is therefore considered to be acceptable.

## **Highways Implications**

The proposed layout is in the form of a cul-de-sac with a footpath link connecting the site to Gresty Lane. In terms of the access to the site this would have a visibility splay of 2.4m x 25m which accords with Manual for Streets and is considered to be acceptable.

The original scheme included the redesign of the junction of Gresty Green Road/Gresty Lane/Crewe Road. However following the completion of a safety audit it was considered that this junction design was not acceptable. Therefore the preferred option is for the existing priority to remain the same, and include alterations to accommodate the largest of delivery vehicles accessing Gresty Lane and the provision of a footpath link into Crewe Road. Amended plans have been submitted which show the amended junction design and the Strategic Highways Manager has now confirmed that this junction design is acceptable, providing that a refuge island is constructed on the Gresty Green Lane junction with Crewe Road (this is to aid pedestrian movements and to prevent oncoming vehicles turning right into Gresty Lane from crossing the centre line). A right turn lane should also be provided on Crewe Road. These amendments are relatively minor and will be secured through the use of an amending planning condition.

In terms of increased traffic movements from the site the Transport Assessment states that TRICS data has been used to determine the likely level of vehicular trips from the site. This shows that there will be approximately 50 vehicle movements from the site (in and out) per hour between the peak hours of 07:45 to 08:45 and 16:45 and 17:45.

Traffic Surveys have been undertaken in support of this application and focus on the following junctions;

- Priority junction of Gresty Lane/Gresty Green Road
- Priority junction of Crewe Road/Gresty Lane
- Signalised junction of Crewe Road/Link road to A500/Works
- Priority junction of Crewe Road/Gresty Road/South Street/Catherine Street
- Signalised junction of Nantwich Road/Mill Street/South Street
- Signalised junction of Nantwich Road/Gresty Road/Pedley Street

The TA states that the Gresty Lane/Gresty Green Road junction, the Crewe Road/Gresty Lane junction and the Crewe Road/Gresty Road/South Street/Catherine Street all operate well within capacity in both 2011 and 2016 with base flows plus the proposed development trips.

Due to the close proximity of the Nantwich Road/Gresty Road/Pedley Street junction and the Nantwich Road/Mill Street/South Street junction, these have been assessed as a linked pair of junctions and a like for like comparison of the base flows and base flows with development has been undertaken. The submitted TA shows that the proposed development would have little or no impact upon these junctions. In the AM there would be no more than 2 additional vehicles queuing on just 2 arms of the junction (there is a total of 7 arms) with a smaller impact in the afternoon.

Finally the junction of Crewe Road/Link Road to the A500/works has been shown to work within capacity in 2011 and 2016 with base flows and development flows.

Given the level of predicted vehicle movements from the site and the low level impact upon the surrounding junctions it is clear that the development would not have a detrimental impact upon the wider highway network. The conclusion in the TA that this development would have 'little or no impact on the surrounding network from a vehicular point of view' is therefore accepted.

In terms of the wider impact and the cumulative impact with the adjacent developments (Bloor Homes and Taylor Wimpey) the TA states that a larger scheme will have a material effect on the Nantwich Road signal junctions which 'may require mitigation'. This mitigation has been identified

as the construction of the Crewe Green Link Road or put toward capacity improvements at the junction of Gresty Road and South Street with Nantwich Road.

Therefore it is necessary to secure a contribution from this development to the identified mitigation. A £500 contribution per dwelling was originally offered and at the last SPB meeting members requested that this figure was re-assessed. Following negotiations, the applicant has now offered a figure of £1,000 per plot (a total of £51,000). Given the scale of the development and its impact it is considered that this contribution is acceptable and the development would not have a detrimental impact upon the wider highway network.

## **Amenity**

The main properties affected by the proposed development are those located on the opposite side of Gresty Green Road. No's 2, 4 & 6 Gresty Green Road are bungalows and are set at a lower level to highway. The proposed development would result in the side elevations of plots 1 and 20 facing these bungalows with a separation distance of approximately 17 metres. This separation is considered to be adequate and there would be no detrimental impact upon these properties.

In terms of Bridge Villa there would be a separation distance of approximately 25 metres to the front elevation of plot 23. Again this separation distance is considered to be acceptable.

It is also necessary to consider the amenities of the future occupiers of the dwellings in terms of noise and vibration from the nearby land uses such as the railway depot, Mornflakes Mill, the railway line and Crewe Coldstores.

In terms of noise the objection from Morning Foods makes reference to the Local Plan Inspectors Report where he states that

*"On relation to objections by Mr. Nevitt and Mornflake, concerning the potential sensitivity of future residents to noise generated by the Mornflake Mill which operates 24 hours per day, seven days per week, the Council has commissioned noise impact assessments for both allocations. As a result, it considers that there are no noise constraints to the principle of residential development. However, the reports conclude that allocation RES.2.10 '..is exposed to steady noise from the nearby Mornflake factory and intermittent noise from passing trains', whilst the northern part of allocation RES.2.11 '..is exposed to intermittent noise from passing trains' and the south-western corner '..is exposed to noise from lorry loading operations at Crewe Cold Food Store'. The report on RES.2.1.10 assesses the daytime noise levels as falling within Category B, whilst at night they are in the low end of Category C near to the factory and Category B in other areas. Annex 1 to PPG24 indicates that noise should be taken into account in determining planning applications in Category B areas, whilst in Category C, planning permission should not normally be granted or, if it is, there should be a commensurate level of protection against noise. It seems to me that, if there are alternative allocations that are not similarly affected, this is a contributory factor suggesting these allocations may not be the most appropriate."*

In response to this an updated noise assessment has been submitted by the applicant's agent. This survey identifies that the general noise for this site comprises traffic noise from Crewe Road with occasional short duration noise due to passing trains. The survey also indicates that night

time noise is similar to that of the day with low level traffic noise and occasional noise events due to passing trains. The report indicates that Mornflakes Mill and Crewe Coldstores would not raise any significant noise issues.

The site falls with Noise Exposure Category's (NEC) A and B for daytime periods and NEC's A, B and C for night time periods. The areas of the site which include the highest noise readings (NEC category C) do not include proposals to construct any new dwellings.

For development within NEC category B, PPG24 states that *'Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise'* and within category A PPG24 states that *'Noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level'*.

The submitted noise assessment states that *'noise ingress calculations indicate that compliance with the target internal noise criteria in habitable spaces can be achieved using double glazed units for bedrooms and living spaces together with a combination of standard and acoustically rated passive vents'*. This is accepted by the Environmental Health Officer who has raised no objection subject to the noise mitigation measures contained within the noise assessment being conditioned as part of any approval.

In terms of vibration from the adjacent railway line the submitted survey indicates that vibration from the railway line would have no impact upon the proposed dwellings during the day or night. This view is accepted by the Environmental Health Officer who has raised no objection the development on these grounds.

## **Landscape**

Although the land to the south is designated as Green Gap, the application site does not have any local or national landscape designation. The roadside hedge provides an attractive feature at the junction of Gresty Lane and Gresty Green Lane. Whilst the hedgerows restrict views to some extent, the site is visible through a fenced boundary when approached from the west along Gresty Lane and from the access to the farm on Gresty Green Lane. Private properties in the immediate locality are located on Gresty Green Lane. Several bungalows are set at a lower level than the road and it is anticipated that the existing roadside hedge currently screens occupier's views into the site. The two storey property Bridge Villa will however, have open views to the site.

Development of the site would completely and irreversibly alter its character and appearance. However there is a strong justification for the loss of a greenfield site and it could be argued that with existing residential in the vicinity, a sympathetically designed residential development on the site would not necessarily be viewed as incongruous in the locality.

## **Trees and Hedgerows**

The application includes a report on arboricultural issues dated June 2011. The report indicates that the proposed development would require the removal of 5 individual trees and one small group of trees all located around the existing farmhouse. The majority of these trees are insignificant although one Copper Beech tree on the boundary with the garden is a mature specimen which provides some visual amenity. On close inspection, the Copper Beech tree has a

number of basal and stem cavities and evidence of decay within the main stem. It is considered that the tree has a relatively short safe remaining life expectancy the view that its current condition is such that retention in the context of a proposed residential development would not be sustainable in the longer term is accepted.

Other trees on the site, including several prominent roadside Oak trees, are identified for retention with protection measures. Two mature Ash trees, off site but overhanging the northwest boundary, have been identified as being in poor condition and are recommended for removal.

It was considered that the gardens of plots 42 and 43 would be dominated by a mature Oak tree to the north and it was suggested that greater separation needs to be achieved from the rear elevations of the dwellings to ensure there is sufficient usable private amenity space. Amended plans have now been provided to improve this relationship.

Concern was also raised that the proposed footpath link and access road would be sited immediately adjacent to the roadside Oak trees. Whilst the arboricultural report suggests that areas of hardstanding could be constructed with special construction techniques, even if works are necessary within the tree root protection areas it would be preferable to provide greater separation from the trunks of the trees. The footpath link and access road have been moved away from the Oak trees and this relationship is now considered to be acceptable.

Should the development be deemed acceptable, a comprehensive arboricultural method statement would be necessary to cover tree protection, programme of tree works, and special construction techniques for proposed areas of hard surfacing in tree root protection areas.

The submission includes a report on a Hedgerow Survey dated June 2011. 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.

Whilst the hedgerows do not appear to meet the qualifying ecological criteria in the Regulations, a consultation response from Cheshire Archives and Local Studies indicates there is evidence to suggest that the hedgerows in question form an integral part of a field system predating the Enclosure Acts. In these circumstances the hedgerow will be deemed 'Important' under the Regulations and this is a material consideration.

The Hedgerow Survey report and plans indicate that the proposed development would require the removal of two sections of roadside hedgerow in order to provide the access and visibility splays and for the highway improvement works at the junction of Gresty Green Road and Gresty Lane. In terms of this loss it is considered that there are material house supply considerations which outweigh the loss of this hedgerow whilst further replacement planting could be provided to mitigate for this loss.

### **Design**

The surrounding development comprises a mixture of ages and architectural styles. Notwithstanding this, there is consistency in terms of materials with most walls being finished in simple red brick with some properties incorporating render. The predominant roof forms are gables although some are hipped and most are finished in grey tiles. The surrounding residential development maintains a rural character.

The proposed development would consist of two-storey dwellings which would be arranged around a cul-de-sac arrangement. The provision of two storey development of this site is appropriate and would not appear out of character. The majority of the existing boundary hedgerow to the site would be retained and it is considered that this would help soften the proposed development in this semi-rural setting.

The application site would appear most prominent when viewed from Gresty Road/Crewe Road and travelling in and out of Crewe. At the point closest to this junction the dwellings would be positioned in a crescent form facing out onto a small area of Public Open Space. It is considered that this layout together with the small area of open space would help to create an attractive frontage to the development. To the Gresty Green Road and Gresty Lane frontages the proposed dwellings would mainly face onto the public highway (although it is accepted that some properties are side-on to the road) and it is considered that this relationship is acceptable.

The internal layout of the site has been designed so that properties front onto the highway and that corner properties have dual frontages. The proposed POS would be well overlooked in all instances which would give good natural surveillance to these areas. On the whole car-parking would be provided within the curtilage of the proposed dwellings and its design and layout would not give the impression of any car dominated frontages. Three of the terraced blocks would have parking to the front/side, however these areas would not be overly prominent and the design of these areas is considered to be acceptable.

In terms of the detailed design of the dwellings they would have gabled roofs with varying porch details, projecting gables, canopies, integral garages and design details such as stone sills, external corncicing, gable detailing, lintel detailing and quoins. It is considered that the proposed dwelling types are appropriate and would not appear out of character on this site.

## **Ecology**

The application site includes a number of habitats and has the potential to support a number of protected species. A Phase 1 Habitat Survey has been carried out as part of this application and this has found that the application site supports Bats and Barn Owls, Birds. A further Bat and Bird Survey has been produced and the results of this survey are discussed below.

### **Bats**

Evidence of bat activity in the form of what is most likely to be 'feeding perches' and minor roost of two relatively common bat species has been recorded within one of the barns on site. In addition a further roost of a relatively common bat species has been recorded within one of the trees which scheduled for removal.

The usage of the barns and trees by bats is likely limited to small numbers of animals using the roosts for short periods of time during the year. The loss of the roosts at this site as a result of the

falling of the trees and demolition of the barns is likely to have a minor impact upon the conservation status of the species concerned.

The proposed mitigation for Bats has reverted to the original proposals for a 'loft' in the open space area and reference to the seating area has been removed. Indicative proposals have been provided and the Councils Ecologist is satisfied that the proposed mitigation is adequate to mitigate for the adverse impact of the development. These details will be secured through the use of a planning condition to secure a detailed drawing of the proposals.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places,

- in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment

and provided that there is

- no satisfactory alternative and
- no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK implements the Directive in the Conservation of Habitats & Species Regulations 2010 which contain two layers of protection

- a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and
- a licensing system administered by Natural England.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

PPS9 (2005) advises LPAs to ensure that appropriate weight is attached to protected species "Where granting planning permission would result in significant harm .... [LPAs] will need to be satisfied that the development cannot reasonably be located on any alternative site that would result in less or no harm. In the absence of such alternatives [LPAs] should ensure that, before planning permission is granted, adequate mitigation measures are put in place. Where ... significant harm ... cannot be prevented or adequately mitigated against, appropriate compensation measures should be sought. If that significant harm cannot be prevented, adequately mitigated against, or compensated for, then planning permission should be refused."

PPS9 encourages the use of planning conditions or obligations where appropriate and again advises [LPAs] to "refuse permission where harm to the species or their habitats would result unless the need for, and benefits of, the development clearly outweigh that harm."

The converse of this advice is that if issues of detriment to the species, satisfactory alternatives and public interest seem likely to be satisfied, no impediment to planning permission arises under the Directive and Regulations.

In terms of the 3 tests, it is considered that;

- There are no satisfactory alternatives as the existing building which is to be demolished is in a poor state of repair and detracts from the character and appearance of area. Without the development of this site the buildings would fall into further disrepair
- The derogation is not detrimental to the maintenance of Bats as the site supports 'feeding perches' and a minor roost of two relatively common bat species. Appropriate mitigation will be secured as part of the proposed development.
- There are imperative social reasons of overriding public interest as the development would improve the appearance of the site and the development of this site would assist in meeting the five year housing supply as discussed in the principal of development section.

### Barn Owls

Evidence of roosting by barn owls was recorded during the survey. There is no evidence to suggest barn owls have bred at this site, however it is possible that the species has bred here historically. The loss of a roosting site for barn owls could have an adverse impact particularly if the roost is used by a pair of barn owls roosting nearby.

The proposed mitigation for Barn Owls has reverted to the original proposals for a 'loft' in the open space area and reference to the seating area has been removed. Indicative proposals have been provided and the Councils Ecologist is satisfied that the proposed mitigation is adequate to mitigate for the adverse impact of the development. These details will be secured through the use of a planning condition to secure a detailed drawing of the proposals.

### Birds

Evidence of breeding birds has been recorded at this site. It is possible that House Sparrow, a Biodiversity Action Plan priority species, may breed at this site. As a result if planning consent is granted for this scheme conditions regarding the timing of works and the provision of suitable features for nesting birds will be attached to the planning permission.

### **Public Open Space**

As part of this development there would be a requirement of 1,785sq.m of Public Open Space according to Policy RT.3. As part of this development the proposed plan shows that POS would be provided in three areas; area 1 measuring 1,670sq.m, area 2 at 379sq.m and area 3 at 380sq.m (total area of 2,429sq.m). Although area 3 is not considered to be useable open space the requirement of Policy RT.3 has been met by areas 1 and 2. Furthermore the Public Open Space Officer is happy with the layout of the open space.

In terms of children's playspace the Public Open Space Officer has requested the provision of an on-site 5 piece LEAP. The applicant's agent has confirmed that this will be provided and amended plans were awaited at the time of writing this report to show the location of this LEAP.

### **Sustainability**

The proposed development will be designed and constructed as to meet level 4 of the Code for Sustainable Homes; this is in accordance with the Interim Planning Policy on the Release of Housing Land.

In terms of renewable/low carbon forms of energy production an Energy and Climate Change Report submitted with the application concludes that energy efficiency measures and an Air Source Heat Pump assisted by Solar thermal on each dwelling will meet the 10% renewable/low carbon energy target. As a result it is considered that the development meets the requirements of the Interim Planning policy and RSS policy EM18.

### **Education**

The Education Department have stated that there is very little capacity in the local primary schools (i.e. primary schools within a 2 mile walking distance of the site) at present and due to be less than 1% spare capacity by 2015. As a result the Education Department have requested a developer's contribution of £86,268 towards work on the local schools (No requirement will be needed for secondary school provision).

Following negotiation with the applicant's agent, the developer has confirmed that they are offering a commuted payment of £86,268 towards local education provision. However they have stated that 'in calculating this contribution, the DFE multiplier used was issued for 2008/09 and based on the build cost index 4th quarter 2008. The indexation for education in the S106 should run therefore from the 4th quarter 2008 and not from the date of the S106 Agreement' this is considered to be acceptable in this instance.

### **Flood Risk and Drainage**

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location.

In support of this application a Flood Risk Assessment has been provided. This report identifies that the nearest main river is Basford Brook which is approximately 150 metres to the north of the site and the risk of flooding associated with this watercourse can be discounted.

A land drainage system runs along the western boundary of the site and is culverted through the farm area before passing under the railway line. It is proposed that this system will be replaced within the boundaries of the site and shall be diverted along the boundary of the site. It is proposed that flows from the development site will be limited to the existing run off rate for discharge into the watercourse system. Flows in excess of this value will be stored on site to accommodate the 1 in 100 year storm event plus an allowance for climate change.

The Environment Agency originally objected in relation to the diverted culvert which they stated should be opened up as part of the proposed development. Following negotiations between the applicant and the Environment Agency the objection has now been removed and the Environment Agency have suggested two conditions which should be added to any decision notice should the application be approved.

## Other issues

A number of objections refer to the Inspectors Report as part of the Local Plan Inquiry into the current Crewe and Nantwich Replacement Local Plan 2011. As part of his report the Inspector stated that

*'It is undeniable that the sites are close to the southern edge of Crewe, in a sustainable location with access to good transport links, as suggested by the Council's evidence. However, as I have stated in the context of PC.50, I consider there is a clear and unequivocal distinction between the area north of the railway, and that to the south'*

And that housing on this site;

*'would, in my view, extend the built-up area of Crewe south of the railway, breaching a firm, established defensible boundary, and creating a substantial enclave of new housing isolated from the town by the barrier formed by the railway'*

In response to this point, the development of this site complies with the Interim Planning Policy on the Release of Housing Land. Furthermore the Council does not have a five year housing supply which is an additional material planning consideration which was not considered by the Local Plan Inspector and a consideration that needs to be given significant weight. As a result it is not considered that the contents of the Inspectors Report would prejudice a recommendation into the approval of this planning application.

Concern has been raised regarding the loss of the farmhouse and traditional barns. However none of these structures is listed and although the loss is regrettable it is considered to be acceptable in this case.

The Environmental Health Officer has requested a condition regarding an Air Quality Assessment. However it is not considered that such a condition would be reasonable given the scale of the development and its distance from the Air QUALITY Management Area.

## 10.CONCLUSIONS

Therefore, in summary, it is acknowledged that the Council does not currently have a five year housing land supply, which is a requirement of both current advice contained within PPS3 and the recently published Draft National Planning Framework. Accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing. The current proposal is considered to be "suitable" as it is located on the periphery of Crewe, and is in accordance with the Council's agreed position to manage the supply of housing land as set out in the Interim Policy on the Release of Housing Land, which directs the majority of new development towards Crewe. It is also consistent with the emerging Core Strategy which, although it includes a number of options for growth, directs the majority of new development towards Crewe. Housing development in Crewe is also supported by the Crewe Vision which recognises that population growth is key to economic growth and regeneration of the town itself. According to PPS1 these emerging policies are important material considerations.

The proposal is also supported in principle by the Government's "Planning for Growth" agenda which states that Local Authorities should adopt a positive approach to new development, particularly where such development would assist economic growth and recovery and in providing a flexible and responsive supply of housing land. This proposal would do both. The Government has made it clear that there is a presumption in favour of new development except where this would compromise key sustainability principles.

It is considered that the development is acceptable in terms of affordable housing provision and that the highway safety and traffic generation issues can be addressed through appropriate developer contributions to off-site highway improvements. Matters of contaminated land, air quality and noise impact can also be adequately addressed through the use of conditions.

Although there would be some adverse visual impact resulting from the loss of open countryside, it is considered that due to the topography of the site and the retention of existing trees and hedgerows, this would not be significant relative to other potential housing sites in the Borough. Furthermore, it is considered that the benefits arising from housing land provision would outweigh the adverse visual impacts in this case. It is considered that through the use of appropriate conditions significant trees can be incorporated into the development. The hedgerow to be lost is relatively limited in length and it is considered that the requirement for housing outweighs the loss of these small stretches of hedgerow. Furthermore replacement planting will be secured as part of the planning conditions.

With regard to ecological impacts, the Council's ecologist is satisfied with the proposed mitigation measures for Bats and Barn Owls can be achieved. These details will be secured through the use of a planning condition.

The scheme complies with the relevant local plan policies in terms of amenity and it is considered that the design of the proposed development is acceptable.

Policy requirements in respect of public open space provision have been met within the site, and therefore it is not considered to be necessary or reasonable to require further off-site contributions in this respect.

The Flood Risk Assessment has not identified any significant on or off site flood risk implications arising from the development proposals that could be regarded as an impediment to the development

The information submitted by the developer indicates that it is viable and feasible to meet the requirements of the RSS policy in respect of renewable energy and to achieve Code for Sustainable Homes Level 4 and therefore a detailed scheme can therefore be secured through the use of a planning condition.

The proposed education contribution has been calculated using a recognised methodology and is considered to be fairly and reasonably related in scale and kind to the proposed development.

It is therefore considered that the proposal would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy. Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

## **11. RECOMMENDATIONS**

**APPROVE** subject to completion of Section 106 legal agreement to secure the following:-

- 1. Provision of 18 affordable housing units – 12 to be provided as social rent with 6 as intermediate tenure**
- 2. Provision of education contribution of £86,268**
- 3. The provision of a LEAP and Public Open Space to be maintained by a private management company**
- 4. A commuted payment of £51,000 towards highway improvements (to be put towards the construction of the Crewe Green Link Road or capacity improvements at the junction of Gresty Road and South Street with Nantwich Road)**

**And the following conditions**

- 1. Standard time – 3 years**
- 2. Materials to be submitted to the LPA and approved in writing**
- 3. Submission of a landscaping scheme to be approved in writing by the LPA (the landscaping scheme shall include native species only and the provision of replacement hedgerow planting)**
- 4. Implementation of the approved landscaping scheme**
- 5. The submission of a comprehensive arboricultural method statement covering tree/hedgerow protection, programme of tree/hedgerow works, and special construction techniques for proposed areas of hard surfacing in tree/hedgerow root protection areas to be submitted to the LPA and approved in writing**
- 6. No trees/hedgerow to be removed without the prior written consent of the LPA**
- 7. Boundary treatment details to be submitted to the LPA and approved in writing**
- 8. Remove PD Rights for extensions and alterations to the approved dwellings plots 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 32, 33, 34, 35, 36, 37, 38, 39, 42, 43, 44, 48, 49, 50 & 51**
- 9. Prior to any commencement of works between 1<sup>st</sup> March and 31<sup>st</sup> August in any year, a detailed survey is required to check for nesting birds.**
- 10. Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds including swallows, house sparrow and swift. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.**
- 11. The development shall proceed in accordance with the approved Bat/Barn Owl mitigation measures which shall be submitted to the LPA for approval in writing**
- 12. The development shall proceed in accordance with the approved plans**
- 13. The development hereby permitted shall not be commenced until such times as a scheme for the provision and implementation of a surface water regulation system has been submitted to, and approved in writing by, the local planning authority.**
- 14. The development hereby permitted shall not be commenced until such time as a scheme for the management of overland flow from surcharging of the on-site surface water drainage system has been submitted to, and approved in writing by, the Local Planning Authority.**

**15. Prior to the commencement of development a plan is required for the protection and/or mitigation of damage to populations of white-clawed crayfish and habitat during construction works and once the development is complete. Any change to operational, including management; responsibilities shall be submitted to and approved in writing by the local planning authority.**

**16. The submission and approval of a Contaminated Land Survey**

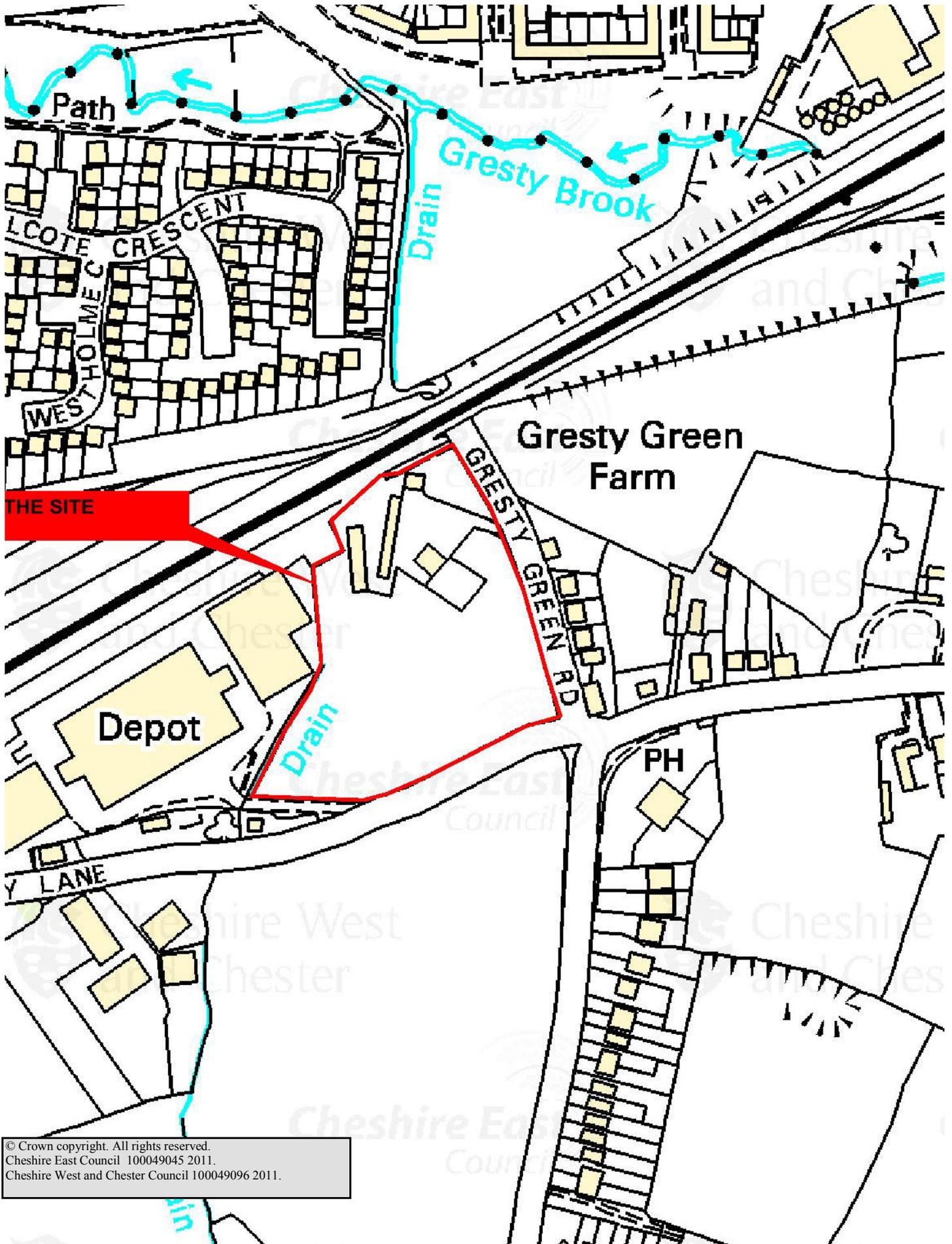
**17. The acoustic mitigation measures as outlined in Section 7.0 Noise Ingress of the Report Environmental Noise Study RO371-REPO1-DRG by Red Acoustics shall be implemented**

**18. Compliance with the recommendations contained with Energy and Climate Change Strategy Report**

**19. Details of external lighting to be approved in writing by the LPA**

**20. Prior to the commencement of development detailed drawings of the junction design of Crewe Road/Gresty Lane/Gresty Green Road to be submitted to the LPA for approval – these details should include the provision of a pedestrianised island and a right turn lane.**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning and Housing is delegated authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.**



**Application No:** 11/1643N  
**Location:** LAND AT COPPENHALL EAST, REMER STREET, CREWE  
**Proposal:** Outline Application for the Erection of 650 Dwellings, a Public House, a Local Shop and Associated Infrastructure and Open Space Provision Together with the Demolition of the Former Cross Keys Public House  
**Applicant:** Taylor Wimpey UK Limited  
**Expiry Date:** 07-Sep-2011

### **UPDATE REPORT 11 October 2011**

#### **BACKGROUND**

This application was placed before the Strategic Planning board at its meeting on 7<sup>th</sup> September 2011 at which it was resolved that the application be deferred so that further assessment can be made of the impact of the proposed development in respect of highway safety and traffic generation on both the local road network and the wider area including routes to and from Junctions 16 and 17 of the M6.

Members also asked for more clarification in respect of impact on schools provision and the availability of brownfield sites.

This report deals with these issues in turn.

#### **HIGHWAYS**

This application was deferred for more information to be provided on the highway impact of the development on both the local and strategic road network.

There are three access points to the site. The main access is a new extended roundabout at the junction of North Street/Stoneley Road/ Remer Street and the secondary access points are on Stoneley Road and also Groby Road.

The distribution of traffic indicates that the majority of vehicles entering and leaving the site will use the main access and also the Groby Road access and it is not envisaged that many trips will be made on Stoneley Road and Groby Road to the rear of the site. The proposed design of the main access has been tested both to accommodate the development traffic and also to include the current development at Parkers Road. It is accepted by the Strategic Highways Manager that this junction can operate within capacity limits and consequently is acceptable. There are no design, or capacity, issues at the other access points to the site, as these are small priority junctions.

Turning to the wider road network, whilst some of the trips associated with the development will use roads to the north and west of the site, by far the major impact will arise on the eastern corridor towards Crewe Green Roundabout. A commentary on the development impact on specific junctions along this route can be seen below.

#### **Junction Analysis**

**Middlewich Street / Remer Street:** The applicant initially proposed small improvements to this junction that added a small ghost island on Remer Street and also a flare for right turning traffic at the junction. The submitted analysis by the applicant has indicated that this priority junction will continue to operate effectively and no excessive queues will be formed. However, it is the Strategic Highways Manager's opinion that the modelling underestimates the impact on this junction. In reality the proposals do little to change the operation of the junction. An alternative proposal for a mini roundabout junction has been assessed and it also has capacity problems and queues would be formed.

The predicted level of congestion is of concern and has the potential to back up and affect the site access junction and other local junctions. Given the land constraints, improvement to this junction would be very difficult to achieve if not impossible within the highway ownership. It is therefore proposed to address this issue through a section 106 contribution of £100,000 towards a wider scheme of improvements.

**Maw Green Rd/Groby Rd/Elm Drive:** The improvements proposed as mitigation for this junction involve minor lane widening at the junction of both Groby Road and Maw Green. The Strategic Highways Manager's view is that the improvements do not improve the operation of these junctions and a better highway improvement is required at this location to deal with the number of junctions in close proximity and the turning movements that occurs. Following discussions with the applicant a new roundabout solution has been proposed by the applicant. Although this in a non-standard junction layout it does provide adequate capacity and is accepted by the Highway Team as mitigation to these series of junctions.

**Sydney Road Bridge:** The traffic flow at the bridge operates with shuttle working under traffic signal control. Under current traffic conditions without the development the operation at the bridge is approaching capacity. With all development traffic added, the queues will exceed capacity and delay to vehicles will increase. However, there is no identified improvement that can be made to improve the operation of the bridge to mitigate development impact. As such, no practical mitigation can be sought here.

**Crewe Green Roundabout:** This is a major junction on the highway network and is under pressure in peak periods where long queues form on various arms. It is important that improvements are made to the junction to support the proposed increase in housing developments in Crewe. A scheme to improve this junction has been identified that will create the additional capacity needed to support the Local Development Framework. As the development will have an impact on this junction, a contribution towards this improvement scheme is required.

**University Way/Weston Road Roundabout:** Minor changes to the roundabout are proposed by providing a slight widening to the Weston Road approach and changes to white lining. Whilst these changes will result in improvements in capacity at the junction, it not the Strategic Highways Manager's view that these are essential as the junction will continue to operate properly without the improvements. The contribution that was offered for these works can therefore be used for the Crewe Green improvements.

In addition to the site access junction and the other improvements measures at junctions as already described, the applicant has proposed a financial contribution towards Public Transport services and it is envisaged that the funding will be used to divert existing bus

services directly into the site instead of providing a completely new service. It would be the intention of the Highway Authority to pool the S106 contributions secured from this development to provide the strategic highways improvements necessary to support the LDF.

As with all of the major developments proposals the potential impact on J17 M6 should be considered. A technical note was submitted by the applicant to the Highways Agency on the likely development traffic impact of the Coppenhall development. The Highway Agency have assessed the scheme and accepted that the development does not have a material impact on J17 and as such do not object to the development.

## **Developer Contributions and Highway Improvements**

The applicant has offered the following funding and works in mitigation to this development.

### **S106 Contribution**

- Remer Street/ Middlewich Street - £ 100,000
- Sydney Road Bridge Widening - £643,320
- Crewe Green Roundabout - £ 217, 500

### **S278 Works**

- Stoneley Road and Groby Road Site access - Fully funded by Developer
- Remer Street Roundabout - Fully funded by Developer
- Maw Green Roundabout - Fully funded by Developer
- Sydney Road Bridge MOVA - Fully funded by Developer

### **Public Transport**

- Bus service Funding for 3 Years - £222,606

### **Summary**

This is major residential development that has a highway impact and the focus of the assessment has been directed on the junctions that have congestion problems or are likely to experience problems. It is accepted that the local site access junctions at Stoneley Road and Groby Road can operate well within capacity and no concerns are raised as far as these access points are concerned. The main access is a new extended roundabout, the design of which is non-standard. The Highways Team has taken a considerable amount time to look at whether better alternative solutions exist for this junction. However, it has had to accept that this roundabout design is the only design that would work.

Other junctions along this eastern corridor have been assessed. It is clear that there are no solutions to junctions at Remer St/Middlewich Street and at Sydney Road bridge. Therefore, should the application be approved, a higher level of congestion will have to be accepted at these junctions.

There are benefits to the road network being provided by the developer, in particularly at Maw Green/ Groby Road where a new roundabout solution is proposed that will be funded

and constructed by the developer. This junction arrangement is non-standard as there are no other junction designs that could be provided within the public highway available.

The financial contributions that the developer is offering has been set out earlier and it is intended that this funding will be used to fund infrastructure improvement schemes as identified by the LDF such as Crewe Green roundabout.

There are problems on the road network that have not been mitigated and departures from standard have had to be made on the roundabout junction designs. However, it is recognised that a balance needs to be struck between allowing new major development to proceed and accepting increased levels of traffic on the road network as a consequence of that development. In consideration of the overall the package of measures being put forward as part of this application, whilst it will increase congestion in certain locations, it does provide wider benefits to the strategic highway network.

Therefore, subject to the applicant entering into a S106 Agreement to provide the financial contributions and the applicant entering into a number of S278 Agreements with the Highway Authority to deliver the new junctions as identified in this report, the Strategic Highways Manager would not raise objections.

#### **AVAILABILITY OF BROWNFIELD SITES**

The Cheshire east annual housing figure of 1150 homes is derived from the previous Regional Spatial Strategy (RSS). The RSS quotes an annual requirement of 450 dwellings for the former Crewe and Nantwich area. This equates to a five year housing land supply requirement of 2500 units. As by far the largest town in the plan area it is to be expected that Crewe and its immediate surroundings would be expected to accommodate the greater part of this growth. Objectors and Members have previously expressed concern about releasing Greenfield land for development, whilst there are undeveloped brownfield sites remaining. Members have previously received a list of all the brownfield and mixed brownfield/greenfield sites for the Borough from extracted from the Strategic Housing Land Availability Assessment (SHLAA). This shows that There are 125 sites in and adjacent to Crewe that are brownfield (or mixed green / brownfield) and that are considered to be “deliverable” – these have a capacity to bring forward 666 dwellings in the 1-5 year period.

If only exclusively brownfield sites are considered then the total is reduced to 121 sites with a capacity for 587 dwellings in the 1-5 year period. By any measure its clear that brownfield sites alone cannot meet the future housing needs of Crewe, never mind the Borough as a whole.

#### **EDUCATION CONTRIBUTION**

Initially the Education Department were requesting a total contribution of £3,051,479 (£4694 per unit) towards the construction of a new school plus a level and fully serviced site which meets the Councils requirement. This would be approximately £6500 per household in total.

A planning obligation must comply with the following three tests as set out in the Community Infrastructure Regulations 2010:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

It is considered that, given the scale of the development proposed, a contribution of £3m plus a school site would not meet these requirements and this has been acknowledged by the Education Department.

It is accepted and common practice for local authorities to consider capacity at all primary schools within walking distance of an application site. In the case of primary schools, the Department for Education define walking distance as a two mile radius from a pupil's home address. CEC's education department recently provided data which showed the pupil roll and current capacity at each primary school within this two mile zone. It showed that there are currently 269 surplus places at these schools, but this will have shrunk to 87 surplus places by 2016, according to CEC's pupil projections.

The proposed development is expected to generate demand for an additional 102 primary school places, based on CEC's own child yield assumptions (0.162 primary school age children per dwelling). This would mean there is substantial capacity in local primary schools at the current time, but there would be a small shortfall in capacity by 2016 of 15 places. In accordance with the Community Infrastructure Regulations 2010 it is necessary for the developer to contribute toward the cost of provision for an additional 15 primary school places in order to meet the need for school places in the future.

To calculate the S106 contributions required for 15 additional primary school places, the developer has used the latest DfE building cost multiplier for the period 2008/09. This is £12,257 (Q4 2008) which, when indexed, gives a current multiplier of £11,850. Cheshire East Council's regional weighting factor is 0.91. The proposed contribution has therefore been calculated as follows:  $15 \times £11,850 \times 0.91 = £161,752$ .

The education department have commented that whilst the Dingle Primary School is within a 2 mile walking distance, it is accessed along Maw Lane which does not have any footpath for pupils to walk on. Haslington Primary School also comes within a 2mile radius of the very eastern corner of this development site. However the shortest walking distance to this school from the development is 2.2 miles and this has been measured from the public right of way on Remar Street to the school. This public right of way is unlikely to be used by parents walking children to school given that it is no more than 0.5m in width and it would not be possible to get a pushchair down it.

Therefore the local schools to this development, excluding those referred to above, have a cumulative net capacity of 3,555 and are projected to have 3,547 on roll by 2016. This currently shows that there will be 8 unfilled places by 2016, before any local development has been considered.

Applying the pupil yield of 0.162 to this development will generate 102 primary school pupils. In light of the pupil projections by 2016 the local schools will be unable to accommodate 94 of the pupils generated by this development. A sum of £1,013,649 is therefore requested to undertake the works required to accommodate the pupils generated by this development ( $94 \times 11,850 \times 0.91$ ).

The formula which has been used by the developer and the education department is a widely accepted method for calculating contributions which has been applied by numerous councils on previous planning applications for housing developments. Whilst it is normal practice to only consider schools within a 2 mile walking distance, it is not usual to apply any “discounting” for those where the walking route is constrained.

Furthermore, it is considered that a contribution of £1,013,649 is likely to generate viability issues for the development, which are an important material consideration, particularly given the need to meet the Council’s housing land supply requirements. In the light of the above, therefore, it is considered that a contribution of £161,752 is fairly and reasonably related in scale and kind to the proposed development, in accordance with the Community Infrastructure Regulations 2010.

## **CONCLUSION**

It is acknowledged that the development will have certain impacts on the locality and not all of these can be completely mitigated in their entirety. However any appraisal of development must consider the benefits and impacts of development in the round.

In this case the proposal has come forward in conformity with the Council’s own Policy for the release of housing land and it will provide a significant boost to housing supply – including a good proportion of affordable homes. The proposal also meets the Council’s expectations in terms of open space, ecology, landscaping and design. These are all facts that should weigh heavily in favour of approval. In terms of education and highways the solutions put forward may not necessarily be the ideal we might hope for, but they never the less represent an acceptable package of measures in relation to the development applied for.

In the light of the above, it is considered that Member’s previous concerns and queries which led them to deferral of the application have been adequately addressed and accordingly it is recommended for approval subject to an appropriate legal agreement and relevant conditions.

## **RECOMMENDATION**

**APPROVE subject to completion of Section 106 legal agreement to secure the following:-**

- 1. Provision of 35% of the total units as affordable housing in perpetuity, with the mix on Phase 1 being 10% 1 beds, 60% 2 beds and 30% 3 beds, with 40% of these being flats and 60% being houses. The tenure split of the units on all phases to be 65% social rent and 35% intermediate tenure. The mix of house types for phase 2 and subsequent phases to be agreed as part of subsequent reserved matters applications. Social Rented and Shared Ownership dwellings to be transferred to a Registered Provider.**
- 2. Provision of education contribution of £161,752.**
- 3. Provision of highways contribution of £1,183,426 towards Remer Street/ Middlewich Street, Sydney Road Bridge Widening, Crewe Green Roundabout and public transport improvements.**
- 4. Travel Plan contribution**
- 5. Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children’s play areas and amenity greenspace. Submitted details**

must include the location, grading, drainage, layout, landscape, fencing, seeding and planting of the proposed public open space, transfer to and future maintenance by a private management company.

**And the following conditions**

- 1. Standard Outline**
- 2. Submission of reserved matters**
- 3. Plans**
- 4. Air Quality assessment updates to be submitted with each reserved matters**
- 5. Submission, approval and implementation of Construction Environmental Management Plan (CEMP)**
- 6. Submission, approval and implementation of Travel Plan**
- 7. Submission, approval and implementation of contaminated land preliminary risk assessment (PRA)**
- 8. Submission, approval and implementation of contaminated land site investigation (SI)**
- 9. Code for Sustainable Homes Level 4 assessment with reserved matters**
- 10. Provision of 10% renewable energy on site unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable..**
- 11. Provision of detailed scheme of drainage**
- 12. Reserved matters to make provision for allotment site (30 plots) within the development.**
- 13. Breeding bird survey to be carried out prior to commencement of any works during nesting season**
- 14. Provision of replacement hedgerows**
- 15. Provision of detailed design and layout of the GCN mitigation area**
- 16. retention of visually important trees**
- 17. A scheme for the provision and implementation of a surface water regulation system**
- 18. Management of overland flow**
- 19. Provision and management of habitat creation**
- 20. No discharge to Fowle Brook unless further information is provided to prove that the SSSI will not be adversely affected**
- 21. Retention of important hedges**
- 22. Notwithstanding detail shown – no approval of indicative residential masterplan.**
- 23. Landscape design principles to be incorporated into final layout**
- 24. Submission of landscape and ecological management plan**
- 25. Submission of Arboricultural Impact Assessment**
- 26. Submission of Arboricultural Method Statement**
- 27. Submission of Comprehensive tree protection measures**
- 28. A scheme for the provision and management of compensatory habitat creation**
- 29. Each reserved matters application for commercial activities to be accompanied by a noise impact assessment**
- 30. Submission of Noise Mitigation Measures with each reserved matters application.**
- 31. Submission of details of detailed lighting plan with each reserved matters application.**
- 32. Submission of details of bin storage with each reserved matters application.**

Application No: 11/1643N

Location: LAND AT COPPENHALL EAST, REMER STREET, CREWE

Proposal: Outline Application for the Erection of 650 Dwellings, a Public House, a Local Shop and Associated Infrastructure and Open Space Provision Together with the Demolition of the Former Cross Keys Public House

Applicant: Taylor Wimpey UK Limited

Expiry Date: 07-Sep-2011

#### **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 largescale major development and a departure from the Development Plan.

#### **1. SITE DESCRIPTION**

The application relates to approximately 24.2 hectares of land, situated to the north of Remer Street, Coppenhall, Crewe. The site is generally flat and currently comprises predominantly undeveloped agricultural land. Field boundaries are marked by hedgerows and hedgerow trees. The Cross Keys public house, which is a locally listed building, is

located on the south western corner of the site. A public right of way dissects the central part of the site.

The site is bounded to the south by the residential properties fronting Remer Street and the Monks Coppenhall Primary School and Nursery; to the west by Stoneley Farm and the residential properties fronting Stoneley Road and to the north and east by more sporadic residential development fronting Stoneley Road and Groby Road, including the Grade II Listed Foden's Farm.

Beyond Remer Street and Stoneley Road to the south and west of the site are the established older residential areas of Crewe, whilst beyond Stoneley Road and Groby Road to the North and East lies primarily agricultural land, including farms known as Groby Farm, Race Farm and Shandon House Farm and the Maw Green Landfill site To the south east lies Maw Green farm

## **2. DETAILS OF PROPOSAL**

Outline planning permission is sought for up to 650 new homes of various types and sizes including 35% affordable housing spread throughout the site. The Cross Keys public house would be demolished to make way for a new roundabout giving access to the site and improving traffic management at the existing junction. A new public house is proposed along with a local convenience store to replace the existing Cross Keys public house. The development would include substantial areas of new public open space including a new equipped childrens' play area, sports pitch and informal recreational areas. Two habitat areas would be created for Great Crested Newts and Barn Owls that currently inhabit the site.

## **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)

**Other relevant planning guidance:**

PPS1 (Delivering Sustainable Development)  
PPS3 (Housing)  
PPS4 (Planning for Sustainable Economic Development)  
PPS7 (Sustainable Development in Rural Areas)  
PPS9 (Biodiversity and Geological Conservation)  
PPG13 (Transport)  
PPG17 (Open Space Sport and Outdoor Recreation)  
PPS25 (Development and Flood Risk)

**4. OBSERVATIONS OF CONSULTEES**

**English Heritage**

- The application should be determined in accordance with national and local policy guidance and on the basis of the Council's own specialist conservation advice.

**Public Rights of Way Unit**

- The development will affect Public Footpath Crewe No. 7, as recorded on the Definitive Map of Public Rights of Way
- If the development will permanently affect the right of way, then the developer must apply for a diversion of the route under the TCPA 90 as part of the planning application.

- If the development will temporarily affect the right of way then the developer must apply for a temporary closure of the route (preferably providing a suitable alternative route).

### **Housing**

- No comments received at the time of report preparation

### **Highways**

- No comments received at the time of report preparation

### **Education**

- No comments received at the time of report preparation

### **Environment Agency**

No objection in principle to the proposed development as submitted, but would make the following comments;

- The Environment Agency have reviewed the Flood Risk Assessment (FRA) (Level 3 Flood Risk Assessment, L3-FRA-01, Taylor Wimpey, 5 May 2011) submitted in support of the planning application. The FRA proposes the use of Sustainable Urban Drainage systems (SUDs) to reduce surface water run-off to an agreed greenfield discharge rate. While this is considered acceptable in principle they will require further information as more detailed plans are developed.
- The FRA identifies that overland flow will be directed by highways, and thus away from buildings. Due to the outline nature of the application this will need to be established in more detail.
- There could be some loss of habitats in the form of ponds as a result of the development. From the drawings it would appear that there will be some sort of compensatory habitat creation, potentially as part of the SUDs proposed
- Recommend the following conditions:
  - Submission of surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.
  - Submission of scheme for the management of overland flow from surcharging of the site's surface water drainage system. The scheme shall include details of the proposed ground levels and proposed finished floor levels.
  - Submission of scheme for the provision and management of compensatory habitat creation

## United Utilities

Have no objection to the proposal provided that the following concerns are addressed: -

- This site must be drained on a separate system, with only foul drainage connected into the foul sewer.
- Surface water should discharge to soakaway or watercourse and may require the consent of the Environment Agency.
- If surface water is allowed to be discharged to the public surface water sewerage system United Utilities may require the flow to be attenuated to a maximum discharge rate determined by
- United Utilities policy is not to adopt SUDS (Sustainable Urban Drainage System) structures.
- United Utilities will only consider the adoption of surface water sewers draining to a balancing pond (as opposed to any other SUDS structure), providing the following conditions are met: -
  - The Local Authority takes responsibility for the maintenance of the pond
  - The freehold of the land on which the pond lies is transferred to the Local Authority
  - United Utilities is provided with a deed of 'Grant of Rights' to discharge into the pond in perpetuity. Such a deed would necessarily contain provisions against development within the balancing pond, and against altering its topography, or making connections to it.
  - That measures have been taken to prevent flooding of properties
  - That a legal agreement is in place between all parties.
- The level of cover to the water mains and sewers must not be compromised either during or after construction.
- Water mains may need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.
- A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999

## Amenity Greenspace

- No objection subject to:
  - A private management company to be set up by the developer to maintain the open spaces within the development.
  - Consideration should be given to providing an allotment site (30 plots) within the development. This to be provided with a water supply, and surrounded by secure palisade fencing.
  - A commuted sum payment of £60,000 be payable to the Council, to allow refurbishment the existing Lansdowne Road children's playground.

## Natural England

- The application is likely to affect Sandbach Flashes Site of Special Scientific Interest (SSSI). Natural England does not object to the proposed development, subject to the

the proposals being carried out in strict accordance with the terms of the application and the submitted plans and inclusion of the conditions listed below:

- The development is prevented from discharging any water into the Fowle Brook, which feeds into Sandbach Flashes SSSI unless further information is provided to prove that the SSSI will not be adversely affected.
- Natural England are also concerned to see that the cumulative effects of disturbance to the bird assemblages on the Sandbach Flashes SSSI are not covered within the scope of the Environmental Statement. Natural England would like to see Cheshire East Council consider this point whilst determined this application.
- With regard to the Great Crested Newts Method Statement and additional survey information Natural England is satisfied with the additional information provided, which has addressed their concerns.
- It is recommended that the proposals presented in the Method Statement be subject to robust conditions and where necessary agreements be drawn up to secure Habitat Management in the long term.

## **Environmental Health**

### **Noise**

- Until Environmental Health have received a full noise assessment that takes into account noise levels from the surrounding roads, railway line and Maw Green landfill site, they are unable to comment on this aspect of the application.

### **Contaminated Land Comments:**

- Recommend a full contaminated land preliminary risk assessment (PRA) to be undertaken.
- Recommend that a site investigation be undertaken

### **Air Quality Comments**

- The Air Quality assessment has utilised 2009 monitoring data and has not highlighted any air quality objective exceedences as a result of the development.
- It may be required during the reserved matters stage to revisit the air quality monitoring data using current data.
- The Construction Environmental Management Plan (CEMP) should be agreed and implemented to ensure any potential adverse environmental effects are avoided in addition to ensuring dust related complaints are kept to a minimum.
- The Travel Plan should also be implemented and monitored in terms of uptake and focus on the encouragement of sustainable modes of travel to minimise any negative impact on air quality.

## **5. VIEWS OF THE PARISH / TOWN COUNCIL**

N/A

## 6. OTHER REPRESENTATIONS

A number of petitions have been received objecting to the scheme, containing approximately 1500 signatures.

Letters of objection have been received from 5, 8, 18, 20, 30, 33, 36, 37, 38, 39, 42, 46, 48, 78/80, 79, 92 94, 95, 97, 100, 102, 136, 140, 165, 174 and 178 Remer Street, 17, 19, 21, 27, 33, 33A, 38, 39, 45, 49, 64, 89, 129, 220, 257, 301, 343, 345 and 355 Stoneley Road, 3 Bidvale Way, 314 Broad Street, 22, 112 180 Groby Road, 23 Ellis Street, 386 Underwood Lane, 110A Lime Tree Avenue, 38 Singleton Avenue, 2 and 4 Foxes Hollow, 26 Audley Street, 29 Winnington Lane, Stonely Barn and 27 North Street, 84 James Atkinson Way, making the following points:

### *Principle of Development*

- Policy NE 2 of the Local Plan shows that the area for proposed development is designated as Open Countryside outside settlement boundaries
- This is a green field site. There are plenty of Brownfield sites available, which are much closer to the relevant amenities and therefore far better placed for this development and these should be used first.
- This part of Crewe has already seen large areas of countryside disappear with new housing developments
- The houses are not needed. There are hundreds of unfinished and unoccupied houses in the town centre – particularly Dunwoody Way.
- The future development of Crewe must be predicated on the commitment from Cheshire East to complete the developments already in place and ensure that these are finished before they permit any further development proposals.
- Why does the Council consider that new housing in the Borough is best directed towards Crewe, when there has already been considerable housing development in Crewe?
- Why is such extensive development (37% being planning for Crewe when there are many other towns in Cheshire East which have much lower development projections (e.g. Macclesfield 7%)? Is it because the Council offices are in Macclesfield and the Councilors making decisions about developments do not live in Crewe?
- After years of refusing planning applications for 1 or 2 houses in this area on the basis of the land being open countryside, why are the Council are now considering 650 houses?
- Why has the Council has changed the principles it had in the past about overdevelopment, green belt, traffic, general wellbeing of the public and wild life?
- The issue with this application is the sheer scale of the proposal
- The area being developed is a valuable green field site, it improves air quality and quality of life of the surrounding residents
- The centre of Crewe is in need of re-development as opposed to the "willy nilly" destruction of open farmland.
- There is a lack of support for the proposals. People who attended the public meetings expressed disgust at the proposals and the consultants on duty at the meetings received no interest in the proposed houses.

- Developers state that there is wide support from local businesses and schools. However, business owners and teachers at the schools do not live in the area
- Monies would be better spent improving the dull depressing town centre and bus station.
- What has changed since the proposed development of the site was thrown out by John Prescott when he was Deputy Prime Minister and by parliament 7 years ago.
- The developer's justification for submitting a planning application states that it is in order to respond to Cheshire East Council's inability to demonstrate that it has a deliverable 5 year housing land supply. Residents understood this to be a private commercial application from a 3<sup>rd</sup> party. This statement suggests it has been developed in partnership and with a level of agreement with Cheshire East
- It also says that it is in order to meet the acute need to provide affordable housing across the Borough. There are existing incomplete developments which are already earmarked to provide partial affordable provision. Why can these not be finished off?
- What about the other brownfield sites detailed in the recently updated Replacement Local Plan 2011.

## **Highways**

### General Points

- There would be another 1000 plus cars on an already gridlocked area
- Residents currently contend with ambulances, fire engines and refuse lorries going past daily, in addition to the usual traffic.
- The whole area of Coppenhall has been extensively developed over the past few years with 2 large housing estates off Parkers Lane and Minshull New Road plus additional housing off North Street (both sides of the road) making the follow of traffic at peak times and the weekend extremely difficult.
- The roads leading to the Town Centre from this area (Middlewich Street / Broad Street / Queen Street) are already congested. The apparent research by Taylor Wimpey indicates that the main route into Crewe is via Broad Street, local knowledge will tell you that this is not the case and the preferred route is via Middlewich Street.

### Impact on Remer Street / Sydney Road

- The school entrance on Remer Street, is already really dangerous
- Remer St. is a main route for ambulances to and from the hospital
- A motorcyclist was killed just outside the school a few years ago and one resident reports that a car landed upside down in their drive and two cars have been knocked when parked outside their house
- In Remer Street, twice a day there are huge numbers of cars picking up and dropping off young children. The rest of the traffic (including buses, heavy lorries and refuse lorries going to the Maw Green landfill site) have to negotiate this. At other times of the day and at the weekend traffic is heavy and generally does not obey the 30mph speed limit.
- The layout of Remer Street / Sydney Road, and the bend at the junction of Groby Road etc. is very difficult for traffic and pedestrians to negotiate.
- There is a single lane with traffic lights over Sydney Bridge

### Impact on Groby Road / Stoneley Road

- Due to the volume of traffic (both current and potential significant increase) on Remer Street, the natural tendency will be for traffic from the development, to try and use the Groby Road and Stoneley Road access / egress points, thus increasing the traffic flow and inherent risk. These are real hazards and must not be ignored by the Council.
- Groby Road and Stoneley Road are narrow rural lanes with no street lights or pavements and are inadequate for this level of use
- The roads are used by commuters from Elworth, Sandbach, Middlewich and Warrington as a rat run
- Stoneley Road is of poor quality and will not stand up to large amounts of traffic. The Victorian mains drainage system below the road has already suffered due to existing use of heavy traffic.
- The 60mph limit stops between 128 and 100 Groby Road and goes down to 30mph but no one seems to adhere to this.
- Motorists frequently disregard the 30mph speed limit and there is no traffic calming
- There is already heavy traffic, especially HGV's to the Maw Green landfill
- Stoneley Road is already very congested with parked cars and an already narrow road producing significant congestion. This situation would only worsen if this application was to succeed.
- One resident has had a perimeter wall demolished in excess of 10 times.

### Maintenance of Roads

- The roads in and around Crewe are falling apart with pot holes. Whole sections of curb are missing on Stoneley Road. More traffic means more wear and the Council is already not keeping this road in an adequate condition.

### Impact on Crewe Green

- A large percentage of the traffic would be heading in the direction of the roundabout at Crewe green which is already heavily congested at rush hour. The fact that this is a new modern roundabout does not prevent or affect in any way the number of cars using it. Cars are not able to move at the change of traffic lights because of the number of cars already on the roundabout unable to exist because of queues ahead.

### Impact on Remer Street Roundabout

- There are no existing problems at the Remer St. roundabout but the proposed development would cause them
- The key benefit in Taylor Wimpey's publicity "tackling the congestion" is not valid. The mere act of building a new roundabout at the site entrance will not in itself tackle congestion.
- The roundabout is not to tackle congestion it is purely to allow the developers to gain access to the site.

- The roundabout at Remer Street will not reduce traffic jams as these are caused by parked cars on Broad Street and North Street and traffic trying to turn into Middlewich Street.
- Remer Street is already heavily congested at peak times, and simply re-modelling the roundabout at the Cross Keys cannot possibly alleviate this problem. It will just move the bottleneck and the risk.
- Crewe Green Roundabout and the Station Roundabout are examples of how these solutions do not work
- The sheer increase in car usage would bring traffic to a virtual standstill. The existing roundabout is dangerous and too small and although the proposed new one would undoubtedly help with the flow of traffic, the roads filtering from it cannot be widened, therefore a gridlock situation would prevail.

### Impact on Groby Road / Remer Street / Elm Drive/ Sydney Road / Maw Green Lane junction

- The junction is already a serious accident waiting to happen with numerous near misses over the past 5 years.
- Maw Green Lane has queues onto Remer Street with traffic coming in from Sandbach trying to avoid the Crewe Green Roundabout.
- The planning proposal does not sufficiently deal with the congestion at this junction
- The models provided as supporting information to the proposal split the junction into 2 when in reality it cannot be assessed in this manner, especially on the approach from either Groby Road or Maw Green Lane
- The wall on the corner of Maw Green Lane has had to be rebuilt due to several accidents over the last few years at this crossroads.

### Proposed Solutions

- The creation of a roundabout at the junction of Remer Street / Sydney Road / Groby Road / Elm Drive and Maw Green Lane, which would ensure safe crossing for pedestrians and provide a means of slowing the traffic.
- Provide pavements and adequate street lighting along Groby Road.
- There should be a new road behind Stoneley Road and Remer St to give access to the back of existing houses for parking. This would help traffic on these roads
- There should be speed cameras and traffic calming
- Developments with closer proximity to A Roads should be looked into.

### ***Pedestrian Access / Public Transport***

- Crewe Railway Station is a distance of 2 miles from the proposed development which will no doubt put residents off using public transport.
- The many bends in Groby Road would mean that following the Government Initiative and choosing cycling or walking rather than driving would not be a safe option.
- PPS7 states that “accessibility should be a key consideration in all development decisions consistent with achieving the primary purpose of the development.” For the reasons stated above the site is unsustainable due to poor accessibility.

- The proposal shows only one figure which reflects improvements to the Groby Road footpath, which does not exist. This is only from 16a Groby Road to the corner of Foxes Hollow and nothing beyond to the actual site entrance.
- The proposal identifies strong use of public transport and pedestrian access and links to cycle networks, yet outside the development no specific improvements to facilitate this are proposed.
- There is no safe pedestrian access from the proposed development to either Groby or Stoneley Road. This would mean that any residents wishing to consider the Environment and use public transport or walk, would need to travel all the way across the estate, in order to do this safely.
- Although emphasis has been placed on the impact of traffic queues onto Remer Street, little comment appears to have been made about safety of pedestrians at all junctions. For example, crossing Remer Street from the bus stop to Groby Road is risky.

### ***Design & Visual Impact***

- The exterior design and size of the housing estate will completely change the overall appearance and country aesthetics of the area.
- The artists impression of the view from the entrance to the boulevard gives the appearance of the 1950's – one car apart from the 3 storey houses

### ***Ecology***

- The surrounding fields to Stoneley Road are currently home to owls, bats, foxes, rabbits, numerous birds of prey, and further wild life.
- The application draws attention to endangered species such as bats and newts which are present on the site
- These would all be adversely affected by the building work, completed housing and lack of natural space available to them.
- The developers say it is their intention to include conservation areas, but the majority of the feeding and breeding grounds for these animals is being taken away and built upon. If there is no natural habitat for these animals the food chain is broken down.
- The trees and hedgerows would need to be preserved as any building would endanger the biodiversity of the area.

### ***Locally Listed Building***

- The Cross Keys in one of Crewe's oldest landmarks and should be preserved.
- It is a building of architectural beauty and a local landmark,
- The existing pub should be utilised and converted to a new use or restored as a pub. There is no point in knocking down a public house full of character to build a new one.
- Crewe has a bad record of destroying old buildings For example the demolition of the Chetwode public house which dated from 1624 was a disgrace.

### ***Infrastructure***

- There is insufficient infrastructure to deal with another 200 people.

- The local schools are filled to capacity – has real thought been given to the implications of more children needing to be placed in the local schools where resources and space are already stretched to the limit?
- There is a lack of a doctors surgery in the area
- If a surgery and school were to be built where are the extra teachers and doctors to come from?
- Leighton hospital is overstretched – especially A&E where it is common to wait several hours to be admitted as an emergency.
- There is a lack of beds at the hospital and long waiting lists for routine appointments
- Extra homes will put extra demand on hospital also with regards to car parking and increased commuter traffic trying to reach the A530. Developments improving the area around the hospital should be considered as this could improve the pavements around the hospital and lead to an increase in the number of people travelling to the hospital who attend on foot
- The sewerage would NOT be able to cope with these new dwellings.
- There should be a statement of what investment the developer is planning to make as part of their £50m development.
- Residents want confirmation that Cheshire East will support the local infrastructure (i.e. bus routes, amenities, and specifically the improvement of the facilities at Monks Coppenhall School to support the probable influx of additional pupils from the development)

### ***Lack of Jobs***

- There are not enough jobs for local people without increasing the population.
- There are already issues with local unemployment due to business being forced to close, so many of these houses would be left empty because no-one could afford to buy them due to lack of local jobs.

### ***Amenity of existing properties***

- There will be an increase in noise if the building goes ahead
- The majority of dwellings backing onto the land are low rise bungalows. These will be overlooked by 2 and 3 storey houses.
- Outlook and privacy will be destroyed
- Proposed houses will be in close proximity to the rear boundaries of existing properties
- There would be a loss of view from the rear of existing houses. There are some first time buyer homes in Remer Street and the main reasons they bought their property was the views.
- People living near the development would be subject to increased noise and light levels at all times of the day and the peaceful countryside would be ruined.
- The current character of Coppenhall East and surrounding fields projects a country life style chosen for that reason by its residents. An extra 650 properties will completely change the views of existing residents and potential new residents to the area.
- This application is ill conceived and if successful will devastate this area. The application should be considered from all points of view and reach a decision based on the overall effect this will have on the people who live here and the quality of life this will bring.

### ***Amenity of future residents***

- The occupier of 112 Groby Road is an agricultural contractor and, due to the positioning of the 4 houses between 112 and 128 Groby Road, will have to back out on to Groby Road, with a tractor and various equipment, as there will not be enough space to turn behind 112, which would be unsafe.
- The noise of the tractor will disturb future residents at 5.30am in the morning or 10pm at night
- Another property on Remer Street has a CPH registration as a smallholding which entitles them to keep pigs, sheep and poultry. Any complaints regarding smell, noise etc. from future residents will be ignored.
- Several other properties have poultry
- There have never been any previous complaints about smallholdings in the area and any, which may occur in the future, would be wholly down to the inadequate proposal to position houses so close.
- Houses will have to be subject to smell from the Maw Green landfill, which on some days is vile.

### ***Public Right Of Way***

- There is a public footpath across the site
- This footpath is not suitable for a pedestrian or cycle entrance and egress onto the proposed site. The entrance onto Remer Street is particularly narrow and would not accommodate pushchairs and wheelchairs.
- There has been evidence of fly tipping, drug abuse and alcohol misuse on the footpath.
- The development proposed the use of this for links to public transport and specifically as a link to monks Coppenhall School. At present the entrance on Remer Street is unsuitable for regular use and does not allow access as defined by Equality Act 2010. No specific detail on the proposals for improving this are detailed in the application.
- A proposed diversion along the revised footpath arrangements along Groby Road would improve access to Public Transport and Monks Coppenhall School and enable proper provision for equal access
- The developers should divert the inadequate Public Footpath between Remer Street and Stoneley Road to a more appropriate route within the site boundary, enabling easier access to the school and closing off the narrow strip, giving it back to its natural state.

### ***Play Area***

- Taylor Wimpey's Publicity mentions that there are no children's playground facilities in the area. Are they not aware of the Board St. / McLaren Street play park, and all weather pitch which has been extensively re-designed which is only a few hundred yards down the road?
- Major concerns regarding the proposed sports field and playground area. As seen elsewhere in the town, particularly on estates, areas such as these encourage youths to

congregate resulting in underage drinking, drugs, graffiti and general anti-social behaviour. Has this been considered?

### ***Affordable Housing***

- Concerns about the type of residents attracted by shared housing schemes (affordable homes). As seen elsewhere this type of housing scheme tends to lead to undesirable residents/tenants due to their lack of sustainable income. Long established residents have worked hard to maintain and improve their property and are concerned that the dwellings will become untidy and shabby, making the whole area undesirable.
- Crime and anti-social behaviour would increase with low cost homes
- The houses proposed are not starter homes
- 35% of houses will be affordable, so why build the other 65% when no one can afford them?
- Affordable housing is subjective –affordable to whom?

### ***Need for Pub / Shop***

- Why build more shops on a housing estate when the infrastructure of Crewe town centre is in disrepair with shops empty and closing down
- Building a new public house has to be seriously questioned when many throughout the country are closing each week.
- The “country pub” will be an estate and there will be no countryside left
- There are already numerous convenience stores in the immediate area i.e. SPAR, Co-Op. Therefore there is no need for another.

### ***Flooding***

- Drainage in front of properties in Remer Street is diabolical
- The fields and ditches along Groby Road are often flooded due to the poor drainage system in this area already and any increased strain could cause leaking onto the roads or even the nearby Site of Special Scientific Interest.
- At the request of the developer, United Utilities have already installed a pressure reducing valve in the system to avoid putting a strain on the undersized and very old asbestos water main.

### ***Other matters***

- The 3 houses behind 108 Groby Road are right up to the implement shed behind 110 and it looks as if there is no room to carry out any repairs to this building.
- During the recent local elections representatives from both of the leading political parties were opposing the application, there have already been objections made by members of the local community, the only beneficiaries appear to be the Company making the application.
- The 4 houses with a road between them do not take into account the piece of land owned by 112 Groby Road.
- The development is just about making money for the developers at any cost.
- If this development goes ahead, there will be major disruption for 10 years,

- The opinions of local residents must be the Council's main concern, and not the extra revenues that the Council would collect in Community Charge fees.
- Any new development must be for the need of "local people", and not for commuters from Manchester and the surrounding areas.
- Homes will be devalued due to loss of outlook / amenity
- New houses will depreciate existing house prices in an already depressed area.
- There should be a clear and concise statement of how the £5.9m Government new home bonus will be reinvested in this specific area and not in surrounding areas within Cheshire East
- There should be confirmation that any incomplete work will be finished by Cheshire East Council to an appropriate standard, without any additional burden to the Council tax payer.
- The Council does not listen to the views or concerns of its residents

## **7. APPLICANT'S SUPPORTING INFORMATION:**

- **Arboricultural Impact Assessment**
- **Consultation Statement**
- **Draft Section 106 Heads of Terms**
- **Environmental Statement**
- **Open Spaces Assessment**
- **Planning Statement**
- **Sustainable Energy Statement**
- **Transport Assessment**
- **Utilities Assessment**
- **Affordable Housing Statement**
- **Design and Access Statement**
- **Flood Risk Assessment**
- **Landscape Statement**
- **Travel Plan Framework**

## **8. OFFICER APPRAISAL**

### **Main Issues**

Given that the application is submitted in outline, with all matters with the exception of access reserved for subsequent approval, the main issues in the consideration of this application are the suitability of the site, in principle, 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, design, amenity, open space, drainage and flooding, sustainability and education.

### **Planning Policy and Housing Land Supply**

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 material consideration associated with this proposal, which are sufficient to outweigh the policy objection.

National policy guidance (PPS3) states that Local Authorities should manage their housing provision to provide a five year supply. This suggests that Cheshire East Council should be providing its 5-year housing supply information for Cheshire East as a whole rather than the former districts or any housing market areas. Correspondence from Government Office for the North West confirms that in order to establish the appropriate housing requirement for Cheshire East, the district figures included in the published Regional Spatial Strategy (RSS) should to be added together to give the new unitary authority requirement.

The RSS proposed a dwelling requirement of 20,700 dwellings for Cheshire East for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. Although the Government has expressed it's intention to revoke the Regional Spatial Strategy the Council's Cabinet on 18<sup>th</sup> October agreed to adopt a housing requirement figure for a minimum of 1,150 net additional dwellings to be delivered annually, pending the adoption of the LDF Core Strategy.

Paragraph 71 of PPS3 states that "*where Local Planning Authorities cannot demonstrate an up to date five year supply of deliverable sites, for example where local Development Documents have not been reviewed to take into account policies in this PPS or there is less than five years supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in this PPS including considerations in Paragraph 69.*"

The recently published draft National Planning Policy Framework which will replace PPS3 has reiterated this requirement and states that Local Planning Authorities should "*identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The supply should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land*".

The above mentioned Cabinet report noted that following a review, the Council appeared to have 4.58 years housing land supply. At recent public inquiries relating to sites at Abbeyfields, Hind Heath Road and Elworth Hall Farm in Sandbach, the Council has

conceded that the housing land supply situation is now worse than initially thought and that current supply stands at 3.65 years.

Consequently the Council has adopted, an Interim Planning Policy on the Release of Housing Land. This policy states that when it is demonstrated through the Annual Monitoring Report that there is not a five year supply of housing land as defined by PPS3, subject to other saved policies of the relevant Local Plan being satisfied, the Council will allow the release of appropriate greenfield sites for new housing development on the edge of the principal town of Crewe.

Members may recall that at the meeting of the Strategic Planning Board on 6<sup>th</sup> October 2010 a report was considered relating to Issues and Options for the Local Development Framework Core Strategy, which outlined 3 options for apportioning growth across Cheshire East. Although each of the options is different, the common theme between them is an emphasis on growth in Crewe. Therefore, whilst the options are under consideration, and there is uncertainty as to which option will be taken forward, it is appropriate that any Greenfield development required to make up a shortfall in housing land supply should be directed to Crewe. PPS1 2005 in *The Planning System: General Principles* at para. 14, states that *"Emerging policies in the form of draft policy statements and guidance can be regarded as material considerations, depending on the context. Their existence may indicate that a relevant policy is under review, and the circumstances which led to that review may be need to be taken into account."*

Furthermore, Paragraph 69 of PPS 3 states that in determining planning applications, local planning authorities should have regard to a number of criteria, including, inter alia, *"ensuring the proposed development is in line with planning for housing objectives reflecting the need and demand for housing in, and the spatial vision for, the area an does not undermine wider policy objectives e.g. addressing housing market renewal issues."*

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. In this case the applicant has acknowledged that all 650 houses could not be delivered within 5 years. However, given the

extent of the undersupply at the present time it is considered that refusing all 650 houses on the basis that a percentage would not come forward within 5 years would not be a sustainable reason for refusal, particularly, given the overwhelming policy support for the scheme.

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 Interim Planning Policy on the release of housing sites.

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, economic benefits to the construction industry supply chain, and the establishment of 2 new businesses (shop and pub) on the site. 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.

Therefore, in summary, it is acknowledged that the Council does not currently have a five year housing land supply and that, accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing. The current proposal is considered to be "suitable" as it is located on the periphery of Crewe, and 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 which directs the majority of new development towards Crewe. 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. According to PPS1 these emerging policies are material considerations and consequently, 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.

### **Affordable Housing**

The Interim Planning Policy on the Release of Housing Land states that greenfield sites permitted under this policy will be expected to deliver: a minimum of 35% affordable housing in accordance with the Interim Planning Statement on Affordable Housing.

In accordance with the interim policy it is proposed that 35% of the dwellings on the site will be affordable housing (i.e. Phases 1- 4). The type and mix of affordable housing will only be established for Phase 1 as part of the planning application. The type and tenure of affordable housing for the remaining phases will be determined in accordance with the up to date housing needs surveys, current market conditions and the economics of provision housing needs. The greatest need for affordable housing identified in the 2010 SHMA was for 1 and 2 bed properties. The affordable housing provided on the site will therefore comprise 1, 2 and 3-bed apartments and semi-detached dwellings to meet this need.

The first phase of the development proposes a 50/50 split between social rented and intermediate housing. It is considered that the proportional split between intermediate and rented accommodation on subsequent phases of the development will be need to be based on the most up to date evidence of local housing needs.

With regard to type of property the following affordable housing mix is proposed for phase 1 10% 1 – beds, 60% 2 - beds and 30% 3 - beds. In addition, 40% flats and 60% houses are proposed for Phase 1. However, as the development is likely to be implemented over a 5-10 year period it is proposed to give the Local Authority the opportunity to look again at the housing need for the area in order to establish the appropriate requirements at that time. Therefore the affordable housing mix will be confirmed at the reserved matters stage of the development.

Therefore the proposal is compliant with the Interim Policy in terms of overall provision. The Housing Section were considering the details of the proposed split of type and tenure at the time of report preparation and a further update will be provided to Members in due course.

### **Highway Safety and Traffic Generation.**

A new roundabout has been proposed to give access to the site and to improve the existing junction of Stoneley Road / Remer Street / North Street / Greenway / Broad Street. The highways department have raised no objection on safety grounds to this proposed access or the other proposed points of access on Groby Road and Stoneley Road. Whilst the comments of local residents are noted in respect of the safety and adequacy of surrounding roads, in the absence of any objection from the highways department it is not considered that a refusal on safety grounds could be sustained.

To turn to the matter of traffic generation and potential congestion, it is considered that the new roundabout at the site entrance will merely provide an adequate access into the site and will mitigate any impact at this junction. It will not address problems of traffic generation within the wider area. The Highways Department have reviewed the Traffic Impact Assessment provided by the developer and have concluded that there will be a significant impact at a number of other junctions. These are: Remer Street / Middlewich Street, Remer Street / Groby Road / Maw Green / Elm Street, Sydney Road Bridge and Crewe Green Roundabout.

The Highways Department have commented that at present there is no suitable solution for issues at the Sydney Road bridge and that therefore improvements should be directed towards the other junctions highlighted. The developer has agreed to provide a contribution towards improvements at Crewe Green, a new roundabout at Maw Green and a contribution towards public transport improvements. The precise amount of each contribution is the subject of on-going negotiations between the developer and the highway department and a further update on this matter will be provided to Members. However, subject to agreement over the capital sums involved, the highways department is satisfied that any adverse impact in terms of traffic generation could, in principle, be adequately mitigated.

The application is submitted in outline and layout is reserved for a future application. However, it is noted that the highways department have raised no objection to the indicative layout, on highways grounds or the parking provision which has been shown for the proposed dwellings. However, these matters will be subject to further detailed design and analysis at the reserved matters stage.

Therefore, whilst the concerns of local residents are duly noted, in the light of the above and in the absence of any objection from the highway authority, it is not considered that a refusal on highway safety, parking, or traffic generation grounds could be sustained.

### **Contaminated land**

Section 8 of the Environmental Statement deals with ground conditions and contamination and presents the available information for the site. Although a great deal of information is reviewed and summarised in this section, given the numerous issues on site the Environmental Health Section recommends a full contaminated land Preliminary Risk Assessment (PRA) to be undertaken. It is considered that the majority of the work has been done and it would not take a great deal of work to present the available information in a standalone report adhering to current guidance.

The site walkover identified areas of rough ground outwith the area of the former brick pits. This combined with the findings of the trial pitting exercise indicates that infilling and potential contamination may not be solely limited to the areas of former ponds and brick fields identified on historic maps.

The Environmental Statement states in Section 8.5.4 that as the landfill control measures at Maw Green landfill are functioning well, there is a low risk of contamination from the Maw Green landfill site 150m away from the proposed development. Although later on in the section, the pollutant linkage is identified as one requiring assessment, the applicant should

be considering not only the current status of the landfill but the future status as well after decommissioning. The development must be suitable for use both now and in the future, and it would be remiss of the developer to assume that Maw Green landfill will always have these control measures in place. The development should be capable of standing on its own protection measures. It is therefore concluded that conditions should be imposed to require this work to be undertaken.

### **Air Quality**

The application has been accompanied by an Air Quality Impact Assessment which utilised 2009 monitoring data and has not highlighted any air quality issues as a result of the development. Therefore the Environmental Health Section has raised no objection subject to an updated assessment being submitted at the reserved matters stage using current data. This can be secured by condition. Environmental Health have also recommended the submission and implementation of a Construction Environmental Management Plan (CEMP) and a Travel Plan to minimise any impact on air quality arising from dust construction and traffic following completion of the development respectively. This can also be secured by condition.

### **Noise Impact**

Environmental Health state that until they have received a full noise assessment that takes into account noise levels from the surrounding roads, railway line and Maw Green landfill site, they are unable to comment on this aspect of the application. However, the developer has advised that the Noise Assessment *did* consider the impact of the surrounding roads, the railway and the landfill. This is why it is considered that no further assessment is required. In addition, the noise monitoring locations were agreed with the EHO prior to the survey. It is therefore considered that any outstanding information could also be dealt with by condition.

### **Landscape Impact**

A Landscape and Visual Impact Assessment has been submitted with the application. The Assessment indicates that the Landscape and Visual Effects have been prepared in accordance with the 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA); The Landscape Institute / Institute of Environmental Management and Assessment, Second Edition 2002. The Council's Landscape Officer has examined the document and would broadly agree with the methodology of the assessment but not with all the results of the assessment.

The assessment indicates in Para 7.6.2.1 that the effect on the Wimboldsley Character area would be slight adverse. The Landscape Officer feels that it is more likely to have a large to moderate adverse effect. In terms of the surrounding urban character the assessment indicates that there would be a slight beneficial effect. However the Landscape Officer would suggest that they would probably have a large to moderate adverse impact. The assessment indicates that the landscape impact on the site landscape character would also be moderate adverse, the Landscape Officer believes that it is more likely to be large to moderate adverse.

The assessment indicates (Summary 7.9) that although the effects on the landscape resource of the site would be significant, that for the wider landscape they would not be significant. The Landscape Officer is of the opinion that the landscape effects for the wider landscape would be significant and that on the whole the assessment has not accurately assessed the scale of significance of landscape effect. He would agree with the summary (7.9) regarding visual effects during construction and operation for the majority of visual receptors as being significant.

These differences of opinion are largely due to fundamental differences in the interpretation of the LVIA guidelines. The developer's methodology assesses the magnitude of change against the sensitivity of the receptor, for both landscape and visual effects. Whilst the Landscape Officer agrees with this methodology for an assessment of visual effects, he does not feel it allows for an assessment of the landscape effects since it does not take into account the capacity of the landscape to accept change. Whilst it is recognised that there is no 'standard methodology', it is not considered that an assessment of the significance of landscape effect through the sensitivity of the receptor, rather than the capacity of the landscape, allows a true assessment of the significance of landscape effects.

Planning Officers are of the view that it would be impossible to argue that the loss of such a large area of open agricultural land would not have some adverse visual impact on the character and appearance of the locality. This is particularly true when viewed from the existing urban fringe looking out towards open countryside. Where currently there are views of fields and trees, this would be replaced by views of urban development. However, the area does not benefit from any special landscape designations. It is fairly flat and open farmland. It is therefore not in a visually prominent location. The surrounding land is also generally flat in nature and as a result the site is not especially visible from any surrounding vantage points. Surrounding field boundaries benefit from native hedgerows and hedgerow trees which will soften the visual impact, given the relatively low building heights proposed (up to 3 storeys).

Furthermore, the public dis-benefit that would result from the loss of open countryside must be weighed against the wider public interest in terms of housing land supply and housing delivery as well as economic growth, regeneration and recovery. Therefore on balance, it is considered that the negative visual impacts are acceptable.

to turn to the proposed landscape concepts, the illustrative masterplan does contain a number of possible open spaces, namely the Coppenhall Fields Habitat Area to the north, the Coppenhall Green and Village Square towards the centre of the proposed development, the Groby Crofts Habitat Area to the east and The Entrance Boulevard to the south west of the site. As shown on the masterplan, the Landscape Officer was concerned that these appeared to be disparate and isolated open spaces that were not integrated into the built form, nor did they appear to build upon the existing landscape structure or character of the surrounding area or provide connectivity that would allow them to integrate together or into the wider Green Infrastructure of the surrounding area. In addition, despite design prompts shown in the Landscape Strategy indicating otherwise, the wider landscape proposals did not appear to strengthen the existing woodland on the site. For example the woodland/structure planting shown along the Groby Road boundary appeared to be little more than a token gesture and the woodland/structure planting shown to the north of Monks Coppenhall Primary School appeared to consist of existing woodland trees, most of which

would need to be removed to accommodate the illustrative layout as shown on Drawing ref 02286 MP 00 004 Rev C.

However, included with the application information, is a Landscape Strategy which comprises a site investigation and analysis. The Landscape Officer agrees with many of the design prompts it contains and feels that there is the potential to integrate the open spaces to be provided with one another as well as with the wider landscape, and also retain and incorporate far more of the existing landscape structure that exists across the site into the proposals. Further discussion with the applicant has also indicated that the design prompts shown in the landscape strategy will actually be incorporated into the masterplan for the site, and also that there will be much greater connectivity between the internal green spaces and the wider landscape. The Landscape Officer is now satisfied that these areas will not be disparate and isolated and has withdrawn his previous concerns.

### **Hedgerow and Tree Matters**

The site is agricultural land dissected by hedges and contains a significant number of trees, many of which are middle aged to mature Oaks. The tree survey in the Arboricultural Implications Assessment (AIS) covers 76 individual trees, 13 groups of trees and 36 lengths of hedgerow.

The tree population on the site on the site is relatively high and the AIS indicates that many are of high to moderate value. Taking into account the guidance in British Standard 5837: 2005: Trees in Relation to Construction, the design and layout of a proposed development should utilise the findings of a tree survey and tree constraints plan to enable a layout which takes account of existing features worthy of retention.

The layout as originally submitted and the surveyor's report indicated that the development would result in the loss of 32 trees, 20 of which have high to moderate value was a significant concern. The layout and density of the development needs to provide for the retention of features which have both landscape and wildlife value and have the potential to greatly enhance the setting of new development. It is essential that where trees are present, consideration is given to ensure that they can successfully be retained with a harmonious relationship between trees and structures.

Additional information has been submitted that indicates the retention of existing assets, namely the retention of all high value tree features (Category A) trees and the majority of moderate value features (Category B) trees. It is also important to note that this is an outline application with all matters reserved. Consequently the layout as submitted is only indicative, and the retention of visually important trees will be considered in further detail at the approval of reserved matters. The developer has advised that their Arboriculturalists would seek to work with the Council Officers on this matter. However it is considered that suitably worded planning condition would be appropriate to secure the retention of visually important trees where possible.

The development proposals would potentially involve removal of existing agricultural hedgerows. (Table 3 of the AIS indicates three internal hedges and 10 peripheral hedges retained with 23 hedges removed). Under the Hedgerow Regulations, the lengths of

hedgerow proposed for removal are checked against various archaeological, historic and ecological criteria to ascertain if it qualifies as 'Important'.

The Shared Services Archaeologist has confirmed that the hedgerows have been checked against the Cheshire Historic Environment Record under the following criteria as defined in Schedule 1, Part II of the Hedgerow Regulations and that these hedgerows are not covered under the stated criteria. Consequently they are not considered to be of archaeological importance.

With regard to ecological value of the hedgerows, the findings of the Arboricultural Implications Assessment indicate that the hedgerows are generally species poor with a limited number of shrub species and the assessment concludes that none of the Hedgerows are of National Importance. However, this assessment does not cover criteria in the Regulations in relation to protected species. Further information has been requested from the ecologist in respect of protected species (with specific reference to Paragraph 6 of Schedule 1 of the Regulations) and a further update will be provided to Members on this matter.

To turn to the historic importance of the hedgerows, 2 map extracts have been provided from the County Archivist which shows the hedges on a Tithe Map from 1840 and a more recent Ordnance Survey Map. However, no commentary has been provided and this evidence alone does not conclusively prove whether the hedgerow marks a historic boundary and is of significance under the regulations. Therefore further information on this point has also been requested from the developer.

## **Ecology**

According to the interim policy, it must be demonstrated that proposed developments and their infrastructure must not impact on designated or candidate European Sites (Special Areas of Conservation; Special Protection Areas; Ramsar Sites and Offshore Marine Sites) protected under the European Habitats Directives 92/43/EEC or the Conservation of Habitats and Species Regulations 2010

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 by the Conservation (Natural Habitats etc) Regulations 1994 ("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.

Regulation 3(4) of the Regulations provides 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 paragraph 116 of PPS9.

In line with guidance in PPS9, appropriate mitigation and enhancement should be secured if planning permission is granted.

The Council's ecologist has visited the site and is satisfied that whilst a number of ponds associated with the development will be lost the single pond with significant potential for breeding Great Crested Newts (GCN) will be retained as part of the development. Whilst there are records of GCN occurring at a third pond to the southern part of the site he is reasonably satisfied that this pond has limited potential to sustain a breeding population. In the absence of mitigation the proposed development is however likely to result in a HIGH impact upon the local population of great crested newts.

With regards to mitigation/compensation, the proposed master plan has been amended to show 5 new ponds. He is satisfied that this is suitable compensation for the number of ponds lost.

Similarly he is now satisfied that an appropriate area of terrestrial habitat will be retained and enhanced to ensure that the population of GCN is maintained.

If planning consent is granted he advises that the proposed mitigation/compensation is acceptable to address the adverse impacts of the proposed development upon GCN. The final design and layout of the GCN mitigation area must, however, be subject to conditions at the reserved matters stage. These details must also include proposals to ensure that public access to the GCN mitigation areas is restricted and also include maintenance and management proposals to ensure the mitigation area is sustainable in the long term.

It should be noted, however, that the proposed GCN mitigation package would be vulnerable to any further development to the north of Stoneley Road. Any future phases of development in this area may isolate the population of newts and make the population unviable in the long term. However, this would be an issue to be considered as part of any

future applications for that area of land and would not form a sustainable reason for refusing the current proposal, which must be determined on its own merits.

A number of bird species have been recorded on site some of which are Biodiversity Action Plan Priority Species and hence are a material consideration. However, with the exception of house sparrow no species of particular concern appears to be present in significant numbers. If planning consent is granted the Council's ecologist recommends conditions requiring a survey to be carried out prior to commencement of any works during nesting season, and submission of detailed proposals for the incorporation of features into the proposed development suitable for use by breeding birds.

There are a number of hedgerows that appear likely to be lost to the proposed development. Hedgerows are Biodiversity Action Plan priority habitat and hence a material consideration. It must be ensured that adequate replacement hedgerows are provided to compensate for those lost to the proposed development. This would be addressed at the reserved matters stage and could be secured by condition.

It is also noted that Natural England are satisfied with the proposed mitigation measures and have withdrawn their initial objection to the scheme. On this basis it is considered that the scheme complies with the relevant local plan policies and that a refusal on ecological grounds would not be sustainable.

## **Design**

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 Stoneley Road, and traditional vernacular farm buildings, which pre-date the expansion of Crewe on the more rural parts of Groby Road and Stoneley Road to the north east. 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 reserved matters, the applicant has submitted indicative street scenes which show typical, house types. These have been influenced by the form and mass of surrounding residential properties. The house types include traditional features such as, chimneys, tile hanging, brick arched heads and stone cills and a brick band course. The use of render to feature house types helps to break up the massing of the buildings and maintain visual interest.

On this basis it is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area.

## **Amenity**

A distance of 21m between principal windows and 13m between a principal window and a flank elevation are generally regarded to be sufficient 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 650 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 private amenity space of c.50-60sq.m is also usually considered to be acceptable for new family housing. The indicative layout indicates that this can be achieved in the majority of cases. 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.

### **Open space**

Based on the proposed housing mix for the development Local Plan Policy RT.3, establishes the local standards for open space provision on the development as 0.98m of Recreational Open Space and 1.25ha of children's play space, giving a total of 2.23ha. It is proposed that there will be approximately 5ha of open space on the site (3.38ha of which is accessible, recreational open space). Therefore, the proposed development will exceed the open space requirements identified Policy RT.3. The open space will provide children's play facilities, formal open space and amenity space and has been designed to be varied, attractive and accessible to meet the outdoor leisure needs of existing and future residents in the local area.

The proposed open space comprises four separate areas, namely: Coppenhall Green and Village Square (22,400 sq.m.), Groby Crofts (8,000 sq.m.), Stoneley Wetlands (17,300 sq.m.), Cross Green Entrance Space (3,400 sq.m.) The proposed Coppenhall Green and Village Square open space located in the centre of the site and will provide a formal public open space comprising both hard and soft formal landscapes in a central, accessible location and will contain: a formal equipped children's play area (NEAP) to meet the recreational needs of both young and older children within the development and a sports pitch to provide space for a variety of games, whilst ensuring adequate space is allocated for an adult recreational football pitch (93.66 x 49.15m - Sports England). A Village Square will provide a multi-functional, flexible space next to the community pub and shop, for community events such as market and fetes, and a central area for meeting, sitting and outdoor performances.

The Council's Greenspace Officer has examined the proposal and raised no objection to the proposed on-site provision, subject to a private management company being set up by the developer to maintain the open spaces within the development. However he has stated that consideration should be given to providing an allotment site (30 plots) within the development. This should be provided with a water supply, and surrounded by secure palisade fencing. It is considered that this could be accommodated within one of the proposed areas of amenity greenspace and that this could be secured by condition.

The Greenspaces Officer has also requested a commuted sum payment of £60,000 be payable to the Council, to allow us to refurbish the existing Lansdowne Road children's playground. Circular 05/2005 (Planning Obligations) sets out key tests that must be met in order to require a developer to deliver off site works or contribute towards them. These, are similar to those relating to the use of conditions, and include the requirement for the works to be necessary to make the proposed development acceptable in planning terms. In this instance there is sufficient provision to account for the additional demand on greenspaces created by the development, across all age groups, Therefore the development complies

with the Development Plan and accordingly it is not therefore considered necessary or reasonable to require the applicant to provide additional contributions in this instance.

Subject to the above requirements, which could be secured through a Section 106 agreement, and in the absence of any objection from the Amenity Greenspaces Section, it is considered that the proposal is considered to be acceptable in terms of open space provision.

### **Conservation and Listed Buildings**

The proposals will result in the demolition of the Cross Keys public house and its outbuilding to create the main vehicular access point into and out of the site. The buildings were included on the former Crewe & Nantwich Borough Council list of buildings of special local interest in recent years. They were recently considered for inclusion within the national register of listed buildings by English Heritage but were not judged to be of sufficient special interest to be included. It needs to be recognised however that English Heritage did comment that the building is "little altered externally and clearly a building of imposing architectural design of great character", in their notification on the outcome.

Policy BE13 of the Adopted Replacement Local Plan 2011 states that buildings or structures included in the non-statutory list of buildings and structures of local architectural or historic interest will be protected from inappropriate development proposals affecting the reason for their inclusion in the list. Clearly, complete demolition of a building would be considered inappropriate development and would affect the reason for its inclusion in the list. Therefore, the Council has a clear preference for the re-use of these locally listed buildings and structures unless re-use is neither physically nor financially sustainable, or it can be clearly demonstrated that there are reasons for the development which outweigh the need to safeguard the building or structure.

In this case, the need for housing in order to meet the Council's obligations to provide a 5 year housing land supply, the need to provide an adequate access into the site and the improvements that would occur in terms of improving traffic management at the existing road junction are considered to be important public interests to outweigh the retention of the locally listed building.

The development will also affect the setting of the Grade II listed Foden's Farm. The indicate layout plans show the retention of a landscaped buffer around the historic farmstead to ensure that when viewed from Groby Road, its undeveloped rural setting will be retained, and it will not appear to be engulfed by modern suburban development. It is also noted that English Heritage has raised no objection to the scheme. The proposal is therefore considered to be acceptable in terms of its impact on the setting of the listed building.

### **Drainage and Flooding**

The applicant has submitted with the application, a detailed Flood Risk Assessment, which concludes that the site is wholly located within Flood Zone 1 as shown by the Environment Agency flood zone mapping. This means that the site is not at risk from 'Fluvial' flooding and can be considered for all types of development. Evidence collected suggests that the key flood risk considerations for the proposed development are going to be management of the

surface and foul water discharge. All other potential flood risks are deemed to be low. Having identified and categorised the potential sources of flood risk, this assessment has identified mitigation measures for each potential source. In this instance the emphasis is on sustainable surface water management.

Off site surface water discharge shall be limited to at least the existing greenfield runoff rate for the mean annual flood (1 in 2 year return period flow). This is 3.76 litres per second per hectare (l/s/ha) and has been calculated on a site specific basis using industry standard methods. Flows up to the 1 in 100 year return period flow including a 30% allowance for climate change shall to be attenuated on site using appropriate sustainable drainage techniques.

A sustainable discharge point has been established. This is into the existing United Utilities surface water sewer at the junction of Middlewich Street and Badger Avenue. A possible connection to Fowle Brook has also been identified. Further assessment and consultation with key stakeholders will be required during detailed planning to establish this as a deliverable solution and allow confirmation of the optimum arrangement.

United Utilities has supplied information on the existing public sewerage system. The limitations of the system have been taken into consideration to ensure a managed sustainable development proposal in terms of flood risk. The report states that consultation with United Utilities will be undertaken throughout the detailed design process. The key flood risk infrastructure design requirements outlined within the report have been integrated into the development proposals.

The Flood Risk Assessment has not identified any significant on or off site flood risk implications arising from the development proposals that could be regarded as an impediment to the development. The proposals set out within this report will ensure that the proposed development will be compliant with the requirements of Planning Policy Statement 25.

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.

## **Sustainability**

The Council's Interim Policy carries a requirement for a high quality development designed to Code for Sustainable Homes Level 4 or higher and Building for Life Silver standard or higher.

The outline of the masterplan has been developed, indicating the parameters of the proposed development. The specific details of the masterplan and final arrangements in meeting the requirements of Code Level 4 will be developed as part of the detailed planning application. Given that the planning application is an outline application, it is considered that a Code for Sustainable Homes pre-assessment is not required at this stage. An assessment will be included with the reserved matters application and this can be secured by condition. Nevertheless an initial qualitative review of Code for Sustainable Homes Level 4 has been

undertaken for the proposed development. Table 4.1 of the Sustainability Statement submitted with the application illustrates the requirements for Level 4 and how the proposed development aims to meet these requirements.

For example, the proposed dwellings will be designed to meet the 25% emission reduction against 2010 Building Regulations. The Energy Statement has considered renewables and low and zero carbon technologies and confirmed that there are number of options to meet requirements. Cycle storage facilities and home office broadband connections are proposed. Materials will be responsibly sourced. Storage provision for waste and recycling will be provided for dwellings and construction waste will be re-used and recycled on site, where practicable. These requirements will be included in the proposed development Construction Environmental Management Plan and the Procurement and Materials Strategy to be developed post outline planning application approval. A Home User Guide will be provided detailing operational aspects of the home, local facilities, and transport links including train and bus times.

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 submitted an Energy Statement with the application which identifies indicative preferred energy options. More detailed assessment is required at the detailed planning application stage. At present the analysis indicates that building integrated solutions are likely to be the most technically feasible and economically viable for the development and eventual consumers. Based this initial high level assessment, it is considered that solar pv and thermal systems offer the most feasible and viable option and that the layout and roof areas for Coppenhall East are well suited for solar installations of varying sizes.

The initial analysis has identified that 1kWp systems would be sufficient to meet the individual dwelling requirement of 770 kWh per year. This would require 10m<sup>2</sup> of pv panels which is a very small system and easily installed on dwelling roofs and garages.

The information submitted by the developer indicates 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.

## **Education**

Circular 05/05 (ODPM (2005), now DCLG) provides guidance on S106 contributions. The advice is clear that contributions should only be sought where the need for additional facilities arises as a consequence of the new development and moreover, they should be “fairly and reasonably related in scale to the proposed development”. In effect this means that contributions towards new education facilities can only be sought where the education authority is able to demonstrate that new housing development is likely to generate more children than local primary and secondary schools can accommodate, and that the contribution should be proportionate to any shortfall in capacity.

It is accepted and common practice for local authorities to consider capacity at all primary schools within walking distance of an application site. In the case of primary schools, the Department for Education define walking distance as a two mile radius from a pupil's home address. CEC's education department recently provided data which showed the pupil roll and current capacity at each primary school within this two mile zone. It showed that there are currently 269 surplus places at these schools, but this will have shrunk to 87 surplus places by 2016, according to CEC's pupil projections.

The proposed development is expected to generate demand for an additional 102 primary school places, based on CEC's own child yield assumptions (0.162 primary school age children per dwelling). This would mean there is substantial capacity in local primary schools at the current time, but there would be a small shortfall in capacity by 2016 of 15 places. In accordance with Circular 05/05 it is necessary for the developer to contribute toward the cost of provision for an additional 15 primary school places in order to meet the need for school places in the future.

To calculate the S106 contributions required for 15 additional primary school places, we have used the latest DfE building cost multiplier for the period 2008/09. This is £12,257 (Q4 2008) which, when indexed, gives a current multiplier of £11,850. Cheshire East Council's regional weighting factor is 0.91. The proposed contribution has therefore been calculated as follows:  $15 \times £11,850 \times 0.91 = £161,752$ .

This is a widely accepted method for calculating contributions which we have seen applied by numerous councils on previous planning applications for housing developments. Furthermore, it is considered that a contribution of £161,752 is fairly and reasonably related in scale and kind to the proposed development, in accordance with Circular 05/05.

## **9. CONCLUSIONS**

Therefore, in summary, it is acknowledged that the Council does not currently have a five year housing land supply, which is a requirement of both current advice contained within PSP3 and the recently published Draft National Planning Framework. Accordingly, in the light of the advice contained in PPS3 it should consider favourably suitable planning applications for housing. The current proposal is considered to be "suitable" as it is located on the periphery of Crewe, and is in accordance with the Council's agreed position to manage the supply of housing land as set out in the Interim Policy on the Release of Housing Land, which directs the majority of new development towards Crewe. It is also consistent with the emerging Core Strategy which, although it includes a number of options for growth, directs the majority of new development towards Crewe. Housing development in Crewe is also supported by the Crewe Vision which recognises that population growth is key to economic growth and regeneration of the town itself. According to PPS1 these emerging policies are important material considerations.

The proposal is also supported in principle by the Government's "Planning for Growth" agenda which states that Local Authorities should adopt a positive approach to new development, particularly where such development would assist economic growth and recovery and in providing a flexible and responsive supply of housing land. This proposal

would do both. The Government has made it clear that there is a presumption in favour of new development except where this would compromise key sustainability principles.

It is considered that the development is acceptable in terms of affordable housing provision and that the highway safety and traffic generation issues can be addressed through appropriate developer contributions to off-site highway improvements, although the final amounts of those constructions have still to be negotiated. Matters of contaminated land, air quality and noise impact can also be adequately addressed through the use of conditions.

Although there would be some adverse visual impact resulting from the loss of open countryside, it is considered that due to the topography of the site, this would not be significant relative to other potential housing sites in the Borough. Furthermore, it is considered that the benefits arising from housing land provision would outweigh the adverse visual impacts in this case. The proposal is acceptable in terms of the proposed landscaping strategy and it is considered that through the use of appropriate conditions significant trees can be incorporated into the development. The hedgerows on site to be removed are not considered to be significant under the criteria set out in the Hedgerow Regulations in respect of Archaeology although further information is awaited in respect of the historic and ecological value of the hedgerows. However, conditions can be imposed requiring any significant hedgerows to be retained within the final layout and replacement hedge planting to be undertaken.

With regard to ecological impacts, the Council's ecologist and Natural England are satisfied with the proposed mitigation measures and have withdrawn their initial objection to the scheme in respect of the impact on Great Crested Newts. Any adverse impact on Breeding Birds can be mitigated through the use of an appropriate condition relating to the timing of works. There would be no adverse impact on the nearby SSSI.

The scheme complies with the relevant local plan policies in terms of amenity and it is considered that an appropriate design solution could be achieved which would respect the character and appearance of the surrounding area.

Policy requirements in respect of public open space provision have been met within the site, and therefore it is not considered to be necessary or reasonable to require further off-site contributions in this respect.

The scheme would result in the demolition of the Cross Keys Public House, which is a locally listed building. Policy BE13 of the Adopted Replacement Local Plan 2011 indicates that the demolition of such buildings can be acceptable where it is clearly demonstrated that there are reasons for the development which outweigh the need to safeguard the building or structure. In this case, the need for housing in order to meet the Council's obligations to provide a 5 year housing land supply, the need to provide an adequate access into the site and the improvements that would occur in terms of improving traffic management at the existing road junction are considered to be important public interests to outweigh the retention of the locally listed building.

The development will also affect the setting of the Grade II listed Foden's Farm. The indicate layout plans show the retention of a landscaped buffer around the historic farmstead to

ensure that when viewed from Groby Road, its undeveloped rural setting will be retained. It is also noted that English Heritage has raised no objection to the scheme

The Flood Risk Assessment has not identified any significant on or off site flood risk implications arising from the development proposals that could be regarded as an impediment to the development

The information submitted by the developer indicates that it is viable and feasible to meet the requirements of the RSS policy in respect of renewable energy and to achieve Code for Sustainable Homes Level 4 and therefore a detailed scheme can therefore be secured as part of the reserved matters through the use of conditions.

The proposed education contribution has been calculated using a recognised methodology and is considered to be fairly and reasonably related in scale and kind to the proposed development, in accordance with Circular 05/05.

It is therefore considered that the proposal would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy. Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

## **10. RECOMMENDATION**

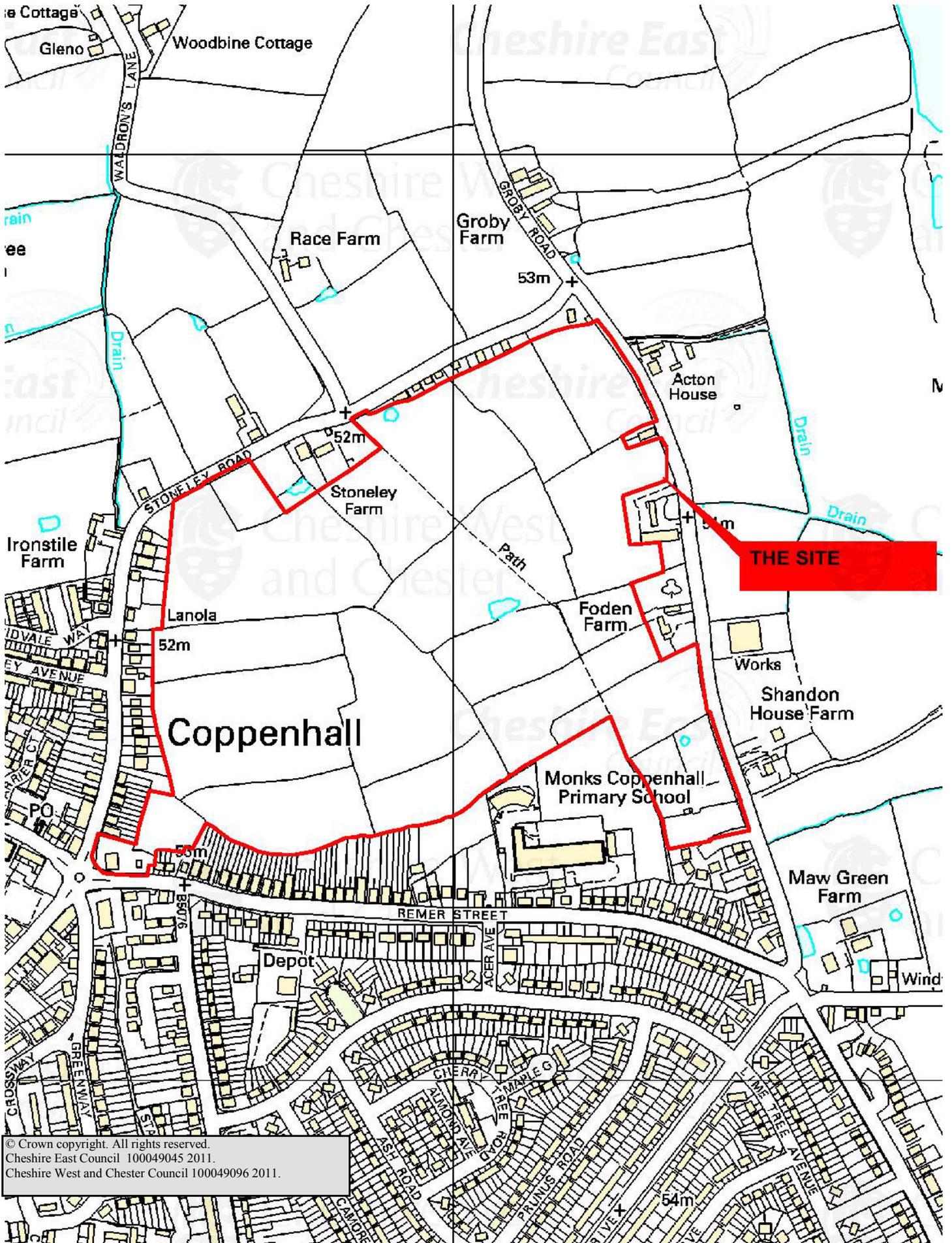
**APPROVE subject to completion of Section 106 legal agreement to secure the following:-**

- 6. Provision of affordable housing**
- 7. Provision of education contribution of £161,752**
- 8. Contribution towards improvements at Crewe Green, a new roundabout at Maw Green**
- 9. Contribution towards public transport improvements.**
- 10. Travel Plan contribution**
- 11. Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children's play areas and amenity greenspace. Submitted details must include the location, grading, drainage, layout, landscape, fencing, seeding and planting of the proposed public open space, transfer to and future maintenance by a private management company.**

**And the following conditions**

- 1. Standard Outline**
- 2. Submission of reserved matters**
- 3. Plans**
- 4. Air Quality assessment updates to be submitted with each reserved matters**
- 5. Submission, approval and implementation of Construction Environmental Management Plan (CEMP)**
- 6. Submission, approval and implementation of Travel Plan**

- 7. Submission, approval and implementation of contaminated land preliminary risk assessment (PRA)**
- 8. Submission, approval and implementation of contaminated land site investigation (SI)**
- 9. Code for Sustainable Homes Level 4 assessment with reserved matters**
- 10. Provision of 10% renewable energy on site.**
- 11. Provision of detailed scheme of drainage**
- 12. Reserved matters to make provision for allotment site (30 plots) within the development.**
- 13. Breeding bird survey to be carried out prior to commencement of any works during nesting season**
- 14. Provision of replacement hedgerows**
- 15. Provision of detailed design and layout of the GCN mitigation area**
- 16. retention of visually important trees**
- 17. A scheme for the provision and implementation of a surface water regulation system**
- 18. Management of overland flow**
- 19. Provision and management of habitat creation**
- 20. No discharge to Fowle Brook**
- 21. Retention of important hedges**
- 22. Notwithstanding detail shown – no approval of indicative residential masterplan.**
- 23. Landscape design principles to be incorporated into final layout**
- 24. Submission of landscape and ecological management plan**
- 25. Submission of Arboricultural Impact Assessment**
- 26. Submission of Arboricultural Method Statement**
- 27. Submission of Comprehensive tree protection measures**
- 28. A scheme for the provision and management of compensatory habitat creation**
- 29. Each reserved matters application for commercial activities to be accompanied by a noise impact assessment**



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Cheshire East Council 100049045 2011.  
Cheshire West and Chester Council 100049096 2011.

**Application No:** 11/1643N  
**Location:** LAND AT COPPENHALL EAST, REMER STREET, CREWE  
**Proposal:** Outline Application for the Erection of 650 Dwellings, a Public House, a Local Shop and Associated Infrastructure and Open Space Provision Together with the Demolition of the Former Cross Keys Public House  
**Applicant:** Taylor Wimpey UK Limited  
**Expiry Date:** 07-Sep-2011

**UPDATE REPORT : 6<sup>th</sup> September 2011**

**ADDITIONAL REPRESENTATIONS**

**Taylor Wimpey**

Public Right of Way

- Confirm that there will be no permanent impact on the public right of way through the site. The existing footpath has been incorporated into the development proposals and will be enhanced to create an improved walkway through the site. However, if there any issues affecting the right of way during construction we will work with the Council as necessary.

Open Space

- The Section 106 Agreement will include provisions to secure the long term management of the open spaces within the development either through a private management company or the transfer of the land to the Council for adoption.
- Taylor Wimpey UK Limited consulted with local residents on the provision of allotments on the site as part of the public exhibitions held in March and April 2011 and there was limited interest in the provision of allotments on the site. However, we will re-evaluate the inclusion of allotments on the site during the reserved matters stage of the development.
- A requirement for allotments should not be imposed as part of the planning permission as there is no justified demand for them nor has the Council identified that there is a need for them.
- A commuted sum of £60,000 for the Lansdowne Road playground is considered to be unreasonable.

Ecology

- The Ecology Chapter of the Environmental Statement has considered the potential for impacts on Sandbach Flashes arising from the construction and operation of the proposed development. Sandbach Flashes is located approximately 370m north east of the application site boundary. No development works are located in the proximity of Sandbach Flashes and therefore no impacts are predicted. In addition, breeding bird habitat to be lost within the application site boundary (to be mitigated by the development) relates to barn owl whereas Sandbach Flashes supports important numbers of wildfowl and waders.

## Environmental Health Matters

- The Noise Assessment did consider the impact of the surrounding roads, the railway and the landfill. In addition, the noise monitoring locations were agreed with the EHO prior to the survey.
- The Contaminated Land Preliminary Risk Assessment report has been submitted to and agreed with the Council's Enforcement Officer and it is considered that this is no longer an issue.
- It has agreed with the Council's Enforcement Officer that the Site Investigation work will be dealt with via condition prior to the commencement of the development.

## Public Consultation

- The Committee Report identifies that a petition containing over 1500 signatures has been submitted to the Council as well as objections being received from various residents on Remer Street, Broad Street, Stoneley Road and from other residential streets in the vicinity.
- Circular 03/2009 states:- "While planning authorities are expected to consider the views of local residents when determining a planning application, the extent of local opposition is not, in itself, a reasonable ground for resisting development".
- There is "*overwhelming policy support for the scheme*" [p.24]. In addition we would also like to make you aware of the fact that residents have contacted Taylor Wimpey and accused the protestors of intimidating people to sign the petition. The validity of some of the signatures on the petition is therefore questionable.
- The scheme was the subject of significant public consultation.
  - community engagement has been inclusive, comprehensive and transparent.
  - The consultation programme included:-
    - Stakeholder meetings with key councillors, Monks Coppenhall Primary School, local businesses and other interested parties to discuss the proposals in detail ahead of the public consultation.
    - information leaflet to over 11,600 business and residential properties
    - A three-day interactive exhibition to discuss the plans and collect feedback.

- Information regarding the proposals and consultation events were available online. Interested parties had opportunities to review the proposals as well as submit comments and questions.

### Landscape

- Arup and Camlin Lonsdale have been working with the Landscape Officer in respect of his concerns. The development of the site and its impact on the landscape is considered to be acceptable by the Landscape Officer
- The historic importance of the hedgerows within the site boundary has been considered, in accordance with the Hedgerow Regulations (1997). It has been determined that all the hedgerows except those marked H20, H21 and H22 on the site plan formed an integral part of a field system pre-dating the Enclosure Acts. In accordance with Criterion 5a of the Regulations the hedgerows are classified as important. Where it is proposed that hedgerows are removed that are considered to be 'important' in accordance with the Hedgerow Regulations 1997, CEC will be consulted with and the appropriate procedures followed.
- An assessment of the hedgerows has been undertaken with reference to the Hedgerow Regulations (1997) in relation to protected species. The assessment has determined that no hedgerows at the site are 'important' according to The Hedgerows Regulations 1997 assessment criteria.
- The applicant has been working with the Ecology Officer and Natural England in respect of their concerns. NE is satisfied that the proposed mitigation measures are acceptable and there is no ecological reason to refuse the scheme.

### Conservation and Listed Buildings

- The Environmental Statement demonstrates that the setting of Grade II Listed Foden's Farm does not contribute to architectural or historic interest of the building and thereby the reason for its listing. Foden's Farm is listed due to its architectural merit.
- The development proposals will not affect the setting of the Foden's Farm as the proposed development incorporates a large area of open space to the south and west of the Foden's Farm. The landscaped areas will maintain an open aspect and a 'countryside' setting for the building with the new dwellings located a substantial distance away from the building. No objections have been received from English Heritage on the impact of the development on Foden's Farm. As a consequence, the proposed development will have a negligible impact on the setting of this heritage asset.

### Sustainability

- Whilst it is considered that some aspects of the site, including renewable energy and surface water attenuation, will meet the credits required for Code for Sustainable Homes Level 4 others such as ecology may not. The feasibility of achieving Code for Sustainable Homes Level 4 cannot be determined until a Code for Sustainable Homes pre-assessment is undertaken at the detailed design stage. It is therefore requested

that this section of the committee report is amended to specify that as a minimum Code for Sustainable Home Level 3 will be achieved across the site.

### Conditions

- **Condition 9: Code for Sustainable Homes Level 4** - Request that the Council works with the applicant on drafting a suitably worded planning condition in relation to the delivery of the Code for Sustainable Homes.
- **Condition 10: 10% renewable energy on site** – Request condition is amended to place a requirement on the developer to submit an update to the Energy Strategy which will specifically demonstrate how the development will include sustainable energy technology to reduce energy demand, increase energy efficiency and reduce carbon emissions.
- **Condition 20: No discharge into Fowle Brook** - It is requested that this condition is removed. The Flood Risk Assessment prepared for the site has identified two options for discharging surface water from the site. The confirmed solution relates to discharging to a United Utilities surface water sewer approximately 2 kilometres from the site boundary. The second relates to discharging to Fowle Brook approximately 300 meters from the site boundary. The approach to surface water discharge outlined in the Flood Risk Assessment has been reviewed by the Environment Agency with no concerns raised. Building Regulations Part H pertains to drainage, and requires surface water runoff to be disposed of in accordance with the following hierarchical order: 1) Discharge to an adequate soakaway or some other infiltration system, or where not reasonably practical; 2) Discharge to a watercourse, or where not reasonably practical; 3) discharge to a sewer. The applicant is seeking to deliver the most sustainable solution in line with the Building Regulations Part H and the constraints of the site water disposal hierarchy. It is proposed that as part of detailed design further work is undertaken to determine discharge to Fowle Brook as a deliverable solution.

### Late information

- The Committee Report currently states that no comments have been received from your housing and highways departments. If the comments are raised as late material the applicant request that these issues are delegated back to Planning Officers to deal with. It is considered that the issues relating to tenure and mix comply with the relevant material guidance contained within the Interim Planning Statement and this can be resolved without Members input. In addition, Highways Officers have not objected to the proposals and there are no issues relating to highways safety, parking or traffic generation. Issues relating to financial contributions for highways improvements can also be resolved without Members input and this should be emphasised should Members seek to defer the application.

### **Richborough Estates**

### Interim Planning Policy

The application is not in accordance with the IPP because the site is not capable of being fully developed within 5 years of the grant of outline planning permission. This is a requirement of the IPP that is every bit as fundamental to the IPP as the other 7 criteria in the way the policy has been drafted.

The Committee Report acknowledges that the application is inconsistent with this requirement of the IPP but states that it would not be a sustainable reason for refusal given the overwhelming policy support for the scheme. Whilst it is open to the Council to set aside aspects of its adopted policy where other material planning reasons dictate, the analysis contained in the Committee Report under the heading "Planning Policy and Housing Land Supply" makes it clear that the IPP is being given considerable weight in outweighing the general presumption against new residential development within the open countryside as set out in the saved policies of the Local Plan. This belies the fact that in two recent appeal decisions (Hind Heath Road, Sandbach and Elworth Farm, Sandbach) Inspectors found that the IPP should only be afforded limited weight. These decisions are material considerations to which the Council must take into account and although this does not undermine the Council's determination to pursue the strategy advanced in the IPP, just as it doesn't prevent proposals not in accordance with the IPP from coming forward elsewhere in Cheshire East, it is clearly wrong to seek to misapply the policy where it is being relied upon to grant planning permission. In this respect, the Committee Report is wrong and misleading where it concludes on Planning Policy by stating that "The proposal also accords in principle with all of the criteria..... as laid down by the IPP." This is patently incorrect and hence the Committee should be made fully aware that firstly the IPP should only be afforded limited weight in decision making and that secondly the officers, in recommending approval be granted, are advising the Committee that it is entirely acceptable to set aside one or more of the criteria listed in the IPP when applying that policy, given that this is precisely what is being recommended.

#### Highway Safety and Traffic Generation

There is a concern relating to the junction between Maw Green Road and Groby Road and to the improvements proposed by Taylor Wimpey. The Committee report refers to the need to allow for contributions to be secured by means of a legal agreement with Taylor Wimpey to contribute towards the forecasted cost of the necessary junction improvements at Maw Green Road/Groby Road, but it fails to identify that the required improvements to that junction cannot be implemented without the acquisition of land that is controlled by a private landowner.

The land in question is owned by a landowner with whom Richborough Estates has an agreement with respect to the promotion of land that is identified in the Council's SHLAA as site 2891. Unlike the Taylor Wimpey site, the development being proposed will be fully consistent with the IPP but in common with the site at Coppenhall East the development will impact upon the junction between Maw Green Road and Groby Road. As such we are anxious to make sure that the requirements that are to be placed on Taylor Wimpey to contribute towards the improvement of that junction, should planning permission be granted, will not frustrate the deliverability of SHLAA site 2891 given that Taylor Wimpey do not control the land required to implement the necessary off-site junction improvements. For illustration, I am attaching a plan that has been prepared by our highway consultants which shows the

provision of a new roundabout at the junction and the associated land take involving the 3<sup>rd</sup> party land.

If, as implicit in the Committee Report, the Highways Department is satisfied that the impact the additional traffic created by Taylor Wimpey's proposal on this junction can be mitigated through a financial contribution that will not in itself deliver the required improvements, there needs to be a mechanism placed within the required legal agreement to ensure that the financial contribution can be triggered at the time the works to improve the junction are needed. To this end, our agreement with the landowner of SHLAA site 2891 will enable us to deliver the junction improvements that have been discussed and agreed in principle with the Highways Department. The scale of any financial contribution from the development of site 2891 will of course reflect the land contribution and the results of the Traffic Assessment, but it will be critical to the delivery of the development that the financial contributions to the junction improvements from the Taylor Wimpey scheme (as well as any other subsequent schemes that may impact upon this junction) are released so as not to frustrate the delivery of site 2891.

### **Local Residents**

Additional letters of objection have been received from the following addresses: Lanola, 64, 74, 68A, 33A, 123, 66, 18, 72A, 49, 35, Stoneley Road; 1 Foxes Hollow; 16A, 112, Groby Road; 1, 11, 57, 14, 15, 54, Stoneley Avenue; 90, 8, 24, 174, 158, 160, 34, 176, 49, 24, 26 Remer Street; 3 Somerlay Close and 15 Holland Street raising the same points which have been previously reported in the main report.

## **ADDITIONAL CONSULTATION RESPONSES**

### **Environmental Health**

Officers have now had chance to review the additional information that they requested in their original comments and have the following recommendations:

- Reserved Matters shall include noise mitigation measures for the proposed new dwellings, including the gardens. This is to protect the amenity of the occupants from noise arising from the biggest noise sources, namely the road, school playground and distant railway.
- In terms of construction mitigation, prior to commencement of construction activities, the Construction Environmental Management Plan (CEMP) should be agreed and implemented to ensure any potential adverse environmental effects are avoided, in addition to ensuring noise and dust related complaints are kept to a minimum.
- A detailed lighting plan for the whole of the site in the Reserved Matters application, in order to protect neighbouring individuals from light overspill and nuisance.
- There also needs to be adequate storage space for the three domestic refuse bins (general waste, recycling and garden waste) for each property in the Reserved Matters.

### **Education**

### Primary School Requirement

This proposal needs to consider all schools within walking distance of the development. This is based on primary schools within a 2 mile walking distance and high schools within a 3 mile walking distance (Schools within a say 2 mile radius could be in excess of a 4 mile walk).

The attached spreadsheet shows all of the relevant primary and secondary schools within these walking distances. It includes data on net capacities, present numbers on roll and current projected roll numbers.

The current projections based on the current 3 year intake trends illustrates that the local primary schools will be oversubscribed in the very near future. This does not take into account any of the current planning applications (including this one), currently being considered. The site at Coppenhall East will see some 627 2+ bedroom dwellings being constructed which will generate 102 primary school pupils ( $0.162 \times 627$ ). Therefore Cheshire East Council will be seeking a contribution for the full 102 additional places.

The local schools do not have the spare capacity nor in some cases, the grounds/infrastructure to be extended to accommodate the new pupils which will be generated as a direct result of this development. Therefore, in our opinion, a new school will be required.

Cheshire East Council recognises the value that a small school can contribute to its local community. However, it is also recognised that small schools can easily become fragile in terms of both viability and performance. There is no nationally accepted definition of what level of pupil numbers defines a small school. However, as a benchmark, Ofsted regards a school of 100 pupils as small. This Authority's school place planning priority will be to provide single aged classes wherever possible (i.e. 1 FE with seven classes, 2 FE with fourteen classes) and in all cases to aid compliance with Infant Class Size Legislation. This includes any planning for new schools.

An important part of the context and helping form our consideration is that there is another sizable proposal in the area (application 11/1879N), which affects the same schools and which, if approved, will generate a further 65 places.

The Children and Families Department requests a fair and proportionate contribution towards the provision of a new 1 from entry (210 place) primary school.

A new 1FE Primary School will cost in the region of £3,539,250 to build so  $102 / 210 \times 3,539,250 = £1,719,064$  would be a fair proportionate contribution towards the cost of the new build. In addition to this the developer would also be expected to identify a site suitable for a primary school, and then transfer this site fully serviced to the Council at zero cost to the Council.

### Secondary School Requirement

The Council seeks to maintain a moderate element of surplus places across its schools in the Borough, in order to satisfy Government policy to facilitate parental preference, the managed mid-term admissions and contingency planning. Consequently, Cheshire East council

considers local schools to be at "Full" capacity when there is 8% or less unfilled places. The spreadsheet shows that the local schools are currently operating at a little over 6% unfilled places and the Council would therefore consider these schools to be full.

As a matter of fact, the catchment Secondary School to this development is Sir William Stanier Community School and the projected figures have this school operating at 100% capacity in the near future. These projections do not take into account any submitted planning applications.

Therefore the Council will require the sum of  $(627 \times 0.13 \times 17857 \times 0.91)$  £1,332,489 which will be spent extending the local high school.

#### Total Requirement

£1,719,064 + £1,332,415 = £3,051,479 + level and fully serviced site which meets the Councils requirement. "

### **ADDITIONAL OFFICER COMMENTS**

#### **Principle of Development**

It is acknowledged that the whole of the site could not be delivered in 5 years and that in this respect the scheme does not comply with the provisions of the Council's Interim Policy. However, it is also acknowledged that the Inspector in previous appeal cases at Hind Heath Road has indicated that whilst it is a material consideration, only "limited weight" should be afforded to the interim policy.

However, lack of compliance with this aspect of the policy is considered to be outweighed by the benefits arising from the scheme in terms of contribution of in excess of 300 units towards the Council's housing land supply figures. Furthermore, the Interim Policy is only one of a number of material considerations in this application which indicate that favourable consideration should be given to the scheme and which outweigh the provisions of Policy NE.2 of the local plan. In particular PPS3 which states that where authorities cannot demonstrate a five year housing land supply, favourable consideration should be given to suitable applications for housing. Also the government's planning for growth agenda and the emerging National Planning Framework, set out a presumption in favour of sustainable development. The default answer should be "yes" unless the proposal conflicts with key sustainability objectives.

#### **Affordable Housing**

The current affordable housing need where this site is located identified in the SHMA 2010 shows that there is an annual requirement for 256 new affordable homes in Crewe. This is made up of 127x 1-beds, 20x 2-beds, 47x 3-beds, 40x 4/5-beds and 26x older persons 1/2-beds.

In addition to this information taken from the SHMA 2010, Cheshire Homechoice is used as the choice based lettings method of allocating social rented accommodation across Cheshire East, there are currently 1130 applicants for housing in Crewe the majority of which require 1,

2 and 3 bed accommodation but there are also 54 applicants who require 4 bed or larger accommodation.

The planning application indicates that if approved it is proposed that the development of the site will take place in 4 phases over a 5-10 year period and the Affordable Housing statement submitted with the outline planning application indicates that the 35% of the total units in phase 1 will be delivered as affordable housing, with the mix being 10% 1 beds, 60% 2 beds and 30% 3 beds, with 40% of these being flats and 60% being houses. It has been agreed that this is acceptable for the delivery of the affordable housing on phase 1 of the development. The tenure split of the units on phase 1 should be 65% social rent and 35% intermediate tenure as per the Affordable Housing Interim Planning Statement.

As the project is to be delivered in phases over a 5-10 year period officers have agreed the affordable housing requirements for subsequent phases will be looked at to establish appropriate requirements at that time.

The Affordable Housing IPS also requires that the affordable units should also be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration.

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 design and construction of affordable housing should also take into account forthcoming changes to the Building Regulations which will result in higher build standards particularly in respect of ventilation and the conservation of fuel and power.

The Affordable Housing Interim Planning Statement 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 “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.

It is therefore the Housing Section’s preferred option that the developer undertakes to provide the social rented affordable units through a Registered Provider who are registered with the Tenant Services Authority to provide social housing.

Taylor Wimpey have submitted draft Heads of Terms for the S106 agreement, which include provisions with regards to the affordable housing that would not be acceptable as they would not guarantee delivery of the affordable housing as per the requirements of the Affordable Housing Interim Planning Statement. The first issue with the proposed Heads of Terms is the tenure split of 50% social rent, 50% intermediate tenure. The tenure should be split on a 65% social rent, 35% intermediate tenure basis as per the Affordable Housing IPS. The second issue is that under the Draft Heads of Terms, in the event that Taylor Wimpey have been

unable to find an Affordable Housing Provider to take the affordable housing or a qualifying person for the affordable housing after offering it 6 months, the affordable housing should be sold on the open market. Again this would not meet the IPS requirements as it does not guarantee the required provision of 35% affordable housing at the site.

It is therefore recommended that Head of Legal Services be instructed to modify the agreement accordingly. This has been reflected in the amended recommendation below.

### **Residential Amenity**

In response to previous comments from the Environmental Health Officer, the developer has submitted additional information in respect of noise. Environmental Health have examined this information and are satisfied with its conclusions although they have recommended additional conditions which have been incorporated into the revised recommendation below.

### **Hedgerows**

An assessment of the hedgerows has been undertaken with reference to the Hedgerow Regulations (1997) in relation to protected species. The assessment has determined that no hedgerows at the site are 'important' according to The Hedgerows Regulations 1997 assessment criteria in respect of ecology.

The applicant has submitted additional information in respect of the historic importance of the hedgerows within the site boundary, in accordance with the Hedgerow Regulations (1997). It has been determined that all the hedgerows except those marked H20, H21 and H22 on the site plan formed an integral part of a field system pre-dating the Enclosure Acts. In accordance with Criterion 5a of the Regulations the hedgerows are classified as important. It is considered, therefore, that a condition should be imposed to secure the retention of historically important hedgerows within the final layout.

### **Public Consultation**

In support of the application, the developer has submitted a Consultation Statement. The Borough Council's Adopted Statement of Community Involvement, which provides guidance on the production of such statements says, at Paragraph 8.3, that such documents should show how applicants have involved the local community and where the proposals have been amended, as a consequence of involving the local community.

The statement, submitted as part of this planning application, outlines the public consultation that has taken place and the type of issues that residents raised, during the consultation process.

It also explains how the developers propose to mitigate against many of the adviser impacts that were highlighted and how local residents have been able to shape the proposals. However, it does acknowledge that some local residents are opposed to any new homes in the local area and that explanation of the reasons behind Coppenhall East and the proposed mitigation that has been put forward will be sufficient to mitigate concerns in some cases. The information provided within the statement demonstrates that the consultation that has taken place conforms to the procedure set out in the Borough Council's adopted Statement of Community Involvement (SCI).

## **Open Space**

The developers have objected to the Greenspaces Officer's request that provision be made for allotments within the site, stating that there is no proven demand for such facilities and it was not raised as a requirement during their public consultation. However, evidence from the Greenspaces Officer contradicts this view with reports of high demand and waiting lists for allotments. Given the need to provide a range of outdoor amenity facilities for all sections of the community, the provision of allotments is considered to be entirely reasonable. The proposal it will not involve the designation of any additional open space, merely a change in the way the open space which has already been designated is utilised.

## **Conservation and Listed Building Issues**

The developer argues that the proposal does not affect the setting of Foden's Farm and that the buildings, setting has no relevance to its listing which was for reasons of architectural interest. Officers disagree with this view but due to the presence of the proposed landscape buffer, it is not considered that there will be any adverse impact on its setting.

## **Sustainability**

The developer has expressed concern that some aspects of the site's development may not meet Code for Sustainable Homes Level 4. However, Condition 9, as recommended only requires a Code Level 4 assessment to be submitted with the reserved matters. This may conclude that not all aspects of Code Level 4 can be achieved within this development. If that is the case it allows sufficient flexibility to allow for further negotiation on this point.

With regard to the 10% renewable energy requirement, the developer has requested that condition 10 is amended to place a requirement on the developer to submit an update to the Energy Strategy which will specifically demonstrate how the development will include sustainable energy technology to reduce energy demand, increase energy efficiency and reduce carbon emissions. Policy EM18 (Decentralised Energy Supply) of the North West of England Plan: Regional Spatial Strategy to 2021. This policy states that all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. It is therefore recommended that the wording of condition 10 be amended to reflect these requirements.

## **Flood Risk**

Based on the comments of the Environment Agency a condition has been recommended stating that there shall be no discharge into Fowle Brook. The developer has requested that this condition is removed because the Flood Risk Assessment prepared for the site has identified two options for discharging surface water from the site. The condition was recommended on the advice of Natural England due to the fact that the Brook discharges into Sandbach Flashes SSSI. However, Natural England have not objected to the use of the Brook but have stated that it should not be permitted unless further information is provided to prove that the SSSI will not be adversely affected and it is recommended that this is reflected in the wording of the condition.

## Education

Initially the Education Department were requesting a total contribution of £3,051,479 (£4694 per unit) towards the construction of a new school plus a level and fully serviced site which meets the Councils requirement. This would be approximately £6500 per household in total.

A planning obligation must comply with the following three tests as set out in the Community Infrastructure Regulations 2010:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

It is considered that, given the scale of the development proposed, a contribution of £3m plus a school site would not meet these requirements. On this basis it is considered that the offer put forward by the developer, as set out in the main report, which is based on a recognised formula for calculating such contributions is fairly and reasonably related in scale and kind to the development. The Education Department have now acknowledged that this is a reasonable approach.

## Highways

As stated in the main report, the transport assessment has identified adverse effects at 3 junctions in the locality. These are Crewe Green Roundabout, the Groby Road / Remer Street / Elm Drive/ Sydney Road / Maw Green Lane junction and the Sydney Road Bridge. As stated in the report there is currently no solution available for the Sydney Road bridge and on this basis officers have been concentrating on negotiating an appropriate contribution to improvements at the other 2 junctions. A figure of £1.475m towards improvements at Crewe Green Roundabout, a new roundabout at Maw Green and public transport improvement has now been agreed and this is reflected in the amended recommendation.

## AMENDED RECOMMENDATION

**APPROVE subject to completion of Section 106 legal agreement to secure the following:-**

1. Provision of 35% of the total units as affordable housing in perpetuity, with the mix being 10% 1 beds, 60% 2 beds and 30% 3 beds, with 40% of these being flats and 60% being houses. The tenure split of the units on phase 1 to be 65% social rent and 35% intermediate tenure. The mix of house types and tenure for subsequent phases to be agreed as part of subsequent reserved matters applications.
2. Provision of education contribution of £161,752 (subject to further update)
3. Provision of highways contribution of £1.475m towards improvements at Crewe Green Roundabout, a new roundabout at Maw Green and public transport improvements.
4. Travel Plan contribution
5. Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children's play areas and amenity greenspace. Submitted details must include the location, grading, drainage, layout, landscape, fencing, seeding and planting of the proposed public open space, transfer to and future maintenance by a private management company.

**And the following conditions**

- 33. Standard Outline**
- 34. Submission of reserved matters**
- 35. Plans**
- 36. Air Quality assessment updates to be submitted with each reserved matters**
- 37. Submission, approval and implementation of Construction Environmental Management Plan (CEMP)**
- 38. Submission, approval and implementation of Travel Plan**
- 39. Submission, approval and implementation of contaminated land preliminary risk assessment (PRA)**
- 40. Submission, approval and implementation of contaminated land site investigation (SI)**
- 41. Code for Sustainable Homes Level 4 assessment with reserved matters**
- 42. Provision of 10% renewable energy on site unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable..**
- 43. Provision of detailed scheme of drainage**
- 44. Reserved matters to make provision for allotment site (30 plots) within the development.**
- 45. Breeding bird survey to be carried out prior to commencement of any works during nesting season**
- 46. Provision of replacement hedgerows**
- 47. Provision of detailed design and layout of the GCN mitigation area**
- 48. retention of visually important trees**
- 49. A scheme for the provision and implementation of a surface water regulation system**
- 50. Management of overland flow**
- 51. Provision and management of habitat creation**
- 52. No discharge to Fowle Brook unless further information is provided to prove that the SSSI will not be adversely affected**
- 53. Retention of important hedges**
- 54. Notwithstanding detail shown – no approval of indicative residential masterplan.**
- 55. Landscape design principles to be incorporated into final layout**
- 56. Submission of landscape and ecological management plan**
- 57. Submission of Arboricultural Impact Assessment**
- 58. Submission of Arboricultural Method Statement**
- 59. Submission of Comprehensive tree protection measures**
- 60. A scheme for the provision and management of compensatory habitat creation**
- 61. Each reserved matters application for commercial activities to be accompanied by a noise impact assessment**
- 62. Submission of Noise Mitigation Measures with each reserved matters application.**
- 63. Submission of details of detailed lighting plan with each reserved matters application.**
- 64. Submission of details of bin storage with each reserved matters application.**

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