

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

UPDATE REPORT : 17th October 2011

ADDITIONAL REPRESENTATIONS

Applicant

The Applicant's have the following observations to make and request that to ensure members of the committee are in possession of the full facts relating to the determination of the application and the proposals- that these are included in the Council's 'Late items report'.

Consultation Responses

South Cheshire Chamber 19th August 2011

The Chief Executive of the South Cheshire Chamber submitted the following comments:

"...I am pleased to confirm that the Chamber of Commerce supports your proposed housing development at Parkers Road subject to the inclusion of the various highway improvements that you outlined and in particular those relating to improved access to Leighton Hospital.

The Chamber considers that the development addresses the needs identified in the 'All Change for Crewe' strategy for the long term economic regeneration of the area and also welcomes both the short and long term economic benefits that will arise from the development."

Leighton Hospital – 14th June 2011

The Chief Executive of Mid Cheshire Hospitals NHS Foundation Trust submitted the following comments: "Mid Cheshire Hospital's NHS Foundation Trust would support in principle, the provision of low-cost affordable key-worker housing as part of the above development. The Trust's residential feasibility study has identified that it is

not cost-effective for it to provide 1 and 2 bedroom units (for the current market rent of £500pcm). In this respect, the Trust does not currently have a sustainable solution for its married persons accommodation. MCHFT would in the future therefore intend to dispose of up to 25 married person's accommodation unit as part of any future strategy.

It would therefore assist the Trust if the private sector could meet the anticipated short fall and re-provide 25 married persons units immediately adjacent to our Leighton Site."

Natural England – 27th September 2011

Natural England provided the following further comments in response to additional information being submitted.

"In Section 1 (Introduction) and Section 9 (Ecology and Nature Conservation) it is stated that a number of additional surveys have been undertaken in respect of bats and whilst we do not necessarily disagree with the overall conclusions, the survey information does not appear to have been submitted or included in the Environmental Statement Addendum. We would expect the Authority to ensure that they obtain these surveys (assessment of trees and bat activity surveys) and are satisfied that they reflect the conclusions and recommendation."

The Applicants submitted this information as part of the Environmental Statement Addendum.

"With respect to great-crested newts, we are satisfied that our comments have been taken into account with regard to additional newt mitigation enhancements. Any trapping of newts from the development footprint will require a licence from Natural England and therefore it is for the authority to establish whether the proposed development is likely to offend against Article 12(1) of the Habitats Directive. If this is the case then the planning authority should consider whether the proposal would be likely to be granted a licence.

Natural England is unable to provide advice on individual cases until licence applications are received since these applications generally involve a much greater level of detail than is provided in planning applications. We have however produced guidance on the highlevel principles we apply when considering licence applications. It should also be noted that the advice given at this stage by Natural England is not a guarantee that we will be able to issue a licence, since this will depend on the specific detail of the scheme submitted to us as part of the licence application."

Community Consultation

The Report is silent on the fact that the Applicant's undertook an extensive preapplication consultation which included the ward Councillor, the Parish Council, local schools, Leighton Hospital and local residents. The application has been informed by feedback from the local community. A total of 122 written responses were received to this pre-application consultation, 40 per cent of which were explicitly supportive or partially supportive.

As a result of local feedback:

- Bungalows have been introduced to the outline phase – a direct result of discussions with neighbours and local residents over need and visual amenity.
- Key worker homes introduced – a direct result of discussions with Leighton Hospital.
- Status of the Flowers Lane access reviewed and vastly improved.
- Planned pedestrian routes to the Hospital and schools to be improved.
- Plans for a new newt habitat and landscaping improved.

Design

The Report regarding affordable housing provision states: “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.”

The Applicants wish to clarify that the design and form of the affordable houses are same as the open market houses, the drawings submitted for both the affordable houses and open market houses of the same type are the same.

The Report makes no reference to the allowance of single story properties (bungalows) that will be provided on the site in Phase B to the rear of the existing properties on Parkers Road, these were included as a direct result of requests from the local community.

In addition the report does not acknowledge that the Application also allows for the provision of 25 key worker units within Phase B- again this has been included as a direct result of the consultation with Leighton Hospital.

Open Space

Based upon a scheme of up to 400 new homes, the development must provide at least 1.4ha of open space and children’s play space. Policy RT.3 of the Local Plan states this should be a functional area that can be easily maintained, it should be a single area that is open and accessible on foot and where possible it should link to the wider open space provision in the area, and if more than 400m from an equipped area of play the LPA will require a contribution towards play equipment.

The Masterplan identifies an area of 1.89ha for open space and children’s play space. This is provided as 0.94ha informal open space, 0.52ha of children’s play area in the centre of the Site, with 0.43ha classified as incidental open space. The proposed locations have been identified to provide recreational links to other areas of open space.

Whilst there is a children’s play area in the new development adjacent to the Site at Moss

The central space was designed to conform to LEAP / Local Landscaped Area for Play standards Lane. The Applicants will provide an equipped children’s play area within this Site which goes beyond meet RT.3’s requirements. The application more than complies with this policy requirement.

Notwithstanding this NEAPs require a minimum activity zone of 1000m² which includes play equipment and a hard surfaced area of 465m² – e.g. 5-a-side / MUGA. These are generally designed to cater for older children and usually provided in much larger developments.

The equipped play area is one that includes a dry river bed feature, grassed earthwork mounds incorporating wooden and stone feature play equipment. It would be enclosed by railings as requested by the Council. During the community consultation support was given by many residents to this approach to the play area as it provides a contrasting play area scheme and choice to residents to that which exists on the housing scheme adjoining Moss Lane.

Other Matters

The Report does not acknowledge the promotion of apprenticeship opportunities that will be available during the construction of the development which was put forward by the applicants. The Applicants are happy for the detailed number and agreement to be secured through a planning condition.

Greenspaces Officer

With regards to the open space play area, the Greenspaces Officer would wish to see equipment that caters for the needs of older children in the area, and which provides significant play value. For longevity, the Greenspaces Officer would wish that the equipment is primarily constructed of steel, rather than wood.

Grass earthwork mounds are extremely difficult to establish and maintain. They featured on some of the Playbuilder year 1 sites in Cheshire East, and have since had to be removed.

Leighton Hospital

The hospital trust have seen the latest plans for the junction improvements, either end of Smithy Lane. These should go some way to mitigate the additional traffic burden arising. The trust believe that it is probably the best they can hope for - at this first stage of the wider development of Leighton West.

The trust also understand that continuous pavements will now be provided (around Manor Lodge et al) back to Parkers Road. This is an added bonus.

If the developer's Traffic Impact Assessment is also now robust, then the hospital cannot add any more comment.

It obviously represents a major step forward from the developers initial proposals.

Highways Officer

Highways have investigated the design of the new roundabout in safety terms and although it is a non-standard roundabout they are now content with the design and capacity of the new roundabout.

All of the improvements can now be delivered through the S278's the only S106 contributions are the £300,000 and the travel plan

Environmental Health Officer

The information supplied in Appendix 13.1 of the Environment Statement is not a noise assessment but a prediction in the increase of traffic noise. Therefore our comments still stand as we need to know the current noise levels generated from traffic noise so we can determine what level of protection, if any, is required in the proposed development.

ADDITIONAL OFFICER COMMENTS

Open Space

The developer has raised concerns regarding the specification for the play area which has been put forward by the Greenspaces Officer arguing that the equipped play area, as proposed is one that includes a dry river bed feature, grassed earthwork mounds incorporating wooden and stone feature play equipment and it provides a contrasting play area scheme and choice to residents to that which exists on the housing scheme adjoining Moss Lane. However, the Greenspaces Officer has commented that such "natural" play areas have proved to have limited life spans and have been shown to be hard to maintain and where they have been used previously have had to be removed. Therefore the recommendation in this respect remains unchanged.

Noise Impact

The Main Report states that 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. The Environmental Health officer has commented that the information supplied in Appendix 13.1 of the Environment Statement is not a noise assessment but a prediction in the increase of traffic noise. Therefore a full noise impact assessment will need to be secured prior to commencement of development by condition.

Highways

The Main Report states that comments were awaited from highways in respect of the design for the Minshull New Rd/Smithy La/Flowers La/Bradfield Rd junction roundabout. The highways engineer has confirmed that this is now acceptable. Leighton Hospital had also initially expressed concerns about the scheme based on the minimal level of highways improvements which were offered when the application was first submitted. However, through negotiation, a comprehensive package of improvements has been secured and Leighton Hospital has confirmed that they are satisfied with the outcome. All of the improvements, with the exception of those on the Remer Street Corridor and the travel plan can now be delivered on land either within highways ownership or that of the applicant. Therefore they can be dealt with through the Section 278 Agreement and have been omitted from the Section 106.

Design

The applicants have made reference to the inclusion of bungalows within the design, which reduces the impact of the development on existing properties surrounding the site. This point is noted and it is considered that this will help to mitigate any negative impact on the outlook and amenity afforded to these dwellings

They have also drawn attention to the intention to provide key worker housing for Leighton Hospital staff in the second phase. This is also noted and is considered to be a benefit of the scheme. It has been included within the Section 106 provisions.

Community consultation

In support of the application, the developer has drawn attention to the community consultation which took place prior to the submission of the application. Information has been provided on the main changes to the scheme as a result of public consultation. These have included, Bungalows have been introduced to the outline phase – a direct result of discussions with neighbours and local residents over need and visual amenity; Key worker homes introduced – a direct result of discussions with Leighton Hospital; Status of the Flowers Lane access reviewed and vastly improved; Planned pedestrian routes to the Hospital and schools to be improved; Plans for a new newt habitat and landscaping improved.

The information provided 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).

Ecology

The comments in respect of the Natural England consultation are also noted. As stated in the Main Report, Natural England and the Council's Ecologist have no objections to the scheme, including the proposed Great Crested Newt Mitigation.

Other Matters

The developer has made reference to a supportive response from the Chamber of Commerce. This has been duly noted. They have also offered to accept a condition requiring an apprenticeship scheme to be set up on the construction site. This has been added to the recommendation.

AMENDED RECOMMENDATION

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

- 1. Provision of education contribution of £398,990**
- 2. Provision of £300,000 towards highway improvements to the Remer Street corridor**

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, with the remainder to be provided in Phase B The tenure split within Phase A to be on a 65% social rent, 35% intermediate tenure basis. The mix of house types and tenure for within Phase B (to include key worker housing) to be agreed as part of subsequent reserved matters applications.
6. Travel Plan Monitoring Fee £5000

And the following conditions

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

- 21. Site to be drained on a separate system**
- 22. Phase II contaminated land investigation and remediation**
- 23. Travel Plan**
- 24. Updated Air Quality Impact Assessment**
- 25. Limit hours of construction to 08:00 – 1800 Monday to Friday and 0900 – 1400 on Saturday with no working on Sunday or Bank Holiday**
- 26. Details of external lighting to be submitted and approved**
- 27. Submission of details of phasing / triggers for construction of access and highway improvements. Works to be carried out in accordance with the approved details.**
- 28. Provision of Parking**
- 29. Highway Construction details to be submitted**
- 30. Replacement hedge and tree planting**
- 31. Tree / hedge protection measures**
- 32. Implementation of Tree / hedge Protection**
- 33. Arboricultural Method Statement**
- 34. Code for Sustainable Homes Level 4**
- 35. 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.**
- 36. Noise Impact Assessment**
- 37. Details of proposed apprenticeship scheme**

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 : 18th September 2011

ERRATUM

Page 33

Fourth paragraph should refer to “Conservation of Habitats and Species Regulations 2010” not Conservation (Natural Habitats etc.) Regulations 1994

Page 44

5th paragraph should refer to Community Infrastructure Regulations 2010 not Circular 05/05

ADDITIONAL CONSULTATION RESPONSES

Highways

Remer Street/Middlewich Street

There is an identified solution for this junction to deal with the capacity issues, this will involve the construction of a normal roundabout. To deliver this junction it will require third party land acquisition and it is proposed to use the £100,000 contribution from this development and also other development site contributions to fund the scheme.

Sydney Road Bridge

Improvements to this bridge are required and this will either require the bridge to be widened or demolish and rebuild the bridge. This is a strategic junction on the road network and is therefore a priority to provide capacity improvements to allow two-way flow, it is likely that if a new bridge is necessary this will cost a minimum of £5m. Whilst, this development will not deliver the scheme, it is proposed to use the contribution to assess the existing structure and also design the required improvements to the bridge, with remaining contributions being used towards the improvement. It is likely that the funding of the scheme will be through the community infrastructure levy where contributions from development are pooled to

provide strategic infrastructure, as already stated Sydney Road Bridge is a priority improvement on the road network.

ADDITIONAL OFFICER COMMENTS

Highways

The Main Report identified 2 junctions which would be impacted by the development but for which no solution has been identified. These were Remer Street/Middlewich Street and Sydney Road Bridge. The highways officers have carried out further investigations and determined that engineering solutions, involving a roundabout and bridge widening respectively, could be developed to resolve these issues. However, both schemes would be very costly to implement.

A planning obligation requiring financial contributions towards such works must comply with the following three tests as set out in the Community Infrastructure (CIL) 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.

Therefore, having regard to the CIL Regulations the works could not be funded entirely through contributions from this development, because the cost would not be fairly and reasonably related in scale and kind to the development. However, it is considered that a contribution could be sought, which when pooled with community infrastructure levy contributions in the future, would enable the implementation of these large schemes.

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 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 of £5000**
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.**
- 33. Submission of details of phasing / triggers for construction of access and highway improvements. Works to be carried out in accordance with the approved details.**