

Application No: 11/3010N

Location: Land at, CREWE ROAD, CREWE, CHESHIRE

Proposal: Outline Application for Residential Development with Associated Infrastructure and Open Space Provision

Applicant: Taylor Wimpey UK Limited

Expiry Date: 08-Nov-2011

### **SUMMARY RECOMMENDATION**

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

- 1. Provision of a minimum of 35% affordable housing (65/35 split between social rented and intermediate housing)**
- 2. The provision of a LEAP and Public Open Space to be maintained by a private management company**
- 3. A commuted payment of £120,000 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) (3,000 per unit)**
- 4. A commuted payment of £1,000 towards Barn Owl monitoring equipment**

### **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 is referred to the Strategic Planning Board as it relates to a development of more than 10 dwellings.

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

The application site is located to the southern side of Crewe Road and to the north of the Basford East employment allocation within the open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011. The site is also allocated as an area of new woodland planting and landscaping under Policy NE.10 (New woodland planting and landscaping).

The application site is split into 2 separate parcels of land which are located to either side of 344 and 346 Crewe Road. Both plots of land are currently undeveloped and are bound by traditional hedgerows and a number of large trees. Adjacent to 344 Crewe Road is a depot which is a haulage and plant hire depot (Frizells).

## **2. DETAILS OF PROPOSAL**

This is an outline planning application for the erection of 40 dwellings. The access points to both parcels of land would be determined at this stage with all other matters reserved. The access points would be taken from Crewe Road.

## **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.10 – New Woodland planting and Landscaping  
NE.17 – Pollution Control  
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 proposed development will only be acceptable if the measures detailed in the Flood Risk Assessment and Outline Drainage Strategy submitted with this application are implemented and secured by way of a planning condition.

**United Utilities:** No comments received

**Strategic Highways Manager:** In the assessment of the traffic impact of the development, the Transport Assessment accompanying the application has predicted the likely traffic generation of the site and also taken into account the committed development of Basford sites. However, there are a number of other sites that have come forward since the submission of this application and the Highway Authority believes these sites should be taken into account in the assessment of this application. (Permission has been granted for a development of 51 dwellings on land off Gresty Green Road and there is also a planning application currently under consideration for Bloor Homes for 165 dwellings).

Although the traffic generation of this application is relatively small, adding some 30 trips to the road network in the peak hours, the cumulative impact of all the development proposals may have a significant effect on the operation of the road network, especially at Nantwich Road/South Street junction.

The applicant has undertaken an assessment of a number of junctions in the Transport Assessment that would have additional traffic as a result of the development and there no capacity issues that arise with the exception of the Nantwich Road/ South Street junction.

It is the Highway Authority's view that the congestion and delay at the Nantwich Road/South Street/ Mill Road junction is excessive and no further new development traffic can be accommodated without improvement. A scheme to deliver improvements to capacity has been designed by the Council that would improve capacity at the junction to such an extent to allow the current residential applications to be approved. Therefore, the positive recommendation for approval of this application is incumbent upon the delivery of the junction improvement at Nantwich Road/South Street/ Mill Road.

The two access points to the development are acceptable in design terms to serve the proposed number of units. They also provide visibility at 2.4m x 70m in both directions which is an acceptable level of visibility given the results of the speed survey on Crewe Road. No comments are given on the internal layouts of the site since consideration of the internal design will be undertaken at the reserved matters stage.

It is not considered that the site is highly accessible to non-car modes but is located within government distance guidelines to gain access to bus services, pedestrian and cycle routes.

In summary, the main highway impact of this application relates to the junction of Nantwich Road/South Street/ Mill Road junction and a improvement of this junction is necessary as part of this application. It is proposed to share the road improvement costs with the Bloor Homes application and this requires a financial contribution of 3k per unit for this application. Subject to a S106 agreement to secure the financial contribution no highway objections are raised to the application.

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

**Education:** There is sufficient available provision within the local schools not to require a contribution from application 11/3010N.

**Public Open Space:** An equipped children's play area, conforming to LEAP Standard is required. Equipment to be inclusive, conform to BS EN 1176, and constructed predominantly of metal. Safer surfacing to be wetpour, conforming to BS EN 1177 is required. The play area to be surrounded by 1.4 metre high, 16mm diameter steel bowtop railings, hot dip galvanised and polyester powder coated in green. Two single leaf self-closing pedestrian access gates in yellow, plus one double leaf vehicular access gate in green to be provided within the railings. A private management company to be responsible for the maintenance of the play area/open spaces.

**Natural England:** This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development with standard advice given in relation to Great Crested Newts

**Public Rights of Way:** The proposed development should make adequate facilities for pedestrian and cyclist access to, from and within the site. In particular, both pedestrian and cycle access to the Basford development site from both development sites would be welcomed, whether on-site or off-site. Best practice standard for such routes should be adhered to: for example BS5709:2006, BT Countryside for All and Sustrans Design Guide.

The status and maintenance of any new footpath or cycle way, whether on-site or off-site, would require agreement with the Public Rights of Way team and the due legal process will need to be completed should the routes need to be added to the Definitive Map and Statement as public rights of way. Contributions for ongoing maintenance will be required should the new paths be dedicated as public rights of way. Further, the upgrading of public footpath No. 13 in the Parish of Shavington cum Gresty for cycling purposes has been proposed under the Rights of Way Improvement Plan. Contributions towards this upgrade could be sought from the developer as the route would offer a quieter alternative for pedestrian and cyclist traffic from the proposed development into the town centre avoiding Crewe Road.

## **6. VIEWS OF THE PARISH COUNCIL**

Object to the application on the following grounds:

- As Cheshire East Council is undergoing Place Shaping Consultation regarding the LDF, giving local residents and Parish Councils the opportunity to shape the Development Plan and how the challenges facing towns and villages can be addressed, it is clearly inappropriate to consider the release of significant housing sites in Shavington now as this would clearly prejudice the consideration of alternative options for the development strategy of the LDF.
- This site is not adjacent to the settlement boundary of Crewe and is not well related to the built framework of the settlement. It would represent an ad hoc expansion into open countryside contrary to the Crewe and Nantwich ADOPTED Local Plan and is in conflict with policy NE2 in that housing is not identified as one of the appropriate categories of development which could be allowed.
- This site is not adjacent to the Local Plan settlement boundary of Crewe and is closely related to Shavington village. Shavington is not included within the area where there is considered to be scope for sufficient housing development to meet the short term need for housing land in the Borough. As such, there is an objection in principle to the release of housing at this time through this planning application.
- There is no requirement at this time to consider sites such as this as contributing to the emerging Core Strategy (as this document has not been produced, nor any decisions taken regarding the overall approach to future development requirements in the Borough).
- The site is actually some distance from Crewe town centre and is not on the edge of the urban area
- Cheshire East Council has already decided that Shavington village is to be excluded from the area where sites could come forward to meet the 5 year housing supply
- This applicant's description of the geographic location of the site is disputed. The site is not largely contained by built development and is certainly does not fall within the definition of an 'infill' site. No assessment of the landscape character of the area has been undertaken. The applicant fails to mention that the Interim Housing Policy specifically excludes Shavington.
- The RCNLP has not expired. It is still a strong material consideration in determining planning applications. The proposal is in conflict with the Development Plan. Major new development areas are only on the eastern side of the application site.
- It is the scale and the location of this development, in the open countryside beyond Crewe Settlement boundary, which would predetermine matters of the scale and location of the housing requirement in the future Core Strategy.

## **7. OTHER REPRESENTATIONS**

Letters of objection have been received from the occupants of 338 properties, raising the following points;

#### Principal of the development

- The site is outside the Settlement Boundary
- The development will jeopardise Basford West Employment site
- The site should be a buffer between the existing housing and Basford West
- The site is incompatible with the Frizell site
- The site used to be Green Gap
- There is adequate brownfield land in Crewe
- The employment land should be developed before the housing sites
- There are unfinished housing sites available in Crewe
- Many empty dwellings in Crewe
- Loss of village identity
- High unemployment in Crewe
- Urban sprawl will destroy Shavington
- The density of the site is too high
- Impact upon the viability of the Cheshire Cheese Public House
- There is no control over how the new homes bonus is spent across Cheshire East
- The site is mitigation for Basford West
- There is no need for more housing
- The town centre needs development before new houses are built
- The last Local Plan Inquiry rejected housing on this site
- The developer should pay towards CIL
- The development should wait for the production of the Parish Plan
- There are other more suitable sites

#### Highways

- Increased traffic
- Highway safety along Crewe Road
- The site is located on a blind bend
- Bus services from the site are inadequate
- The site is unsustainable and the occupants of the development will rely on the car
- Existing traffic congestion in the area
- The Crewe Green Link Road should be built first
- The Basford West Spine Road should be built before this development
- The TA submitted with this application is inadequate

#### Green issues

- Impact upon trees
- Impact upon protected species
- Proximity to the Great Crested Newt mitigation area
- The loss of wildlife habitat
- The site is designated as an ecological mitigation area
- Loss of hedgerow

#### Amenity

- Impact upon the future occupiers from Frizells due to noise, vibration, light and fumes
- Noise impact from the nearby railway

- Impact from the Mornflakes Mill
- Loss of amenity to local residents within the vicinity of the site
- Light pollution and smell from the Cheshire Cheese
- Overlooking
- Loss of privacy
- The noise assessment was taken during the economic downturn
- Light pollution from Basford sidings
- Disruption from building works
- A buffer should be provided between existing properties and the proposed development

#### Infrastructure

- Impact upon local schools
- Impact upon local health services
- Impact upon gas, electricity, water and sewer systems
- Long waiting lists at Leighton Hospital
- Impact upon broadband

#### Other issues

- Loss of agricultural land
- Loss of employment at the Frizells site
- No consultation with local residents
- The affordable housing will not come forward due to clauses within the S106 heads of terms
- Flooding problems
- Council Tax payments should be reduced if this development is allowed
- A world war II Bomb shelter is located on the site

A letter of objection has been received from the Basford East Basford West Action Group (BEBWAG) and this raises the following points;

- There is an incomplete and on-going public consultation taking place regarding the future of Crewe
- There is no need for more housing development with brownfield site and unfinished developments in Crewe available
- Traffic problems in the area
- Traffic problems when the Basford West Spine Road is built
- The traffic survey which has been carried out is inadequate and relies on the Governments desire to change transport habits
- Traffic congestion
- Traffic/pedestrian safety
- Impact upon local infrastructure; water, gas, electricity, drains and sewers
- Loss of green land between Crewe and Shavington

A letter of representation has been received from Spawforths on behalf of Goodman who own and control the Basford West Site. This letter raises the following points:

- Goodman are committed to the employment led development of Basford West and are keen to ensure that there are no issues that could affect the delivery of this site
- Goodman are supportive of the application and consider that opportunities to consolidate the current residential areas with further residential `infill` development around Gresty Road can deliver residential development as well as sustainable community benefits

- the application proposals provide the opportunity to assist in the delivery of housing in the short term in relation to achieving housing delivery requirements
- However, concern has been raised in relation to the Noise Assessment included with the application regarding the committed schemes at Basford West, the new spine road and the existing railway line

Following the receipt of additional information Spawforths have stated that:

*'We have reviewed this which confirms that an indicative assessment has been undertaken and this considers that a noise barrier will be required on the site boundary with the Basford West employment area. We would welcome further consultation when assessing the type and position of this noise barrier as the site layout progresses'*

A letter of objection has been received from Frizells Haulage and Transport Company raising the following points of objection:

- Difficulty in viewing the application online
- The application should be determined in accordance with the current local plan and the development does not meet these policies
- The application is premature
- More housing is not needed
- The potential impact upon the future occupiers of the dwellings from the operations currently undertaken at the Frizells site through noise, fumes, interference and light pollution
- The Frizells site is a long established concern and a significant employer
- It is essential that the employment use is retained
- Traffic congestion
- Highway safety

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/West employment sites are completed
- Access will be dangerous until the Basford West 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.
- The cabinet and council passed a motion on 13<sup>th</sup> October 2011 to say these plans should be protected
- A new local parish plan is under way and this development should await its findings.
- A recent refusal by the Inspector of an appeal against housing in Sandbach upheld these views
- Council has referred a motion to rescind its February 24th decision of an illegal interim planning policy to the strategic planning committee.
- This site is NOT adjacent to the Settlement boundary of Crewe since it is divided from it by a green fields and a main road with houses on it.

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:

- These fields have become a haven for wildlife. They are meant to create a buffer between the Basford West site and the houses on Crewe Road and Crewe Road itself
- They are subject to a S106 agreement relating to the permission for the Basford West Industrial site

There are protected bats on the site:

- The remedial measures are inadequate.
- 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 well 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.

Noise:

- The site is adjacent to an existing heavy haulage yard with repair workshops which are very noisy indeed and with HGV movements 24/7
- At a further distant is a ballast crushing yard and a railway heavy engineering business

Loss of Amenity to Others:

- The development will cause loss of amenity, particularly to the homes on Crewe Road, either side of the public house
- 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

Need:

- We need to get the vast numbers of unemployed already living in houses in Crewe into new jobs before building more houses to provide homes for people migrating into Crewe to take up jobs that do not exist
- WE need to create JOBS first before moving people into the area to fill them
- WE only need new houses if the ones we have are selling which they are not (Affordable Houses at Morrisons)
- So we need at least to start building the Basford Industrial estates to provide new jobs before the houses are begun

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

To support this application the application includes the following documents;

- Planning Statement
- Design and Access Statement

- Consultation Statement
- Ecological Assessment
- Framework Residential Travel Plan
- Transport Assessment
- Tree Survey and Constraints Report
- Outline Drainage Strategy
- Site Investigation Report
- Air Quality Assessment
- Flood Risk Assessment
- Utilities Statement
- Outline Utilities Strategy
- Phase 1 Geo Environmental Assessment

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 other material considerations 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. 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 and 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.

The interim policy requires that the site 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. Although the site does not adjoin the settlement boundary, it is not isolated and would be viewed in relation to the existing development along Crewe Road as well as the development at Basford West. There is also the area of the land to the north which is subject to an application for 165 dwellings from Bloor Homes.

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.

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. 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 it’s clear that brownfield sites alone cannot meet the future housing needs of Crewe, never mind the Borough as a whole.

### **Landscape**

The proposals map for the Crewe and Nantwich Replacement Local Plan identifies the application site as being within the Open Countryside. The site is also subject to Policy NE.10 (New Woodland Planting and Landscaping). This Policy states that tree planting, landscaping and subsequent management arrangements will be secured through conditions or S106 Agreements for the Basford Employment Areas.

Although Policy NE.10 does promote tree planting/landscaping, it does not state that development within this area is precluded. In this case, it is considered that a level of housing development could be brought forward on these sites together with appropriate tree planting and landscaping which would still meet the justification to Policy NE.10.

In this case, the Design and Access Statement states that, *'although the purpose of this (Policy NE10) is to protect the appearance of the main approaches to Crewe from the Basford West proposals and to protect amenity and screen views towards Basford West.... This statement explains how a well designed housing development can offer suitable screening of the Basford West development in place of woodland planting...'* (Design and Access Statement p.9)

The original indicative layout showed that the layout and density of development within the two parcels of land would require the removal of much of the existing boundary hedge. Although a number of existing mature trees would be retained across the site, the density and layout would almost certainly have meant that any broadleaved tree planting would have been minimal, and certainly not as envisaged in Policy NE10. In addition any opportunity to provide mitigation along the area adjacent to the west of Greenbank Farm, thereby linking the existing Basford West mitigation area to the south with the existing tree/shrub area to the north of Crewe Road would have been prevented by the inclusion of a number of houses in this area and the provision of open space.

The original proposals also did not provide an adequate green buffer along the Crewe Road, or ensure or retain what is currently a semi-rural and well vegetated character as stated in the Design and Access Statement. As such it was felt that the original proposals were in contravention of Policy NE10 since they did not *'enhance the appearance of the main approaches to Crewe and Nantwich and of important open spaces throughout the built-up area'*.

Following negotiations with the applicant's agent regarding this issue, a revised indicative layout has been produced. This shows that landscape buffer has been widened to the boundary with the Frizells site with two dwellings removed. This would link in with the open space on the Bloor site to the north and the Basford West site to the south, providing a landscape/wildlife corridor. The area would also be landscaped with a wildflower meadow and broadleaf tree planting. It is now considered that the indicative landscape layout is acceptable and would accord with Policies BE.2 (Design Standards) and NE.10 (New Woodland planting and Landscaping).

## **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% affordable housing 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 Affordable Housing Interim Planning Statement also requires that the affordable units should be tenure blind and pepper potted within the development, plus the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving visual integration.

All the affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency. 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.

Taylor Wimpey has confirmed that there will be a 35% affordable housing provision on the site. The applicant also submitted draft Heads of Terms for the S106 agreement. This originally included provisions with regards to the affordable housing that would not be acceptable as it would not guarantee delivery of the affordable housing as per the requirements of the Affordable Housing Interim Planning Statement. The item which was not be acceptable was that if Taylor Wimpey have been unable to find an Affordable Housing Provider to take the affordable housing after 6 months then they wanted the housing to be no longer considered as affordable and be entitled to sell it on the open market. This did not meet normal requirements as it did not guarantee the required provision of 35% affordable housing at the site.

In response to this concern the applicant confirmed that they will remove the problematic clauses within the heads of terms.

### **Highways Implications**

The proposed layout is in the form of a cul-de-sac, with a footpath link connecting the site to Crewe Road. In terms of the access to the site, these would have a visibility splays of 2.4m x 70m which is considered to be acceptable by the Highways Officer.

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 27-29 vehicle movements from the site (in and out) per hour between the weekday AM peak hour and the weekday PM peak hour.

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

- Proposed site access junctions off Crewe Road
- Consented roundabout junction – Crewe Road/New Link Road
- Roundabout junction A500/B5071 Link Road
- Signalised junction – Crewe Road/B5071
- Priority junction – Crewe Road/Gresty Lane
- Priority junction Crewe Road/Gresty Road/Catherine Street
- Signalised junction – A534 Nantwich Road/South Street/Mill Street
- Signalised junction – Rope Lane/Gresty Lane/Eastern Road

The TA states that all of the above junctions, apart from the priority junction of Crewe Road/Gresty Road/Catherine Street and the signalised junction at the A534 Nantwich Road/South Street/Mill Street, operate within their capacity in the year of opening and the future assessment year with the committed development in place.

In terms of the priority junction of Crewe Road/Gresty Road/Catherine Street the TA shows that this junction will operate within the base scenarios in the year of opening and the future assessment year with the committed development in place with the exception of the Gresty Road

North East arm which slightly exceeds capacity with a minimal amount of queuing. In response to this the TA states, that the junction will continue to operate in the same manner with the proposed residential traffic in place with *'an immaterial impact in terms of capacity and only an additional 1 vehicle queuing on the busiest arm'*.

The main highways impact of the proposed development will be upon the signalised junction of the A534 Nantwich Road/South Street/Mill Street. The TA states that the existing signalised junction slightly exceeds the theoretical capacity in the base scenarios for both opening and future years. According to the TA, the junction *'will continue to operate with a degree of saturation of less than 100% with the proposed residential development traffic on the highway network and will result in a minimal impact in terms of both capacity and vehicle queues'*. The TA also states that the residential development of the size will result in a junction percentage impact of only 1%.

This view is not accepted by the Highways Officer and the Highways Department have carried out some of their own modelling in relation to this junction. The view taken by the highways department is that no further development can take place without improvements to this junction. As a result this proposal and the Bloor Homes development (application number 11/3171N) will need to make substantial contributions towards these junction improvements. The contribution requested is £3,000 per unit which would give a total of £120,000 for this development. The applicant's agent has confirmed that they are willing to make this payment which would provide mitigation against the impact of this junction.

There are only two ways of improving traffic flows and providing mitigation for the Gresty Green developments in highways terms. These are the improvements to the signalised junction of the A534 Nantwich Road/South Street/Mill Street or the construction of the Crewe Green Link Road. These junction improvements remain the Council's preferred solution, but if for reasons outside of the Council's control it cannot be delivered, the contribution to the Crewe Green Link Road will ensure that the Gresty Green development can in one way or the other provide a degree of mitigation of its impact.

Overall 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 subject to the necessary mitigation.

## **Amenity**

The main properties affected by the proposed development are 344 & 346 Crewe Road which are pair of semi-detached dwellings located between the two parcels of land. The layout will be determined at the reserved matters stage but the indicative layout shows that adequate separation distances could be provided and there would be no detrimental impact upon these properties.

It is also necessary to consider the amenity of the future occupiers of the dwellings in terms of noise and vibration from the nearby land uses such as the Frizell Haulage and Plant Hire Depot at Greenbank Farm.

A noise assessment has been submitted by the applicant as part of this application and this identifies that the general noise for this site comprises traffic noise from Crewe Road, the Frizell site and the Cheshire Cheese Public House.



In terms of traffic noise, the site falls with Noise Exposure Category's (NEC) A and B for daytime and night time periods. 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'.*

In terms of the Frizell site, the measured worst case noise level is 58.8dB. The criteria contained within BS8233 state that 30dB is considered to be good and 50dB is considered to be desirable. Attenuation of 28.8dB is required for living rooms and bedrooms and 8.8dB is required for garden areas. The required mitigation can be achieved through the use of well sealed thermal glazing, together with trickle vents and passive through wall ventilators, whilst acoustic fencing would meet the requirements for the garden areas.

The submitted noise assessment is accepted by the Environmental Health Officer who has raised no objection subject to the noise mitigation measures being provided at the reserved matters stage.

## **Trees and Hedgerows**

There are a number of trees located on the boundaries of the site. Of these trees, 9 are covered by a TPO. The tree survey submitted with the application identifies 3 trees as of high value, 11 trees moderate value, 15 trees of low value and 1 tree identified for removal.

The indicative layout identifies the retention of those trees within the application site protected by the Tree Preservation Order, except for a Hybrid Poplar within the eastern parcel of land to the eastern end of protected Group G9. This tree and an adjacent unprotected Wych Elm appear to have been conceded as part of outline consent for the adjacent Basford West Employment site scheme spine road and access serving the employment site.

The submitted Arboricultural Survey identifies the protected trees as A1 category or B1,2,3 category trees (in accordance with BS5837:2005 Trees in Relation to Construction); that is trees of high and moderate quality and value as to make a substantial or significant contribution. In this regard, it has been recognised that these trees should be retained within the development.

One tree a Sycamore, has been identified as a poor specimen (D category) and is proposed to be removed by virtue of its condition and limited life expectancy.

The report identifies the remaining unprotected trees as B and C category trees most of which are located around the boundaries of the application site.

The supporting documentation outlines an indicative housing layout which illustrates the positions of retained trees in relation to the development. The layout identifies the two protected Oaks (T4

and T5 of the TPO) and the Horse Chestnut (T6 of the TPO) within the western parcel of land would be located within areas of landscaped open space. Whilst the layout is only 'Indicative' it does appear that the Root Protection Areas (RPAs) and issues of social proximity and relationship to dwellings in respect of these three protected trees have been adequately respected.

In relation to the eastern parcel of land, the area outside the northern boundary of the application site is subject to landscape treatment as part of the Basford West Scheme. Two of the protected Poplar Trees are shown outside the application site within the proposed landscaped area. The remaining two Hybrid Black Poplar are illustrated within the application site. These trees appeared to stand within the rear garden of a residential plot as shown on the indicative layout. This raised some concerns over the practical implications of retaining Hybrid Black Poplar trees within gardens of residential properties. The species have particular invasive root characteristics, are prone to root suckering. The trees have yet to reach full maturity and have significant future growth potential. Therefore, it was considered that insufficient provision had been made in terms of the relationship and social proximity to the proposed development and that the species are generally considered unsuitable for retention within private residential gardens. As part of the negotiations for this application, the indicative layout has been amended and this shows that the Black Poplar Trees can be retained without being included within the rear gardens of any properties on the site. The impact upon the trees which bound the site is therefore considered to be acceptable.

The submitted report has identified some ten hedgerows located on or adjacent to the site which have been assessed in accordance with the Hedgerow Regulations 1997. None of these have been classified as 'Important' under the Regulations, although it should be recognised that this does not take into account the impact in landscape terms, particularly with regard to the loss of the existing boundary hedge along the Crewe Road frontage.

## **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. There is ribbon development along Crewe Road but more modern housing has recently been accepted by the Strategic Planning Board at Gresty Green Farm. 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.

External appearance and design are reserved matters, and as a result these issues will be dealt with at a later date. It is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area.

## **Ecology**

The application site includes a number of habitats and has the potential to support a number of protected species. An Ecological Assessment has been produced in support of this application and the impact of the development upon protected species is considered below:

### Great Crested Newts

The proposed development is located to the north of the ecological mitigation area implemented in respect of the Basford West development. There appears to be some difficulty in establishing

whether the proposed development is actually within the consented mitigation area or not. Regardless of the boundary of the existing mitigation area the proposed development is located in an area subject to Local Plan Policy NE10 which allocates the site for New Woodland Planting and Landscaping.

It is likely that great crested newts occur on the proposed development. In the absence of mitigation, the proposed development is likely to pose the risk of killing/injuring any newts present when the works are undertaken and will result in the loss of terrestrial habitat utilised by the species.

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, 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
- 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,
- 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 likely, 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 site would assist in meeting the Councils five year housing supply
- The derogation is not detrimental to the maintenance of Great Crested Newts as mitigation can be secured as part of this development and Natural England have not objected to the 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.

To mitigate for the adverse impact of the proposed development, the applicant is proposing to remove and exclude great crested newts from the footprint of the proposed development and to release any captured amphibians within the adjacent Basford West ecological mitigation area. Some enhancement of the mitigation area is also proposed.

The proposed mitigation does not include the creation of additional habitat and the total area of terrestrial habitat available to the local meta-population will be reduced as a result of the proposed development. The implementation of a housing scheme at the site, rather than the allocated NE.10 usage, would also deny the local newt population the opportunity to expand onto the proposed development site as it would if woodland planting was undertaken. Nevertheless Natural England has advised in their consultation response that the proposed mitigation is acceptable and have not objected to the application.

If planning consent is granted, a condition should be attached to ensure the implementation of the proposed Great Crested Newt mitigation. In addition, the close proximity of additional housing to the ecological mitigation areas increases the risk of the ponds colonised with non-native invasive species if there is public access to the mitigation area. As a result, a condition will be attached that the boundary treatment of the site is agreed with the LPA prior to the commencement of development.

### Barn Owls

Barn Owls are unlikely to breed on the site but there is evidence that they occur nearby. Nevertheless the semi-improved grassland on site does provide some foraging opportunities for the species. To offset the impacts of the proposed development upon barn owls the Council Ecologist has recommended that a contribution of £1000 is sought from the developer to be used to secure monitoring equipment. This has been agreed by the applicant and will be included as part of a section 106 agreement associated with the scheme.

### Birds

Evidence of breeding birds has been recorded at this site. It is possible that House Sparrow, Dunnock and Mistle Thrush (all of which are 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 1,400sq.m of Public Open Space according to Policy RT.3. As part of this development, the indicative plan shows that POS would be provided along the boundary with the Frizells site and this would be 1,400sqm. This would meet the requirements of Policy RT.3.

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 offered a larger timber piece of equipment. Given the nature of the open space as a landscape/wildlife corridor, it is considered that the nature of the play equipment is acceptable in this case.

## **Sustainability**

This application is outline and specific details of how the development will meet level 4 of the Code for Sustainable Homes, in accordance with the Interim Planning Policy on the Release of Housing Land will be determined as part of the reserved matters application. This issue will be controlled by condition

In terms of renewable/low carbon forms of energy production an Energy Strategy Report has been submitted with the application and this concludes that a mixture of Solar Photovoltaic Panels, Solar Hot Water Heating and Ground Source Heat Pumps is viable on this site. The exact details of this will be determined at the reserved matters stage and this will be secured by condition.

## **Education**

As part of the Bellway scheme (11/2212N) the Education Department requested a developer's contribution of £86,268 towards work on the local schools (No requirement will be needed for secondary school provision). However, the Education Department have now received revised school capacity figures and consider that there is sufficient capacity in local schools to serve this development. As a result no contribution will be required.

## **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 Gresty Brook which is approximately 250 metres to the north of the site and there is no evidence of past flooding. As a result, the FRA concludes that the risk of fluvial flooding is negligible.

The impact from tidal/coastal, pluvial, sewers, groundwater and highway flooding is also considered to be low.

In terms of foul drainage, the outline drainage strategy which has been submitted with this application states that United Utilities have confirmed that both sites can be accommodated within the existing 225mm diameter combined public sewer system. The western parcel of land will utilise a gravity sewerage system whilst, due to land level differences, the eastern parcel of land will require a pumping station.

In terms of surface water drainage, the outline drainage strategy states that the Environment Agency has agreed to restricted flows discharging into the surrounding open channel watercourses. The site will therefore require on site attenuation of surface water and the sites will be drained using a traditional piped sewer with the rate of flow restricted to 5.13 litres per second per hectare. Alternatively, the surface water drainage could be integrated with the neighbouring Basford West Development.

The Environment Agency has raised no objection to the development and has suggested two conditions which should be added to any decision notice should the application be approved.

### **Other issues**

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**

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 the significant trees can be incorporated into the development.

With regard to ecological impacts, the Council's ecologist is satisfied with the proposed mitigation measures for protected species 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 a suitable design can be achieved at the reserved matter stage.

Policy requirements in respect of public open space provision have been met within the site. 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. A detailed scheme can therefore be secured through the use of a planning condition.

Overall it is 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 a minimum of 35% affordable housing (65/35 split between social rented and intermediate housing).**
- 2. The provision of a LEAP and Public Open Space to be maintained by a private management company**
- 3. A commuted payment of £120,000 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)**

**4. A commuted payment of £1,000 towards Barn Owl monitoring equipment**

**And the following conditions**

- 1. Standard Outline**
- 2. Submission of reserved matters**
- 3. Time limit for the commencement of the development**
- 4. Amended plans**
- 5. The development shall follow the general parameters of the amended indicative masterplan**
- 6. Implementation of the proposed mitigation for Great Crested Newts**
- 7. A detailed bird survey shall be undertaken for works within the bird breeding season**
- 8. A detailed scheme for the incorporation of features suitable for nesting birds including House Sparrows**
- 9. The Reserved Matters application shall include a mitigation scheme for protecting the proposed dwellings from noise**
- 10. Contaminated Land – A Phase II Assessment shall be carried out**
- 11. The development shall proceed in accordance with the submitted FRA and the necessary mitigation**
- 12. The development hereby permitted shall not be commenced until such time as a scheme to surface water regulation scheme has been submitted to, and approved in writing by, the Local Planning Authority.**
- 13. No development shall take place until a scheme to show how the development will secure at least 10% of its predicted energy has been secured from renewable or low carbon energy**
- 14. No development shall commence until a mitigation scheme for protecting the proposed dwellings from noise has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before any of the dwellings are occupied.**
- 15. The approved access shall not be brought into use until visibility of 2.4m x 70m in both directions with no obstruction above 1.0m in height.**
- 16. Retention of the trees on the site**
- 17. A scheme of tree protection to be agreed and implemented**

**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.**



