

CHESHIRE EAST COUNCIL

SOUTHERN PLANNING COMMITTEE

Date of meeting: 20th March 2013
Report of: Steve Irvine – Development Management and Building Control Manager
Title: Outline Application for the Erection of 91 Dwellings at South Cheshire College

1.0 Purpose of Report

- 1.1 To consider proposed amendments to the resolution passed by Crewe and Nantwich Borough Council in respect of application P07/1054 in respect of affordable housing, a change to the application site boundary and to consider the implications of the introduction of the National Planning Policy Framework.
- 1.2 The report has been presented to Southern Planning Committee because the original application was approved by the Crewe and Nantwich Borough Council Development Control Committee in October 2007.

2.0 Decision Required

- 2.1 To agree to the amendments to the previous resolutions as stated in this report.

3.0 Background

- 3.1 In July 2007 South Cheshire College submitted two planning applications to Crewe & Nantwich Borough Council proposing the following:
 - Demolition of existing campus and buildings and erection of replacement College (Ref: P07/1053).
 - Outline application for the erection of up to 91 dwellings (Ref: P07/1054) on part of the College land that would become surplus to requirements following redevelopment of the College campus.
- 3.2 On 18 October 2007 the Planning Authority granted full permission for the erection of the replacement College and resolved to grant outline consent, subject to the completion of a Section 106 Agreement, for the residential proposals. (A copy of the relevant report to Development Control Committee can be found at Appendix 1) The Section 106 Agreement related to the provision of public open space (either on or off-site) and 35% affordable housing, to be provided on site. The Section 106 Agreement has been prepared and is in an agreed form, but has not been signed and as a consequence, planning permission has not been issued.
- 3.3 Construction of the new College campus took place between 2009 and 2011 and work completed in June 2011. Following the opening of the new campus building and partly due to increased student and staff numbers at the College, problems arose in relation

to the adequacy of car parking on the site and a series of complaints were made by local residents within the vicinity of the College about on-street car parking. These complaints were supported by Borough Councillors and a decision was taken in autumn 2011 to investigate the potential to allocate part of the residential land for use as additional car parking to alleviate the problems.

- 3.4** In May 2012 the College received planning permission on part of the land with a resolution to grant consent for residential development for the construction of an extension to the existing College car park (Ref: 12/1030N). The permission, which is in the process of being implemented by the College, is for the construction of a 101 space car park and is subject to a condition limiting the permission until May 2017. The car park extension occupies 0.27 hectares of land, and therefore reduces the land with a resolution to grant consent for residential development from 1.82 hectares to 1.55 hectares.
- 3.5** Following these recent developments the College now wish to proceed with the sale of their land for residential development, but need two amendments to be made to the planning application. Firstly, to take account of the recent grant of planning permission for the temporary car park on part of the land concerned, the College wish to amend the application site boundary so that it relates to only that which is available to be built out for residential purposes. Secondly, the College wish to seek a revised Council resolution in relation to the provision of affordable housing on the site.
- 3.6** It is also considered to be necessary to take into account the changes in planning policy brought about by the NPPF.

4 Change to Site Boundary

- 4.1** The scheme as originally submitted in 2007, was for “up to 91 dwellings”. Although the change to the application site boundary, will reduce the developable area of the site, the wording of the description of development is such that less than 91 dwellings to be constructed on the site, without conflict with the terms of the outline approval. Furthermore, the size and type of units proposed were to be considered as part of the Reserved Matters submissions, and therefore, 91 dwellings could be accommodated, despite the reduction in the site area through construction of more small properties than were shown on the indicative layouts submitted with the application.
- 4.2** The change to the site boundary is therefore considered to be acceptable.

5 Impact of the NPPF

- 5.1** In March 2012 the Government issued its National Planning Policy Framework. In relation to the delivery of new housing, the Framework requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, with an additional buffer of 5% to ensure choice and competition in the market for land.
- 5.2** It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the emerging Strategic Housing Land Availability Assessment (SHLAA) February 2013. The SHLAA has put forward a figure of 7.15 years housing land supply. The SHLAA 2011 identifies the current application site, as suitable, available, achievable, developable and therefore deliverable and it is anticipated that it

will bring forward 300 units within the first 5 years. The site is immediately available for development, the College have agreed terms with a national house builder, who intends to make a start on site in 2013 and develop the site out within a period of 2 years. It therefore forms an important part of the identified 5 year housing land supply.

5.3 The NPPF also encourages the re-use of brownfield sites, in sustainable locations within existing urban areas. The College site is a cleared, brownfield site that is currently available for development. The site is in a highly sustainable location within the settlement of Crewe, is bounded by residential development on three sides and is accessible to public transport. Development of the site for residential development would be entirely consistent with the NPPF and is precisely the sort of location in which the Government wishes to encourage new development.

5.4 Another 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.”

5.5 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.”

5.6 They should:

- 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;
- ensure that they do not impose unnecessary burdens on development.

5.7 Similarly, the NPPF makes it clear that:

“the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.”

5.8 According to paragraphs 19 to 21:

“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.”

Investment in business should not be overburdened by the combined requirements of planning policy expectations.”

- 5.9 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.
- 5.10 Therefore, although the adoption of the NPPF is a significant and material policy change since the scheme was previously considered by the NPPF, it is considered that the proposal remains in accordance with the new policy. There have been no other material changes in terms of planning policy.

5 Affordable Housing

- 5.1 According to the applicant's submissions, the South Cheshire College campus redevelopment project cost £75.5M and was to be funded through a combination of Government capital funding (through the then Learning & Skills Council), the receipt from the sale of the land for residential development, College reserves and commercial borrowings comprising of a long term loan (£10M mortgage). In securing £58.5M funding for the development from the Learning & Skills Council, an allowance was made for a capital receipt from the sale of surplus land for residential purposes and the College was committed to enter into short term borrowing by way of a gap loan in order to cover the period until the land sale proceeds were received.
- 5.2 In 2007/2008, a value of between £4.5-£5.0M was placed on the surplus land which by then had obtained a resolution to grant planning permission for residential development. The original intention was that following the completion of the campus redevelopment, the surplus land would be sold for residential development, and the receipt from the sale of the land was included as part of the funding for the campus redevelopment. However, as a consequence of the downturn in the global economic climate the College decided in 2008 not to proceed with the sale of the site at that time, but to await improvement of market conditions. Therefore in order to complete the College development, the College committed to gap loan funding of £4.4M. The continual financing of gap loan debt is a concern to the College and despite the lack of improvement in housing market conditions; they now wish to dispose of their site to a house builder in order to use the capital receipt to clear their gap loan borrowings. The College has no further capital reserves to draw on and with the value of the land set aside for residential development will not clear the gap loan as had been the original intention at the time when the project was first conceived and before land prices fell.
- 5.3 In May 2012 the College's Surveyors, Legat Owen, were instructed to market the residential land with a view to identifying a potential buyer. A letter dated 17 January 2013 from Legat Owen, together with enclosures, which have been submitted with the application, describes in detail the marketing undertaken by Legat Owen of the residential land (based on the reduced site area of 1.55 hectares) leading to receipt of best and final bids in October 2012. As indicated in the Legat Owen letter, interested parties were invited to submit sealed bids for the residential land, based on two approaches:
- A price for the land with a provision of 35% affordable housing based on the Council's original resolution; and

- A price for the land assuming no affordable housing provision.
- 5.4 The marketing process undertaken followed the correct protocol for the sale of public assets in order to secure the best value for the client. The content of the letter can be summarised as follows:
- Six national house builders submitted competitive formal bids for the site. Of these, the highest bid was from Redrow Homes North West.
 - The highest bid with affordable housing at 35% provision is at a level substantially below the College's borrowings of £4.4M.
 - The highest bid based on no affordable housing is higher but still at a level substantially below the College's £4.4M target.
 - The advice of Legat Owen is that the Redrow bid is reflective of current market conditions and that there is nothing in the current economic outlook which points towards a significant upturn in the demand for residential property and hence increased residential land values in the near term.
- 5.5 The College state that whilst their clear desire is to pay off all of their gap loan through the capital receipt from the sale of the land, it is clear that they are not going to be able to do so in the near future. After careful consideration and in view of the pressing need for a capital receipt to reduce their debt following the campus redevelopment, the College has decided to move forward with the sale to Redrow, conditional upon the capital receipt being achieved on the basis of nil affordable housing on the site. However, should the Council maintain its current resolution for the provision of 35% affordable housing; the College will not proceed with the sale.
- 5.6 South Cheshire College is an exempt charity formed in accordance with the Further and Higher Education Act 1992 and receives funding for its educational provision from the Government through the Skills Funding Agency and the Education Funding Agency. All funding which is received by the College is for the purpose of its educational provision which is directed for the benefit of the communities served by the College. A revised resolution by the Council to grant planning permission without the need for affordable housing provision will enable the College to make a significant reduction in its borrowings, to a sustainable level, while at the same time bringing forward urgently needed new housing.
- 5.7 The Council's resolution to grant planning permission for residential development on the College land in October 2007 was made in accordance with policies set out in the Crewe & Nantwich Replacement Local Plan (2005). Policy RES7 of that Plan set a target of a maximum of 30% affordable housing on windfall sites, but was subsequently the subject of an amendment in November 2005 to increase the affordable housing target to 35%. The higher affordable housing percentage was applied to the College's residential proposals and forms part of the Council's resolution to grant planning permission. Modified Policy RES7 is not a policy that has been 'saved' by the Secretary of State (as of February 2008) but the original Policy RES7 requiring 30% affordable housing is a saved policy and forms part of the current Development Plan. The policy

states that 'In determining whether a site is suitable for an element of affordable housing, the Local Planning Authority will have regard to economics of provision'.

5.8 More recently, Cheshire East Council has adopted an Interim Planning Statement (IPS) on affordable housing which seeks to provide more up to date guidance on the provision of affordable housing in residential developments until such time as the Council is able to adopt its new Borough wide Local Plan. The IPS recognises that the viability of individual housing schemes will be a material consideration in deciding planning applications, and acknowledges the significant downturn in the housing market and particularly on brownfield sites since 2008, where costs of redevelopment are proportionally higher than greenfield sites. The IPS acknowledges that in certain circumstances, where supported by clear financial evidence, decisions will be made to grant permission for residential development with a reduced level of affordable housing provision.

5.9 Section 6 of the Interim Planning Statement (IPS): Affordable Housing relates to Viability of Affordable Housing Provision. Paragraph 6.6 states:

Where it is accepted by the Council that a development is not sufficiently viable to provide the requisite level of affordable housing, and where the development is in all other respects acceptable, it may consider requiring the applicant to enter into a legal agreement which effectively defers developer contributions during the period of development. More detail on this approach is contained in the Home and Communities Agency Good Practice Note on Investment and Planning Obligations (July 2009), however the broad principles are explained below.

5.10 The NPPF stresses the importance of housing delivery and viability as a material planning consideration. Paragraph 173 states:

Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable

5.11 The NPPF also states that plans should take account of market signals, such as land prices and housing affordability. Further, the Framework advises that planning should operate to encourage and not act as an impediment to sustainable growth.

5.12 More recent Government statements, particularly in the form of the Chancellor of the Exchequer's Autumn 2012 Statement have gone further in recognising the need for planning authorities to take a flexible approach in relation to the provision of affordable housing in order that new housing development can be delivered as a priority.

5.13 The evidence from Legat Owen provided by the applicant demonstrates that the current Section 106 obligations in respect of affordable housing would render the scheme unviable.

- 5.14 The NPPF also stresses the importance of housing delivery. One of the 12 Core Planning Principles at paragraph 17 states that planning should:

proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

- 5.15 The applicant has demonstrated that the viability issues would delay delivery of the scheme and that this would have a negative impact on housing land supply within Cheshire East.
- 5.16 On the basis of the above, the proposed omission of the affordable housing requirement from the resolution is considered to be acceptable.

6 Conclusion

- 6.1 Due to the grant of planning permission for and construction of an additional car park for the college on part of the application site, it has become necessary to amend the application site boundary, with the effect of reducing the developable area. However, as the original description of development referred to “up to 91 dwellings” and did not specify the size or type, this is considered to be an acceptable change within the terms of the existing application.
- 6.2 Since the Crewe and Nantwich Borough Council Development Control Committee resolved to approve the application in October 2007, the only material change in planning policy affecting the principle of development has been the introduction of the NPPF. The Framework requires the Council to maintain a 5 year (plus 5%) supply of housing land. The Council’s latest SHLAA demonstrates 7.15 year supply, which this site contributes to.
- 6.3 The NPPF is also supportive of redevelopment of brownfield sites in sustainable locations, such as the application site, and emphasises the importance of maintaining a flexible and responsive supply of housing land and the economic benefits of housing growth. This scheme will help to meet those objectives. It is therefore concluded that the scheme is in accordance with the provisions of the NPPF.
- 6.4 The South Cheshire College campus redevelopment project cost £75.5M and was to be funded through a combination of Government capital funding (through the then Learning & Skills Council), the receipt from the sale of the land for residential development, College reserves and commercial borrowings comprising of a long term loan (£10M mortgage). In securing £58.5M funding for the development from the Learning & Skills Council, an allowance was made for a capital receipt from the sale of surplus land for residential purposes and the College was committed to enter into short term borrowing by way of a gap loan of £4.4M in order to cover the period until the land sale proceeds were received.
- 6.5 In 2007/2008, a value of between £4.5-£5.0M was placed on the surplus land which by then had obtained a resolution to grant planning permission for residential development. The original intention was that following the completion of the campus

redevelopment, the surplus land would be sold for residential development, and the receipt from the sale of the land was included as part of the funding for the campus redevelopment. However, as a consequence of the downturn in the global economic climate the College decided in 2008 not to proceed with the sale of the site at that time, but to await improvement of market conditions. Therefore in order to complete the College development, the College committed to gap loan funding.

- 6.6 In May 2012 the College's Surveyors, Legat Owen, were instructed to market the residential land with a view to identifying a potential buyer, leading to receipt of best and final bids in October 2012. The highest bid with affordable housing at 35% provision is at a level substantially below the College's borrowings of £4.4M. The highest bid based on no affordable housing is higher but still at a level substantially below the College's £4.4M target. The college have therefore requested that the previous resolution be amended to omit the affordable housing requirement.
- 6.7 In the intervening period, the Cheshire East Interim Policy on the provision of affordable housing has reduced the requirement from the 35% of Crewe and Nantwich Borough Council to 30%, which reflects the saved version of the Local Plan policy. Furthermore, the NPPF makes it clear that viability is a material consideration in the determination of applications and stresses the importance of housing delivery. It is therefore considered that the proposed amendment to the resolution in respect of affordable housing is acceptable and in accordance with the NPPF. The proposed change will allow the S106 to progress to completion and this important brownfield site to be regenerated, whilst making an important contribution to housing land supply in a sustainable location and assisting the college, which is a public organisation, to reduce its debts.

7 Recommendation

APPROVE: subject to a legal agreement to secure on site open space and equipped children's playspace and the following conditions:-

- 1 -3. **Standard outline**
4. **Approved plans Ref: 1172-01/GA-04**
5. **Surface water regulation system**
6. **All surface water drainage from car-parking areas and hard standings shall be passed through an oil interceptor**
7. **Scheme of tree protection**

8 Financial Implications

- 8.1 There are no financial implications.

9 Legal Implications

- 9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

10 Risk Assessment

- 10.1 There are no risks associated with this decision.

11 Reasons for Recommendation

- 11.1 To allow negotiations in respect of the Section 106 to progress to signing, to enable the development works to commence in a timely fashion to assist in delivering the 5 year housing land supply for the Borough.

For further information:

Portfolio Holder: Councillor Les Gilbert

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Background Documents:

- *Application P07/1054*

APPENDIX 1 – ORIGINAL REPORT TO CREWE AND NANTWICH BOROUGH COUNCIL DEVELOPMENT CONTROL COMMITTEE – 18th October 2007

Planning Reference No:	P07/1054
Application Address:	South Cheshire College Of Further Education, Dane Bank Avenue, Crewe, Cheshire, CW2 8AB
Proposal:	Outline Application for the Erection of 91 Dwellings
Applicant:	South Cheshire College
Application Type:	Outline Plg Perm
Grid Reference:	369785 354565
Ward:	St Johns
Consultation Expiry Date:	5th September 2007
Date for Determination:	6th November 2007

SUMMARY RECOMMENDATION:

APPROVE subject to Section 106 Agreement and conditions

REFERRAL

The application has been referred to Development Control Committee due to the site area and number of dwellings.

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

The application relates to the existing South Cheshire College campus on Danebank Avenue in Crewe. The college occupies a large open site on the western side of Crewe, approximately 2.4km from the town centre. The existing campus comprises a range of accommodation including an eight –storey tower block and main building, opened in 1968, a variety of other 1 - 3 storey buildings, and the former Kingsway Girls School, which is now known as the Somerville Centre, all of which accommodate teaching and support functions. The campus also incorporates a full size grassed sports pitch and a small hard surface pitch.

Within the main central area of the site is a medium sized copse, which contains a number of mature oak trees up to 20 metres in height. A number of other individual and groups of mature trees and saplings are growing around the periphery of the site.

Access to the College currently exists from Dane Bank Avenue, Norbreck Avenue and Claremont Road. The main car park incorporates 400 marked spaces with additional limited parking provided to the rear of the Somerville Centre. An additional 350 overflow spaces are also provided through the campus for times when the main car park is over-subscribed.

The site is surrounded by bungalows and two-storey detached and semi-detached dwellings on the south and east boundaries, with a primary school and a large expanse of school recreation ground to the west.

A full planning application, considered elsewhere on this agenda, has been submitted for the demolition of all existing College buildings and the erection of a new College comprising a total of 26,520sq metres gross external floorspace arranged in a series of connected buildings.

The proposed re-development will make more efficient use of the site than is the case with the existing buildings and this application seeks outline planning permission for the erection of 91 dwellings on the surplus land which would result. The only matters for consideration in this application are the principle of residential development and the number of units, all other matters, including access and layout are reserved for a subsequent application.

2. PREVIOUS RELEVANT DECISIONS

P06/1375 EIA Screening Request for Redevelopment of College Campus with New Purpose Built College Buildings together with Sports Pitches and Associated Parking and Landscaping – EIA not required 27th December 2006

P03/0809 Advanced Technology and Resource Centre (3 Storey Classroom and 1 Storey Workshop) –Approved 14th October 2003

P04/0063 Outline application for new Sports Hall (Siting only) – Approved 4th March 2004

P02/1348 Outline Planning permission for Two Storey Library and Teaching Facility – Approved 4th February 2003

P02/0169 Single Storey Extension – Approved 8th April 2002

P00/0925 Foyer and Refectory Extensions – Approved 6th December 2000

P95/0026 Alterations to elevations, entrance canopy and first floor link.- Approved 17th February 1995

P93/0672 Lift Shaft – Approved 1st October 1993

3. PLANNING POLICIES

National Policy

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Guidance Note 3 (Housing)

Planning Policy Guidance Note 8 (Telecommunications)

Planning Policy Guidance Note 13 (Transport)

Planning Policy Guidance Note 24 (Planning and Noise)

Planning Policy Statement 25 (Development and Flood Risk)

Regional/Structure Plan Policy

Cheshire 2016 Structure Plan Alteration

GEN1: The Location of New Development
GEN3: General Requirements for the Quality of New Development
HOU1: Provision for Housing Development
HOU2: Location of Sites for Housing Development

Local Plan Policy

Borough of Crewe and Nantwich Replacement Local Plan 2011

Built Environment Policies

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)

Housing Policies

RES.2 (Unallocated Housing Sites)
RES.3 (Housing Densities)
RES.7 (Affordable Housing within the Settlement Boundaries of Crewe, Nantwich and the Villages Listed in Policy RES.4)

Transport Policies

TRAN.3 (Pedestrians)
TRAN.5 (Provision for Cyclists)

Recreation and Tourism Policies

RT.1 (Protection of open spaces with recreational or amenity value)
RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)

4. OBSERVATIONS OF CONSULTÉES

Sport England:

Have considered the application in the light of Sport England's Land Use Planning Policy Statement *Planning for Sport and Active Recreation*. The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to ensure the sport and recreational needs of local communities are met.

The development would introduce additional public demand for new or improved sport and recreation facilities that would place an increased burden on the operation of existing sport facilities. I note that the layout of the proposed development, whilst including proposed play provision and informal amenity open space, does not include any provision for adult recreation.

The question of the carrying capacity of local sport and recreation facilities to accommodate the increased pressure should therefore be considered as a material planning consideration.

Sport England 's Planning Policy Objective 8 seeks:

To promote the use of planning obligations as a way of securing the provision of new or enhanced places for sport and a contribution towards their future maintenance, to meet the needs arising from new development.

The need for additional or improved formal outdoor sport facilities ought ideally to be addressed in the context of an Open Space Sport and Recreation Strategy / Playing Pitch Strategy, whereby a contribution to known deficiencies within the catchment area of the site can be addressed.

The value of a developer off-site contribution, if required, should be finalised and the specific types of sport provision proposed or to be maintained and their locations should be advanced.

United Utilities:

Have no objection to the proposal providing that if possible, the site should be drained on a separate system, with foul drainage only connected into the fouls sewer. Foul drainage, with a free discharge to be connected to the existing 900mm diameter public sewer in Dane Bank Avenue. If no alternative discharge can be identified Surface water at a maximum discharge rate of 100 l/s may be discharged to the existing 900mm diameters public sewer in Dane Bank Avenue.

They can readily supply water for domestic purposes, but for larger quantities they will need further information. They have calculated the domestic usage to be 1.1 litres/second for this development of 91 dwellings – utilizing standard calculations.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe works must comply with current water supply (Water fittings) regulations 1999. Should this application be approved the applicant must contact water fittings section. For any development over 2 storeys in height, they would recommend a separate pumped storage system to be installed. They water mains may need extending to serve any development on this site and the applicant may be required to pay capital contributions and to sign an agreement under the Water Industry Act 19912

Highways Authority:

Had not been received at the time of report preparation

Environmental Health:

Had not been received at the time of report preparation

Environment Agency:

The Agency has no objection in principle to the proposed development, but would wish to make the following comments. The limiting discharge from the site will be the

maximum allowable into the existing sewers. For discharges above this up to the 1 in 100 years design event, attenuation will be required. When determining the amount requiring attenuation rainfall intensities are to be increased to allow for climate change in accordance with Table B2 in PPS25, Development and Flood Risk,

During a severe rainfall event the sites surface water drainage system could become surcharged resulting in on-site flooding. The Flood Risk Assessment explains that this can be managed, such that the new buildings are not affected, access and egress are possible and that the risk of flooding off-site is managed. The following conditions should be included on the decision notice:-

No development approved by this permission shall be commenced until a scheme for the provisions and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority

Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from car-parking areas and hard standings shall be passed through an oil interceptor design and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

5. VIEWS OF THE PARISH / TOWN COUNCIL:

N/A

6. OTHER REPRESENTATIONS:

Letters of objection have been received from the occupiers of 46, 45, 50, 59, 73, 76, 80 and 82 Somerville Street; 24, 32 and 30 Dane Bank Ave; 1, 3 and 5 Norbreck Avenue and 41 Vine Tree Avenue in relation to:

Highway Objections

- Less parking, increased traffic parking along Norbreck Avenue and Somerville Street
- Access to South Cheshire Collage between Norbreck Avenue/Somerville Street and Dane Bank Avenue. Creating a 'Rat Run' for vehicles accessing South Cheshire College and avoiding Nantwich Road
- A number of schools around the proposed development, increased traffic due to a 'Rat Run' is not safe
- Opposition against options 1 and 2 as the size of Norbreck Avenue and congestion along Somerville Street unsuitable for the traffic in and out of South Cheshire College.
- Link road between Norbreck Avenue to Dane Bank Avenue
- In excess of 150 cars needing access to and from the development. There has been on thought about how this will detrimentally affect local residents on the already busy and congested local roads
- There is a history of traffic accidents in this area and the increase in volume of vehicles will make it worse

- Noise and pollution will increase with the volume of vehicles
- There are 7 schools within 500m of the development
- Pedestrian access through the development would lead to college parking in Norbreck Avenue and Somerville St. particularly as there will be less parking on the college site.
- Oppose the access road layout in concept plans 1 & 2 since the size of Norbreck Avenue, together with the congested nature of the end of Somerville Street to which it joins, makes it unsuitable for supporting all traffic in and out of the site. The two access points shown in plans 3 & 4 are favoured.
- Suggest enhancing the road layout in concept plans 3 & 4 by introducing a physical break at the mid-point of the layout (e.g. bollard) to prevent through-traffic and give balanced access to the two halves of the site. This would avoid 'rat run' characteristics (as noted on page 25 of the outline document, 'Access'). Speed reduction measures alone may be inadequate. Note that splitting the linking road into two would still provide better access to the furthest dwellings when compared to access offered by plans 1 & 2.
- Object to Concept Plan options 3 & 4 which are shown on pages 17 & 18 of the Design and Access Statement dated July 2007. These options show a link road connecting Dane Bank Avenue to Somerville Street via Norbreck Avenue. Strongly disagree with claims made in this document that this would not become a rat run funnelling traffic onto Somerville Street as people attempt to avoid queues on Nantwich road.
- Have no complaint with options 1 & 2 and am happy to accept the traffic entering and leaving the development via Norbreck Avenue to gain access to the 91 dwellings.
- The back ally between Somerville Street and Dane Bank Avenue is used as a rat run now.
- Problems will be made worse when combined with the proposal for the college expansion and the overcrowded proposal of the Old Maintenance Depot by Chelford Homes
- Somerville street can only accommodate a single lane of traffic along part of its length
- Residents parking schemes or on-way traffic will not be as effect a solution as reducing traffic flow by erecting fewer houses.
- Passing trade on Nantwich Road may be lost due to parking difficulties
- Lack of parking may also be contributing to people moving out of the area
- Proposals doe not encourage green travel.

Design Objections

- The design of the 2.5 to 3 storey dwellings is not in keeping with the style of the area.
- Concept plans 3 and 4 do not identify the size of the dwellings and type of dwellings, impossible to understand the impact on the existing dwellings.
- Density and layout of concept plans 1, 2 and 3 in NW quadrant of the site. Due to the arising issues in Crewe where dwellings are built in block and sheltered areas which attract anti-social behaviour.
- Proposals 1 and 2, the dwellings being obtrusive on existing properties.
- Size if the development will be inappropriate for the size and scale of the area, creating an overcrowding.
- This high density development is badly thought out

- With the new dwellings back gardens may be overlooked and residents would appreciate it when considering building plans if 3 storey buildings were not situated adjacent/overlooking garden fences.
- To fit with their surroundings, all houses bordering or facing existing residences should be limited to 2 stories. They note that concept plans 1 & 2 show 3-storey dwellings bordering with our property. We are disappointed that concept plans 3 & 4 do not identify size and type of proposed dwellings neighbouring existing properties, making it impossible for us to assess their potential impact.
- Oppose the density & layout of apartments in concept plans 1, 2 & 3 in the N.W. quadrant of the site. Over many years Crewe has seen issues arise where dwellings are built in contiguous blocks, surrounding sheltered areas. Moat House Drive & 'Derby Docks' are examples. This 'encircled' layout does not cultivate an open community feeling, it can look oppressive, can attract anti-social behaviour and at worst become a no-go zone. To be properly in keeping with the surrounding areas this development must favour dispersed family dwellings, as offered by concept plan 4.
- Houses are too close to existing properties.
- High density housing up to 3 storeys in height reflects a lack of awareness of predicted population changes over the next 20 years. Figures from the County Council website indicate that there will be increasing numbers of older people. It would therefore seem sensible that if any building were to be done in the area it should suit their needs i.e. bungalows.

Environmental Objections

- Recent flooding in Dane Bank Avenue, the proposed 91 dwellings will put increased pressure on the existing sewage system.
- Residents there suggest a reduction in the number of dwellings
- Water mains may need extending to serve any development on this site.

Other

- None of the proposed development documentation relates to the Crewe and Nantwich Local Strategic Partnership. They are a multi-agency body and are key to tackling deep-seated multi-faceted problems requiring responses from different bodies. The LSP will be expected to take many of the major decisions about priorities for the area.
- Developers from outside the area do not care about the needs of local people and only want to maximise profit
- South Cheshire College has been offered £42 million for the Learning and Skills Council on condition that they raise £18 million. The only way that this appears to be possible is through the sale of part of the site.
- Once the land is sold it will be lost to the college and local community forever. Although a detailed analysis of current and anticipated educational needs has been carried out, there are elements of unpredictability. In the same way, although population projections are used for planning, they can never be completely accurate.
- There has already been an impact on the area in the form of large numbers of houses being placed on the market in Somerville Street.
- Impact on property values

- No health impact assessment has been done to deal with issues of traffic, dust from the building site, stockpiling of materials, disturbing the soil, water supply and drainage and lack of light due to hedges

7. APPLICANT'S SUPPORTING INFORMATION:

Planning Statement

The applicant's planning consultant has submitted a statement, which can be summarised as follows:-

- The College seeks full planning permission to demolish the existing campus and for the erection of a bespoke purposely designed College campus. The outline planning application seeks to establish the principle of 40 to 50 dwellings per hectare on College land that will become surplus as a result of the new college development.
- The site is previously developed land which is integrated into the residential area of Crewe. The existing campus has come to the end of its operational life and is limiting the quality and the range of courses which the College can offer.
- It is considered that the proposal will contribute to the enhancement and protection of the greenscape of the locality and will ensure that there is no net loss of designated RT 1 Land.
- The site is highly sustainable, it is near to a range of local services, and the Crewe town centre is readily accessible by a number of bus routes from this location.
- The proposed use for residential development will further integrate the College into the local area and ensure that the main design themes of the new College campus are respected.
- The proposal is considered to be in accordance with the adopted Local Plan, as well as National and Regional planning guidance and policy. The proposed development seeks to maximise the use of previously developed land with a suitable and sustainable proposal and with a residential density which closely respects the surrounding residential scale. It is considered that this application is exactly the type of development encouraged by PPS 1 and PPS 3.
- On the basis of the evidence and justification set out in this statement, they respectfully request that both applications are approved.

Transport Statement

A Transport Assessment and Framework Travel Plan have been produced by transport consultants JMP. The analysis within this Transport Assessment and Framework Travel Plan verifies the original assumption that the proposal to redevelop the Crewe Campus and develop land for residential purposes would not have a significant impact upon the local highway network.

In order to ensure that the level of site traffic is maintained at an acceptable level, a detailed Framework Travel Plan has been produced that provides appropriate measures to limit single occupancy journeys.

Policy

This Transport Assessment and Framework Travel Plan have been produced so as to be fully compliant with relevant planning policy documents; it looks to achieve the following:

- Provide sustainable access to educational facilities in accordance with PPS1
- Deliver accessible residential development in urban locations in accordance with PPG3
- Prescribe an acceptable level of Parking in accordance with PPG13
- Provide stringent parking control in urban locations in accordance with RSS13
- Meet the social objectives of the Cheshire Structure Plan in providing access to education, including a Travel Plan aimed at reducing single occupancy commuting by private car and the promotion of sustainable alternatives
- Provide full access for disabled users in accordance with the Crewe and Nantwich Local Plan
- Identifies existing gaps in public transport provision as a means to reduce social exclusion in accordance with the Cheshire LTP

Traffic Impact

In the 2010 Base + Development scenarios, the college access points and external junctions continue to operate with residual capacity. With reassigned flows to account for the removal of Norbreck Avenue as an access point to the college, and the addition of residential traffic, the local road network will continue to operate under capacity. As such, we believe there to be no need for physical measures to mitigate against future impact, as this represents a robust scenario.

Physical Improvement

They believe that this TA identifies an appropriate level of physical improvements, both on and off-site, that would facilitate improved access to the college, and deliver wider benefits to the local community.

It may be appropriate to condition the implementation of off-site works as part of subsequent planning consent.

Framework Travel Plan

Staff and students at the Crewe Campus have been offered little incentive in the past to consider their travel habits and utilise sustainable modes; as a result single occupancy car use has been effectively unrestrained. As the staff and student catchment has been demonstrated as being predominantly local, considerable potential exists to promote viable alternatives to the majority of users.

They believe that the physical and procedural measures within this Travel Plan Framework will reduce the attractiveness of the private car as a main mode, and provide genuine alternatives to both staff and students. The timescale of development will also

enable measures to be fully established and accepted by users in advance of the site reopening in September 2010.

The implementation of measures is to be accompanied by a full programme of monitoring and study, in order to review and adjust measures as appropriate to maximize effectiveness.

Recommendation

JMP recommends that planning permission should not be withheld for the proposed development on transport and access grounds, and that this Transport Assessment contains the necessary detail from which Crewe & Nantwich Borough Council can set out appropriate conditions to accompany a subsequent planning consent.

Statement of Community Engagement

- The applicants (South Cheshire College) consider that they have demonstrated an in-depth and detailed series of community consultation events which have involved a broad cross section of the local community and businesses.
- The College has demonstrated a positive engagement in public participation for the proposed development scheme through this exercise of community engagement.
- The college has notified and informed key stakeholders such as the local residents, the students, the staff and the local Councillors in addition to the Local Planning Authority throughout the whole process.
- The College has also shown and explained that the proposed scheme has been modified and amended throughout the process of design, from conception of the original idea to this latest stage being the submission of the full planning application for the College campus and the outline submission for residential development.
- It is considered that this document provides the required information to comply with Crewe and Nantwich requirements as set out in the Adopted Statement of Community Involvement (May 2006).

Design and Access Statement

Use

- The proposed use identified is for residential development which will comprise of 40 to 50 dwellings per hectare.
- This residential use complies with the predominant land use in the locality and the character of Crewe. It is therefore considered to be an appropriate use that would be in conformity with the surrounding area.
- Residential is considered to be an appropriate and sustainable use of the site, as the site is well situated for access to local schools, shops, and other facilities within walking distance.
- The site also has favourable links to public transport, as three main bus routes can be accessed from the bus stop on Valley Road (Routes 65, 68, and 9) which link the

site to the town centre of Crewe and to the outer suburbs of Willaston, Wistaston Circ and Shavington.

- The bus stop on Nantwich Road links the site to the city of Chester and to the neighbouring town of Nantwich.
- The bus routes ensure that the site is well linked to all nodes of public transport including rail and intercity coach services, this further ensures the encouragement of other modes of transport other than the motor car.
- Similar proposals have been granted in the locality and it is considered that the principle of residential use has been established by these developments. It is further considered that the proposed development would aid further integration of the proposed college campus into the local community.

Amount

- Planning Policy RES 3 (Housing Densities) indicates that new housing developments should have a minimum housing density of at least 30 dwellings per hectare. This proposal relates to an application of a net density of 40 to 50 dwellings per hectare and therefore accords with this Policy of the adopted Local Plan.
- The main factors which were considered in the formation of this planning proposal are as follows:-
 - Land Ownership;
 - Landscape setting and site topography;
 - Existing trees and planting;
 - Residential location;
 - UDP designation of the site;
 - Site access; and
 - Local character.
- The proposal acknowledges and considers the adjoining land uses and natural landscape of the physical environment. The topography of the site enables the proposed development to assimilate well with the surrounding residential properties and the proposed college campus redevelopment. This will also ensure, that any proposed development does not dominate the views of the proposed campus.
- The character of the surrounding area in the vicinity of the site is a composition of bungalows and 2 storey residential detached dwellings with private gardens. To further supplement these detached dwellings, there are a variety of houses which are semi-detached and terraced in the near locality.
- The proposed development at this stage has taken inspiration and fully acknowledges the existing scale and density of housing which is surrounding the site. As the proposal is at an outline stage, an indicative plan has been devised as to demonstrate the type of development which the site can comfortably accommodate.
- The concept plans show that the site can accommodate between 74 to 91 dwellings. This level of residential development can be accommodated on the site without compromising the open space required by the Council and demonstrates that the required car parking can be provided which is integrated into the design rather than an afterthought.
- The concept plans show that the site complies with policy RT3 of the local plan, as each of the concept plans show at least 15 square metres of open space per dwelling and 20 square metres of shared children's play space per family dwelling.

- 3 and 4 bedroom detached and semi-detached houses will provide generous family accommodation, whilst smaller terraced houses and apartments will be suited to single people and couples which require high quality, modern living accommodation.
- Together, the variety of house and apartment types will create a mixed community in this highly sustainable location

Layout

- Concept plan has taken the proposed college campus as the main design inspiration and this is demonstrated by certain design elements taken from the main campus building. It is considered important to maintain the main design aspects of the proposed college as to ensure a continuity of design and linkage of the developments.
- The layouts have a clear massing structure which locates lower density, predominantly two storey houses adjacent to the existing residential properties, with 2½ and 3 storey development closer to the proposed new college building.
- The building heights and garden sizes determine the distances between dwellings in terms of window to window distances to ensure adequate privacy and maximum sunlight and solar gain.
- The indicative building heights of the dwellings themselves closely reflect and emulate the residential buildings which surround the site in order to attempt and create a development which is at a human scale.
- The concept plans show that the building mass changes across the site, creating a transition from the low unit mass housing site to the higher unit mass college building. This is achieved by planning detached and semi-detached houses adjacent to existing houses, with terraces and apartment buildings located adjacent to the college. An appropriate level of parking is provided, equating to approximately 2 spaces (incl. garages) per house and approximately 1.5 spaces per apartment, this standard is in line with the requirements as set out in the Crewe and Nantwich Local Plan (2005).
- The properties which face Dane Bank Avenue provides the development with an active frontage as to ensure any perceived security risks are minimised. The drive access to these properties which face Dane Bank Avenue also provides design assimilation with the older established properties which further integrates the scheme into the urban residential character of the area.
- It should also be highlighted that the approach as set out in 'Manual for Streets' has been followed in terms of creating places rather than designing purely for the convenience of the car, it is considered that this is evident in the parking strategy which has been adopted where private parking is secure and convenient to the dwellings they serve but without dominating the layout.
- Secure by Design guidance has been taken as a bench mark to ensure that parking spaces are located where they are visible from the property which they serve, or within courts which are gated.

Landscaping

- Public and private amenity has been considered so that an attractive useable development can be delivered. Houses have private gardens which are accessible and large enough to accommodate a garden shed, washing line and sit out spaces.
- Areas of public open space are located at accessible and safe locations within the concept plans. This will help provide an attractive outlook to residents and a safe

place for children to play. Each concept plan also shows a designated children's play area which has been designed to be overlooked by the proposed housing to ensure it is safe and well used.

- The existing trees which are adjacent to the north, east and south will be retained and further supplemented by additional planting including trees.
- The concept plans demonstrate that the planting of shrubs and plants can help ensure that the development will have a high quality street scene and that the bulk and the massing of the buildings is broken and screened partially.
- It is envisaged that the shrubs and plants which will be planted will be high quality well rooted non-refrigerated stock with well branched heads and fibrous root systems. This will ensure that the plants take root and become established relatively quickly.
- The trees which are to be planted on the site are also to be sourced from high quality stocks and will have clear stems to at least 1.8m in span/height.

Appearance

- Although only illustrative at this stage, architectural styles will vary across the development and will be derived from the character of the local area. The area is rich in architectural interest and the development will complement this through the use of appropriate local materials and architectural detailing.
- The site is large enough to accommodate a variety of architectural styles which will appeal to the differing tastes of purchasers. It is envisaged that a mixture of traditional and contemporary forms can be used for the proposed houses. Contemporary elevations for the apartment buildings will create a modern aesthetic which will also be in keeping with the new college building.
- The concept plans all show properties facing Dane Bank Avenue in order to provide the development with an active frontage and ensure any perceived security risks are minimised. The drive access to these properties also provides design assimilation with the older established properties which further integrates the scheme into the urban residential character of the area.
- The rear gardens will be enclosed by timber fencing and the walls of the garages will match the material of the dwellings.
- Hard-standing will be provided for the parking bays and will be surfaced using pavements and tarmac. This will ensure that the surfacing areas on the site remain free from weeds and be of low maintenance.

Access

- It is considered that the concept plans demonstrate the site has good pedestrian permeability and this will encourage non-car modes of transport as advocated in the current Design Guides.
- The concept plans also indicate that the site gives good pedestrian access through the development linking Dane Bank Avenue, Somerville Street and the new college building.
- The proposed road design incorporates horizontal deflections and changes in materials which will have the effect of reducing traffic speeds and creating a safer residential environment.
- Although the position of access to the development is to be determined at the reserved matters stage, the concept plans show that vehicular access could be obtained from either Norbreck Avenue or Dane Bank Avenue. Concerns that a link

road through the site linking Dank Bank Avenue with Norbreck Avenue would cause a rat run can be designed out through road alignment and traffic calming measures for example, as indicated in concept plan 3 and 4.

- The site levels and gradients are suitable for disabled access and suitable materials and dropped kerbing will be incorporated in the design of the layout to provide continuity of access.

It is considered that the application site is in a sustainable location and the traffic likely to be generated by the proposal can be accommodated in traffic capacity and highway safety terms.

Flood Risk Assessment

- The aim of the Surface Water Flood Risk Assessment is to outline the potential for the site to be impacted by flooding and the proposed measures, which can be incorporated into the development to mitigate the identified risk.
- The report has been produced in accordance with the guidance detailed in PPS25. Reference has also been made to the CIRIA SUDS manual (C697).
- This report has been produced following consultation with the Environment Agency's development Control Team.
- Based on the site location outside the identified indicative flood plain and access across the floodplain not been essential to access to the site, fluvial flooding issues are not considered significant. Soakaway tests across the site have confirmed that the site is located on an area of low permeability glacial till. Groundwater flooding is not therefore considered to be a significant concern.
- The proposed development is anticipated to include a decrease in hard surface area over the existing development. In order to provide the betterment required by the Environment Agency and to take account of a climate change allowance it is anticipated that flow attenuation storage will be required as part of the development's final drainage design.
- Preliminary estimates presented in this report indicate that up to 145 m³ of storage would be required for 100 year return period storm of duration 120 minutes although detailed modelling will be used to confirm the final storage requirement.
- It is likely that a variety of techniques including, porous pavements, and above and below ground storage will be required to provide the required attenuation capacity.

8. OFFICER APPRAISAL

Principle of Development

The site is located within the Settlement Boundary of Crewe where, under Policy RES.2 of the adopted Local Plan, there is a general presumption in favour of residential development on sites not allocated for any other purposes.

The existing grounds around the campus have been designated as an area of protected open space in the adopted Local Plan. The current proposal will involve development of part of this area. However, part of the existing college site, which will be cleared following construction of the new building will be retained and landscaped as open space. Consequently, in terms of area, there will be a net gain of open space provision, as part of the development. The college have also confirmed that the public will have

unrestricted access to the College playing fields, consistent with the current arrangements in place.

Sport England are also supportive of the scheme as it will provide improved playing field and sports hall facilities but have recommended conditions requiring detailed specifications to be submitted and approved.

As a result, the principle of development is considered to be acceptable and the main issues in this case are the impact of the proposed development on protected trees and other trees of amenity value, the privacy and residential amenity of neighbouring occupiers, drainage and flooding, affordable housing, open space provision, highway safety and the impact on the character and appearance of the street scene and the area generally.

Trees and Landscape

The Council's Landscape Officer has examined the application and has commented that it is essential that trees, which are the subject of TPO 184 are retained together with any others associated with this group of trees that may not be protected. There is an area of young trees (identified in the Tree Report adjacent to the site entrance on Dane Bank Avenue. These should be retained in some measure, although it will not be practical to retain all. The concept plans showing a path or road access onto Dane Bank Avenue may give some space for these trees to be retained following thinning and formative prunings.

Siting the play area away from residents so it is not closely overlooked by local families is not acceptable. The play area will be open to abuse by others, especially after college hours. The play area sited within the site in a village green setting is preferred.

Large areas of hard paving, car parking should be avoided. Structural tree planting through out the site would be welcome following roads and paths together with further soft landscaping to gardens, courtyards, verges etc and a tree protection plan will be required.

Amenity

Matters of scale, appearance and layout are reserved for a subsequent application. However, the applicant has submitted, a number of indicative concept layouts, which indicate that 91 units could be accommodated on the site whilst maintaining acceptable separation distances both to existing properties and between proposed dwellings.

In producing the final layout care should be taken not to site apartments close to the new college parking, thereby reducing residential amenity. Sufficient amenity space should be provided for apartments to provide communal recreational open space, and other facilities such as drying areas and bins store. Adequate private gardens will also need to be provided for all family dwellings. However, the indicative layouts do not raise any concerns that this could not be achieved.

Drainage and Flooding

Dane Bank Avenue has on a number of occasions been severely affected by flooding. A number of local residents have expressed concern that the current proposals could

exacerbate this problem. The applicant has submitted with the application, a detailed Flood Risk Assessment, which concludes that adequate attenuations measures can be put in place to ensure that all surface water run-off can be adequately disposed of and any increased potential for flooding resulting from additional hard standing is mitigated.

The Environment Agency and United Utilities have considered the report and raised no objections subject to the imposition of appropriate planning conditions to ensure that the required mitigation is carried out. Therefore, it is not considered that a refusal on flood risk grounds could be sustained.

Highways

A Traffic Impact Assessment has been submitted with the application and is currently under consideration by the County Highway Authority. The concerns of local residents relating to the accuracy of the information contained within the document has been brought to the attention of the Highway Authority and their comments will be reported at the committee meeting.

Affordable Housing

The application states that, in accordance with Replacement Local Plan Policy RES.7, 35% affordable housing will be provided, as part of the proposal. It is also stated that the tenure split will be 75% rent and 25% Shared Ownership. The application does not however give any indication of the split in provision, according to house type. It is considered to be very important that this is also agreed at this stage, to ensure certainty of delivery, at Reserved Matters stage. The 2005 Housing Needs Survey results show that, for Crewe, accommodation is needed in the following proportions (in terms of 35% on site requirement)

- 11% one bed accommodation
- 12% two bed accommodation
- 12% three bed accommodation

The college have advised that they have no objection to agreeing a split in the affordable housing unit sizes at this stage but in it is not normal to do so with an outline planning consent. They argue that residential development will not come forward until 2010, and the Council's affordable housing requirements (in terms of unit sizes) will quite possibly have changed by then. Therefore, if the unit sizes are fixed now, this may mean the Council does not get what is actually needed by the time the development takes place.

However the above requirements have been derived from the 2005 Housing Needs Survey and this is the most up to date set of information that is available and it will ensure that a mix of affordable dwelling types is achieved. It is this information that forms part of the justification for the Replacement Local Plan 2011 affordable housing Policy RES.7 (as modified.) It is therefore reasonable to include that as a requirement.

The requirement for the affordable housing provision needs to be included within the S106 Agreement, to include all of the above information, along with the following -

- a trigger for delivery of the affordable housing;
- a 'cascade', will need to be included to ensure that first priority is given to those in housing need who are resident in or who have connections to the Wards of Crewe

(Wards of Alexandra, Coppenhall, Delamere, Grosvenor, Leighton, Maw Green, St.Barnabas, St. John's, St. Mary's, Valley, Waldron, Wells Green, Willaston, Wistaston Green), followed by the whole of the Borough of Crewe and Nantwich;

- provision for nomination rights to be given to CNBC;
- a clause that requires the first purchase share of the Shared Ownership units to be 50% of Open Market Value;
- the staircasing of the Shared Ownership units would also need to be restricted to 80% (with a proviso that staircasing to 100% would be allowed, should Housing Corporation Grant Funding become available).

Open space

Policy RT.3 (Provision of Recreational Open Space and Children's Play space in New Housing Developments) prescribes the amount of open space that should be provided as part of new developments. The policy also sets out the requirements for equipped children's play areas within developments consisting of family dwellings.

The Planning Statement refers to open space shown on the concept plan submitted as part of the planning application. It states that the open space provision meets the requirements of both Local Plan Policy RT.2 (Equipped Children's Playgrounds) and RT.3 (Provision of Recreational Open space and Children's Play space in new Housing Developments). The requirement for the provision of such open space should be included within the Section 106 Agreement to ensure that it is delivered.

Section 106 Matters

The proposed development raises a number of issues and must be assessed against all the relevant Development Plan policies. In making this assessment a number of measures and works are required in order to ensure that the proposal complies with the local plan policies. Whilst some minor elements may be secured by planning conditions there are more fundamental requirements which must be secured via a planning obligation (section 106 agreement). These include:

- Provision of 35% affordable housing with a mix of tenure and house type to be agreed by the Council
- Provision of open space and equipped children's playspace in accordance with Policy RT.3 of the Local Plan or a developer contribution in lieu of public open space – to be agreed with the Council.

Public consultation

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

The SLE, submitted as part of this planning application, outlines the public consultation that has taken place and concludes that the consultation that has taken place conforms to the procedure set out in the Borough Council's adopted Statement of Community Involvement. Paragraphs 2.5 and 2.6 of the SLE, refer to the type of issues that

residents raised, during the consultation process, along with a statement that those concerns and issues were addressed.

This section of the document is, however, very brief and it does not refer to specific elements of the proposals that were changed, in response to the consultations. Further information was therefore sought from the developer. In a letter dated 14th September 2007, the applicant's planning consultant provides further information on the main changes to the scheme as a result of public consultation. These have included, provision of sufficient space within the College grounds for coach drop-off and collection, ensuring public access to the grounds, a sensory garden, undertaking a shadow study to ensure there was no loss of light to gardens, relocation of the nursery, rotating the building to improve neighbour amenity, a faith/prayer room and improved disabled access. The information provided within that letter now 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).

9. CONCLUSIONS

In summary, the redevelopment of the surplus college land for residential purposes is considered to be acceptable in principle. The indicative layouts and other supporting information have indicated that 91 units could be accommodated on the site without detriment to protected trees and other trees of amenity value, the privacy and residential amenity of neighbouring occupiers, drainage and flooding, affordable housing provision, open space provision, highway safety and the character and appearance of the area generally.

10. RECOMMENDATIONS

APPROVE: subject to a legal agreement to secure affordable housing provision, on site open space and equipped children's playspace and the following conditions:-

- 2 -3. Standard outline
 4. Surface water regulation system
 5. All surface water drainage from car-parking areas and hard standings shall be passed through an oil interceptor
 6. Scheme of tree protection
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