Application No: 13/0336N

Location: LAND OFF CREWE ROAD, BASFORD WEST, SHAVINGTON CUM GRESTY, CREWE

- Proposal: Outline application for residential development (up to 370 units), Offices (B1), local centre comprising food and non-food retail (A1) and restaurant/public house (A3/A4), hotel (C1), car showroom and associated works including construction of new spine road with accesses from Crewe Road and A500, creation of footpaths, drainage including formation of SUDS, foul pumping station, substation, earthworks to form landscaped bunds, provision of public open space and landscaping
- Applicant: Goodman
- Expiry Date: 26-Apr-2013

SUMMARY RECOMMENDATION

• APPROVE subject to Section 106 Agreement and Conditions

MAIN ISSUES

- Principle of Development.
- Sustainability
- Loss of Agricultural Land
- Impact of Local Centre
- Affordable Housing
- Noise and Vibration
- Air Quality
- Contaminated Land
- Drainage and Flooding
- Layout and Design
- Amenity
- Education
- Open space
- Ecology
- Impact on Public Right of Way
- Archaeology
- Landscape and Trees
- Impact on Railway
- Highway Safety and Traffic Generation.

REFERRAL

The application has been referred to Strategic Planning Board because it is a large scale major development and a departure from the Development Plan.

1. SITE DESCRIPTION

The site is approximately 32.5 hectares in size and comprises former agricultural land. The existing vehicular access into the site is from Crewe Road to the north west of the site. A public footpath exists through the whole site from Crewe Road to Weston Lane (to the south). The main part of the site has been cleared of hedgerows and trees under previous planning applications. A hedgerow and hedgerow trees were retained along what was to be the western boundary of the employment development. This boundary hedge is to be substantially retained within the new application and remaining trees are protected by a Tree Preservation Order (TPO 213 Basford West Wildlife Area).

The site is located approximately 3.5km to the south of Crewe Town Centre (1.5km to the south of Crewe). The majority of the urban settlement of Crewe is situated to the north of the application site, the A500 is located along the southern boundary of the site and beyond the settlements of Shavington, Basford and Weston. To the east are open fields (formerly agricultural land) and beyond, the Crewe/Stoke railway, which links to the West Coast main railway line. To the west of the site is an ecological mitigation area (associated with the development of the wider Basford West site) and residential development which fronts onto Crewe Road beyond. There are two existing bungalows located adjacent to the northern boundary of the site.

2. DETAILS OF PROPOSAL

The development proposals are made in outline with detailed matters in relation to the access, drainage strategy and structural landscaping. The proposal comprises residential development (up to 370 units), Offices (B1), local centre comprising food and non-food retail (A1) and restaurant/public house (A3/A4), hotel (C1), car showroom and associated works including construction of new spine road with accesses from Crewe Road and A500, creation of footpaths, drainage including formation of SUDS, foul pumping station, substation, earthworks to form landscaped bunds, provision of public open space and landscaping.

2. RELEVANT PLANNING HISTORY

- P03/1071 Outline permission for Warehousing and Distribution (B8), Manufacturing (B2), and Light Industrial/ office (B1) Development, Construction of access roads, footpaths, and rail infrastructure, importation of soil materials, heavy good vehicle and car parking and landscaping and habitat mitigation including Environmental Statement. Approved (subject to S106) 13th May 2008.
- P06/1234 Ten Great Crested Newt Mitigation Ponds and associated ecological works. Approved 17th January 2007.

- P08/0801 Creation of Bat Barn and associated ecological works. Approved 7th August 2008.
- P08/1054 Substation and associated works. Approved 3rd November 2008.
- P08/1091 Screening opinion for enabling works Environmental Impact Assessment not required. 23rd October 2008
- P08/1258 Reserved matters for ground works for spine road, drainage, balancing ponds, plot formation, structural landscaping, public art, (with ecological assessment, lighting strategy, construction management plan, flood risk assessment).
- 09/1480N Reserved Matters for B8/B2 unit with ancillary offices, security gatehouse and associated car parking and landscaping. Approved 2010
- 12/1157N Variation of Condition 14 of application P03/1071 Resolution to approve subject to S106
- 12/1959N Outline application for B2 / B8 Building– Resolution to approve subject to S106

3. PLANNING POLICIES

Policies in the Local Plan

NE.2 (Open countryside)
NE.5 (Nature Conservation and Habitats)
NE.9: (Protected Species)
NE.20 (Flood Prevention)
NE.21 (Land Fill Sites)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
RES.5 (Housing In The Open Countryside)
RT.6 (Recreational Uses on the Open Countryside)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)

National Policy

National Planning Policy Framework

Other Material Policy Considerations

Interim Planning Policy: Release of Housing Land (Feb 2011) Interim Planning Statement: Affordable Housing (Feb 2011) Strategic Market Housing Assessment (SHMA) Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994 North West Sustainability Checklist

4. OBSERVATIONS OF CONSULTEES

Network Rail

- The Noise Assessment states, "The railway is not observed to provide a significant noise contribution at the proposed residential area." Although the proposed residential area is not adjacent to the Basford Hall Sidings, Network Rail are concerned that the proposal seems to underestimate the level of activity of the site. There are regular train movements which run at irregular hours and thus there will be a level of noise pollution (around the clock) which has not thus far been an issue as the site is situated away from existing residential development.
- Illumination on site is provided by lighting columns which are very tall and therefore may be an issue for the proposed residential dwellings.
- The site is also used by Network Rail National Delivery Service for storage of used and new ballast and contains a track recycling plant which does create noise and dust, although a dust suppression system is in place at the site.
- Request that a planning condition is applied to the planning permission (if granted) that requires the developer to undertake an environmental assessment including current background dust, air quality, noise and lighting and that mitigation measures are put in place to ensure that there is suitable protection on site for residents and that Network Rail can continue its operational undertaking.
- There is a community woodland proposed for the north east corner of the site any open public space imports a risk of trespass to the operational railway. Network Rail would request a condition requiring details of a suitable trespass proof fencing (a minimum 1.8m high trespass proof steel palisade fence) alongside their land to be submitted and agreed.
- There are concerns regarding water run off / drainage from the site (including the formation of SUDS) and the potential consequences to the infrastructure if this is not dealt with adequately on the adjoining site. Therefore would request a planning condition that requires the developer to submit full drainage plans to the Network Rail Asset Protection Engineer for review and approval.
- Soakaways, must not be constructed within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property.
- Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains.
- Water discharged into the soil from the applicant's drainage system and land could seep onto Network Rail land and cause flooding, water and soil run off onto lineside safety critical equipment or de-stabilisation of land through water saturation.
- Would request a planning condition is included that for any works (including excavation and earthworks and bunds) within 10m of Network Rail's boundary (plan attached) the developer must submit to the Network Rail Asset Protection Engineer a method statement and risk assessment for works on site. No works are to commence on site within 10m of Network Rail land without the approval of the Asset Protection Engineer.

• Request that the standard informatives be attached to the decision notice relating to the protection of the railway during construction

Sustrans

If this land use, particularly the residential one, is approved by the council's planning committee our comments are as follows;

- 1) For a site of this scale we are particularly interested in seeing high quality pedestrian/cycle routes through it, and from it, linking to adjacent communities/streets, such as:
 - footway/cycle tracks on both sides of the spine roads set back behind a grassy verge
 - the trim trail route to become a surfaced greenway for shared use making best use of the corridor of open space.
- 2. This could link to the existing Gresty greenway via Crewe Green Road.
 - Connections for both pedestrians and cyclists onto the 'old' Crewe Road adjacent to Gresty Green Road and on the
- 3. SW corner of the site.
 - Safe crossings of the new spine road and particularly at its northern extremity where it meets Gresty Road allowing pedestrians and cyclists access onto the 'old' road.
- 2) The design of the residential areas should restrict vehicle speeds to 20mph.
- 3) Can traffic management measures be installed on the 'old' Crewe Road to give greater priority to buses, pedestrians and cyclists.
- 4) The design of any smaller properties should include storage areas for residents' buggies/bicycles.
- 5) There should be cycle parking for staff at the sites of employment conveniently sited and under cover.
- 6) The site lies adjacent to the Basford rail sidings; we would like to see a real attempt at providing a rail connection to reduce HGV journeys.
- 7) We would like to see travel planning for the various components of the site with targets and monitoring.
- 8) We would like to see the development make a financial contribution to improving the pedestrian/cycle network north of the site, to the Gresty greenway at Davenport Avenue, and on towards Nantwich Road and the town centre. Gresty Road itself north of the site is an unpleasant road to cycle and walk along.

Environment Agency

No objection subject to the following conditions:

- Development to be carried out in accordance with the approved Flood Risk Assessment (FRA), from BWB Consulting ref BMW/139/FRA-Full Rev B dated 14/12/12, and the following mitigation measures detailed within the FRA:
- Limiting the surface water run-off generated by the proposed development, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- The layout for the proposed development to be designed to contain the risk of flooding from overland flow during severe rainfall events.

- Submission, approval and implementation of a method statement to deal with the treatment of the environmentally sensitive ditch, its aftercare and maintenance
- Submission, approval and implementation of a scheme to dispose of foul and surface water, including the provision and installation of oil and petrol separators
- If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until a remediation strategy has been submitted and agreed

United Utilities

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

- This site must be drained on a total separate system in accordance with the FRA by BWB and dated Dec 12.
- The foul water discharge from the proposed site must discharge at an agreed point of connectivity within the public sewerage system and under agreement with UU before consent is granted.
- For the avoidance of doubt, no surface water run-off generated from the site shall communicate with the public sewerage system via direct or indirect means.

Environmental Health

- No objection subject to the following conditions:
 - $\circ\,$ Submission, approval and implementation of an Environmental Management Plan
 - Submission, approval and implementation of location, height, design, and luminance of any proposed lighting
 - Submission, approval and implementation of a detailed noise mitigation scheme with the full application.
 - If mechanical services plant is installed, it should be located well away from the nearby residential units and be designed such that the noise should not exceed the existing background noise levels, in accordance with BS 4142:1997.
 - Submission, approval and implementation of a scheme of odour / noise control for the local centre, restaurant/public house and hotel.
 - \circ Submission, approval and implementation of travel plan
 - Submission, approval and implementation of electric car charging points
 - Submission and approval of an updated Phase II investigation and implementation of any necessary mitigation.
- The air quality report has not considered a sensitive receptor location within the AQMA to be able to conclude in paragraph 6.3 that 'the proposed development is not anticipated to have an adverse effect on pollutant concentrations within Crewe town centre AQMA'. In order to fully determine the application, the impact of the development on the AQMA should be considered.

Education

- A development of 370 dwellings will generate 67 primary and 48 secondary aged pupils.
- The Council is forecasting that the local primary schools will be oversubscribed in the near future and is undertaking extension work at several schools under a basic need requirement. However the pressures continue to exist in the town and therefore a contribution of £722,363 will be required towards primary provision. At least 50% of this contribution would be required on occupation in order that class space could be provided as the pupils come on line, with the remaining balance to be determined though no later than on completion of 50% of the dwellings.
- No contribution towards secondary education is required in this instance.

Public Rights of Way Team

- The development will affect Public Footpaths Shavington cum Gresty No. 2 and Basford No. 11, as recorded on the Definitive Map of Public Rights of Way and diversions of these two footpaths will be necessary under the Town and Country Planning Act 1990.
- This has been discussed with the applicant and the Rights of Way team are happy with the proposals for the diversions as indicated on drawing no. 0300-0001. It is understood that this plan may require amending when the detailed designs are agreed, any changes to the proposed footpath diversions will need to be approved by the Rights of Way Team and formal diversions applied for once the detailed plans are approved.
- The PROW Unit also requests that the standard advisory notes, relating to protection of the Right of Way during and after construction, are added to the planning consent.

Countryside Access Team

- The Design Principles Plan depicts a new footpath link to Crewe Road. The application documents also refer to further footpaths to form strong pedestrian connects through green space. It would be suggested that most benefit would be delivered through these routes being designed for both pedestrian and cyclist use, within green infrastructure corridors which receive natural surveillance. Such routes should be designed to best practice including accessibility.
- Consideration would need to be given to users of the link to Crewe Road when they attempt to cross the road at the corner by the restaurant an assessment of the need for a crossing or turning facility would be required, even if the road only carries local traffic should the spine road be constructed; otherwise this point could deter users from walking or cycling along the routes to be provided. Non-motorised users crossing into Gresty Green Road would continue northwards via Shavington Public Footpath No. 13 / Crewe Public Footpath No. 22 to reach Davenport Avenue and the Gresty Greenway. Contributions should be secured for the development of this link, in terms of legal status, physical condition and signage, in order to accommodate the increased traffic along its route. This would be supportive of the aspiration captured under Ref T39 in the Council's statutory Rights of Way Improvement Plan.
- The application proposes shared use (pedestrian and cyclist) facilities alongside the spine road of the development to offer permeability for these users from the north and south. Consideration of these users should also be taken in respect of access into the local centre and on towards Shavington, potentially via a connection to Crewe Road at

the south west corner of the site on land which is held by a third party. Provision at road junctions and roundabouts would also need to be taken into account for non-motorised users.

- The Design Principles Plan suggests a new right of way whilst the application form does not either way, the legal status of this route would need to be agreed with the Council. The developer would be required to maintain any such routes within the maintenance contract of the recreational open space.
- Destination signage should be required along both on site and off site shared use facilities in order to encourage the use of sustainable active travel. Travel planning for prospective residents and businesses should include active travel options.

Natural England

- Application does not appear to fall within the scope of the consultations that Natural England would routinely comment on.
- The ecological survey submitted with this application has not identified that there will be any significant impacts on statutorily protected sites, species or on priority Biodiversity Action Plan (BAP) habitats as a result of this proposal.
- Note that ecological mitigation strategies on the Basford West site are already in progress following planning application P03/1071.
- This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.
- This proposal does not appear to be either located within, or within the setting of, any nationally designated landscape. All proposals however should complement and where possible enhance local distinctiveness

Greenspaces

• No comments received at the time of report preparation.

Highways

Key issues

The key issues for the Strategic Highways Manager (SHM) relate to;

- 1. Achieving a safe and convenient access to the development site.
- 2. Ensuring off-site traffic and safety impacts are mitigated.
- 3. Ensuring safe routes to school for new residents of the development.
- 4. Making sure that the site is well served by sustainable transport infrastructure and services.

Access

• This application includes application for access and the proposed Spine Road linking the A500 from RB3 to the B5071 (Crewe Road/Gresty Road).

- The Spine Road includes two new roundabout junctions and a priority junction which will provide access to the residential land to the west on the road. The link between the southern roundabout (marked "A" on drawing 03-0084-132 Rev B) and the A500 roundabout (RB3) will be dual carriageway and access will be taken from this junction into the industrial/employment area, as well as the car showroom and hotel. North of this southern roundabout the Spine Road is single carriageway, with a ghost island right turn plane provided into the residential development and second roundabout (marked "B" on drawing 03-0084-132 Rev B) tying into the realigned Crewe Road. This aspect of the design is considered acceptable.
- The proposed local centre, office space and restaurant to the northern end of the site is served by a left in entrance junction off the new Spine Road as well as a junction onto the realigned section of Crewe Road to the west of the Spine Road. Also on this section of Crewe Road is a second access to the proposed residential area. Traffic from the local centre and from the second residential access will access the Spine Road using Roundabout B, this is considered the most appropriate junction to serve these accesses. The provision of the ghost island right turn provided from the Spine Road into the residential area, along with the access off Crewe Road, ensure suitable access to the proposed residential area. This aspect of the design is considered acceptable.
- The accesses to ancillary part of the site and the residential area off Crewe Road are staggered priority junctions, the separation of these is approximately 50m, which is in line with the local design guidance. However, no modelling has been undertaken of these junctions, and although the flows are relatively low in this location, given their proximity to each other and Roundabout B operational assessments would be required for these accesses given the potential interaction of any queues. A left turn into the site is provided directly off the Spine Road as well, this will have to have an accompanying No Right Turn TRO to prevent traffic trying to turn right from the Spine Road before Roundabout B. There is also concern about the methodology regarding the consideration of linked and pass-by trips which would impact on the flows at these junctions, this is discussed further in the Traffic Impact section of these comments.
- The access to Yew Tree Farm is proposed to be amended to incorporate it into the side road which will serve the local centre and office part of the site. Whilst this layout is not ideal given its location within the junction it will be very lightly trafficked and is considered an improvement over the existing access, which is located on the inside of a tight bend with extremely poor visibility due to the buildings alongside.
- A section of the existing alignment of Crewe Road is to be stopped-up to the northwest
 of the local centre due to the realignment through Roundabout B on the Spine Road.
 However, this section will remain open to non-motorised users, it therefore should be
 protected from vehicular use by the inclusion of bollards at either end. The road here
 could also be realigned so that it provides direct access into the local centre rather
 than create a junction and a dead end just to the north of the local centre entrance/exit.
- As stated within the Transport Assessment car parking will be agreed at reserved matters stage, this will be in line with the Council's emerging parking standards.

Traffic Impact

- The Transport Assessment has assessed the effect of the development traffic at the following junctions:
 - A500/B5071/Spine Road Roundabout

- Southern Spine Road Roundabout
- Northern Spine Road Roundabout
- Gresty Road/B5071 South Street/Catherine Street
- A534 Nantwich Road/Mill Street/South Street
- Traffic flows with the Spine Road in place were taken from the Bloor Homes TA for their Gresty Road site.

Gresty Road Corridor

- Modelling results show that the three roundabout junctions will operate with some reserve capacity in the design year, however the South Street junctions to the north of the site will exceed their operational capacity.
- There is a scheme which has Section 106 funding (pending agreements) for an improvement, which mitigates capacity concerns around South Street and Nantwich Road arising from these developments. However, given the existing traffic conditions and the proposed development associated with this planning application will further impact on this part of the network.
- The Crewe Green Link Road scheme has been developed to provide an additional link towards Crewe from the A500, which will relieve the pressure from existing parallel road corridors into Crewe, including Gresty Road. Strategic traffic modelling of Crewe has shown that the Crewe Green Link Road will reduce traffic on the Gresty Road corridor. This is required to mitigate the impact of traffic from the Basford West site in addition to the planned junction improvement at South Street.
- As a result a contribution towards the delivery of the Crewe Green Link Road is to be sought from the development at Basford West through a Section 106 agreement. This is the position reached with the previous planning approval and Section 106 agreement for the site.

Internal Road Layout

- The traffic distribution figures for the ancillary part of the site (retail, office and restaurant) show arrivals and departures to/from the car park that are much higher than the trips that use the Crewe Road junction. For example in the morning peak 122 PCUs leave the site with only 49 PCUs turning on to Crewe Road. It is unclear what has happened to the flows here.
- Also, a reduction in the trip generation has been applied to this part of the site. In total a 60% reduction has been applied (30% linked trips and 30% pass-by trips). This reduction is higher than would normally be considered and simply applying a reduction to the trip generation is not acceptable, given that these trips are likely to be making an additional movement through Roundabout B. For example pass-by trips from the north will turn right at the roundabout right into the ancillary area and then leave through both these junctions as well. Whilst the relatively low flows at the access into the ancillary area are not likely to present an immediate capacity issue, Roundabout B is shown to be approaching capacity in 2019 and if flows have been omitted from the assessment in reality it could lead to capacity concerns beyond 2019 if this development were granted planning permission. As a result of these concerns a revised drawing was submitted (03-0084-132 Rev B) which included two lane entries on all approaches to the roundabouts to provide additional capacity. As mentioned under the Access

heading the two access points on Crewe Road serving the residential and ancillary areas will also require assessment.

- In order to provide access to the site the Spine Road has been provided. This route will create a more direct link towards Crewe from the A500 in comparison to the existing A500 roundabout spur and traffic signal junction. It is also expected to result in a decrease in traffic through the residential area along Crewe Road to the north of the A500. The Spine Road would be delivered using a Section 278 agreement and should be complete before first occupation on the site.
- As part of the Section 106 agreement from the previous planning application a Section 278 scheme was agreed to mitigate the impact of the development traffic on Junction 16 of the M6. However, as part of this application the Transport Assessment states that there will be negligible impact on the A500 and M6 Junction 16. The SHM considers that given the previous approval and the evidence presented in that assessment, as well as the existing congestion on the A500 experienced throughout the day, that the development will have an adverse impact on the capacity of the A500 corridor and its junction with the M6. It is acknowledged that the revised planning application will result in a lesser impact at the M6 Junction 16 given the type of traffic and its distribution, therefore as a result the level of contribution can reflect that based on the previous scheme costs.

Transport Sustainability

- In order to promote sustainable transport modes to and from the site as part of the previous application's Section 106 agreement was developed that included contributions to pedestrian and cycle corridors to/from the neighbouring parts of south Crewe using Gresty Green Road. These are still considered appropriate and should be delivered as part of whichever application comes forward first.
- These improvements will link into a surfaced pedestrian/cycle link from Crewe Road (to the east of the Koconut Grove) into the residential development and through to the Spine Road. This will provide a good link for non-motorised users away from the highway. To ensure year-round use of this link lighting is to be provided.
- Along the Spine Road shared cycle/footways will be provided.
- The required levels of cycle parking are to be agreed, however it will be required across the development site and the quantity will be informed by the Council's emerging parking standards.
- Bus stops lay-bys have been shown in four locations. Two (one for each direction) to the north of Roundabout B which will serve the local centre area and two further south to serve the residential area.
- The location of the two southern bus stops have been shown with the southbound stop between Roundabouts A and B close to the residential access and the northbound bus stop between the A500 roundabout and Roundabout A. Pedestrian access from these stops to the residential and employment sites should be provided and be as direct as possible. Routes across the bunds were shown in the site Masterplan. However, following consultation within the Council the access across/through the bund into the residential area was not considered to be achievable. Therefore, it was considered that a more appropriate location for the northbound bus stop would be somewhere in between the residential access off the Spine Road and Roundabout B, and the SHM requested that this change be made if access into the residential development cannot be achieved across/through the bund. It is acknowledged that this will mean this bus

stop would be located slightly outside the 400m walking distance from the hotel and car showroom, but was considered much more suitable in relation to the residential development. Location of bus stops agreed following amended plans 29 May.

- The location of the bus stops close to the local centre are considered suitable.
- A toucan crossing is proposed on the realigned section of Crewe Road north of Roundabout B. This crossing will allow access from the local centre to the southbound bus stop and also onto the continuous footway north towards Crewe along Gresty Road. Refuges are to be provided in the vicinity of the residential access from the Spine Road, which will aid pedestrians crossing from/to the southbound bus stop and the employment area to/from the residential development.
- As previously agreed to ensure good bus service provision for the site a Section 106 contribution will be sought in line with previous application. This will ensure services in the area are maintained and enhanced to better serve the new development site.
- Also, as agreed as part of the previous application a site wide Umbrella Travel Plan will manage travel planning across the site, with subsidiary Travel Plans being submitted for each of the planning applications at Reserved Matters stage.

Recommendation

Based on the review of the evidence presented above the Strategic Highways Manager would recommend approval for this application, given the following:

- S278 / S38 to deliver the Spine Road and associated infrastructure (as detailed in drawing 03-0084-132 Rev B subject to detailed design checks and technical approval), with no occupation on site until this link is complete.
- S106 agreement as previously agreed to provide the following contributions indexed from 1st February 2008:
 - o £3,200,000 contribution towards the Crewe Green Link Road
 - £300,000 contribution to improving public transport provision in the area.
 - £325,703 contribution to improving footpath and cycle lane access to the site in the following areas:
 - Claughton Avenue to Davenport Avenue
 - Davenport Avenue to the railway line
 - Improvements to Gresty Green Road
 - Improvements along Crewe Road
 - Provision of a pedestrian/cycleway into the site from Crewe Road
 - £200,000 contribution to traffic management and regulation.
- A contribution of £2,500,000 towards improving access to the congested A500 corridor serving the site from the M6 at Junction 16.
- Site wide Umbrella Travel Plan including monitoring as previously agreed.
- Relocation of the southern bus stop to achieve better access to the residential development.
- Protection on the stopped up section of Crewe Road to prevent vehicular access is provided.

5. VIEWS OF THE PARISH / TOWN COUNCIL

Weston and Basford Parish Council

Council raises no objection to this application subject to the following proviso:

- Concerned as to the effectiveness and adequacy of the height and width of the bunding, planting and landscape treatment along the southern boundary of the site where it abuts the A500 Shavington bypass and the likely protection that this screening will offer to the residents of Basford Village.
- It is noted that there are no north/south indicative landscape cross sections across the SE end of the site opposite Basford Village.
- Parish Council requests that mature evergreen planting is considered for this general location to give year round screening.
- Also request that an agreement is incorporated into any planning permission to provide a robust planting scheme along the south side of the A500 Shavington bypass at this point to offer further protection to the residents of Basford, from both a visual and noise attenuation point of view.

Shavington-cum-Gresty Parish Council

The Parish Council considered the planning application and makes the following comments.

- The Council does not raise any specific objections to the proposed development at Basford West but has noticed that the figure for proposed dwelling numbers is larger than originally proposed when Spawforth and Goodmans explained their proposals which at that time were for approximately 250 dwellings the Parish Council understands that the additional numbers will be affordable dwellings and is unsure whether these will include any development by registered social landlords.
- The Parish Council has raised some queries that it would require clarification of; and has made a number of recommendations for the use of s106 improvements arising from the development in order to help mitigate the effect on the Parish, and would wish these to be attached as conditions to any approval.
- In terms of the developer's s106 contributions to the local infrastructure the Parish Council appreciates that a large proportion of such funds will be earmarked for the A500 improvement scheme, but it has significant concerns over the impact from heavy traffic during the construction of such a large site, and from diverted traffic using village roads that are unsuitable for heavy use and already at capacity during peak periods, and would suggest that certain works to mitigate the effect be carried out.
- The local highway improvements identified as a priority by Members include the following:
 - Improvements to the very poor condition of the carriageway and further traffic calming measures along Gresty Lane which is already extensively used as a rat run by local motorists and will only be used even moreso once the works are underway
 - A 7.5T weight limit along the stretch of Crewe Road from its junction with the A500 to Gresty to prevent heavy vehicles from using this residential road once the new spine link road is completed
 - Improvements to the surface of the carriageway of Crewe Road Gresty between the end of the new link road and the Cheshire Cheese public house
 - The provision of two zebra crossings in the Village at appropriate locations in Crewe Road and Main Road which have been seen as seen as important by

Parish Councillors for several years but not currently being considered by Cheshire East

- Improvements to traffic flow in the centre of the Village by simple measures of new signage and white lining in making the Main Road/Sugarloaf Corner triangle a one-way system
- A contribution towards new public transport links (bus routes) to the new housing areas
- In addition it is pleased to note the developer's intention to allocate some of the s106 funding towards improvements and expansion of the schools likely to be heavily affected by increased roll numbers.
- There are significant areas of open space/recreational use/sports/play areas shown on the plans submitted and the Parish Council would request some clarity over where the responsibility for the future on-going maintenance of these areas would fall.
- That occupation of any properties provided by registered social landlords should be restricted to those people determined to be in local housing need and with a strong local connection to the parish of Shavington-cum -Gresty. Strong local connection shall be defined as currently resident in the parish or working in the parish or those who wish to return to live in the parish, having previously lived in the parish during the past 5 years.
- At any future allocation of the properties, Shavington residents shall be the first to be offered to properties and only if there is no suitable person with a strong Shavington connection shall the properties be offered to the residents of immediately adjoining parishes using a 'cascade approach'.
- Finally request that developers be encouraged to use local labour wherever possible in the construction of houses, warehouses, and the ground and infrastructure works.

6. OTHER REPRESENTATIONS

Local Residents Representations

Letters have been received making the following points:

- This development is not suitable for the site. The road network cannot take the additional traffic towards the M6 Junction 16.
- Crewe already has a large number of empty warehouse units and no more are required.
- The development would have a negative impact on wildlife.
- The developers have started clearing the trees, etc on the site before the application has been reviewed this should be stopped
- There is no buffer between 358 Crewe Road and the proposed buildings to the south and east
- On the south east of 358 Crewe Road is a Kennel building measuring 24ft x 10ft. This is not shown on the plans despite having been raised with the Director of the Planning Consultancy submitting the application.
- The plans do not present a true picture to the Planning Approval Officials for consideration
- The extension of Crewe Road linking it to the new spine road has been realigned to pass considerably near to 358 Crewe Road
- This will have a serious impact on privacy

G.V.A.

A letter has been received on behalf of HIMOR Group Ltd (HIMOR), making the following comments:

- HIMOR is currently promoting a residential-led, mixed use development at Rope Lane / bCrewe Road / Gresty Lane, Crewe (referred to as 'Gresty Oaks') through the LDF process. The Gresty Oaks site forms part of what might become a 'Strategic Southern Gateway' to Crewe that will directly support the economic growth objectives for the town. The Strategic Southern Gateway is the area of Crewe with the greatest capacity to support new development, due to the direct relationship with planned economic investment at Basford, the town centre and potential investment in the long term associated with the HS2 proposals.
- HIMOR is generally supportive of the principle of development of the Basford West site for commercial mixed use development. As noted in HIMOR's representations to the Draft Cheshire Local Plan Policy, Principles and Development Strategy consultation (February 2013), HIMOR consider the development of the Basford West employment site to be an important element part of the 'Strategic Southern Gateway to Crewe'. However, we did question the proposition in the Development Strategy for residential as an enabling phase without clear evidence as why this was necessary or justified. Those concerns remain.

Principle of Departure

- The proposal for 370 residential units on the Basford West site clearly constitutes a departure from the development plan and the examined RSS evidence base, which identifies the entirety of the Basford West site as a strategic employment location.
- The applicant's justification for the departure almost entirely relies upon an economic and viability assessment that is not in the public domain, rendering the review or critique of their case impossible. Without publication of the supporting evidence, we (and all other interested parties) cannot be clear that the case for departure has been proven and justified. If the proposals are truly enabling development, only the absolute minimum number of dwellings to support and sustain the delivery of the employment use should be included within the application proposals. At present it is not possible to conclude that 370 units is the correct number to ensure delivery of the wider Basford West site.
- The site is allocated for employment land use and both Outline Planning and Reserved Matters applications have been submitted on the eastern part of the allocated site for employment use and associated environmental mitigation measures. Given the planning history and allocations assigned to the site, there is no clear evidence available in the public domain to confirm that the infrastructure requirements of employment uses rendered the development of the whole of the Basford West site unviable.
- As we have made clear in previous representations in the area, limited weight should be applied to the emerging allocation for the site within the DDS and the Crewe Town Strategy. The document and its evidence base have not yet been tested through the examination process and should not in any way be relied upon at this stage.

Impact on Employment Land Supply

- The application doesn't presently address the impact that residential development will have on employment land supply, given that it has always been recognised as a site of strategic importance for employment development.
- Given the strategic significance of the site, and emerging strategic infrastructure proposals such as HS2, the applicant has applied what would seem to be a short term view to viability, emphasising the issues concerning the employment viability at present.
- We are concerned that this fails to consider the longer term and strategic significance of the site, and undermines potential for a holistic employment-led development, as a critical component of the Borough's supply.

'Sustainable Patterns of Development'

• The applicant refers to the sustainability benefits of introducing residential development in to this part of Crewe, alongside an employment focus. We would concur. However, alternative residential sites, specifically Gresty Oaks, provide an opportunity to create sustainable patterns of development without potentially diluting the employment focus of this sub-regionally (or indeed regionally) important site.

Implementation of the Enabling Phase

- There is no clarity in the application as to how the applicant intends to ensure that the value generated by this development would be used to cross-subsidise the development of employment floorspace or associated infrastructure, or how the LPA can regulate this.
- There are no suggestions in the application that delivery phasing will be linked to the delivery of quantum of employment floorspace. If this is truly enabling development, phasing triggers are essential to ensure that the enabling development is not brought forward independently of the employment development.
- The Council are also urged to consider how they will manage the implementation ofm employment floorspace, given that an overlap in the red line boundaries will mean that on implementation of the residential element, the extant consent will potentially fall away (under the Pilkington principle). Mechanisms for linking the enabling phase to the employment floorspace should be explored to ensure that the current proposals and extant permission are combined.

7. APPLICANT'S SUPPORTING INFORMATION:

- Contaminated land desktop study
- Design and Access Statement
- Subsidiary travel Plan
- Transport Assessment
- Soft landscape Works
- Flood Risk Assessment
- Tree Survey

- Planning Statement
- Ecological Assessment
- Noise Assessment
- Air Quality Assessment

8. OFFICER APPRAISAL

Main Issues

Given that the application is submitted in outline, the main issues in the consideration of this application are the suitability of the site, for the proposed mix of uses having regard to matters of principle of development, sustainability, loss of agricultural land, impact of the local centre, affordable housing, noise and vibration, air quality , contaminated land, drainage and flooding, layout and design, amenity, education, open space, ecology, impact on public right of way, archaeology, landscape and trees, impact on railway, highway safety and traffic generation.

Principle of Development.

Local Plan Policy Position

The application site forms part of 55 hectares of land of land known as Basford West, which under policy E.3 of the Borough of Crewe and Nantwich Replacement Local Plan, are allocated for development as a Regional Warehouse and Distribution Park. The Local Plan policies require the development to include the provision of appropriate rail sidings with good direct rail access for the shipment of freight between rail and road as well as or in addition to rail connected warehouse and distribution units. The Borough Council has also published the Basford West Development Brief which was adopted in April 2004.

Under these policies and the Brief, the development of Basford West is seen as a site primarily for warehousing and distribution uses but with the option for some land to be used for B2 purposes and the development of a small area of B1 land at the junction of the spine road and A500 at the entrance to the development.

The Development Brief requires the site to be developed:

- with rail served units on the east, adjoining the west coast Main Line;
- with appropriate HGV access and turning facilities;
- main road access to be provided as a Boulevard through the centre of the site (the spine road) and linked to Gresty Road in the north and A500 in the south;
- woodland screening and wildlife habitats along the southern and western boundaries
- an attractive gateway development at the entrance to the site from A500.

This application, which involves the use of the land to the west of the spine road for residential development, as well as the introduction of other uses, including offices, hotel and car showroom would conflict with policies which seek to ensure development of the site for a regional warehouse and distribution park. 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.

Other Material Considerations

Members should note that on 23rd March 2011 the Minister for Decentralisation Greg Clark published a statement entitled 'Planning for Growth'. On 15th June 2011, this was supplemented by a statement highlighting a 'presumption in favour of sustainable development' which has now been published in the National Planning Policy Framework (NPPF) in March 2012.

Collectively these statements and the National Planning Policy Framework mark a shift in emphasis of the planning system towards a more positive approach to development. As the minister says:

"The Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. 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".

Housing Land Supply

Whilst PPS3 'Housing' has been abolished under the new planning reforms, the National Planning Policy Framework (NPPF) reiterates at paragraph 47 the requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

"identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land".

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government's overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011, a full

meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved. In December 2012 the Cabinet agreed the Cheshire East Local Plan Development Strategy for consultation and gave approval for it to be used as a material consideration for Development Management purposes with immediate effect. This proposes a dwelling requirement of 27,000 dwellings for Cheshire East, for the period 2010 to 2030, following a phased approach, increasing from 1,150 dwellings each year to 1,500 dwellings.

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. This document was considered by the Strategic Planning Board on 8th February and the Portfolio Holder on 11th February 2013.

Policy change is constantly occurring with new advice, evidence and case law emerging all the time. However, the Council has a duty to consider applications on the basis of the information that is pertinent at any given time. Consequently, it is recommended that the application be considered in the context of the 2013 SHLAA.

Paragraph 47 of the NPPF requires that there is a five year supply of housing plus a buffer of 5% to improve choice and competition. The NPPF advocates a greater 20% buffer where there is a persistent record of under delivery of housing. However, for the reasons set out in the report which was considered and approved by Strategic Planning Board at its meeting on 30th May 2012, these circumstances do not apply to Cheshire East. Accordingly, once the 5% buffer is added, the 2013 SHLAA shows that the Borough has an identified deliverable housing supply of 7.15 years.

The SHLAA 2011 identifies the current application site, as suitable - with policy change, available, achievable, developable and therefore deliverable and it is anticipated that it will bring forward 300 units within the first 5 years. It therefore forms and important part of the identified 5 year housing land supply.

Emerging Policy

The Crewe Town Strategy considered a number of development options around the town and these were subject to consultation that closed on the 1st October 2012. 1985 representations were received to the Crewe Town Strategy.

This site was considered as site K in the Crewe Town Strategy which stated that:

"The site forms the Basford West Strategic Employment site and its development will facilitate the development of the site for employment purposes and the delivery of about 2,000 jobs. The site could also deliver around 100-200 dwellings; a local centre; hotel; pub/restaurant and car dealership."

17% of the 1985 representations responded to the question whether they agreed or disagreed with site K as a potential area of future development and of those 78% agreed with site K being a potential area of future development.

The results of that consultation were considered at a meeting of the Strategic Planning Board on the 6th December 2012. The resolution at that meeting is that the future housing needs of Crewe should met by Basford West (300 dwellings) as well as the following sites:

- Crewe Town Centre (200 dwellings),
- West Street / Dunwoody Way (up to 700 dwellings),
- Basford East (1,000 dwellings),
- Leighton West (750 dwellings).

Sites are also proposed at settlements surrounding Crewe including:

- Shavington Triangle (300 dwellings)
- Shavington East (300 dwellings phased post 2020).

There are also proposals for new settlements at Crewe Hall / Stowford (1,000 dwellings – with potential additional development after the plan period) and at Barthomley (1,000 dwellings with potential additional development after the plan period).

These sites have now been carried forward into the Draft Local Plan (development strategy) now the subject of consultation. The site is one of the sites identified in the Draft Development Strategy as a preferred option. At Basford West, the strategy envisages:

- 1. Delivery of about 2,000 jobs on around 35 hectares of employment land, with a mix of B2 and B8 units;
- 2. Provision of about 300 new homes (at approximately 30 dwellings per hectare);
- 3. Including 'housing to meet local needs', in line with Policy SC4 in the Emerging Policy Principles document;
- 4. Creation of a new local centre including the provision of:
 - a. Community facility / place of worship;
 - b. Public house / take away / restaurant;
 - c. Sports and leisure facilities
- 5. Hotel;
- 6. Car dealership;
- 7. Incorporation of Green Infrastructure, including:
 - a. A significant depth of native woodland screening and wildlife habitats along the southern and western boundaries, of a minimum width of 40 metres with an average width of 70 metres, to offset detrimental visual impact to the open countryside and residential amenity and to provide a habitat of ecological value;
 - b. Existing hedgerows and mature trees should be incorporated wherever possible;
 - c. Allotments;
 - *d.* Open space including Multi Use Games Area; outdoor gym; equipped children's play space;
 - e. Development must not have an adverse impact on the established Great Crested Newt habitat areas;
- 8. Improvements to existing and the provision of new pedestrian and cycle links to connect the site to existing and proposed residential areas, employment areas, shops, schools and health facilities;

- 9. Protection of the amenity of residential properties along Crewe Road and in the vicinity of the Cheshire Cheese public house;
- 10. A financial contribution will be sought from developers to fund tree planting at appropriate locations;
- 11. On site provision, or where appropriate, relevant contributions towards transport and highways, education, health, open space and community facilities;
- 12. The development would be expected to contribute to improvements to existing and the provision of new public transport links to Crewe railway station, Crewe town centre and local villages;
- 13. The development would be expected to contribute towards road infrastructure improvements, including the Crewe Green Link Road South and Junction 16 of the *M*6;
- 14. Continued access to and servicing of the adjacent railways; and
- 15. The site has potential for the provision of rail sidings with good rail access for the trans-shipment of freight between railway and road and/or rail connected warehousing and distribution. If this is not provided within the site, a larger contribution to road infrastructure improvements will be required.

The application is therefore in accordance with the principles of the Draft Development Strategy and the Crewe Town Strategy. The NPPF consistently underlines the importance of plan–led development. It also establishes as a key planning principle, the fact that local people should be empowered to shape their surroundings.

Viability

The developer has submitted a viability appraisal, which indicates that the development of the whole site for employment purposes is not economically viable. Under the provisions of the NPPF economic viability is an important material 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.

The applicant's FVA has been independently scrutinised on behalf of the Council by Gerald Eve. They have raised a number of queries in respect of the submitted information. However, they have concluded that notwithstanding these queries, the appraisal clearly demonstrates that to develop the whole site for employment purposes would not be economically viable and on this basis the development would be unlikely to come forward in the foreseeable future. Consequently, it would not deliver the jobs and other benefits such as highways improvements, including the contribution to the Crewe Green Link road, which are integral parts of the "All Change for Crewe".

Conclusion

The site is allocated as a Regional Warehouse and Distribution Park within the adopted Local Plan and therefore residential and other uses would be contrary to development plan policy. However, the site is identified as deliverable within the next 5 years in the SHLAA

and forms part of the Councils identified 5 year supply of housing land. It is also a preferred option in the emerging Development Strategy and the Crewe Town Strategy. Furthermore, the previous scheme, which comprised entirely B1, B2 and B8 development in accordance with the Local Plan allocation, has been demonstrated to be unviable. In order to ensure that the site is delivered, it is necessary to introduce higher value uses in order to make it economically viable. The delivery of the employment elements of the site, as well as the contributions that it will make towards infrastructure improvements, including the A500, Crewe Green Link Road and the spine road, are considered to be of vital importance to the delivery of "All Change for Crewe" as well as the Development of the site for the proposed mix of uses is therefore considered to be acceptable in principle.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

"Sustainable means ensuring that better lives for ourselves don't mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment"

Accessibility is a key factor of sustainability that can be measured. A methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

The criteria contained within the North West Sustainability Checklist are also being used during the Sustainability Appraisal of the Cheshire East Local Plan. With respect to accessibility, the toolkit advises on the desired distances to local facilities which developments should aspire to achieve. The performance against these measures is used as a "Rule of Thumb" as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions. The results of an accessibility assessment using this methodology are set out below.

Category	Facility	Basford West
Open Space:	Amenity Open Space (500m)	0m
	Children's Play Space (500m)	Om
	Outdoor Sports Facility (500m)	0m
Local Amenities:	Convenience Store (500m)	0m
	Supermarket* (1000m)	2097m

	Post box (500m)	1572
	Playground / amenity area (500m)	0m
	Post office (1000m)	2005m
	Bank or cash machine (1000m)	1408m
	Pharmacy (1000m)	1550m
	Primary school (1000m)	1646m
	Secondary School* (1000m)	2341m
	Medical Centre (1000m)	1550m
	Leisure facilities (leisure centre or library) (1000m)	2341m
	Local meeting place / community centre (1000m)	1898m
	Public house (1000m)	0m
	Public park or village green (larger, publicly accessible oper space) (1000m)	1190m
	Child care facility (nursery or creche) (1000m)	1646m
Transport Facilities:	Bus stop (500m)	0m
	Railway station (2000m where geographically possible)	2069m
	Public Right of Way (500m)	0m
	Any transport node (300m in town centre / 400m in urban area)	2069m

Disclaimers:

The accessibility of the site other than where stated, is based on current conditions, any on-site provision of services/facilities or alterations to service/facility provision resulting from the development have not been taken into account.

* Additional parameter to the North West Sustainability Checklist

Measurements are taken from the centre of the site

Rating	Description	
	Meets minimum standard	
	Fails to meet minimum standard (Less than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).	
	Significant failure to meet minimum standard (Greater than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).	

The proposal does not meet the minimum standards of accessibility in respect of 14 of the facilities listed, of which 11 are significant failures. The site only meets the required distances against 8 criteria in North West Sustainability checklist. However, these facilities are within the town, albeit only just outside minimum distance. Development on the edge of a town will always be further from facilities in the town centre than existing dwellings. However, if there are insufficient development sites in the Town Centre to meet the 5 year supply, it must be accepted that development in slightly less sustainable locations on the periphery must occur.

It should also be recognises that similar distances exist between the town centre and the existing approved sites and proposed local plan allocations at Coppenhall, The Triangle, Leighton and Maw Green.

A number of facilities in the checklist such as bus stop, open space and convenience store will be provided on site. Also there is possibility of and potential for others such as child care facilities, post box or local meeting place to also be included within the development.

Accessibility is only one aspect of sustainability and the NPPF defines sustainable development with reference to a number of social, economic and environmental factors, these include the need to provide people with places to live and, on this basis, it is not considered that the Council would not be successful in defending a reason for refusal on the grounds of lack of sustainability. Furthermore, it is possible to improve the non-car mode accessibility through suitable Section 106 contributions.

Previous Inspectors have also determined that accessibility is but one element of sustainable development and it is not synonymous with it. There are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development.

Matters of design, scale layout and appearance, are reserved for a future application. Therefore aspects of the design relating to climate change and sustainability cannot be discussed in detail at this stage. According to the Design and Access Statement:

"The outline application includes a surface water drainage system (SUDS) to prevent run-off from the whole Basford West site......The BREEAM and Code for Sustainable Homes levels for the site will be determined by the reserve matters application. However, passive design and 'fabric first' approaches need to be incorporated into the design of buildings to reduce the reliance on fossil fuels. The new facilities proposed in this application will provide facilities for existing and proposed residents reducing the need to travel."

On the basis of the above, it is considered that the scheme has the capability to meet the NPPF in terms of sustainable design and a detailed scheme can be secured as part of the reserved matters through the use of conditions.

With regard to the issue of economic development, an 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:

- 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.

The proposed development will bring 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.

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."

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."

Loss of Agricultural Land

Policy NE.12 of the Local Plan states that development on the best and most versatile agricultural land (grades 1, 2 and 3a in the ministry of agriculture fisheries and food classification) will not be permitted unless:

- the need for the development is supported in the local plan;
- it can be demonstrated that the development proposed cannot be accommodated on land of lower agricultural quality, derelict or non agricultural land; or
- other sustainability considerations suggest that the use of higher quality agricultural land is preferable to the use of poorer quality agricultural land.

In this case, the previous approval and the allocation of the site for development in the adopted Local Plan, has established the acceptability in principle of the loss of agricultural land on this site. Consequently, it is not considered to be an issue which can be revisited at this stage.

Impact of Local Centre

The proposal includes provision of a local centre comprising a total of 1200sqm square metres of retail floorspace made up of a neighbourhood foodstore of 600sqm and other food

and non-food retail units totalling 600sqm. In addition, the scheme proposes 300sqm of restaurant / public house and 1000sqm of offices.

The site lies outside of the town centres of Crewe and Nantwich, as defined in the Local Plan, where Policy S.10 states that major retail developments will be permitted only if all of a number of criteria are met. According to the supporting text major proposals for the purposes of this policy will be regarded as those with a gross floorspace of over 2500 sqm.

Similarly, the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. However, it goes on to state that local planning authorities should only require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2500 sqm).

The Local Plan policies have been saved. As a result, it is concluded that the proposal is in accordance with the up-to-date development plan. The total retail floorspace within proposed local centre would by 1200sqm and would thus remain under the 2500 sqm, and even taking into account the 1000sqm of offices and 300sqm of restaurant public house, the town centre uses on the site would not exceed the 2500 sqm threshold.

Therefore, under the provisions of both the Local Plan Policy and the NPPF, it is not necessary for the developer to demonstrate that there is a proven need for the development; a sequential approach to site identification has been followed; or that the proposal, will not harm the vitality or viability of another shopping centre. Furthermore, the proposed local centre would improve considerably the sustainability credentials of the site. The revised proposal is therefore acceptable in terms of retail impact.

Affordable Housing

The site is located in the parishes of both Basford and Shavington-cum-Gresty. However, the majority of the residential area of the proposal is located in the Shavington-cum-Gresty Parish. The Interim Planning Statement: Affordable Housing (IPS) states that for windfall sites in settlements with populations of 3000 or more the Council will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or than 0.4 hectare in size.

It then goes on to state that the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment. This proportion relates to the provision of both social rented and/or intermediate housing, as appropriate.

As the proposal includes upto 370 residential dwellings, there is a requirement for affordable housing provision. This should be 30% of the total dwellings, and the proportion of the social rented and intermediate housing should be as per the preferred tenure split identified from the SHMA 2010 which is for 65% rented and 35% intermediate tenure. The affordable housing

requirement equates to 111 affordable dwellings, of which 72 should be rented and 39 should be intermediate.

The Strategic Housing Market Assessment 2010 identified a need for 155 new affordable homes in the Wybunbury & Shavington sub-area between 2009/10 - 2013/14, made up of an annual requirement for 5 x 1 beds, 10 x 2 beds, 4 x 3 beds, 7 x 4/5 beds and 4 x 1/2 bed older persons dwellings.

Basford is located in the Haslington & Englesea sub-area, where the SHMA 2010 identified a need for 115 new affordable homes between 2009/10 - 2013/14, made up of an annual requirement for 2 x 1 beds, 7 x 2 beds, 9 x 3 beds, 4 x 4/5 beds and 1 x 1/2 bed older persons dwellings.

There are currently 95 applicants on the waiting list for social rented housing with Cheshire Homechoice who have selected Shavington as their first choice. These applicants require 30 x 1 bed, 37 x 2 bed, 18 x 3 bed and 7 x 4 bed (3 applicants haven't specified how many bedrooms they need). There are 5 applicants who have selected Basford as their first choice, and these applicants require 1 x 1 bed, 2×2 bed, 1×3 bed and 1×4 bed.

There has been no delivery of the affordable housing required in the Wybunbury & Shavington sub-area to date. There is, however, anticipated delivery of up to 188 affordable homes following planning approval for the Stapeley Water Gardens site, the Planning Inspectorate's decision on Rope Lane, Shavington and the recent planning resolution to approve outline application for Land South of Newcastle Road (application 12/3114N).

It seems unlikely that much of the anticipated affordable housing required will be delivered by 2014, as the only development currently on site is Stapeley Water Gardens. In this case, the Registered Provider involved anticipates delivery of the affordable housing by March 2015.

The SHMA 2010 is currently being updated and therefore, Housing Officers would like to be able to agree the type of affordable housing to be provided when the reserved matters application(s) is submitted.

As this is a larger development, it is anticipated that the residential dwellings may be delivered in phases. If this is the case, Housing Officers would like to see a percentage of affordable dwellings provided on each phase to ensure they are delivered periodically throughout the construction period.

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

The Affordable Housing IPS also states that affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency and should achieve at least Level 3 of the Code for Sustainable Homes (2007). The design and construction of affordable housing should also take into account forthcoming changes to the Building Regulations which will result in higher build standards particularly in respect of ventilation and the conservation of fuel and power.

The Affordable Housing Interim Planning Statement states that:

"The Council will require any provision of affordable housing and/or any control of occupancy in accordance with this statement to be secured by means of planning obligations pursuant to S106 of the Town and County Planning Act 1990 (as amended)

It also goes on to state:

"In all cases where a Registered Social Landlord is to be involved in the provision of any element of affordable housing, then the Council will require that the Agreement contains an obligation that such housing is transferred to and managed by an RSL as set out in the Housing Act 1996.

Finally, the Affordable Housing IPS states that no more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided, with the exception that the percentage of open market dwellings that can be occupied can be increased to 80% if the affordable housing has a high degree of pepper-potting and the development is phased.

Given that the proposal is submitted in outline, there is no requirement to provide this level of detail with this application. However, the requirements of the IPS as set out above can be secured at reserved matters stage through the Section 106 Agreement.

Noise and Vibration

A Noise Impact Assessment has been submitted with the application. The Environmental Health Officer has examined the report and commented that, the day and night-time noise predictions with the Development for the year 2019 indicated that the majority of the residential site falls within Category B. The land adjacent to the A500, Crewe Road and the Spine Road to the north of the roundabout that provides access to the commercial development falls within a category where noise mitigation is required.

The applicant has made reference to a potential scheme of acoustic insulation with the application. In order to ensure that future occupants of the development / occupants of nearby sensitive properties do not suffer a substantial loss of amenity due to noise, conditions should be imposed requiring the submission of a detailed noise mitigation scheme with the reserved matters application.

Any mitigation shown as part of the report must achieve the internal noise levels defined within the "good" standard within BS8233:1999.

The scheme must also include provisions for ventilation that will not compromise the acoustic performance of any proposals whilst meeting building regulation requirements.

There are no details available with regard to mechanical services plant at the commercial units. If mechanical services plant is installed at the unit, it should be located well away from the nearby residential units and be designed such that the noise should not exceed the

existing background noise levels, in accordance with BS 4142:1997. This detail can also be secured by condition.

The construction phase of the development also has the potential to create noise nuisance. Therefore, it is recommended that conditions are imposed requiring the submission, approval and implementation of an Environmental Management Plan. The plan should address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase. In particular the plan should included details in respect of hours of operation, piling techniques, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes.

Air Quality

An Air Quality Impact Assessment has been submitted with the application. The report considers both the construction and operational impacts of the proposed development. Environmental Health have examined the report and raised no objections in principle but have expressed some concern that the report has not considered a sensitive receptor in the form of the Crewe Town centre Air Quality Management Area (AQMA)

This matter has been brought to the attention of the developer and they have responded by stating that no assessment of receptor in Crewe Town centre AQMA has been undertaken as no traffic data could be provided because it is a considerable distance away from the site (out of the scope of the original Transport Assessment). Furthermore, the Crewe Green Link Road, which this development will help to facilitate, will reduce traffic within Crewe Town Centre, and will reduce the extent of pollution problems within the AQMA.

The Environmental Health Officer has also commented that in order to mitigate against any negative air quality impacts, mitigation should be adopted in the form of direct measures to reduce the impact of traffic associated with the development. As such conditions are recommended requiring the submission of a residential travel plan for the site. Individual Travel Plans should also be developed for all commercial occupants with the aim of promoting alternative/low carbon transport options for staff and patrons. A condition requiring the provisions of Electric Car Charging Points is also recommended. The developer has commented that a low emission strategy needs to be incorporated to mitigate all air quality effects. This has agreed to be conditioned by the Environmental Health Officer.

There is potential for dust generated during the development to have an impact in the area. Therefore, the Environmental Management Plan, referred to above should identify all potential dust sources and outline suitable mitigation. The plan should also include details of construction waste management and should specify that there shall be no burning of materials on site during demolition / construction. The plan should be implemented and enforced throughout the construction phase.

The proposed commercial uses, include hotel, pub and restaurant uses, have the potential to create nuisance as a result of the discharge of odours and fumes arising from food handling, preparation and cooking. Therefore conditions are recommended requiring a scheme of odour / noise control to be submitted and approved.

Contaminated Land

The application site has a history of agricultural use and therefore the land may be contaminated and is within 250m of an area of ground that has the potential to create gas. Furthermore, the application is for new residential properties which are a sensitive end use and could be affected by any contamination present.

The applicant has provided a Phase I Preliminary Risk Assessment for contaminated land which includes the limited results of some Phase II site investigations undertaken on the site. Six trial pits from the White Young Green investigation appeared to encounter contamination at shallow depths. However, further chemical analysis of these samples has not been undertaken and there is no mention of this contamination within the body of the report. Also, the potential for the adjacent former sand pit to have been infilled and therefore generate ground gases has not been considered within the report. Therefore, further investigation of the area currently occupied by the farm on the north west of the site is required, in particular any areas of waste, chemical or fuel storage. Should any areas of fill or quantities of made ground be encountered during the supplementary investigation, an appropriate ground gase risk assessment should be undertaken.

The Council's Environmental Health Officer has recommended conditions requiring an updated Phase II contaminated land investigation to be carried. If this indicates that remediation is necessary, then a Remediation Statement detailing proposed mitigation shall be submitted and approved and implemented. Subject to compliance with these conditions, the proposal is considered to be acceptable in terms of contaminated land.

Drainage and Flooding

The applicant has submitted with the application, a detailed Flood Risk Assessment (FRA). The findings of the report can be summarised as follows:

- This report demonstrates that the proposed development is not at significant flood risk, subject to the recommended flood mitigation strategies being implemented.
- There are a number of existing planning applications registered for the site, and this FRA has been written specifically to support an outline application for a mixed use development on the western portion of the wider site.
- Flood Zone mapping prepared by the Environment Agency identifies the site as being located in Flood Zone 1 (Low Probability). The Gresty Brook is located along the northern boundary of the site, with a smaller unnamed tributary of the Gresty Brook located along the southern boundary of the site. Site-specific hydraulic modelling has confirmed that the risk from these watercourses is negligible.
- An outline surface water drainage strategy has been prepared by THDA Ltd that is based on sustainable drainage principles. A series of cascading ponds and swales provide both storage for development drainage in addition to numerous stages of treatment to runoff prior to discharge from the site.
- In compliance with the requirements of National Planning Policy Framework, and subject to the mitigation measures proposed, the development could proceed without being subject to significant flood risk. Moreover, the development will not

increase flood risk to the wider catchment area as a result of suitable management of surface water runoff discharging from the site.

United Utilities and the Environment Agency have considered the report and raised no objections, subject to the imposition of appropriate planning conditions. It is therefore concluded that the proposed development will not adversely affect onsite, neighbouring or downstream developments and their associated residual flood risk.

Layout and Design

Residential

The submitted indicative Masterplan illustrates the potential form and layout of the development. It shows points of access from the spine road to the east and the realigned Crewe Road to the north, as well as a circular distributor road. Blocks of development are arranged fronting on to an area of Public Open space, along the boundary with the existing ecological mitigation area to the west.

A further substantial area of landscaping and bunding is proposed along the sides of the new spine road, which will separate and screen the residential part of the site from the employment development.

Subject to a suitable detailed layout and design, reflecting Manual for Streets principles, it is considered that this form of development is appropriate and will reflect the character of the existing suburban development to the north of the site.

An illustrative layout has been provided that demonstrates that the maximum number of dwellings proposed (370) can be accommodated on the site in addition to public open space requirements, whilst maintaining an adequate standard of residential amenity for existing and proposed occupiers and a layout of sufficiently high quality in urban design terms.

Furthermore, there is no requirement to provide this level of information at the outline stage, and the details design and layout can be addressed at the reserved matters stage. If necessary, the total number of units on the site can be reduced below 370, in the final layout in order to produce a scheme of suitable quality.

To turn to the elevational detail, the surrounding development comprises predominantly 1930's semi-detached properties arranged in a ribbon development along Crewe Road and more modern cul-de-sac development made up of 1960, 70's and 80's 2 storey detached and semi-detached houses and bungalows in the south of Crewe, beyond the railway line to the north. Although external appearance and design are also reserved matters, it is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area.

The appearance of the development will be determined by the reserve matters application. A parameters plan has been submitted with the application and a design code can be secured by condition. Both of these will help to inform the reserve matters application and ensure that the proposed layout and the type of housing will respect the appearance and character of the surrounding area.

Local Centre

The proposed local centre uses are positioned to the north of the site, on the opposite side of the realigned Crewe Road, adjacent to the proposed roundabout junction with the new spine road. In this position they will be separated from the proposed residential uses by the road, which will mitigate any adverse impact on amenity. They will also provide a buffer between the existing and proposed industrial development, (including Mornflake factory and the DRS Rail depot) and the proposed housing, which will also be to the benefit of residential amenity. They will also benefit from passing trade and will be readily accessible to users from the proposed housing and employment development as well as existing residents.

Given their prominent location on the roundabout junction, they also provide the opportunity for statement architecture, and the creation of a gateway feature. This can also be secured through a Design Code, which, as stated above, can be a condition of any approval.

Car Showroom and Hotel

These uses will be located adjacent to the A500 junction, where they will benefit economically from a prominent location. As with the local centre, they provide an opportunity for statement architecture and will provide a transition zone between the more noisy and polluting B2 and B8 proposed industrial and commercial uses to the east of the site and the proposed residential area to the west, which will help to protect the amenity of future occupiers.

Conclusion

In summary, the overall masterplan demonstrates a considered and logical approach to the site layout and subject to conditions relating to design coding to control the detail of the scheme, it is considered that the proposal will comply with local plan policy BE2 (design) and the provisions of the NPPF in this regard.

Amenity

It is generally considered that in New Residential Developments, a distance of 21m between principal windows and 13m between a principal window and a flank elevation is required to maintain an adequate standard of privacy and amenity between residential properties. A minimum private amenity space of 50sq.m is usually considered to be appropriate for new family housing.

The layout and design of the site are reserved matters and it is considered that the dwellings could be accommodated on the site, whilst maintaining these minimum distances between existing and proposed dwellings, (particularly given that the majority of the neighbouring properties, which front on to Crewe Road, are located on the opposite side of the substantial ecological mitigation area.)

The layout and design of the site are reserved matters and, in the absence of a testing layout, it is difficult to determine whether the proposed number of dwellings could be accommodated on the site, whilst maintaining these minimum distances between dwellings. However, there is

no requirement to provide this information at the outline stage and it is considered that this issue would need to be addressed in detail as part of the reserved matters application.

The Environmental Health Officer has requested a condition requiring details of the location, height, design, and luminance of any proposed external lighting to be submitted to ensure that the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties. It is considered that this is a necessary and reasonable condition to protect the living conditions of neighbouring occupiers.

Subject to the above it is concluded that the proposed development would be acceptable in amenity terms and would comply with the requirements of Policy BE.1 of the Local Plan.

Education

The Council's Education Officer has examined the application and concluded that a development of 370 dwellings will generate 67 primary and 48 secondary aged pupils.

Taking into account primary schools within 2 miles of the development and secondary schools within 3 miles of the development and information on numbers on roll, capacities and forecasts, cumulatively the primary schools are forecast to be oversubscribed by 2013. In light of this a contribution of £722,363 is required. This can be secured through the Section 106 Agreement.

The secondary schools have sufficient places to accommodate this development.

Open space

Policy RT.3 requires that on sites of 20 dwellings or more, a minimum of 15sqm of shared recreational open space per dwelling is provided and where family dwellings are proposed 20sqm of shared children's play space per dwelling is provided. This equates to 5,550sqm of shared recreational open space and 7,400sqm of shared children's play space which is a total of 12,900sqm of open space.

The submitted layout makes provision for 9600sqm of recreational open space, 2000sqm of equipped childrens play area and 8700sqm of general childrens play space. The proposal therefore exceeds the minimum quantum of open space requirements. At the time of report preparation, comments were awaited from the Council's Greenspaces Officer with regard to the nature of the provision, and a further update on this matter will be provided prior to committee.

A private resident's management company would be required to manage all of the greenspace on the site. All of the above requirements could be easily secured through the Section 106 Agreement and through the Reserved Matters application process.

Ecology

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

(a)in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Local Plan Policy NE.9 states that development will not be permitted which would have an adverse impact upon species specially protected under Schedules 1, 5 or 8 of the wildlife and Countryside Act 1981 (as amended), or their habitats. Where development is permitted that would affect these species, or their places of shelter or breeding, conditions and/or planning obligations will be used to:

- facilitate the survival of individual Members of the species
- Reduce disturbance to a minimum
- Provide adequate alternative habitats to sustain the current levels of population.

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."

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case specific advice has been sought from the Council's Ecologist has commented that great crested newts are unlikely to be significantly directly affected by the proposed development provided the proposed footpath through the existing mitigation area is low key in nature. This assessment is based on the submitted ecological assessment which states that the footpath will consist simply of mown grass.

The ecological mitigation area, particularly the ponds and protected species within the mitigation area are however vulnerable to impacts associated with public access. The

application includes proposals for the regularisation of public access into the mitigation area by means of fencing and thicket planting. This approach is considered to be acceptable. However, both the design of the footpath and the fencing and planting associated with the footpath and western boundary of the public open space should be secured by means of a planning condition.

It is some time since a protected species survey of the entire site has been undertaken and an oak tree on site has been identified as having potential to support roosting bats.

To ensure that the determination of this application is informed by a full and up to date assessment of its ecological impacts, the Council's Ecologist advised that a revised protected species survey of the application site and a bat survey of the oak tree be undertaken and a report to together with any revised mitigation proposals be submitted prior to the determination of the application.

Further surveys for badgers and bats have been carried out by the applicant as per the initial consultation response from the LPA ecologist. These were submitted to the Council and have been assessed by the LPA ecologist who has confirmed that he is happy with their conclusions.

To ensure there is no disturbance of bat foraging or commuting activity as a result of inappropriate or excessive lighting a condition should be attached to any permission granted requiring any reserved matters application to be supported by a detailed lighting scheme.

The established ecological mitigation area is currently monitored and managed through an agreement secured as part of the outline consent for this site. As the current application is a departure from the outline consent it is essential that the mechanism for securing the ongoing management and monitoring of the mitigation area is not compromised by the grant of planning permission for this current application.

The Council's Ecologist has also advised that the majority of remaining habitats on site are of relatively low nature conservation value. The submitted indicative layout shows the retention of the remaining hedgerows within the proposed open space areas, which is commendable. On this basis, subject to the proposal is considered to be acceptable

Impact on Public Right of Way

A public right of way footpath number 2 Shavington-cum-Gresty enters the site adjacent to the dwelling at 358 Crewe Road, Shavington and passes to the east of Springbank Farm. The footpath becomes footpath Number 11 Basford and traverses the application are roughly parallel to the railway but through the fields 80-100m away from the railway land. Outside the application area the footpath crosses the A500 and passes south to the east side of Larch Avenue, Basford. The application proposes that this footpath be diverted to pass along the side of the spine road and then along the landscaping on the southern site boundary. Whilst the new route along the spine road would create a very different character to the area in which the footpath is located the southern section through the landscaping will provide a softer planted environment for any walkers using it. Any proposal for diversion of this right of way under the Planning Act cannot be considered until the outline and all appropriate reserved matters applications have been approved. An alternative approach would be to

consider allowing the route to pass through the landscaping and wildlife mitigation areas on the west of the site. However it is not possible to consider the effects of the development on the right of way, in detail, until such time as the appropriate reserved matters applications are submitted.

Archaeology

Policy BE.16 of the Replacement Local Plan allows development where it is demonstrated that there would be no damage to known or presumed archaeological interests. The County Archaeological Officer commented in respect of the previous application that he did not require any further pre-application determination work and advised that a condition be attached to any permission for further investigation of four areas of minor geophysical anomalies, the recording of sections through an ancient township boundary and a report. Subject to this condition being added to any further approval, it is considered that the proposal would comply with Policy BE16.

Landscape and Trees

Although the application is submitted in outline, approval is sought at this stage for landscaping. The site has been subject to several planning applications the latest previous one being P08/1258 which contained a Landscape Design Statement. A Section 106 Agreement signed by the applicant on 12th May 2008 is currently in place. Pre application planning advice was supplied on 27th November 2012 (Ref. PRE/0845/12) and since then there has been ongoing negotiation and revision of plans in respect of the landscape aspects of the scheme. Landscape matters are covered by the Design Parameters plan 0100-0006, Landscape Framework plan PL07 Rev H, and the Landscape Concept Drawings PL02 RevA, PL03 RevA, PL04 RevB. These provide details of the structural elements of landscaping around the periphery of the areas identified for the various land uses and alongside the proposed spine road. However, they do not cover the detailed, small scale areas of landscaping which would need to be provided, within each of those areas.

It is accepted that the submitted scheme for the woodland/landscape and SUDs (sustainable urban drainage) area, between the employment land and the housing area, offers the highest degree of buffering that can be achieved without significantly compromising the viability of the scheme. Proposals for a robust boundary to the existing ecology mitigation area and a 25 – 40 metre wide strip of public open space (POS)/community woodland between the mitigation area and housing will both protect the mitigation area and provide an extensive visual separation between the houses on Crewe Road and the new development. The landscape buffer along the spine road together with the POS/ecological mitigation area provides a robust landscape structure for the new development and an appropriate landscape for this important gateway into Crewe.

The main part of the site has been cleared of hedgerows and trees under previous planning applications. A hedgerow and hedgerow trees were retained along what was to be the western boundary of the employment development. This boundary hedge is to be substantially retained within the new application and remaining trees are protected by a Tree Preservation Order (TPO 213 Basford West Wildlife Area).

The proposed POS can accommodate an equipped play space and outdoor gym within a community woodland setting. In order to protect the ecological mitigation area and ensure appropriate separation from other facilities a lit multi use games area (MUGA) is to be positioned on the residential side of the retained boundary hedge. All these facilities and woodland planting/landscaping of the POS will be considered as part of any detailed planning applications submitted by developers of the residential area.

The Council's Heritage and Design Manager is satisfied that the above drawings and relevant parts of the Design and Access Statement form a suitable landscape scheme subject to the following conditions and recommendations:

- 1) A detailed landscape scheme should be submitted for approval prior to commencement on site.
- 2) A tree survey and tree protection plan in accordance with BS 5837 (2012) should be submitted for approval prior to commencement on site.
- 3) The agreed landscape scheme should be implemented within the first planting season after commencement of development.
- 4) No development should take place until details of all earthworks have been submitted and approved. The bunds on either side of the spine road should be constructed with the upper 1.5 metres of soil loose tipped in order to avoid compaction of the rooting medium, thereby promoting more rapid and taller tree growth. This approach is detailed within Forest Research BPG Note 4. Allowance should be made for settlement over the first year in order to achieve required finished levels.
- 5) A management plan to include all landscape areas and public open space (within this application) should be submitted and approved prior to commencement of landscape works. This should include long term objectives and proposals for management in perpetuity that can be included within a Section 106 Agreement.
- 6) A five year landscape establishment management plan should be submitted and approved prior to commencement of landscape works.
- 7) Any landscape planting that fails within the first 5 years after planting should be replaced on a like for like basis unless agreed in writing with the LPA.
- 8) Reiterate previous Sect 106 agreements in particular concerning the public access from the NW corner of the site, and funding to be made available for public access to the SW corner of the site. It is suggested that agreement about a financial sum for offsite tree planting should be modified in scope to include habitat mitigation measures in addition or as an alternative to tree planting.

Weston and Basford Parish Council have requested that the applicant landscape the southern side of the A500. However, Goodman is not able to do this as they do not own the land. Weston and Basford Parish Council also commented on the southern boundary landscape scheme. The applicants have submitted numerous plans along with the subsequent extension east, the cross sections, and the species amends that were made to deal with these issues when they were previously raised. However, the southern boundary landscape scheme is not part of this planning application but it is stated on the residential application drawing PL07 Rev H 'Landscape Framework Plan' that 'Areas of strategic landscape to be installed in accordance with previous application and approved drawings'.

Impact on Railway

Network Rail has expressed concerns about the potential noise, dust or light pollution from railway operations to result in complaints from prospective occupiers. However, the residential site is separated from railway by the residual part of the employment site and a substantial amount of screen planting and earth bunding is proposed along the spine road between the two principal land uses on the site. Furthermore, the noise and air quality impact assessments, which are requested by Network Rail have already been undertaken, and are discussed in detail above. Those assessments have identified appropriate mitigation measures which can be secured by condition. In view of this, and in the absence of any objection from the Council's environmental Health Officers, it is not considered that a refusal on these grounds could be sustained.

Network Rail has also raised concerns regarding the potential for trespass on the railway from the area of community woodland. However, this can be prevented through the imposition of the standard boundary treatment condition.

Similarly, the drainage concerned that have been raised can also be resolved through hthe implementation of standard conditions requiring the detail of the scheme of drainage to be submitted and approved.

Highway Safety and Traffic Generation.

A Transport Assessment has been submitted with the application which can be summarised as follows:

- Outline planning approval was given for the comprehensive development of the Basford West site in May 2008 (App Ref: P03/1071).
- The developer is already committed to delivering significant infrastructure improvements to assist the comprehensive development of the Basford West site including a financial contribution towards the Crewe Green Link Road. The other proposed improvements are:
- A contribution is to be made to footpaths and cycle lanes of £325,703. This will enhance pedestrian access to and from the site through the following schemes:
 - Improved footway/cycleway from Claughton Avenue to Davenport Avenue via Smalbrook Walk;
 - Improved footway/cycleway from Davenport Avenue to Railway Line via Clough Walk;
 - Improvement works to Gresty Green Road;
 - o Improvement works along Crewe Road B5071; and
 - The provision of a new pedestrian/cycleway from Phase 1 to Crewe Road B5071
- In addition to the bus services that currently exist, the developer will make a £300,000 contribution to improving public transport provision in the area. This would help enhance the existing provision, and would in particular be aimed at assisting employees to access employment opportunities without the need to drive by car.
- The new development strategy is to make an application for residential and ancillary land uses to act as enabling development to fund the infrastructure costs of the development. It should be stressed that the trips from the amended land uses are in fact less than the thresholds agreed as part of the outline planning permission for the previous employment scheme.

- As part of the on-going measures to promote travel to the site by sustainable transport modes and to reduce single occupancy car journeys the car parking provision would be purposefully constrained to a level below the maximum permitted car parking provision for the land uses proposed. The car parking provision for each individual plot will be discussed with the Local Authority at reserved matters stage.
- In conjunction with a detailed management strategy and the overarching travel plan measures this would assist in ensuring peak hour trip demand is kept within the agreed maximum thresholds set out in the s106 agreement.
- A maximum trip generation threshold of 861 trips has long been established as part of the outline planning permission for the Basford West scheme to ensure that the local and strategic highway network continues to function following comprehensive development of the Basford sites. A higher threshold figure of 1003 should the scheme proceed without a rail connection, has now been approved by the Council.
- The trip generations for the current masterplan scheme, with the inclusion of the application land, has been calculated at 831 trips for the 'with rail' scenario and 953 if the rail connection does not proceed a fall of 4.5% and 5% respectively when compared against the all employment scheme. There is a consequential reduction in vehicle movements on the wider highway network and also a fall in the number of HGVs.
- It has therefore been demonstrated that the proposals to incorporate the application site proposals into the overall Basford West masterplan will continue to achieve the stringent trip generation targets agreed as part of the outline planning approval and the s106 agreement.
- Travel planning will continue to be managed via a site wide Umbrella Travel Plan with each subsequent plot being accompanied by an individual Subsidiary Travel Plan to be submitted with the respective reserved matters planning application.
- The operation of the transport network has been tested for capacity with the addition of committed development traffic, or those going to appeal at the 2014 opening and 2019 design year.
- The new spine road junctions all operate efficiently and would represent a quality gateway approach into Crewe. The existing Crewe Road to the west of the site would experience a reduction in traffic and therefore benefit from an improved highway environment. To the north on Gresty Road there is an increase in development traffic flows resulting from more residential and employment trips between the site and Crewe Town Centre.
- This additional traffic does potentially result in extra queues and delays at the junction of Gresty Road with South Street and Catherine Street and also the signals of South Street and the A534. However, this represents a worst case scenario as the completion of the Crewe Green Link Road financed by developer contributions would result in a significant reduction in traffic flow in Crewe Town Centre including Gresty Road and on the A534. The completion of the CGLR represents significant mitigation for the increased development trips.
- Further to the east, we expect a proportion of the traffic to use the Crewe Green Link and therefore the volumes using the Barthomley link and also J16 of the M6 to very low and would be within the normal daily variation of flow and consequently the implications of this traffic would not be perceptible. No improvements are therefore necessary or proposed at Junction 16 of the M6.

- No material road safety issues are expected to arise as part of the development proposals.
- The outline planning permission for the Basford West scheme establishes the principles for comprehensive development on the site.
- It has been demonstrated that the proposals to replace some of the employment use with residential will have no impact on the maximum development thresholds agreed for the site.
- Based on the above positive findings it is considered that the proposals to develop residential use on Basford West as well as complementary land uses as part of the masterplan are acceptable in highway and transportation terms for planning approval

The Strategic Highways Manager has considered the application and raised no objection to the design and layout of the spine road or the site access arrangements. He has, however, requested the relocation of the southern bus stop to achieve better access to the residential development and the provision of protection on the stopped up section of Crewe Road to prevent vehicular access. The former issue has been brought to the attention of the developer and an amended plan is expected shortly, whilst the latter can be easily dealt with through an appropriately worded condition.

The Strategic Highways Manager has also raised no objections, with regard to the impact of traffic generation on the wider network, subject to the same package of financial contributions towards off-site improvement works that were to be provided as part of the previous consent being secured through a Section 106 Agreement. These include

- £3,200,000 contribution towards the Crewe Green Link Road
- o £300,000 contribution to improving public transport provision in the area.
- £325,703 contribution to improving footpath and cycle lane access to the site in the following areas:
 - Claughton Avenue to Davenport Avenue
 - Davenport Avenue to the railway line
 - Improvements to Gresty Green Road
 - Improvements along Crewe Road
 - Provision of a pedestrian/cycleway into the site from Crewe Road
- £200,000 contribution to traffic management and regulation.
- A contribution of £2,500,000 towards improving access to the congested A500 corridor serving the site from the M6 at Junction 16.

Section 106 Package and Viability Issues

The developer has submitted a viability appraisal, undertaken by consultants Savilles, of the residential scheme, which indicates that it is not possible to provide the highway contributions outlined above as well as the required level of affordable housing.

It also indicates that, even with a reduced level of affordable housing, it would not be viable to provide the requested £2,500,000 towards improving the A500 corridor. However, in respect of the latter point, the Council has recently secured in principle £2.7m of "pinch point" grant funding from central government to subsidise the cost of providing the Basford West spine road, which the developer will be expected to deliver themselves under a Section 278 Agreement, in addition to the Section 106 financial contributions to schemes delivered by the Council.

This will reduce the cost to the developer of the provision of the spine road, and therefore, provided that this funding is received by the Council, which is dependent upon its compliance with the conditions of the grant, it will be viable for the developer to provide the requested A500 contribution.

On the basis of the above the developer has offered the following Section 106 package:

- Provision of education contribution of £722,363 (on the basis of 370 units) as requested by the education officer
- 10% affordable housing with a tenure split of 65% affordable rent and 35% intermediate housing
- £3,200,000 contribution towards the Crewe Green Link Road
- £2,500,000 towards improving access to the congested A500 corridor only payable on receipt of pinch point funding by the Council to subsidise the Basford West Spine Road
- £200,000 contribution to traffic management and regulation.
- Provision of Ecological area
- £37,000 for off site planting
- £80,000 for ecological area management plan
- £50,000 for public art.
- Viability re-appraisal after the 100th unit and 200th unit. (Overage clause)

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.

As stated above, under the provisions of the NPPF viability is a material planning consideration. It also stresses the importance of housing delivery and viability as a material planning consideration. Paragraph 173 states:

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

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.

Gerald Eve, have also reviewed the viability appraisal in respect of the residential scheme and concluded that Savills viability appraisal for a policy compliant scheme (i.e. 30% affordable housing, and the provision of all highways and other financial contributions) clearly demonstrates that the scheme is unviable.

Savills have also provided a viability appraisal for the scheme with reduced Section 106 contribution and a reduced affordable housing requirement of 10% (on a tenure spilt of 65% social rented/35% intermediate.) Savills concludes that the proposed scheme is viable on the basis of a reduced affordable housing requirement and reduced section 106 contributions to the levels detailed in their appraisal.

Gerald Eve are broadly satisfied with the submitted appraisal. However, they unable at this stage to conclude that the revised Section 106 and 10% Affordable Housing represent the maximum that the scheme can afford in accordance with the RICS guidance. Further clarity is needed on the following issues:

- Clarity is needed regarding the costs to be attributed to the scheme, to be explicitly apportioned as costs attributable to Section 106 Contributions, On-site Contributions and Off-site Contributions. Within the Royal Institution of Chartered Surveyors Professional Guidance entitled 'Financial Viability in Planning' which represents best practice it concludes that 'a full QS cost report' is recommended to be provided.
- Gerald Eve's analysis demonstrates that the scheme is likely to be able to afford a higher level of affordable housing if adjustments are made to the tenure split of the affordable to be provided in accordance with the mix agreed with the Council's Housing Officers.
- Further clarity is sought on the timing assumptions on the main land trading appraisal.
- The rent period has been calculated as an explicit cost to development not within the investment valuation of the GDV.
- 12% professional costs have been used and Gerald Eve considers that 7.5% professional costs would be appropriate.
- The appraisal produces a surplus of £236,954 which could be used for AH/Section 106.
- 5% Stamp Duty has been used within the residential appraisal this should be 4%.
- Within the residential appraisal costs of £ 88,807 and £88,807 have been used without explanation.
- In addition, Gerald Eve's analysis demonstrates that it may be appropriate for the scheme to provide higher Section 106 contributions and it would therefore be appropriate to consider a re-appraisal mechanism which would be triggered prior to an implementation. It is noted that this included within the draft Section 106.
- Profit on costs is 22.31% for the Open Market Appraisal.

Whilst the above matters do require clarification, it is clear that the policy compliant level of affordable housing cannot be provided within the scheme without adversely affecting the viability of the scheme. Furthermore, the viability appraisal also demonstrates that the scheme cannot provide the contribution towards the improvements unless the "pinch-point" funding for the spine road is provided by central government.

As set out above, within the context of the NPPF, viability is an important material consideration in the determination of planning applications. Furthermore, this scheme is a key element in delivering the "All Change for Crewe" in terms of the contribution that it will make to employment opportunities within the town and the delivery of the Crewe Green link Road. It is also a strategic housing site allocated within the draft Development Strategy and forms part of Cheshire East's 5 year Housing Land supply. In order to defend forthcoming Appeals on other sites within the Borough and to deliver these other important benefits it is necessary to demonstrate that sites such as this are viable and deliverable.

Subject to the above points being clarified, it is considered that 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 and the delivery of the "All Change for Crewe". A further update in respect of this matter will be provided to Members prior to their meeting. However, provided that Gerald Eve receive the outstanding information, and that they raise no objection the proposed section 106 package as set out above is considered to be acceptable.

In reference to the Himor objection, it should be noted that it is standard practise for viability reports to remain confidential. However, Gerald Eve, who are independent consultants have been able to view the report in detail and have made their comments accordingly. As such it is considered that Members can give considerable weight to their advice.

9. CONCLUSIONS

The site is allocated as a Regional Warehouse and Distribution Park within the adopted Local Plan and therefore residential and other uses would be contrary to development plan policy. However, the site is identified as deliverable within the next 5 years in the SHLAA and forms part of the Councils identified 5 year supply of housing land. It is also a preferred option in the emerging Development Strategy and the Crewe Town Strategy. Furthermore, the previous scheme, which comprised entirely B1, B2 and B8 development, in accordance with the Local Plan allocation, as been demonstrated to be unviable and in order to ensure that the site is delivered, it is necessary to introduce higher value uses in order to make it economically viable. The delivery of the employment elements of the site, as well as the contributions that it will make towards infrastructure improvements, including the A500, Crewe Green Link Road and the spine road, are considered to be of vital importance to the delivery of "All Change for Crewe" as well as the Development Strategy. It is therefore critical that a viable scheme is put forward. The development of the site for the proposed mix of uses is therefore considered to be acceptable in principle.

Subject to clarification of a number of points, it is considered that the submitted viability appraisal has adequately demonstrated that the scheme could not provide the policy complaint level of affordable housing provision. However, following the successful negotiation of a suitable Section 106 package, the proposed development would provide adequate public open space and monies towards the future provision of primary education, and highway improvements, subject to the central government "pinch point" funding for the spine road being forthcoming.

The proposal is considered to be acceptable, subject to appropriate conditions, in terms of its impact upon residential amenity, the railway, public rights of way, archaeology, agricultural land, contaminated land, ecology, air quality, noise impact, layout and design, built heritage, drainage/flooding, landscape and forestry, and it therefore complies with the relevant local plan policy requirements for residential environments

Whilst the site does not meet all the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, given that the site is located on the periphery of a key service centre and all such facilities are accessible to the site it is not considered that a refusal on these grounds could be sustained. Furthermore, the development could contribute to enhanced walking and cycling provision

Overall, it is considered that the adverse impacts of the development, in terms of conflict with the development plan, are outweighed by the benefits of the proposal in terms of residential provision and infrastructure delivery and so accordingly the application is recommended for approval, subject to a Section 106 Agreement and appropriate conditions.

10. **RECOMMENDATION**

Subject to receipt of additional viability information and no objection being received from Gerald Eve in respect of that information, APPROVE subject to a Section 106 Legal Agreement to Secure:

- Provision of education contribution of £722,363 (on the basis of 370 units)
- 10% affordable housing with a tenure split of 65% affordable rent and 35% intermediate housing
- £3,200,000 contribution towards the Crewe Green Link Road
- £2,500,000 towards improving access to the congested A500 corridor only payable on receipt of pinch point funding by the Council to subsidise the Basford West Spine Road
- £200,000 contribution to traffic management and regulation.
- Provision of Ecological area
- £37,000 for off site planting / habitat mitigation measures
- £80,000 for ecological area management plan
- £50,000 for public art.
- Viability re-appraisal prior to the occupation of the 200th unit and 300th unit. (Overage clause)
- Provision of open space
- A private resident's management company to manage all of the greenspace on the site.
- Reiterate previous Sect 106 agreements in particular concerning the public access from the NW corner of the site, and funding to be made available for public access to the SW corner of the site.

And the following conditions:

- 1. Standard outline (Phased)
- 2. Standard outline (Phased)

- 3. Standard outline (Phased)
- 4. Approved plans
- 5. Submission of phasing plan
- 6. Provision of spine road in phase 1, remaining roads in accordance with phasing plan, all in accordance with drawings to be submitted and approved.
- 7. Reserved matters applications to include cross sections through the site and details of existing and proposed levels to demonstrate impact of the proposed development on the locality.
- 8. Submission / approval / implementation boundary treatment
- 9. Submission / approval / implementation details of drainage
- 10. Development to be carried out in accordance with the approved Flood Risk Assessment (FRA), from BWB Consulting ref BMW/139/FRA-Full Rev B dated 14/12/12, and the following mitigation measures detailed within the FRA:
- 11. Limiting the surface water run-off generated by the proposed development, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.
- 12. The layout for the proposed development to be designed to contain the risk of flooding from overland flow during severe rainfall events.
- 13. Submission, approval and implementation of a method statement to deal with the treatment of the environmentally sensitive ditch, its aftercare and maintenance
- 14. Submission, approval and implementation of a scheme to dispose of foul and surface water, including the provision and installation of oil and petrol separators
- 15. This site must be drained on a total separate system in accordance with the FRA by BWB and dated Dec 12.
- 16. The foul water discharge from the proposed site must discharge at an agreed point of connectivity within the public sewerage system and under agreement with UU before consent is granted.
- 17. For the avoidance of doubt, no surface water run-off generated from the site shall communicate with the public sewerage system via direct or indirect means.
- 18. Submission, approval and implementation of an Environmental Management Plan
- 19. Submission, approval and implementation of low emission strategy
- 20. Submission and approval of an updated Phase II investigation and implementation of any necessary mitigation.
- 21. Submission, approval and implementation of location, height, design, and luminance of any proposed lighting
- 22. Submission, approval and implementation of a detailed noise mitigation scheme with the full application.
- 23. If mechanical services plant is installed, it should be located well away from the nearby residential units and be designed such that the noise should not exceed the existing background noise levels, in accordance with BS 4142:1997.
- 24. Submission, approval and implementation of a scheme of odour / noise control for the local centre, restaurant/public house and hotel.
- 25. Submission, approval and implementation of travel plan
- 26. Submission, approval and implementation of electric car charging points
- 27. Directional signage for pedestrians and cycles

- 28. Site wide Umbrella Travel Plan including monitoring Relocation of the southern bus stop to achieve better access to the residential development.
- 29. Submission / approval / implementation of sustainable design statement
- 30.A detailed landscape scheme should be submitted for approval prior to commencement on site.
- 31. A tree survey and tree protection plan in accordance with BS 5837 (2012) should be submitted for approval prior to commencement on site.
- 32. The agreed landscape scheme should be implemented within the first planting season after commencement of development.
- 33. No development should take place until details of all earthworks have been submitted and approved. The bunds on either side of the spine road should be constructed with the upper 1.5 metres of soil loose tipped in order to avoid compaction of the rooting medium, thereby promoting more rapid and taller tree growth. This approach is detailed within Forest Research BPG Note 4. Allowance should be made for settlement over the first year in order to achieve required finished levels.
- 34. A management plan to include all landscape areas and public open space (within this application) should be submitted and approved prior to commencement of landscape works. This should include long term objectives and proposals for management in perpetuity that can be included within a Section 106 Agreement.
- 35. A five year landscape establishment management plan should be submitted and approved prior to commencement of landscape works.
- 36. Any landscape planting that fails within the first 5 years after planting should be replaced on a like for like basis unless agreed in writing with the LPA.
- 37. Submission / approval of archaeological investigation.
- 38. Submission / approval / implementation of footpath surfacing / lighting
- 39. Submission / approval / implementation fencing to public open space
- 40. Retention of hedgerows within proposed open space
- 41. Landscape scheme for spine road including street furniture and public art, to be submitted and approved prior to commencement of construction of spine road.

