

Application No: 13/3102N

Location: BOMBARDIER TRANSPORTATIONS, WEST STREET, CREWE, CW1 3JB

Proposal: Erection of 119 family houses (comprising 94 2-bed and 25 3-bed dwellings) and 24 1-bed apartments (in a single block), landscaping, car parking and associated works.

Applicant: Jane Aspinall, Countryside Properties (UK) Ltd

Expiry Date: 21-Oct-2013

#### **SUMMARY RECOMMENDATION**

**Approve subject to conditions.**

#### **MAIN ISSUES**

**Principle of Development**  
**Affordable Housing**  
**Education**  
**Design and the Built Environment**  
**Amenity**  
**Contaminated Land**  
**Noise**  
**Air Quality**  
**Drainage/Flood Risk**  
**Highways**  
**Pedestrian and Cycle Provision**  
**Open Space**  
**Trees and Landscaping**  
**Ecology**

#### **REFERRAL**

The application is referred to planning committee because it is over 10 units and is therefore a major development.

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

The site is part of a railway servicing and repair facility and is currently owned and operated by Bombardier Transport. The site consists of 2.65 hectares predominantly used as car parking and underused storage buildings. An existing three storey office block within this area is excluded from the application site and is to be retained as part of the proposals.

## **2. DETAILS OF PROPOSAL**

The proposals are to develop the Bombardier site with the provision of 94 new 2 bedroom houses, 25 new 3 bedroom houses and 24 new 1 bedroom apartments. All dwellings will be shared ownership or for rent.

### **RELEVANT PLANNING HISTORY**

P06/0754 – Outline application for Mixed Use Redevelopment including the Retention of Existing Offices, Residential Development and Employment Development for B1/B2/B8 Uses with Associated Highway Works and Landscaping. Withdrawn 4<sup>th</sup> September 2006

P07/0173 Mixed Use Redevelopment Including the Retention of Existing Offices, Residential Development and Employment Development for B1, B2, B8 Uses with Associated Highway Works and Landscaping - Withdrawn

## **3. PLANNING POLICIES**

### **National Policy**

National Planning Policy Framework

### **Local Plan Policy**

#### Built Environment Policies

- BE.1 (Amenity)
- BE.2 (Design Standards)
- BE.3 (Access and Parking)
- BE.4 (Drainage, Utilities and Resources)
- BE.5 (Infrastructure)
- BE.6 (Development on Potentially Contaminated Land)

#### Housing Policies

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

#### Transport Policies

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

## 4. OBSERVATIONS OF CONSULTEES

### Archaeology

- The proposed development will affect the site of a large 19<sup>th</sup>-century brick kiln which is depicted in great detail on the OS first, second, and third edition 25" maps of the area, which cover the period from c 1880 to 1910. The kiln is not depicted on the 1839 tithe map of the area and its establishment and use appears to be connected with the growth of Crewe as a railway town. As such, it represents a significant feature in the town's industrial past and is included in the Cheshire Historic Environment record (CHER 2578/2/0). Aerial photographs dating from 1946 clearly show the foundations of the kiln whilst subsequent maps and aerial photographs show that the bulk of the area has been used for car parking since that date. It seems reasonable to conclude, therefore, that much of the below-ground structure of the kiln survives.
- The proposed development will not affect all of the kiln but the western and southern parts are within the application area as is the contemporary structure immediately to the south, which is likely to be the firing chamber. The structure and those parts which lie within the application area are well seen on the sequence of historic maps which accompany the geo-environmental report, onto which the application boundary has been superimposed. These maps clearly demonstrate which parts of the kiln will be affected and it should also be noted that this report specifically advises that a 'cut and fill' approach will be necessary to remove the footings of existing structures in advance of the development. Clearly, those parts of the kiln within the application area will be destroyed by the development.
- In view of the above it is advised that prior to the development, those parts of the kiln within the application area should be subject of a programme of archaeological work in order to expose and record the structure of the kiln. The work is likely to consist of a strip, map, and record exercise and sufficient time will need to be allowed within the development timetable for the completion of this work to an appropriate standard.
- The use of such a condition is in line with the guidance set out in Paragraph 141, Section 12 (*Conserving and Enhancing the Historic Environment*) of the *National Planning Policy Framework* (2012), published by the Department for Communities and Local Government and the still current *PPS5 Planning for the Historic Environment: Historic Environment Planning Practice Guide* (Department for Communities and Local Government, Department for Culture Media and Sport, English Heritage, 2010).

### Network Rail

- Network Rail has the following comments to make on the above proposal.
- Did appear to have some land in isolation from the railway itself but this is part of CH312445 – Bombardier Transportation land registration.
- Although there is a gap between the boundaries of the proposal area and any Network Rail land that is operational railway, there is a traction maintenance and wagon repair depot in the vicinity of the proposed dwellings.
- Network Rail would request that in the planning consent decision that the developer and the Council takes into account the potential for noise, vibration from our site.

- The developer must provide any necessary attenuation measures to enable noise/vibration levels to be managed in and around the proposed development area.
- Would also recommend significant bunding on the development site, provided by the developer to mitigation any noise and vibration.
- The developer should take into account the potential for noise, vibration, odour etc so that Network Rail can continue its operational undertaking. Network Rail will not accept any liability for disturbance from noise, dust, disturbance or lighting etc for the site as the developer should already be aware that they are proposing to build very close to a working site - which operates around the clock.

### **United Utilities**

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

- This site must be drained on a separate system, combining on site prior to connecting to the public combined sewer system. Surface water should be discharged at a rate not exceeding 120 l/s as shown on the submitted drainage plan (Drawing No. 3995/100).

### **Highways**

- This site requires an upgraded signal junction to adequately serve the site and this will be the subject of a planning condition.
- The site will also need a legal agreement for formal adoption of the proposed highway infrastructure and off-site highway works and these will be the subject of informatives.
- The Strategic Highways Manager recommends the following conditions and informatives be attached to any permission which may be granted for the above development proposals:
  - Prior to first development the developer will produce and agree a construction management plan for the site to the satisfaction of the LPA.
  - Prior to first development the developer will provide a detailed suite of design and construction plans for the proposed signal junction improvements and the proposed internal highway layout to the satisfaction of the LPA. This suite of plans will inform the S278 and S38 agreements under the Highways Act 1980.
  - Prior to first occupation the developer will construct and commission the full improvement to the signal junction which will provide access for the site.
  - Prior to first development the developer will enter into and sign a Section 278 agreement under the Highways Act 1980 with regard to the provision of the off-site highway works.
  - Prior to first development the developer will enter into and sign a Section 38 agreement under the Highways Act 1980 with regard to the formal adoption of the internal highway infrastructure.

### **Environment Agency**

- Having reviewed the FRA are now able to withdraw our previous objection to the proposed development subject to the following planning conditions being attached to any approval as set out below.

- The discharge of surface water from the proposed development is to mimic that which discharges from the existing site. Infiltration tests should be undertaken to confirm whether this would be a suitable method for the disposal of surface water from the site post development. If surface water is to discharge to mains sewer, the water company should be contacted for confirmation of the acceptable discharge rate. For discharges above the allowable rate, attenuation will be required for up to the 1% annual probability event, including allowances for climate change.
- During times of severe rainfall overland flow of surface water could cause a flooding problem. The site layout is to be designed to contain any such flooding within the site, to ensure that existing and new buildings are not affected.
- The discharge of surface water should, wherever practicable, be by Sustainable Drainage Systems (SuDS). SuDS, in the form of grassy swales, detention ponds, soakaways, permeable paving etc., can help to remove the harmful contaminants found in surface water and can help to reduce the discharge rate.
  - Submission of a scheme to limit the surface water runoff
  - Submission of a scheme to manage the risk of flooding from overland flow of surface water,

## Education

- With regards to the planning application ref 13/3102N, Bombardier in Crewe for up to 95 dwellings. This development is expected to generate 17 primary and 12 secondary aged pupils.
- A developer contribution of £184,387 is required towards accommodating the primary pupils generated by this development.
- Whilst currently there are sufficient places available in the local secondary schools, this doesn't take into account current active planning applications.

## Environmental Health

- If planning permission is granted, recommend the following conditions:
  - All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs  
Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil
  - Submission of a piling method statement,
  - Submission of a Construction Phase Environmental Management Plan
  - There shall be no burning of materials on site during demolition / construction
  - Demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil
  - Submission of details of external lighting
  - Noise mitigation scheme shall be implemented, and maintained throughout the use of the development.
  - Submission of details of secure bin storage facilities,
  - Further Phase II contaminated land investigations to be carried out
  - If the Phase II investigations indicate that remediation is necessary, then a Remediation Statement to be submitted
  - If remediation is required, a Site Completion Report to be submitted

- Scheme of dust control
- Travel Plans
- Electric vehicle infrastructure

## **Rights of Way**

- Proposed developments may present an opportunity to improve walking and cycling facilities in the area for both travel and leisure purposes. The aim to improve such facilities is stated within the policies of the Cheshire East Rights of Way Improvement Plan (ROWIP) 2011-2026 and Cheshire East Local Transport Plan (LTP) 2011-2026
- The access plan within the Design and Access Statement suggests that pedestrians and cyclists would enter the proposed site via the Dunwoody Way/West Street junction. A full assessment of the adequacy of the existing and planned crossing facilities at this location for both pedestrians and cyclists would be required to ensure that the site can be accessed from the cycle track on the northern side of Dunwoody Way. The developer should be required to contribute to the improvements required.
- A further pedestrian access to the site is proposed along Dunwoody Way. It would be suggested that this access be designed and constructed for both pedestrian and cyclist use, as this access would form the most direct route towards the town centre, shopping and leisure facilities. An assessment of the adequacy of the crossing facility at this location would be required to ensure that access is available to the cycle track on the northern side of Dunwoody Way, with the developer being required to contribute to any improvements required.
- Should the development be granted consent, appropriate and adequate destination signage and interpretation should be required to be provided by the developer on-site and off-site to inform local users about the availability of pedestrian and cyclist routes, and the developer should be tasked to provide new residents with information about local routes for both leisure and travel purposes.

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

Crewe Town Council supports the use of brown field sites for housing development in principle and welcomes this development in principle as it will provide shared ownership housing. The Council would, however, like to make the following points:

1. The historic lodge should be retained and some minor adjustment to the plan would allow this;
2. There should be a thorough archaeological survey of the area;
3. The extent of the pollution of the site should be assessed by an independent body. The Council does not approve of building on a site where the nature of the pollution could be hazardous to resident's health;
4. The Council questions the need for apartments as there is already a surplus in the area. Retention of the lodge and houses would be more appropriate use for that area of the site;
5. More 3 bedroom houses for families should be built;

6. The development lacks play space for children or any public open spaces;
7. The access to the site should be reconsidered. It is not appropriate for all traffic to exit onto the busy Dunwoody Way and West Street junction. There needs to be a second exit onto Dunwoody Way, where the footpath on the plans currently exits the site.; and
8. The design specification does not include sustainability features, like solar panels.

## **6. OTHER REPRESENTATIONS**

### **Sustrans**

If this land use for creating residential property on industrial land is approved by the local community and the Council's planning committee, our comments are as follows:

- 1) We would like to see this site connected to the existing pedestrian/cycle network with the following measures:
  - Toucan crossings installed on all arms at the revised West Street/Dunwoody Way junction.
  - Footway/cycle track constructed along the frontage of the site from opposite Underwood Lane to the roundabout on the SW side of Morrisons supermarket.
  - Constructing a refuge on Dunwoody Way 'suitable for pedestrians and cyclists' at the secondary road entrance.
- 2) The design of the estate should restrict vehicle speeds to less than 20mph.
- 3) The design of any smaller properties should include storage areas for residents' buggies/bicycles.
- 4) We would like to see travel planning with targets and monitoring.

### **Local Residents**

A number of representations have been received from local residents, raising the following points:

#### ***Increase in Crime***

- This is quite a large development for an already very populated area of Crewe, crime rates are already quite high in this area and adding more people will make this worse.

#### ***Highways Impact***

- Concern about the traffic levels on West Street which is a major arterial route into the town.
- At "peak times" (8.30am, and 5.30pm) and the traffic build up is severe and will be made much worse with the addition of these properties.

- Traffic report estimated a building of around 8-10 cars in each direction each way on west street, but it is already more than this in peak times, plus the entrance to the office block is now going to be on the West Street/Dunwoody Way traffic lights, which will increase the traffic in peak times quite considerably.
- The entrance to this new development would be better on the round-a-bout where Morrison's and Bombardier is.
- The parcel of land next to this building in between St Barnabas Church Hall has been subject to previous planning applications which have been refused on the grounds of traffic movement and access to West Street. (I am sure this small site would not generate the same amount of traffic movement as a housing development).
- Access to this site is via West Street at a notoriously poorly designed Junction.
- When Dunwoody Way was first opened over a decade ago it caused major disruption and parking restrictions within West Street at great inconvenience to residents and businesses alike. The current traffic lights cause long tail backs during peak travelling times. Total grid lock occurs within this immediate area when St Barnabas Church hold a funeral service.
- There should not been any further development on this bottle neck of a Junction.
- As the site entrance is solely using the West Street traffic light junction this is going to create a greater volume of traffic. The offices will also be using this entrance. therefore this will also greatly add to traffic congestion.

### **Parking**

- Why have Cheshire East Highway Engineer's insisted on 200% Car Parking for an estate of affordable housing? This does not appear to be in line with Cheshire East objectives relating to CO2 emissions, Sources of poor health, Public Transport, Cycling and Walking outlined in the Transport Plan.
- The assignation that the Apartment Block Car Parking is at that rear of the building and thus hidden is a folly. This Car Park fronts the main estate entrance road giving a discontinuous building line into the estate.

### **Loss of Historic Lodge**

- Object to the proposed demolition of this locally historic building which was formerly used as a security lodge to the Bombardier site.
- This building is part of the railway works history.
- The building is in keeping with the locally built environment i.e. St Barnabas Vicarage and Church and the former West Street Infants School now a social housing dwelling.
- The town has lost too many of its historic buildings such as the Olde Chetwode.
- This building has a long history with this industrial site and should be retained in any future development,
- Surely developers these days have enough ability to incorporate the Victorian Lodge into the proposed layout (and if not, find some with the vision that can )
- Countryside Properties say they "*aim to produce a development that fits in and compliments the existing character of the area*" The Victorian Lodge building has been part of the character of the area for over 100 years yet their solution to "*complimenting it*" is to bulldoze it while the rest of the proposed site has no architectural merit whatsoever.

- Is this is how we want to bequeath our town to our Grandchildren - totally sterile of history but full of cloned housing estates?
- This development should not be allowed until our heritage can be safeguarded.
- Draft Crewe Town Strategy states "*Crewe will be recognised for its distinctive architectural styles reflecting the town's heritage*". To demolish this building will go against the local plan and diminish the townscape.
- If the house were converted into flats it would enhance the proposed scheme.
- This scheme as proposed is no better than thousands of identical estates throughout the country.
- There is a change to create something special in Crewe. Residents urge the committee to seize this opportunity.
- As it was built around the same time as the properties opposite it is in keeping with the surrounding area. It would be a loss to the history of Crewe as there are very few left.
- This dwelling, although curiously not listed, is part of Crewe's heritage and as such should be restored, protected and retained, not demolished.
- This building was built as a "Gate Lodge" by the L&NWR Company in 1902, but unlike the "Engineers House" (Nunnery) 47 Delamere Street which was built in the 1850's by the Grand Junction Railway Company and tastefully restored to form apartments by an imaginative developer; this proposal seeks to demolish this historic building.
- The building is the only surviving L&NWR Works "Gate House" in existence and still retains to this day one of its bay windows with small "Gate Window" in its East End although the "gate" facility within the building was in-filled in the 1970s to create storage space. The "Gate" area is still visible on the building today.
- Thousands of former workers, still living today, would have passed through this gate and it is to their memory that the building should be restored and retained.
- Although the Design and Access Statements makes statements such as *respecting existing buildings* it seeks to demolish this historic building when there is little reason to do so.
- Examination of the demolition proposal shown on drawing SK339-DP-01 and superimposing it onto one of the PL drawings of the proposed estate shows that by turning the "Apartment Block" clockwise through 90 degrees so that the "Block" faces the quieter estate access road instead of the noisy West Street Junction with Dunwoody Way, there is no need for the building to be demolished at all. The "Apartment Block" Car Park would still be accessed as proposed with the Car Park at the rear also serving the "Gate House".
- The developer has failed to recognise the advantage that could be achieved by the restoration of the imposing "Gate House" as a key feature at the entrance to the development.
- This Planning Application should be refused on the grounds that the design fails to respect the historic value of the former "Gate House" and its contribution to the history of Crewe.

### **Archaeology**

- Design and Access Statement contains the following statement: - "*Prior to its use by Bombardier, the historical uses of the site included rail lines running through the site and a former iron foundry*". This shows a complete lack of understanding and research of the site.

- Long before the London and North Western Railway Company extended its works into the West end of town a lane existed connecting West Street with the Coppenhall Heys Homestead. This lane known as Coppenhall Heys Lane traversed roughly from the “Gate House” in a Southerly direction along the West boundary of this proposed development. Its importance was recognised by the provision of a bridge over the Crewe and Holyhead Railway when that was built in the mid 19<sup>th</sup> Century. This lane was still in existence in 1882 and finally swallowed up in the works expansion in the 1890s, being used for works access and finally provided with a “Gate House” in 1902.
- Of far more significance was the provision of a Brick Kiln around 1871 just East of Coppenhall Heys Lane approximately 75yds from its intersection with West Street and no doubt this lane carried the Bricks outwards into the wider area. This Kiln was huge by any standard being 100ft in diameter with a central chimney of 115ft it was a landmark in Crewe for over 60 years. Its capacity in the 1880s was 5million bricks per year. The Kiln was powered by its own Steam Engine and the complex also had it own Moulding Machines, Drying Sheds and was connectedf by a Narrow Gauge Railway that ran round the external circumference of the Kiln and joined it to the Narrow Gauge Railway system in the works, thus enabling onward shipment by rail.
- Although the term “Brick Field” appears around 1899 in the area north of the “Iron Foundry” mentioned in the Design and Access Statement it is unclear if these were Pits or storage areas. A “Chair Foundry” was also added to the North of the Iron Foundry around the 1920s.
- It would be useful to establish if any remains of Coppenhall Heys Lane can be found to establish just what structure the Lane was formed of.
- The Lane was used as access to the newly opened Queens Park, presumably by footpath from Coppenhall Heys. Just what type of Brick was being produced at the Kiln together with any artefacts of the Steam Engine and Narrow Gauge Railway may still lie buried and retrievable.
- Of more concern is the establishment of any Pits and what they may have been in-filled with must be established together with ground stability.
- It is essential that an Archaeological Assessment is carried out prior to any on site works in order to establish a way forward.

### ***Amenity***

- Loss of privacy and light
- The apartments will be facing directly into neighbouring living areas, front room and master bedroom. As the apartments are a back to back design 12 of them with balconies will have no other outlook other than a neighbouring bedroom window.
- The three story height of the apartment building is not in keeping with the terraced houses opposite. Neighbours would feel happier if 2 storey houses were opposite their homes. Also the height of the building may affect light to the front rooms
- Three sketches on Page 6 of the design and access statement shows very clearly two blocks of four houses where the site of the apartment block currently is. Why have the plans changed
- Residents would feel much happier if there were two storey houses on this part of the site as originally seen.
- The height of the building may also affect daylight to the front habitable rooms of property opposite.

- There are some apartments at the site near Morrison's which sat uncompleted for 2 years and are still empty.
- Residents feel that what the area needs is apartments but family homes are required
- The vision to create Public Space seems to have been overlooked with very little or no communal space provided.

### ***Loss of Employment Site***

- This land is historically been employment land. The owners of this site have benefitted from the sale of land for redevelopment over the past decade.
- Question Cheshire East and the newly formed Crewe Town Councils commitment to retaining and creating employment with in the borough with yet further erosion of this employment site.
- Bombardier has no long term strategy to retain the business in Crewe.
- Strongly object to the loss of this site for the purposes of housing.

### ***Impact on trees***

- The proposed site has a number of poplar trees adjacent to the proposed access will these be retained

### ***Infrastructure***

- As there will be 143 dwellings, has any consideration been given to the additional school/nursery places, GP, dentist and other health care professionals that will be required?
- The local area does not have Schools to support this development
- The demolition of Lodge Fields primary School some years ago was very short sighted
- The provision of Water, Sewerage, Gas, Electricity, Telephone/Broadband and Drains are in general more difficult and costly to provide and service on an estate where so many "dead end streets" demanding joints are required. There is no mention of utility provision in the Design and Access Statement or indeed the effect upon the existing.
- This Planning Application should be refused on the grounds that the design and methodology for the provision of services should be established prior to approval, at least in outline, and agreement sought from the provider.

### ***Design and Layout***

- Total of over 6 dead ends leading to nowhere
- Concern that delivery / refuse vehicles etc would need to reverse out of these streets causing danger to pedestrian safety.
- Given increase in home delivery should allow vehicles to travel in a forward gear.
- The Dft Manual for Streets is critical of street designs that demand a reversing distance of over 12m (BS 5906 2005) as it disproportionately increases the number of accidents arising from such manoeuvres.
- In this case there are reversing moves in many cases well over 20m

- If dead end streets are to be a feature of estate design then the acceptable method is to provide a “Hammerhead” reversing area at the end of each street or a circle accommodating at least a 23m swept envelope
- Difficult to see what the object is of providing raised squares of between 10mx10m and 12x12m. These are another safety risk as people will try to reverse cars on what is seen as the only space possible, but with ramps are likely to lose control. Refuse vehicles are 11m long and are unlikely to attempt such a manoeuvre straddling these squares.
- The statement that the design will provide ease of movement to get to and move through has not been achieved.
- The statement that this design provides “*safe and interesting route through the development*” is untrue. There is no through route.
- The developer claims that the Street Pattern is legible. This can never be the case in this instance as there are so many “dead end” Streets.
- Disagree with the statement that the street pattern within the scheme compliments that of the wider area. The street patterns of Crewe including those of the adjacent West End are in the majority Roads, Avenues and Streets which permit through movement of traffic. Those that do not allow through traffic have turning facilities for example Smith Grove or Goulden Street.
- There is a lack of communal public space so much needed in today’s society where at least young parents can meet and chat at the very least. Even better an enclosed space for young Children would be of benefit rather than Car Parks.
- Although it is stated that the Apartment Block is provided with its communal bin and storage, there are no paths provided to them. Once the Refuse Vehicle has reversed all the way across the Car Park they appear to be inaccessible unless the Car Park in front of the Bins is empty.

### ***Access to Public Transport***

- The distance from the proposed site to the Railway Station is approximately 2mile **not** 0.5mile as stated.
- The Bus Station is **not** 0.5mile from the proposal but approximately 0.75 mile
- Dunwoody Way is a main Bus Route and this development needs to provide for adjacent Bus Stops.

### ***Access to facilities***

- Fail to understand the significance of Grants Butty Bar as a major facility in the area whereas Morrison’s Supermarket on Dunwoody Way, a similar distance, fails to get a mention as does the Grosvenor Practise and Pharmacy.
- Queens Park is not .5 mile away but nearer 1 mile and would take or 15min walk. A similar distance in the same direction is the King George V Playing Fields and Fitness Centre.
- Why no mention of the Phoenix Leisure Centre on Dunwoody Way?

### ***Inaccuracies in Design and Access Statement***

- The introduction states that it is appropriate to assess the proposals for Market Place Burslem against 12 questions.
- The design proposals may well be acceptable for the Market Place Burslem development but certainly not Crewe
- This shows that the document has been “amended” from a previous one and may go some way to explain many of the contentious issues.

### ***Lack of Pedestrian facilities.***

- The lack of a Footway on the East side of the access road is a safety risk. Pedestrians returning from West Street facilities are on the East side of the access road. It is not acceptable to request them to cross the entrance to the estate to gain the pavement area on the West, when the majority of the estate is centred on the East.
- This is also true for the employees of BREL House who find themselves marooned on the side of the access road without the provision of a Footway on that side and lack of Footpath to enter their premises.
- A Pedestrian only route is provided from the estate onto Dunwoody Way. However Drawing SK339-PL-01 Planning Layout shows a Footway provided on this (South Side) of Dunwoody Way. This is not the case and should be made a requirement of this application. The length should be from the estate access road East side, South side of Dunwoody Way and in the West abut the Footway agreed for adjacent approved development 10/1659N.
- The proposals fail to show how access is gained from the access road to the Apartment Block Car Park. It is suggested that the “Speed Hump” shown in this vicinity be placed between West Street and this Car Park entrance in order to slow vehicles down before turning across the Pedestrian Footway.
- In addition there needs to highway reconciliation over Pedestrian crossing facilities in Dunwoody Way of this application and the approved application 10/1659N.
- Any approval of this application should include the provision of Bus Stop Infrastructure, inwards and outwards, on Dunwoody Way adjacent to the Pedestrian estate access. This is sadly lacking today for the Dale Way and Grand Central Estates opposite this proposed development. (A similar facility is also missing for the Harrison Drive Estate in Dunwoody Way)
- It is unthinkable that a Pedestrian only route is provided from the estate onto Dunwoody Way. The Path width should be increased to accommodate Cyclists so that they may be encouraged to use the Cycle Lane on the North side of Dunwoody Way.
- This Planning Application should be refused on the grounds that the design fails to adequately provide for Pedestrian Safety and Access.

### ***Conclusions***

- No objection in principle to development of houses on brown field sites.
- Applicant has adopted the wrong approach to street plan producing a development of back alleys and a street layout more akin to Victorian times.
- This development imports too many undesirable features, some safety related,
- There is a complete disregard for the historic aspects and features of this site none more so than the proposed unwarranted demolition of the “Gate House”.

- The developer has shown little imagination and gives the impression that the requirement has been for the maximum number of houses and maximum number of cars as the main priority for this site.
- Pedestrians have been ignored in the main with little thought for access and safety.
- Cheshire East need to ensure that Pedestrian needs are met in particular on Dunwoody Way ensuring that the Highway facilities match those agreed for approved Planning Application 10/1659N.

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

- Materials Schedule
- Design and Access Statement
- Site Waste Plan
- Sustainability Statement
- Geo-Environmental Assessment
- Noise Assessment
- Transport Assessment

## **8. OFFICER APPRAISAL**

### **Principle of Development**

The site lies within the settlement boundary for Crewe, where there is a presumption in favour of new development, subject to compliance with other local plan policies. The site is a vacant brownfield site which would be brought back into beneficial use. The proposal would also provide 119 units towards the Council's housing land supply, which will ease pressure on green field sites elsewhere within the Borough.

The NPPF states that, the purpose of planning is to help achieve sustainable development. *"Sustainable means ensuring that better lives for ourselves do not 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."* There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles including, an economic role – contributing to building a strong, responsive and competitive economy, as well as an environmental role – contributing to protecting and enhancing our natural, built and historic environment and a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations.

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. The document states that for decision taking this means, inter alia, approving development proposals that accord with the development plan without delay.

According to paragraph 17, within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. According to the 12 principles planning should, inter alia, proactively drive and support sustainable economic development. 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, *"the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. 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."*

Another important material consideration is the Written Ministerial Statement: Planning for Growth (23 March 2011) by The Minister of State for Decentralisation (Greg Clark). Inter alia, it states that, *"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.*

Furthermore, it states that when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate economic development. Local Authorities should therefore, inter alia, consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession; take into account the need to maintain a flexible and responsive supply of land for key sectors; consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits and ensure that they do not impose unnecessary burdens on development.

The proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Therefore, provided that the proposal does not compromise key sustainable development principles, or conflict with any other adopted Local Plan policies it is in accordance with government policy and therefore should be supported in principle.

### **Loss of Employment Site**

The site was formerly part of the Bombardier Railway Engineering Works and as such Policy E.7 (Existing Employment Sites) of the Local Plan is relevant. This policy seeks to resist the loss of employment sites close to local centres of population as this can result in higher local unemployment and increased commuting, both of which are contrary to the principles of sustainable development.

The policy does allow for the loss of employment land to other uses in certain circumstances. The first of these is where the existing use harms the character or amenities of the surrounding area. There is no evidence to suggest that the current site operations

conflict with residential amenity of the character of the area. Secondly the loss of the site for employment purposes is permitted where it is demonstrated that the site is no longer capable of satisfactory employment use and where the re-development would bring overriding local benefits. Equally there is no evidence to suggest that this site is incapable of further employment re-use and in terms of benefits these can not be described to be overriding. Finally the policy allows other uses where it can be demonstrated that there would be no detrimental impact on the supply of employment land or premises in the Borough.

Evidence submitted with a previous application to redevelop this site for residential purposes in 2007, indicated that the majority of the 7,438 m<sup>2</sup> of lost employment land is either underused, empty or used for car parking. It was therefore argued that the proposals represent a rationalisation of the existing operations as all existing operations carried out within the site would be relocated to the company's main site with no job losses.

It could be argued however that whilst the proposed site may not be operating efficiently for the applicant that there may be potential for other employment uses such as B2 and B8. It was stated in 2007 that the limitations of the site in terms of both access and proximity to residential properties make such uses incompatible although there was no evidence put forward to support this assertion. However given that the proposal involves a rationalisation of existing operations, with no job losses it was concluded that it did not result in a direct loss of employment land and or premises in the Borough.

However, the previous application also included a separate area for employment development comprising B1, B2 and B8 uses. This site lies to the south west and sits between the Crewe-Chester railway line and Dunwoody Way. The site currently comprises underused railway sidings and a 2.5 metre high palisade fence aligns the entire frontage with Dunwoody Way. Policy E.4 (Development on Existing Employment Areas) permits the re-use, re-development or intensification of the use of land within existing employment areas in order to provide valuable employment opportunities for the local workforce. The proposed redevelopment of this site was welcomed as it would allow underused land to be released to the market potentially increasing job opportunities and allowing for further economic development of the site and would help to off-set the loss of the area proposed for residential development.

This area is not included within the current application site. However, proposals for the redevelopment of this area for employment purposes continue to be pursued through separate applications. It should also be noted that, even when the two parcels of land were encompassed within a single application, it was not considered to be possible to legally require the development of the residential site to be carried out concurrently with the employment area (or even to ensure that employment site is delivered). Therefore, there is no less likelihood of the additional employment space being generated under the current proposal than there was with the previous application.

To conclude whilst loss of potential employment land within the Borough is generally resisted in principle this must also be balanced against the physical constraints of the site and also against the benefits of releasing land to the market for future employment redevelopment. It has previously been accepted and demonstrated that the site is underused at present and that the existing operations would be unaffected by the residential

redevelopment of the application site. Furthermore the application does not affect the potential to free up other underused land to the south east and enable the employment potential of the other area of land, outside this application site to be realised. Given that Crewe and Nantwich Borough Council resolved to approve the previous application in 2007 (albeit that this application was withdrawn prior to the Section 106 Agreement being signed and permission being issued), it is considered that the principle of the loss of this employment site has been established. It is therefore accepted that the proposal would not result in a detrimental impact on the supply of employment land or premises in the Borough and is therefore compliant with Policy E.7.

## **Affordable Housing**

The Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we 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 larger than 0.4 hectares in size.

It goes on to state 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. The Affordable Housing IPS states that the tenure mix the Council would expect is 65% rented affordable units (these can be provided as either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rent) and 35% intermediate affordable units. The affordable housing tenure split that is required has been established as a result of the findings of the Strategic Housing Market Assessment 2010.

The Strategic Housing Market Assessment 2010 shows that for the sub-area of Crewe there is a need for 256 new affordable homes per year, made up of a need for 123 x 1 beds, 20 x 2 beds, 47 x 3 beds, 40 x 4/5 beds and 26 x 1/2 bed older persons units.

There are currently 3074 applicants on our housing register applying for social rented housing who have selected one of the sub-areas of Crewe as their first choice. These applicants require 979 x 1 beds, 1163 x 2 beds, 668 x 3 beds, 93 x 4 beds and 9 x 5 beds (159 applicants have not specified how many bedrooms they need).

Therefore as there is affordable housing need in Crewe there is a requirement for affordable housing to be provided at this site,

This application is for 100 affordable rented dwellings and 43 market dwellings. (This equates to 70% affordable rent, 30% market dwellings).

30% of the total dwellings on site should be provided as affordable, this would equate to 43 dwellings and the tenure split required would be 28 affordable or social rented dwellings and 15 intermediate dwellings.

However the proposals are for:

- Affordable Rented Dwellings : 24 x 1 bed apartments, 61 x 2 bed houses, 15 x 3 bed houses
- Open Market Dwellings: 33 x 2 bed houses, 10 x 3 bed houses.

It appears from the application form that this application is a joint one from Countryside Properties (UK) Ltd, Russell Homes UK Ltd and Your Housing Group. During conversations with Your Housing Group officers have advised that they would be supportive of a proposal at this site with 65% of the dwellings provided as affordable tenures and 35% as open market dwellings, whether as market rent or open market sale.

As this application is for 70% affordable tenures and 30% market dwellings it is a slightly different split than housing officers indicated they would support but as there are a high level of applicants for Crewe on the Council's housing register they have no objection to this slight change in tenure split

It should be noted that technically if 43 of the dwellings are open market dwellings then 13 of the affordable dwellings being proposed would be as a requirement of the Councils Planning Obligations. However the other 87 would not be.

The Interim Planning Statement: Affordable Housing states that the affordable dwellings should be pepper-potted and fully integrated with the market dwellings on the site, if 100 of the 143 dwellings are to be provided as affordable this will be challenging for the applicant, however the layout plan does show the affordable rent properties broken up by shared ownership and this would be acceptable to us.

The Interim Planning Statement: Affordable Housing also requires that affordable dwellings are built in accordance with the Design and Quality Standards adopted by the Homes and Communities Agency and meet Code for Sustainable Homes Level 3, it is understood that Your Housing will be utilising grant funding from the Homes & Communities Agency for the affordable rented dwellings and it will be a condition of the funding that these criteria are met. The Design and Access Statement also advises that the internal layouts have been designed to conform with the principles of Lifetime Homes, which the Council are keen to see.

The IPS: Affordable Housing also requires that affordable dwellings are provided no later than occupation of 50% of the open market dwellings, unless the scheme is phased and there is a high-degree of pepper-potting, in which case 80% of the open market dwellings may be occupied.

Finally the IPS: Affordable Housing states that

*In all cases where an RSL 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 and that it should only be used for the purposes of providing housing accommodation to meet the objectives of an RSL as set out in the Housing Act 1996*

Therefore it is Officer's preference that a s106 agreement is entered into requiring the developer to transfer all the affordable rented dwellings to a Registered Provider of Affordable Housing before they can be occupied.

The s106 agreement should also secure occupation criteria for all the affordable rented dwellings being provided on the site, with the occupation criteria in line with the local connection requirements of the Homechoice Common Allocations policy.

## **Education**

The education officer has commented that a development of the scheme is for 119 family houses (comprising 94 2-bed and 25 3-bed dwellings) and 24 1-bed apartments. Given that the local primary schools are forecast to be cumulatively oversubscribed then a contribution of £227,772 will be required. This can be secured through the Section 106 Agreement.

## **Design and the Built Environment**

The dwellings on plots 31 to 45 and the proposed apartment building provide an active frontage to Dunwoody Way, with pedestrian access out on the pavement. However, car parking will be to the rear of these properties which will avoid creating a car dominant frontage on this important route.

The site will be accessed from a new spur from the existing traffic light junction at the end of Dunwoody Way. A new access to the retained office building will be provided from the main spine road, which then goes on to weave its way through the site, with a number of small cul-de-sac's radiating off it. The scheme is a relatively high density but it is considered that this reflects the character of the traditional Victorian terraced streets in the vicinity. Similarly, the angular, grid form of the road layout, which is based on Manual For Streets principals and includes a number of feature squares and shared pedestrian and vehicle routes, is also typical of this historic form of development. Moving through the development the linear site has been subdivided into a series of streets and squares, in accordance with current urban design and Manual for Streets thinking. The squares are overlooked by the properties, which ensures natural surveillance and creates a sense of place.

As originally submitted, there was concern that where blocks of 4 mews properties were proposed, for example plots 67 to 70, car dominated frontages would have been created due to the lack of opportunities for parking to the side or rear of dwellings. This has been brought to the attention of the developer and amended plans to address this issue have been submitted. It is noted that all properties, including mid-terrace dwellings have access to the rear for wheelie-bin storage. A condition requiring full details of bin storage, including for the apartment building can be imposed.

The corner properties such as plots 101 and 102 are dual aspect to break up the mass of the gables and "turn the corners" within the proposed development.

To turn to the elevational detail of the scheme, the site is immediately adjoined by employment, retail and assembly and leisure uses. The nearest neighbouring residential development comprises predominantly traditional, two storey terraced properties, of brick

and tile construction, although modern apartment buildings are in evidence further along Dunwoody Way.

The majority of the proposed dwellings are 2 stories in height which reflects the traditional terraced properties which characterise this part of Crewe. It is therefore considered to be acceptable in street scene terms. The apartment building height is three stories, but its location at junction of four roads, and the entrance to the site, creates a focal point in this prominent location which is considered to be a positive feature.

The submitted elevations show that the proposed dwellings are also a traditional pitched roof design finished in predominantly red brick, with tiled roofs and incorporate features such as door pediments, brick window heads and cills, which are reminiscent of the traditional terraces and former railway buildings which are characteristic of the local area and the original site. Some of the proposed housetypes include the use of render. This is not a prevalent material in this part of Crewe and it is considered that this should be substituted for an appropriate red brick. This could be secured by condition. It is also considered that a traditional blue engineering brick should be used to provide elements of detail rather than buff as suggested on the submitted materials schedule, as this is not a characteristic feature of the area.

Furthermore, red tiles are proposed on some properties. It is considered that either artificial slates or blue / grey tiles should be employed to respect the Victorian character of the area. The tiles should be a duo-plain tile or artificial slate. However, these details can be secured by condition.

Overall it is considered that the indicative plans show that a good design which respects the character and appearance of the area in which it is located can be achieved and as such it complies with policy BE2 of the Local Plan and the provisions of the NPPF in respect of design.

### **Loss of Historic Lodge**

There is considerable local concern from residents and the town Council regarding the loss of the former gate lodge to the railway works, which currently stands on the West Street frontage, adjacent to the proposed site access.

The Council's conservation officer was approached informally about this building after the first application was submitted in for the Bombardier site many years ago but it was decided that it was not a candidate which would meet English Heritage's criteria for listing and the previous resolution by CNBC effectively establishes the acceptability in principle of its loss.

It is not a typical railway heritage building. However, Conservation Officers can understand the local community desire to see it retained, given its prominence but that needs to be weighed against the pragmatic stance in the National Planning Policy Framework. Unless there is some association with someone of note or a specific historic event of national importance it is unlikely to meet the listing criteria.

Similarly when the Council approached English Heritage about listing the former erecting shop more recently they did not include it for the same reasons.

The building has never been put forward as a candidate for local listing and for the reasons give above, Conservation Officers do not believe that it is significant enough to merit inclusion.

In the recent case of the Earl of Crewe, which was a locally listed building, it is noted that Members saw the merit in adopting a pragmatic stance, when balancing the loss of the heritage asset against the benefits arising from new development. The Earl of Crewe, in the opinion of Conservation Officers, was a more noteworthy building than the lodge in question.

### **Archaeology**

Local residents have made reference to the potential impact of the development on any archaeological deposits within the site. In particular, relating to the site's industrial history, which has includes the railway works and a former brick kiln on site. The Shared Services archaeologist has examined the application and raised no objection subject to a suitable condition requiring the developer to undertake an agreed a programme of archaeological mitigation in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

### **Amenity**

It is generally regarded that a distance of 13m is sufficient to maintain an adequate level of light to principal windows and a distance of 21m is usually considered to be sufficient to prevent overlooking between principal windows. Distances in excess of 21m will be maintained between all of the proposed dwellings, including the apartment building, and the nearest neighbouring existing residential properties, which are those located on West Street. Therefore, whilst the concerns of residents are noted, it is not considered that a refusal on amenity grounds could be sustained.

Turning to amenity standards within the development, the required minimum distances can be achieved in the majority of cases. However, the scheme falls substantially short of the recommended distances and 50sq.m of private amenity space per dwelling, as set out in the Supplementary Planning Guidance, in a number of cases. Between some plots, as little as 15m will be achieved between principal windows and garden areas fall to 36sqm in some cases.

However, the Local Planning Authority must be mindful of the need to make effective and efficient use of brownfield land in the consideration of planning applications, in order to ease pressure on Greenfield sites elsewhere in the Borough and if the minimum standards were to be achieved, it would not be possible to accommodate within the site the density of development which is currently proposed. Furthermore, modern urban design principles encourage the tightly defined streets and spaces, with parking to the rear to avoid car dominated frontages. The reduction of separation distances between front elevations helps to achieve these requirements. It also reflects the narrow nature of the surrounding Victorian terraced streets, with properties which are constructed up to the back edge of the highway and include small rear yard areas. These are a distinctive part of the local character in this area of Crewe.

On balance, therefore, it is considered that the submitted layout demonstrates that the proposal can provide for an adequate standard of amenity whilst achieving wider urban design objectives and it is considered to comply with the requirement of policy BE1 (amenity) of the local plan.

### **Contaminated Land**

The Environmental Health Officer has considered the application and commented that the application area has a history of industrial use and therefore the land may be contaminated. The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. The applicant has submitted a geo-environmental assessment for the site. This assessment requires further clarification and further work is also required on the site. As such, and in accordance with the NPPF, Environmental Health recommends that conditions requiring the submission and approval of a further Phase II investigation and the submission, approval and implementation of any necessary remediation measures are imposed

Detailed comments on the submitted geo-environmental assessment report have been sent separately to the developer for incorporation into further works or clarification

### **Noise**

The applicant has submitted a noise assessment report with the application. The report recommends mitigation designed to ensure that occupants of the properties not adversely affected by noise from road traffic and commercial operations at Bombardier. Environmental Health Officers have stated that the mitigation recommended in the report dated 4<sup>th</sup> September 2013 (90316r2) should be implemented prior to the first occupation. As the report mentions, with a partially open window, the internal noise level will exceed the internal target criteria. As such, trickle ventilators with either mechanical extract ventilation or passive extract ventilation will need to be incorporated, so that fresh air can enter the rooms without having to open windows. This is not the ideal, but Environmental Health accept that the applicant has submitted a scheme that meets the internal requirements. The mitigation measures should be installed in accordance with Section 5.0 Mitigation and Figure 3 of Appendix III of the above report, namely:

- Standard Thermal Double Glazing
- Upgraded glazing for properties in batches A and D of a glazing specification which performs to 30 dB Rw + Ctr, plus Acoustic Trickle Ventilation combined with Mechanical Extract Ventilation, Mechanical Ventilation Heat Recovery or Passive Extract Ventilation
- Wherever possible habitable rooms should be located away from the noise source with less noise-sensitive rooms facing the noise source
- Acoustic fencing for properties in batches A – F shall be 1.8m high, have a minimum mass of 28kg/m<sup>2</sup> and be free from holes
- Upgraded glazing for properties in batch I of a glazing specification which performs to 32 dB Rw + Ctr, plus Acoustic Trickle Ventilation combined with Mechanical Extract Ventilation, Mechanical Ventilation Heat Recovery or Passive Extract Ventilation

- Acoustic fencing the length of the southern boundary with Bombardier shall be 2.1m high, have a minimum mass of 28kg/m<sup>2</sup> and be free from holes
- Acoustic Trickle Ventilation combined with Mechanical Extract Ventilation, Mechanical Ventilation Heat Recovery or Passive Extract Ventilation for properties on the southern boundary.

All of these requirements can be secured by condition.

In addition, Environmental Health Officers have requested conditions relating to hours of construction and foundation piling, as well as the submission of a piling method statement and environmental management plan. Subject to the imposition of these conditions, it is considered that the proposal would comply with Policy BE1 (Amenity) in respect of noise impact.

### **Air Quality**

An air quality assessment has been submitted with this planning application. The assessment considers the construction and operational air quality impacts of the proposal.

The assessment predicts that there would be a 'high risk' of dust impacts. Therefore it is considered essential that the proposed dust mitigation measures would form part of any planning permission. This could be conditioned as part of the Construction Phase Environmental Management Plan.

The assessment of operational impacts considers the predicted additional road traffic. The assessment calculates impacts in the AQMA on Earle Street but not those in the nearby Wistaston Road or Nantwich Road due to not having traffic data for these areas. The assessment does however assume that there will be an additional traffic impact in both of these areas but does not consider them significant. The verified modelled nitrogen dioxide levels in Earle Street predict that there would be a small increase in levels at receptors where there is currently an exceedance of the national standard for annual mean nitrogen dioxide. Therefore it is predicted that there would be small adverse impacts in 3 AQMAs. Environmental Health Officers consider that any adverse increase in an AQMA is significant as it is directly converse to local air quality objectives and that suitable mitigation measures should be put forward as part of the proposal before the application is approved.

The assessment predicts that there will be a small area of the application site that would be exposed to annual mean nitrogen dioxide levels above the national standard. It predicts that this area would not include any proposed residential properties and would not introduce any relevant exposure to these levels. However, given the uncertainties in air quality modelling, there is a risk despite model verification and some worst case assumptions that the exceedance area could be larger than predicted. Subsequently, Environmental Health Officers would require a sensitivity analysis of the 2012 meteorological data used and an investigation into whether local verified traffic data is available to ensure that the worst case scenario has been fully assessed.

On the basis of the application as submitted, Environmental Health Officers recommended that this planning proposal be refused on the grounds that there is insufficient mitigation for

the estimated impacts in existing AQMAs and that further information is required to fully assess the exposure levels in the proposed site.

This has been brought to the attention of the developer and further information has been supplied relating to the air quality impacts and Environmental Health have now revised their previous recommendation of refusal on air quality grounds.

The sensitivity analysis shows a significant difference in the results using the various meteorological data years. The worst case year gives a concentration at the residential façade marginally below that level where would need to consider a detailed assessment for annual mean nitrogen dioxide levels. It has been taken into consideration that the model verification was based on a conservative approach by assessing against the Earle Street monitoring sites and therefore we can consider the approach as robust. However, the high levels at this receptor, and the wider scale impacts, highlight the need for the mitigation measures. Therefore, Environmental Health now have no objection subject to conditions requiring travel plans, electric vehicle infrastructure and dust control measures to be provided.

### **Drainage/Flood Risk**

The applicant has provided a Flood Risk Assessment with the application. In summary, it states that *the nearest watercourse to the proposed development site is Valley Brook which is located approximately 250m from the southern boundary. This is a designated Primary River and flows in a westwards direction before discharging into two surface water lakes in Queens Park. A smaller watercourse flows approximately 500m north of the site in a westwards direction and discharges into the River Weaver approximately 1km downstream of the Valley Brook confluence.*

*The potential sources of flooding and risk analysis are as follows:*

- *Risk of river flooding following a 1 in 75 year event – **Negligible***
- *Risk of coastal flooding following a 1 in 75 year event – **Negligible***
- *Risk of surface water flooding following a 1 in 75 year event – **Medium***
- *The potential risk of groundwater flooding – **Low***
- *The potential risk of sewer flooding – **Negligible***
- *The potential risk of flooding from these additional sources – **Negligible***

*An assessment of the capacity of the sewer and/or retention capacity of the site drainage will be necessary once plans have been finalised. This should be conducted along with formal consultation with United Utilities plc. The proposed development will decrease runoff rates due to a decrease in impermeable area compared to the site currently and should therefore significantly improve flood risk posed downstream of the site therefore further mitigation measures will not be required. The Original URS Flood Risk Assessment Recommended that the following mitigation measures be adopted:*

- *UU has preliminarily indicated they will accept surface water runoff from Areas 1 and 2 to the surface water sewer on Dunwoody Way at a maximum rate of 120 l/s from both the proposed residential development and the wider Bombardier site be adopted;*
- *Considering the indicative impermeable areas proposed for the site, URS calculated the storage volumes required. In Area 1, up to 515m<sup>3</sup> of storage volume will be*

*required that can be provided within permeable paving in footpath and roads or by underground cellular storage in the proposed open amenity space(s); Kerb heights of at least 100mm will be adopted within both Areas 1 and 2, which are relatively flat in nature, to create preferential flowpaths on the roads serving the site. These roads will be positively drained via interceptors to the sewer with the sewers designed to accept a 100 year return period storm including an allowance for climate change. Thus, the risk of overland flow impacting the site will be minimized; and,*

- *The ground levels along the southern boundary of Area 1 should remain at or below grade to ensure that water is not displaced under an extreme event, where pooling may be caused by overland flow originating off-site.*

This has been forwarded to the Environment Agency and United Utilities for consideration. They have confirmed that they have no objection subject to the imposition of appropriate conditions.

## **Highways**

This proposal is for 143 residential units served from a proposed fourth arm off the existing traffic signals on West Road. Previous proposals for this site have seen as many as 155 residential units as well as B1 office use. Those proposals would have generated significantly more traffic than the current proposals which offers the same solution as the previous application. It should be noted that the previous applications used baseline traffic data provided from this Authority's Crewe traffic model and as such were seen as robust. As a result of the reduction in numbers from 155 to 143 it is felt that the proposed development and its proposed traffic solutions when viewed against that of previous applications are robust and are accepted by the Strategic Highways Manager.

As a consequence it is just necessary to consider the internal layout for the site which has been the subject of some negotiation and which at the time of writing has just been the subject of an amended plan which has rationalised the parking layout to improve the quality of the layout and improved the consistency of the design features throughout the site.

The site is subject to a previous agreement with Cheshire East Council regarding the contributions from the site. This agreement related to the highway provision which will be required of the site and states that the only requirement will be for the necessary signal junction improvements via a Section 278 agreement under the Highways Act 1980 to provide the access junction for the site from West Street/Dunwoody way, Crewe.

The site will need temporary access for construction traffic and this will require appropriate traffic management. The site will be subject to a construction management plan within which the developer will identify and agree with the Local Planning Authority appropriate measures to adequately and safely manage the traffic which will serve the site.

This site requires an upgraded signal junction to adequately serve the site and this will be the subject of a planning condition. The site will also need a legal agreement for formal adoption of the proposed highway infrastructure and off-site highway works and these will be the subject of informatives.

On the basis of the above, the Strategic Highways Manager has raised no objection to the proposals on the grounds of highway safety or traffic generation, subject to appropriate conditions and legal agreements.

### **Pedestrian and Cycle Provision**

The Council's Rights of Way Officer has stated that an assessment on the crossing facilities at the traffic light junction at the site access should be carried out. The Strategic Highways Manager has examined the application and has raised no objection on these grounds.

A Concern has been expressed by local residents about lack of permeability. However, there are two pedestrian access points at the main traffic light junction and between plots 34 and 35 directly on to Dunwoody Way. The Rights of Way Officer and local residents have suggested that this should make provision for foot and cycle access. This could be made a condition of any planning permission. They have also asked that signage be erected to direct pedestrians and cyclists, and that information be provide new residents with information about local routes for both leisure and travel purposes. These could also be secured by condition. The latter would form part of the standard provisions of a residential travel plan.

### **Open Space**

According to Policy RT3, new housing development with more than 20 dwellings will be expected provide 15 sqm of shared open space is provided per dwelling, along with 20 sqm of shared children's play space per dwelling.

The proposal involves the construction of 143 dwellings, which would equate to an open space requirement of 2145sqm of shared open space and 2860sqm making a total of 5005sqm. No public open space is shown on the proposed site layout and it would not be possible to provide this level of POS whilst accommodating the number of dwellings proposed.

However, the Council's Greenspaces Officer has been consulted and has commented that in this case he would be willing to accept a financial contribution for off-site provision; specifically, a sum of £80,000 for improvements to Queens Park. On this basis, it is considered that the scheme would comply with the requirements of Policy RT3.

### **Trees and Landscaping**

This site is currently occupied by large areas of car parking and a small number of buildings. There is very little existing vegetation on site although there is a hedge planted along the boundary with Dunwoody Way and a small number of trees on site. There are off site trees on land to the north west.

Although the application form indicates the proposal includes landscaping, and an indicative landscape plan is contained within the design and access statement, the submission does not provide a detailed landscape scheme. Within layout of this density, opportunities for soft landscape treatment are limited and the success of any landscape scheme will be dependent on a high standard of ground preparation, implementation works and ongoing

maintenance. It will also be necessary to secure a high standard of hard landscape works and street furniture. Further details could be secured by condition.

With regard to boundary treatments, the design would be improved by the substitution of walls for timber fences as follows: 9 side, 18 side, 26 side, 30 side, 31- 45 rear, 34/ 35 side, 51- 53 rear,60 side,71-77 side,85/86 side,94 side,102 side, between apartment car part and 119. This could also be secured by condition.

The submission is now supported by an Arboricultural Impact Assessment incorporating a tree survey and tree constraints plans. The survey covers 17 individual trees, 4 groups of trees and 1 hedge, all recorded within influencing distance of the development.

The assessment indicates that 10 individual trees and some or all of a further 2 tree groups (totalling approximately 14 stems) would be removed to facilitate the development proposals. The majority of these are low value due to small size or poor condition. Of the total, 5 Category B trees must be removed. These are mainly internal to the site but one Sycamore is visible from West Street. A Category U tree is identified for removal due to hazardous condition. In addition 185 linear metres of Laurel hedgerow adjoining Dunwoody Way would be removed to facilitate the development proposals. Significant trees on or beyond the north western boundary could be retained but would require protective measures works in order to avoid damage, particularly to roots.

The tree removal and protection plan D4189.002 does not appear to show exactly the same layout as the submitted site layout SK339-PL-01G although the issues associated with trees do not appear to be affected.

Tree losses within the site would be regrettable but the specimens are not exceptional. The landscape officer concurs with the view that the existing hedge does not have any significant visual amenity or conservation value beyond its immediate function as a screen.

However she is concerned that the rear elevation and garden of plot 115 would be completely dominated by a Grade A. Ash tree (T9 in the survey). This would result in a very poor social relationship and considers this does not accord with the BS 5837:2012 guidance. This matter had been brought to the developer at the time of report preparation and a further update will be provided to Members in due course.

In the event of approval conditions would be appropriate to secure:

- A revised tree protection plan to mirror the approved site layout.
- Submission of / approval and adherence to an Arboricultural Method Statement to detail suitable working methods, phasing, demolition and removal of hard surfacing, ground protection and subsequent treatment within the identified protected areas and an auditable system of arboricultural monitoring.

## **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 the Council’s Ecologist has been consulted on the application and commented that the Proposed development is located to the south of the Crewe Swift Colony Site of Biological Importance (SBI). This site was designated as an SBI as it supported one of the largest swift colonies in Europe.

He has advised that the proposed development is unlikely to have an impact upon the adjacent SBI, although breeding birds including swifts may occur on the application site. If planning consent is granted, the standard conditions will be required to safeguard breeding birds.

## **Viability and Section 106 Matters**

The developer has submitted a viability appraisal, undertaken by consultants Grasscroft, of the scheme, which indicates that it is not possible to develop a 100% affordable housing scheme and to provide the highway, greenspace and education contributions outlined above, which amount to £280,000. On the basis of the above the developer has offered a Section 106 package totalling £180,000.

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.*

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.*

The Council has appointed independent consultants DTZ to independently scrutinise the viability appraisal that has been submitted.

They have concluded that whilst they do not agree with some of the methodology adopted within the applicant's appraisal, they regard the provision of 100% affordable housing plus £180,000 Section 106 contributions as being at the limit of viability and no further elements of planning gain can be justified

It is therefore 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 scheme and the Section 106 package should be reduced accordingly.

## 9. CONCLUSIONS

The site lies within the settlement boundary for Crewe, where there is a presumption in favour of new development, subject to compliance with other local plan policies. The site is a vacant brownfield site which would be brought back into beneficial use. The proposal would also provide c.84 units towards the Council's housing land supply, which will ease pressure on green field sites elsewhere within the Borough.

The scheme which is 100% affordable, and although clarification is required around the type and tenure, it help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

It has previously been accepted and demonstrated that the site is underused at present and that the existing operations would be unaffected by the residential redevelopment of the application site. Furthermore the application does not affect the potential to free up other underused land to the south east and enable the employment potential of the other area of land, outside this application site to be realised. Given that Crewe and Nantwich Borough Council resolved to approve the previous application in 2007 (albeit that this application was withdrawn prior to the Section 106 Agreement being signed and permission being issued), it is considered that the principle of the loss of this employment site has been established. It is therefore accepted that the proposal would not result in a detrimental impact on the supply of employment land or premises in the Borough and is therefore compliant with Policy E.7.

The loss of the historic lodge, whilst regrettable, does not represent sustainable grounds for refusal, as it is not considered to be a worthy candidate for national or local listing. Any adverse impact on archaeological remains within the site can be mitigated through the use of a condition requiring a programme of archaeological investigation to be carried out.

There would be no adverse impact on residential amenity or ecology and it is considered that, subject to the use of appropriate materials the proposal represents a good design which respects the character and appearance of the area in which it is located can be achieved and as such it complies with policy BE2 of the Local Plan and the provisions of the NPPF in respect of design. Concerns regarding internal highway layout and the location of parking have been addressed through the submission of amended plans and conditions can be imposed to ensure adequate pedestrian and cycle connectivity through the site. Environmental Health matters of air quality, noise and contaminated land can be addressed through appropriate conditions.

A Flood Risk Assessment has been submitted with the application which indicates that the proposal will not be at risk from or exacerbate on-site or off-site flooding problems and the Environment Agency and United Utilities have raised no objections.

The submitted viability appraisal has been independently scrutinised and is agreed that £180,000 Section 106 contributions is at the limit of viability and no further elements of planning gain can be justified. It is therefore considered that the developer has adequately demonstrated that this 100% affordable scheme could not provide a policy complaint Section 106 package. However, following the successful negotiation of a suitable Section

106 package, the proposed development would provide a minimum of £180,000 towards the future provision of primary education, greenspace and highway improvements.

Concern has been raised by the landscape officer in respect of the relationship of one of the plots to retained trees. This has been brought to the attention of the developer and a response was awaited at the time of report preparation. A further update will be provided on this issue to Members in due course.

Therefore the recommendation is amended to one of Approve subject to the resolution of the outstanding tree issue, completion of a section 106 agreement and suitable conditions.

## **10. RECOMMENDATION**

**APPROVE subject to amended plan to address the relationship between Plot 115 and retained tree, no objection from the landscape officer and completion of a Section 106 agreement to secure:**

- **Affordable Rented Dwellings : 24 x 1 bed apartments, 61 x 2 bed houses, 15 x 3 bed houses**
- **Affordable units to be tenure blind and pepper potted within the development.**
- **No more than 50% of the open market dwellings are to be occupied unless all the affordable housing has been provided,**
- **Housing to be transferred to and managed by a Registered Provider as set out in the defined in the Housing & Regeneration Act 2008**
- **Education Contribution £100,000**
- **Greenspace Contributions £80,000 towards Queens Park Restoration**

**And the following conditions:**

- 1. Standard time limit**
- 2. Approved plans**
- 3. Materials**
- 4. Construction of Access**
- 5. Provision of parking**
- 6. All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs  
Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil**
- 7. Submission of a piling method statement,**
- 8. Submission of a Construction Phase Environmental Management Plan, to include, inter alia, dust mitigation measures**
- 9. There shall be no burning of materials on site during demolition / construction**
- 10. Demolition / construction works taking place during the development (and associated deliveries to the site) are restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil**
- 11. Submission of details of external lighting**
- 12. Noise mitigation scheme shall be implemented, and maintained throughout the use of the development.**
- 13. Submission of details of secure bin storage facilities,**
- 14. Further Phase II contaminated land investigations to be carried out**

- 15. If the Phase II investigations indicate that remediation is necessary, then a Remediation Statement to be submitted**
- 16. If remediation is required, a Site Completion Report to be submitted**
- 17. Pedestrian Access to Dunwoody Way to also make provision for cycles**
- 18. Provisions of cycle and pedestrian signage**
- 19. Submission of hard and soft landscape scheme including street furniture**
- 20. Implementation of landscape scheme**
- 21. Submission, approval and implementation of residential travel plan**
- 22. Submission, approval and implementation boundary treatment**
- 23. Submission, approval and implementation of features for breeding birds**
- 24. No works to take place within bird nesting season unless a survey has been carried out.**
- 25. Submission of details of Sustainable Urban Drainage System (SuDS)**
- 26. Submission of a scheme to limit the surface water runoff**
- 27. Submission of a scheme to manage the risk of flooding from overland flow of surface water,**
- 28. Discharge of surface water to mimic existing**
- 29. Submission, approval of infiltration tests**
- 30. Attenuation for discharges for up to the 1% annual probability event, including allowances for climate change.**
- 31. Submission, approval and implementation of cycle parking within scheme**
- 32. Submission, approval and implementation of programme of archaeological mitigation**
- 33. Prior to first development the developer will produce and agree a construction management plan for the site to the satisfaction of the LPA.**
- 34. Prior to first development the developer will provide a detailed suite of design and construction plans for the proposed signal junction improvements and the proposed internal highway layout to the satisfaction of the LPA.**
- 35. Prior to first occupation the developer will construct and commission the full improvement to the signal junction which will provide access for the site.**
- 36. Submission, approval and implementation of Electric Vehicle Infrastructure**

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