

Application No: 13/4462N

Location: LAND TO REAR OF, 11, EASTERN ROAD, WILLASTON, CW5 7HT

Proposal: Re submission of 13/3058N for residential development of 40 houses.

Applicant: Richard Lee, Richard Lee Ltd

Expiry Date: 20-Jan-2014

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES:

- Principle of the development
- Housing land supply
- The acceptability of the Access
- The acceptability of the design
- Impact on adjoining residential amenities
- The impact upon ecology
- The provision of open space
- Provision of affordable housing
- Impact upon education
- The impact upon the Public Right of Way
- The impact upon the landscape considerations
- The impact upon hedgerows and trees
- The impact upon the railway

REASON FOR REFERRAL

This application is referred to the Strategic Planning Board as it involves a 'significant departure' from policy.

DESCRIPTION OF SITE AND CONTEXT

The site is located between the settlements of Crewe and Nantwich. It measures approx 1.67 hectares and comprises of the residential curtilage of 11 Eastern Road and pony fields to the rear of residential properties fronting Eastern Road on the south eastern edge of Willaston.

The main body of the site is roughly triangular in shape and is generally low lying, rough grazing land, subdivided into three fields with boundaries delineated by hedgerows and

fencing. The existing vehicular access to the main body of the site is currently via a field access off Eastern Road to the west of No.57.

The site is bounded to the south and west by the rear gardens of residential properties fronting onto Eastern Road. The northern boundary is marked by the Crewe to Nantwich rail line. The eastern boundary is delineated by an established hedgerow buffer with open fields beyond. The house within the site's Eastern Road frontage (No.11) comprises a two storey detached house and extensive curtilage containing numerous outbuildings. The application site lies within the Green Gap.

DETAILS OF PROPOSAL

Outline Planning Permission is sought for the erection of 40 new dwellings. Approval is also sought for Access with matters of Appearance, Landscaping, Layout and Scale reserved for subsequent approval.

As such, the application seeks permission for the principle of the erection of 40 dwellings on this site and the acceptability of the proposed access only.

The application is a re-submission of 13/3058N which was refused because:

- 1. The proposed residential development is unsustainable because it is located within the Green Gap, contrary to Policies NE.4, NE.2 and RES.5 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 and the principles of the National Planning Policy Framework which seek to ensure development is directed to the right location and open countryside is protected from inappropriate development and maintained for future generations enjoyment and use. As such, it creates harm to interests of acknowledged importance. The Local Planning Authority can demonstrate a 5 year supply of housing land supply in accordance with the National Planning Policy Framework. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.*

RELEVANT HISTORY

13/3058N - Residential Development of 40 houses – Refused 17th October 2013

7/13384 – Extension to dwelling (11 Eastern Road) – Approved 18th August 1986

7/07269 – Two detached houses (Rear of 45/55 Eastern Road) – Refused 30th October 1980

POLICIES

National Policy

National Planning Policy Framework (NPPF)

Local Plan Policy

NE.2 - Open Countryside

NE.4 - Green Gap

NE.5 - Nature Conservation & Habitats
NE.9 - Protected Species
NE.12 - Agricultural Land Quality
NE.20 - Flood Prevention
BE.1 - Amenity
BE.2 - Design Standards
BE.3 - Access and Parking
BE.4 - Drainage
BE.5 - Infrastructure
BE.6 - Development on potentially contaminated land
RES.3 - Housing densities
RES.5 (Housing in the Open Countryside)
TRAN.1 - Public Transport
TRAN.5 - Provision for cyclists
TRAN.9 - Car Parking Standards
RT.3 - Provision of recreational open space and children's play space in new housing developments)

Other Material Planning Considerations

Interim Planning Statement: Affordable Housing
Strategic Market Housing Assessment (SHMA)
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No objections, subject to a condition regarding; the prior submission of a suite of detailed design plans for the development highway proposals which will inform the S38 Agreement.

A condition advising that the applicant should enter into a Section 38 Agreement under the Highways Act 1980, prior to commencement of development with regards to the adoption of the highways within the development.

A financial contribution for £67,000 against a ceiling of 40 units to the IDP Scheme of Improvement for the Peacock Roundabout to be secured via a Section 106 Agreement. This sum shall be provided upon occupation of the 10th dwelling within the site.

Environmental Health – No comments received at time of report

Previous comments:

No objections, subject to the addition of the following conditions; Prior submission of a construction phase Environmental Management Plan (to include mitigation measures with regards to noise, waste and dust), hours of operation, the prior submission of a noise mitigation scheme, prior submission of lighting details, the developer shall provide Electric Vehicle infrastructure into at least 10% of parking spaces proposed, the prior submission of a scheme to minimise dust emissions from demolition/construction and a contaminated land informative.

United Utilities – No objections, subject to a condition requesting that the site must be drained on a separate system with only foul drainage connected to the foul sewer and that the surface water should discharge to the soakaway/watercourse/surface water sewer. Furthermore, it is advised that a separate metered supply must be provided for each unit.

Environment Agency - No objections, subject to a number of conditions including: The prior submission of a detailed surface water drainage scheme and the prior submission of a scheme to manage the risk of flooding from overland flow of surface water.

Network Rail – No objections, subject to a condition that prior to commencement of development the developer should submit a traffic management plan for construction works to be approved by the LPA and Network Rail.

Greenspace (Cheshire East Council) – *‘The existing play area (Parish owned) is 240 metres from the site, and is in a good condition. However, I am aware that local youngsters have approached the Parish Council requesting a skate park on the site of the existing play area, and the PC are happy for this to happen...’*

As such, a sum of approximately £60,000 is sought to fund a facility that is wanted in the local area.

Education (Cheshire East Council) – No comments received at time of report

Previous comments:

Advise that Primary Schools within a 2 mile radius and secondary schools within 3 miles have been considered for capacity. It is advised that there are sufficient places available in the secondary schools, but the primary schools are forecast to be cumulatively oversubscribed. Therefore, a contribution will be required for every primary aged pupil's which equates to the sum of £86,770.

Housing (Cheshire East Council) – *The Strategic Housing Market Assessment Update 2013 shows that for the sub-area of Crewe there is a net need for 217 new affordable homes per year, made up of a need for 50 x 1 beds, 149 x 3 beds, 37 x 4+ beds and 12 x 1 bed older persons units & 20 x 2 bed older persons units. (There is an oversupply of 2 bed units). There are currently 16 active applicants on Cheshire Homechoice who have selected Willaston as their first choice, these applicants require 5 x 1 bed, 6 x 2 bed, 2 x 3 bed and 4 x 4 bedrooms.*

To date there has been no delivery of affordable housing between 2013/14 and 2017/18 in Willaston and the SHMA sub-area of Crewe has not seen the required number of affordable homes delivered. Therefore as there is affordable housing need in Willaston and the SHMA sub-area of Crewe there is a requirement that 30% of the total units at this site are affordable, based on the total number of dwellings being 40 this which equates to 12 dwellings, with 8 of the affordable dwellings provided as rented affordable units and 4 provided as intermediate tenure.

Although this is an outline application, the detail the applicant has provided with regards to the affordable housing offer is limited, essentially just stating there will be provision of affordable housing, however the application form does indicate 12 affordable dwellings will be provided.

'I would like a requirement that an affordable housing scheme which meets the requirements of the Interim Planning Statement: Affordable Housing is submitted with the reserved matters application, the main affordable housing provisions the s106 needs to secure are –

- 30% of the total dwellings to be provided as affordable housing*
- 65% of the affordable dwellings to be affordable or social rented, 35% to be intermediate*
- The affordable dwellings to be pepper-potted across the site*
- Affordable homes to meet CFSH Level 3 and to be built in accordance with the Homes & Communities Agency Design & Quality Standards.*
- The affordable dwellings to be provided no later than occupation of 50% of the open market dwellings.'*

Public Rights of Way (Cheshire East Council) – *'The proposed site plan indicates a pedestrian 'footpath link' access onto Eastern Road from the eastern end of the development site. It could be anticipated, given the location of the site in relation to Shavington High School/Leisure Centre and Crewe town centre, that demand for this route would arise from cyclists in addition to pedestrians, and therefore the route should be designed and constructed for both types of user, should the development go ahead. The legal status and future maintenance of this link would require agreement with the Council. The developer should be tasked to provide new residents with information about local routes for both leisure and travel purposes.'*

Sustrans – Would like to see the proposed 'footpath link' shown to Eastern Road be a shared footway / cycleway. Have concerns regarding the cumulative traffic impact, the design of the estate should restrict vehicle speeds to 20mph, the design of the smaller units should include storage for buggies and bikes, would like to see a travel plan for the site.

VIEWS OF THE PARISH COUNCIL:

Rope Parish Council – No comments received at time of report

Previous comments:

Object to the proposal on the following grounds:

- Site lies within the Green Gap*

Willaston Parish Council - No comments received at time of report

Previous comments:

Object to the proposal on the following grounds:

- *Site lies within the Green Gap – Contrary to the Local Plan*
- *Impact upon the visual character*
- *Not a sustainable site*
- *Contrary to Willaston SPD*
- *Highway safety – Traffic, parking, safety*
- *Local Primary school oversubscribed*
- *Design – Loss of local character*
- *Amenity – Loss of privacy*
- *Drainage*
- *Flooding*
- *Secondary schools not within safe walking distance*
- *Closest medical centre not within safe walking distance*
- *Lack of infrastructure*
- *Noise and vibration concerns*
- *Inaccuracies within submitted reports*

OTHER REPRESENTATIONS:

4 letters of objection has been received. The main areas of objection relate to;

- Site lies within the Green Gap
- Highway safety – Traffic volume, parking, pedestrian safety, knock-on impact at level crossing
- Local schools already oversubscribed
- Pressure on local doctors & hospitals
- Flooding
- Amenity – Noise, privacy, air pollution
- Lack of infrastructure e.g. footpaths
- Precedence for further development

SUPPORTING INFORMATION:

Statement of consultation
 Design and Access Statement
 Planning Statement
 Ecology note
 Updated Tree Survey
 Topographical Survey
 Landscape and Visual Impact Appraisal
 Transport Statement
 Roost Assessment
 Flood Risk Assessment
 Extended Phase 1 Habitat Survey
 Geo-Environmental Assessment
 Phase 1 Desk Study
 Noise & vibration survey
 Addendum to noise assessment
 Hedgerow information

Reptile Survey
Grasslands information
Agricultural Land Classification

OFFICER APPRAISAL

Principle of Development

The site lies in the Open Countryside, as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011, where policies NE.2 and RES.5 state that only development which is essential for the purposes of agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Residential development will be restricted to agricultural workers dwellings, affordable housing and limited infilling within built up frontages.

The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result, it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “*in accordance with the plan unless material considerations indicate otherwise*”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy concerns.

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

The National Planning Policy Framework (NPPF) states at paragraph 47 that there is a 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.

However the most up to date position on the Councils 5-year housing land supply figure is following the recent appeal decisions. As part of the consideration of the Congleton Road and Sandbach Road North decisions the Inspector found that the housing land supply over 5 years is 5750 dwelling. It is necessary to add to this figure the existing backlog 1750 dwellings and a 20% buffer for a record of persistent under delivery which gives a total requirement of 9000 dwellings over 5 years or 1800 per annum.

In terms of the existing supply the Inspector found that there is currently:

‘a demonstrable supply, taking the generous approach to Council estimates, which is likely to be in the region of 7000 to 7500 dwellings at most’
(Sandbach Road North Appeal)

This demonstrable supply therefore equates to a figure of 4.0 to 4.2 years.

The NPPF clearly states at paragraph 49 that:

“housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”

This must be read in conjunction with the presumption in favour of sustainable development as set out in paragraph 14 of the NPPF which for decision taking means:

“where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or*
- specific policies in the Framework indicate development should be restricted.”*

As it has been found that Cheshire East cannot demonstrate a five year supply of housing land, the provisions of paragraphs 49 and 14 apply in this case. It is therefore necessary to carry out a balancing exercise in this case to assess whether the harm ‘significantly and demonstrably’ outweighs its benefits.

Emerging Policy

Clarification has been given on the weight which can be attributed to the emerging Local Plan as part of recent appeal decisions for Abbeyfields, Sandbach and Congleton Road, Sandbach and Sandbach Road North, Alsager. As part of the decision for the Abbeyfields site the SoS stated that:

‘As the emerging LP is still at an early stage the Secretary of State accords it limited weight in his decision making’

As part of the appeal decision for Congleton Road, Sandbach and Sandbach Road North, Alsager the Inspector found that:

‘There is a draft Local Plan, variously described as the Core Strategy and Development Strategy, which is moving towards a position in which it can be submitted for examination. The Council is seeking to achieve this in late 2013. The current state of the plan is pre submission. It is not disputed that there are many outstanding objections to the plan, and to specific proposals in the plan. Hence it cannot be certain that the submission version of the plan will be published in the timescale anticipated. The plan has already slipped from the intended timetable. In addition there can be no certainty that the plan will be found sound though I do not doubt the Council’s intentions to ensure that it is in a form which would be sound, and I acknowledge the work which has gone into the plan over a number of years.

Nonetheless I cannot agree that the draft Local Plan should attract considerable weight as suggested by the Council. There are many Secretary of State and Inspector appeal decisions which regard draft plans at a similar stage as carrying less weight. The Council’s own plan has been afforded little weight in the earlier months of 2013, and although the plan has moved on to an extent, it has not moved on substantially. For these various reasons I consider that the draft Local Plan can still attract no more than limited weight in this case’

Given the above the emerging Local Plan can only be given limited weight in the determination of this planning application.

Conclusion

- The site is within the Green Gap which is also subject to Policy NE.2 (Open Countryside) where there is a presumption against new residential development.
- The NPPF states that where authorities cannot demonstrate a 5 year supply of housing land, relevant local plan policies are out of date and there is a presumption in favour of development unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - specific policies in the Framework indicate development should be restricted.
- Cheshire East has a housing land supply figure of in the region of 4.0 to 4.2 years
- Only limited weight can be applied to the emerging Local Plan.
- As the Council cannot demonstrate a 5 year housing land and the NPPF carries a presumption in favour of sustainable development. It is therefore necessary to consider whether the proposal is sustainable in all other respects as part of the planning balance.

Green Gap

As well as lying within the Open Countryside, the application site is also within the Green Gap. Therefore, as well as being contrary to Policy NE.2, it is also contrary to Policy NE.4 of the Local Plan which states that approval will not be given for the construction of new buildings or the change of use of existing buildings or land which would:

- result in erosion of the physical gaps between built up areas;
- adversely affect the visual character of the landscape.

It could be considered that the Policy is a Housing Land Supply Policy and therefore out of date. This was the case for the Rope Lane, Shavington appeal.

However, it has to be remembered that the policy is contained in the natural environment chapter, not a housing one and the reason for NE.4 is not heavily related. As such, in the October 2013 appeals (Alsager and Sandbach), the Inspector held that these policies were not housing related and therefore, had some weight.

Within the natural environment chapter, policies relating to the following issues are addressed, none of which are directly housing related.

- Green Belt
- Open Countryside
- Special County Value
- Green Gaps
- Nature Conservation and Habitats
- Internationally Important Nature Conservation Sites
- Locally Important for Nature Conservation Sites
- Protected Species
- Woodland Planting and Landscaping
- River and Canal Corridors

- Agricultural Land Quality
- Rural Diversification
- Agricultural Buildings
- Conversion of Agricultural Buildings
- Pollution Control
- Telecommunications Development
- Renewable Energy
- Flood Prevention
- Landfill Sites

This further backs up this point.

However, in allowing a recent Appeal relating to a site at Rope Lane, which was also located within the Green Gap, the Inspector determined that:

‘In my view Policy NE.4 is not a freestanding policy; its genus is in Policy NE.2 and I agree with the appellant that if Policy NE.2 is accepted as being out-of-date, then it must follow that Policy NE.4 must also be considered out-of-date for the purposes of applying Framework policy’

Furthermore, as part of the Inspectors Report into the Local Plan, he found that:

‘The width necessary to achieve adequate separation is a matter of judgement and I see not benefit in a detailed analysis of the (Green Gap) boundary unless there is a specific identified need to do so – for example if it were not possible to meet the CRSP (Cheshire Replacement Structure Plan) housing provision. This is not the case in this review of the Local Plan’

This is echoed by the Inspector at Rope Lane where he found that Policy NE.4 was qualified by references to an adequate supply of housing and as this position has now changed the Inspector attached limited weight to the Policy.

Finally the Inspectors Report for the Local Plan states at paragraph 143.2.1 that:

‘I have concluded that the existing boundaries of the Green Gap designations continue to be appropriate for this plan period’ (Up to 2011)

In conclusion, given that the Council cannot demonstrate a 5 year supply of housing land and there is some uncertainty about the weight that can be applied to the Green Gap policy, it is considered that this policy will not sustain a reason for refusal at present, unless there is a ‘significant and demonstrable’ harmful impact on the landscape that outweighs the benefits of the proposal in terms of increasing housing land supply and affordable housing.

Landscape

Visual

The application site is an irregular shaped area covering two fields, bound to the north by the Crewe-Nantwich rail line and to the south by the rear gardens along Eastern Road. To the

east of the site is agricultural land. The site is relatively flat grazing land with both hedgerow and fenced boundaries.

In response to the submitted Landscape and Visual Impact Assessment, it has been concluded that there are no landscape designations affecting the site.

The Appraisal includes information on the visual baseline, visual envelope and an assessment based on six viewpoints within the study area and identifies the effects on these viewpoints, identified in the study as 'key viewpoints'.

The Council's Principal Landscape Architect concludes that:

'I would generally agree with the viewpoints chosen, as well as the sensitivity, magnitude of effect and also the significance for each as identified in the study.

The appraisal includes information on the baseline landscape and information regarding the national and local character areas, and also an analysis of the landscape effects, I would broadly agree with the landscape appraisal provided'

Clearly the erection of dwellings within the Green Gap would have an impact upon the visual character of the landscape. However, a planning balance needs to be made as to whether this impact is significant enough to sustain a reason for refusal.

In relation to the 'erosion of the physical gaps between built up areas', although this would erode the gap to a small extent, the size of the scheme and the limited impact upon the character of the area would not 'significantly and demonstrable' outweigh the housing land supply benefits of the site the application would bring forward.

Secondly, in relation to the test as to whether the scheme would 'adversely affect the visual character of the landscape', it is similarly considered that although this would have a visual impact, the size of the scheme and the limited impact upon the character of the area would not 'significantly and demonstrable' outweigh the housing land supply benefits of the site the application would bring forward.

The Council's Landscape Architect does conclude that the proposal would be contrary to the strict interpretation of Policies NE.4 and NE.2 of the Local Plan, although he has advised that he is satisfied with the visual assessment conclusions. However, due to the overriding requirement for housing in Cheshire East at this current moment in time, it is considered that the impact upon the visual appearance of the area is not significant enough to warrant refusal of this application.

Trees

The submitted tree survey advises that no trees within the site are TPO protected. It is advised that the survey identifies 20 individual trees, 5 groups and 1 hedgerow within the application site. Of the trees surveyed only 5 have been given 'B' Moderate quality which would be considered worthy of retention. The remaining trees are deemed as low 'C'; category trees of limited arboricultural, landscape or cultural values or are in decline.

The Tree Officer advised in response to the previous submission that the indicative layout would result in 3 of the 5 'B' category trees being removed. It is advised that given the small number of moderate category trees within the site, *'...it should be possible to ensure their retention within the framework of the development.'*

It was concluded that *'Any reserved matters application must be supported by an Arboricultural Impact Assessment with fully updated Tree Survey, Tree Constraints and Tree Protection Plan in accordance with the revised British Standard BS5837:2012.'*

As a result, subject to conditions, it is considered that the proposed development would adhere with Policy NE.5 of the Local Plan.

Hedgerows

Where it is proposed that hedgerow be removed, it should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. Should any hedgerows be found to be 'important' under and of the criteria in the regulations, this would be a significant material consideration in the determination of the application.

Paragraph 1.1.2 of the submitted Supplementary Ecology note advises that *'The hedges would not be regarded as important under the Hedgerow Regulations 1997 on the basis of their ecological features (woody species and hedge-bank diversity).'*

In response to these comments, the Council's Nature Conservation Officer has advised that the development of this site will be likely to result in a significant loss of hedgerow. As such, if planning consent is granted, a suitable mechanism should be put in place to ensure any finalised landscaping scheme for the site includes suitable replacement hedgerows.

The *'Cheshire Archaeology Planning Advisory Service'* have advised that their assessment concludes that these hedgerows may not be 'important'. However, further assessment on the status of the hedgerows against these criteria is required from the Records Office.

The *'Cheshire Archive and Local Studies Service'* have advised that the hedges on the site meet the 3 criterion which indicate that there are no protected hedgerows.

As such, it is considered that the proposal adheres with this aspect of Policy NE.5 of the Local Plan.

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.

This is supported by the National Planning Policy Framework, which states that:

“where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”.

It is advised within the submitted Agricultural Land Classification (ACL) technical note that:

‘...the land at Eastern Road is typical of ACL 3b land and below. It is therefore considered that the development of the Eastern Road site will not lead to the loss of “best and most versatile” farmland.’

As such, it is considered that the proposed development would adhere with Policy NE.12 and the provisions of the NPPF in respect of loss of agricultural land.

Location of the site

The SHLAA advises that there is a bus route on Eastern Road but does not specifically detail if the site is considered to be sustainable. To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. 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 accessibility of the site shows that following facilities meet the minimum standard:

- Post box (500m) – 170m
- Amenity Open Space (500m) – 305m
- Children’s Play Space (500m) – 305m
- Convenience Store (500m) – 297m
- Primary School (1000m) – 820m
- Outdoor Sports Facility (500m) – 250m
- Local meeting place (1000m) – 125m
- Public House (1000m) – 240m
- Child Care Facility (nursery or crèche) (1000m) - 825m
- Bus Stop (500m) – 379m
- Public Right of Way (500m) – 217m

Where the proposal fails to meet the standards, the facilities in question are still within a reasonable distance of those specified and are therefore accessible to the proposed development. Those facilities are:

- Secondary School (1000m) – 1200m
- Medical Centre (1000m) – 1340m
- Pharmacy (1000m) – 1340m
- Leisure Facilities (Leisure Centre or Library) (1000m) – 1200m

- Bank or cash machine (1000m) – 1448m
- Post Office (1000m) – 1448m

The following amenities/facilities fail the standard:

- Supermarket (1000m) – 3701m
- Railway station (2000m where geographically possible) – 4506m
- Any transport node – 4023m

In summary, the site does not comply with all of the standards advised by the NWDA toolkit. However, as stated previously, these are guidelines and are not part of the development plan. Owing to its position on the edge of Willaston, within the recommended standards for the majority of the amenities listed, it is considered that this site is a sustainable site.

Access

Eastern Road is subject to a 30 mph speed limit and is fronted by residential development. There is on street parking along this section. Further to the east of its junction with Green Lane, Eastern Road becomes rural in character and does not have any footways. It is also derestricted.

The indicative layout plan shows that the proposed dwellings would be served by a new access point that would be created on the land currently occupied by No.11 Eastern Road, Willaston.

It is advised within paragraph 3.5 of the submitted Transport Statement that *‘This site access provides visibility splays that have an ‘x’ (minor arm set back distance) of 2.4m and a ‘y’ (major road visibility) distance of 31m in both directions.’*

In relation to parking, it is advised within paragraph 3.11 of the transport statement that *‘...as the application is for outline permission, the level of parking has not been developed in detail. However, parking will be provided in accordance with CEC’s standards which require family houses to provide two spaces per dwelling.’*

The Council’s Strategic Highways Manager has advised that traffic generation from the development would be low and will have a limited impact on the local highway infrastructure. However, despite this, it is advised that there are many evolving development proposals in the area of Crewe and the Strategic Highways Manager *‘...recognises that the cumulative impact on the strategic highways network demands a contribution from development towards costed schemes in the Infrastructure Delivery Plan which are CIL compliant.’*

It is advised that in this instance, the improvement scheme for the Peacock Roundabout is the nearest strategic junction which will take traffic from this development and it is considered that *‘...a funding contribution of £67,000 against a likely ceiling of 40 units on this site is reasonable and matches pro-rata local contributions recently agreed.’*

As such, subject to this contribution being agreed by legal agreement, in addition to a condition seeking the prior submission of detailed drawings of the proposed road

improvements, it is considered that the proposed development would adhere with Policy BE.3 of the Local Plan.

Design

Policy GR2 (Design) of the Local Plan states that the proposal should be sympathetic to the character, appearance and form of the site and the surrounding area in terms of: The height, scale, form and grouping of the building, choice of materials and external design features.

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The proposed development is for 40 new dwellings.

Policy RES.3 refers to housing densities. It advises that new residential development should be built at densities between 30-50 dwellings per hectare. The application site is 1.67 hectares. As such, in this case, the density of the site is appropriate and is consistent with that of the surrounding area of Willaston.

The indicative layout plan shows that the development would be erected in a tilted ‘T-shape’ to the rear of the properties on Eastern Road, following the shape of the proposed new access road. The indicative layout shows that the properties on the site would overlook the highway and parking areas. The properties would respect the pattern of development within the nearby area which includes singular roads to the rear of main roads that provide housing (e.g. Circle Avenue off Eastern Road and Ashlea Drive off Green Lane). To the countryside to the east, a boundary hedgerow could be provided / retained to act as a green buffer to the open countryside.

Although there are some weaknesses with the indicative design, it has demonstrated that an acceptable scheme could be agreed at the Reserved Matters stage and would comply with Policy BE.2 (Design Standards) and the NPPF.

Landscape

Visual

The application site is an irregular shaped area covering two fields, bound to the north by the Crewe-Nantwich rail line and to the south by the rear gardens along Eastern Road. To the east of the site is agricultural land. The site is relatively flat grazing land with both hedgerow and fenced boundaries.

In response to the submitted Landscape and Visual Impact Assessment, it has been concluded that there are no landscape designations affecting the site.

The Appraisal includes information on the visual baseline, visual envelope and an assessment based on six viewpoints within the study area and identifies the effects on these viewpoints, identified in the study as 'key viewpoints'.

The Council's Principal Landscape Architect concludes that:

'I would generally agree with the viewpoints chosen, as well as the sensitivity, magnitude of effect and also the significance for each as identified in the study.

The appraisal includes information on the baseline landscape and information regarding the national and local character areas, and also an analysis of the landscape effects, I would broadly agree with the landscape appraisal provided'

Clearly the erection of dwellings within the Green Gap would have an impact upon the visual character of the landscape. However, a planning balance needs to be made as to whether this impact is significant enough to sustain a reason for refusal.

Although the Council's Landscape Architect does conclude that the proposal would be contrary to Policies NE.4 and NE.2 of the Local Plan, he has advised that he is satisfied with the visual assessment conclusions submitted within the Landscape and Visual Impact Assessment.

As a result, due to the overriding requirement for housing in Cheshire East at this current moment in time, it is considered that the impact upon the visual appearance of the area is not significant enough to warrant refusal of this application.

Trees

The submitted tree survey advises that no trees within the site are TPO protected. It is advised that the survey identifies 20 individual trees, 5 groups and 1 hedgerow within the application site. Of the trees surveyed only 5 have been given 'B' Moderate quality which would be considered worthy of retention. The remaining trees are deemed as low 'C'; category trees of limited arboricultural, landscape or cultural values or are in decline.

The Tree Officer advised in response to the previous submission that the indicative layout would result in 3 of the 5 'B' category trees being removed. It is advised that given the small number of moderate category trees within the site, *'...it should be possible to ensure their retention within the framework of the development.'*

It was concluded that *'Any reserved matters application must be supported by an Arboricultural Impact Assessment with fully updated Tree Survey, Tree Constraints and Tree Protection Plan in accordance with the revised British Standard BS5837:2012.'*

As a result, subject to conditions, it is considered that the proposed development would adhere with Policy NE.5 of the Local Plan.

Hedgerows

Where it is proposed that hedgerow be removed, it should be assessed against the criteria in the Hedgerow Regulations 1997 in order to ascertain if they qualify as 'Important'. Should any hedgerows be found to be 'important' under and of the criteria in the regulations, this would be a significant material consideration in the determination of the application.

Paragraph 1.1.2 of the submitted Supplementary Ecology note advises that *'The hedges would not be regarded as important under the Hedgerow Regulations 1997 on the basis of their ecological features (woody species and hedge-bank diversity).'*

In response to these comments, the Council's Nature Conservation Officer has advised that the development of this site will be likely to result in a significant loss of hedgerow. As such, if planning consent is granted, a suitable mechanism should be put in place to ensure any finalised landscaping scheme for the site includes suitable replacement hedgerows.

The *'Cheshire Archaeology Planning Advisory Service'* have advised that their assessment concludes that these hedgerows may not be 'important'. However, further assessment on the status of the hedgerows against these criteria is required from the Records Office.

The *'Cheshire Archive and Local Studies Service'* have advised that the hedges on the site meet the 3 criterion which indicate that there are no protected hedgerows.

As such, it is considered that the proposal adheres with this aspect of Policy NE.5 of the Local Plan.

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.

This is supported by the National Planning Policy Framework, which states that:

"where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality".

It is advised within the submitted Agricultural Land Classification (ACL) technical note that:

'...the land at Eastern Road is typical of ACL 3b land and below. It is therefore considered that the development of the Eastern Road site will not lead to the loss of "best and most versatile" farmland.'

As such, it is considered that the proposed development would adhere with Policy NE.12 and the provisions of the NPPF in respect of loss of agricultural land.

Amenity

Policy BE.1 of the Local Plan advises that proposals for new development shall be permitted so long as the development does not prejudice the amenity of future occupiers or the occupiers of adjacent properties by reason of overshadowing, overlooking visual intrusion, noise and disturbance or in any other way.

The proposed dwellings will need to conform to the separation standards detailed within paragraph 3.9 of the The Development on Backland and Gardens SPD. These standards include a 21 metre gap between main windows of directly facing dwellings across both the front and rear gardens and a 13.5 metre gap between the main windows of dwellings directly facing the flank walls of an adjacent dwelling. Paragraph 3.35 of this SPD advises that each garden should have no less than 50 metres squared of private amenity space

In terms of the relationship between the proposed development and existing neighbouring properties, the indicative layout plan shows that the development would be accessed via a sole vehicular access through the plot of land currently occupied by No.11 Eastern Road, a dwelling which would subsequently be demolished.

The number of dwellings has been reduced from 45 to 40 on Officer advice due to the potential amenity and design impacts created by the dwellings proposed at the entrance of the site on Eastern Road, and those dwellings to the rear of the site which would back onto the rail line.

All other neighbouring dwellings would be over the 21 metre separation standard according to the submitted indicative layout plan. As such, they are deemed to be far enough away not to be impacted with regards to privacy, loss of light or visual intrusion.

In terms of the relationships between the proposed new dwellings themselves, the indicative layout plan shows that the 21 metre gap between principal elevations can be achieved.

It is considered that there is enough space within the site for each of the 40 properties now proposed to have an appropriate sized garden.

Environmental Health advised in response the previous submission that they have no objections to the proposed development subject to a number of conditions. These include the prior submission of a construction phase Environmental Management Plan (to include mitigation measures with regards to noise, waste and dust), hours of operation, the prior submission of a noise mitigation scheme, prior submission of lighting details and a contaminated land informative.

As such, subject to conditions and informatives, it is considered that the proposal would be acceptable in terms of amenity and Policies BE.1 and BE.6 of the Local Plan.

Ecology

The application is supported by various ecology reports and assessments including an Ecology note, roost assessment and a habitat survey.

Habitats

The Council's Nature Conservation Officer advised in response to the previous submission that the grassland habitats on site are not of suitable quality to be designated as a Local Wildlife Site. However, it is advised that their loss would still result in the loss of some biodiversity value. As such, it is proposed that this loss of biodiversity be off-set by means of a commuted sum which could be used to fund off-site habitat creation/enhancement.

In terms of calculating the appropriate sum, a survey based on the DEFRA report 'Costing potential actions to offset the impact of development on biodiversity – Final Report 3rd March 2011' has been used. This calculation concludes that a sum of £17,795 should be sought to off-set this loss of biodiversity.

As such, subject to this sum being secured by means of a S106 Agreement, it is considered that the impact upon the habitat would be acceptable.

Reptiles

The development site has been identified as potentially supporting common reptile species and the submitted ecological update anticipates that a detailed reptile survey would be required. As such, a detailed reptile survey was requested.

This survey has subsequently been received and the Council's Nature Conservation Officer has advised that the survey was conducted at the optimal time of the year under suitable weather conditions. The survey concluded that no evidence of reptiles were recorded. As such, the Conservation Officer is confident that reptiles are unlikely to be present or affected by the proposed development.

Bats

The initial Phase I survey stated that some trees on site have potential to support roosting bats. Due to mixed advice within the submission as to which trees would be retained, the Council's Nature Conservation Officer concluded that further clarification as to which trees on site have bat roosting potential and which trees would be felled.

In response, the applicant has provided this information and the Conservation Officer concluded that, based on the submitted indicative plan; it appears feasible for the trees which have potential to support roosting bats to be retained.

As such, the development creates no issues in relation to bats.

Hedgerows

Hedgerows are a UK Biodiversity Action Plan priority habitat and the development would likely result in a significant loss of hedgerow. As such, the Council's Nature Conservation Officer advised that if planning consent is granted, a suitable mechanism should be put in

place to ensure that any finalised landscaping scheme for the site includes suitable replacement hedgerows.

Subject to the above conditions, it is considered that the development would adhere with Policy NR2 of the Local Plan.

Open Space

The indicative layout plan shows that a degree of Public Open Space (POS) is proposed within the development itself.

This plan shows that this land would be positioned to the north of the site and forms the boundary with the railway line. It would be triangular in shape.

Policy RT3 of the Local Plan requires new housing development with more than 20 dwellings to provide a minimum of 15 square metres of shared recreational open space per dwelling. Furthermore, it is advised that, where the development includes family dwellings, an additional 20 square metres of shared children's play space per family dwelling will be required.

It is advised within paragraph 4.43 of the submitted Planning Statement that the indicative layout plan shows approximately 1,600 square metres of shared recreational space/play space. It is advised that *'It is therefore contended that the proposed development complies with the requirements of this policy.'*

The Council's Greenspaces team have advised that *'The existing play area (Parish owned) is 240 metres from the site, and is in a good condition. However, I am aware that local youngsters have approached the Parish Council requesting a skate park on the site of the existing play area, and the PC are happy for this to happen. If we can get the developer to pay for such a facility....it would deliver what local youngsters want.'*

Given that the indicative layout plan provides sufficient open space for the scheme to adhere with Policy RT3, it is considered that this additional request would be unreasonable and contrary to the CIL Regulations.

As such, subject to the amount of POS proposed being supplied at reserved matters stage, it is considered that the proposal would adhere with Policy RT3 of the Local Plan.

Affordable Housing

The Council's Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that 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 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.

It is advised within the application form that the development would comprise of 12 affordable units, a figure which would adhere with the 30% standard.

The Council's Housing and Needs Manager has advised that in the sub-area of Crewe within which this site falls, there is a net need for 217 new affordable homes per year.

It is advised that 'To date there has been no delivery of affordable housing between 2013/14 and 2017/18 in Willaston and the SHMA sub-area of Crewe has not seen the required number of affordable homes delivered. Therefore, as there is affordable housing need in Willaston and the SHMA sub-area of Crewe there is a requirement that 30% of the total units at this site are affordable, based on the total number of dwellings being 40 this which equates to 12 dwellings, with 8 of the affordable dwellings provided as rented affordable units and 4 provided as intermediate tenure.'

The Council's Housing Officer has advised that he would require *'...an affordable housing scheme which meets the requirements of the Interim Planning Statement: Affordable Housing is submitted with the reserved matters application, the main affordable housing provisions the s106 needs to secure are:*

- 30% of the total dwellings to be provided as affordable housing*
- 65% of the affordable dwellings to be affordable or social rented, 35% to be intermediate*
- The affordable dwellings to be pepper-potted across the site*
- Affordable homes to meet CFSH Level 3 and to be built in accordance with the Homes & Communities Agency Design & Quality Standards.*
- The affordable dwellings to be provided no later than occupation of 50% of the open market dwellings.'*

As a result of the above information and comments, subject to the securing of the above via a S106 Agreement, it is considered that the affordable housing provision proposed would be acceptable.

Infrastructure

Policy BE.5 of the Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. It is advised that such provision may include on site facilities, off site facilities or the payment of a commuted sum.

The Council's Education Officer advised in response to the previous submission that:

'...Primary Schools within a 2 mile radius and secondary schools within 3 miles have been considered for capacity. It is advised that there are sufficient places available in the secondary schools, but the primary schools are forecast to be cumulatively oversubscribed. Therefore, a contribution will be required for every primary aged pupil's which equates to the sum of £86,770.'

As such, in order to adhere with the potential capacity on local primary schools, should the application be approved, it is recommended that a contribution of £86,770 be provided in order to aid these local schools in being able to deal with this increase. This would be secured via a S106 Agreement.

The Primary Care Trust (PCT) have been consulted but have not provided any comments on the application which suggests they are satisfied with the proposed development.

Highway infrastructure has been considered under the Access section of this report.

As such, subject to the above being secured via legal agreement, it is considered that the development would adhere with Policy BE.5 of the Local Plan.

Footpaths / Public Right of Way

The proposed development would include a pedestrian footpath link access onto Eastern Road between No.55 and No.57 Eastern Road.

The Council's Public Rights Of Way Officer has advised that:

'...It could be anticipated, given the location of the site in relation to Shavington High School/Leisure Centre and Crewe town centre, that demand for this route would arise from cyclists in addition to pedestrians, and therefore the route should be designed and constructed for both types of user, should the development go ahead. The legal status and future maintenance of this link would require agreement with the Council. The developer should be tasked to provide new residents with information about local routes for both leisure and travel purposes.'

Sustrans also support the need for a cycle links and provisions within and to the scheme.

As such, subject to the above detail being agreed at reserved matters stage, it is considered that the development would adhere with Policy BE.5 of the Local Plan.

Flood Risk and Drainage

The Environment Agency have been consulted on the scheme and have advised that they have *'...no objection in principle...'* subject to 2 conditions.

These include the prior submission of a detailed surface water drainage scheme and the prior submission of a scheme to manage the risk of flooding from overland flood flow of surface water. As such, subject to the implementation of these 2 proposed conditions, it is considered that the proposed development would adhere with Policy NE.20 of the Local Plan.

United Utilities were consulted with regards to drainage. UU have subsequently advised that they have no objections, subject to the site being drained on a separate system with only foul drainage connected to the foul sewer and that the surface water should discharge to the soakaway/watercourse/surface water sewer. Furthermore, it is advised that a separate metered supply must be provided for each unit.

As such, subject to the implementation of these proposals via informatives, it is considered that the proposed development would adhere with Policy BE.4 of the Local Plan.

Network Rail

The site is bound to the north by the Crewe - Nantwich rail line. Network Rail have reviewed the proposal and advised that they have no objections to the development, subject to the following condition: Prior to commencement of development, the developer should submit a traffic management plan for construction works to be approved by the LPA and Network Rail. As such, subject to this condition, it is considered that the proposed development would not have a detrimental impact upon the rail line.

Planning Balance

The NPPF states that sustainability gives rise to 3 dimensions: economic, social and environmental.

In terms of the environmental impact the development would result in the loss of Green Gap and Open Countryside. However, the relevant Local Plan policies are considered to have less weight because of the Rope Lane appeal decision. Furthermore, the location of the site is considered to be sustainable being on the edge of Willaston.

In terms of the economic impact the development would bring, short term advantages of jobs and in the longer term would add population to the town to increase vitality and viability.

The social aspect would met by the provision of over 30% affordable housing which is given significant weight due to the fact that there has been the delivery of 0 units within the 5 year period where there is a requirements for 1280 affordable dwellings.

Therefore, the proposed development is considered to be sustainable development.

Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The development would result in increased demand for primary school places as there is limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards primary school education is required. This is considered to be necessary, fair and reasonable in relation to the development. The commuted sum sought is £86,770.

The development would also result in an increase in the volume of local traffic on the Peacock Roundabout. As such, a contribution towards an existing improvement scheme on this

junction is required. This is considered to be necessary, fair and reasonable in relation to the development. The commuted sum sought is £67,000.

The proposed scheme would also result in the loss of grassland habitats and a loss in biodiversity. In order to compensate for this loss, a contribution towards an off-site habitat creation is required. This is considered to be necessary, fair and reasonable in relation to the development. The commuted sum sought is £17,795.

On this basis, the S106 recommendation is compliant with the CIL Regulations 2010.

CONCLUSIONS

The site is within the Open Countryside where under Policy NE.2 there is a presumption against new residential development. The NPPF states that where authorities cannot demonstrate a 5 year supply of housing land, relevant local plan policies are out of date and there is a presumption in favour of development. Following the recent appeal decisions, the presumption in favour of the proposal does apply and Policies NE.2 and NE.4 are considered to be out of date.

In this case the emerging development strategy can only be given limited weight as can the Green Gap Policies.

The proposed development would provide a safe access and the development would not have a detrimental impact upon highway safety or cause a severe traffic impact subject to the relevant conditions and a contribution to local highway improvements.

In terms of Ecology, it is not considered that the development would have a significant impact upon ecology or protected species, subject to the necessary contribution to off-set the impact.

Following the successful negotiation of a suitable Section 106 package, the proposed development would provide an adequate contribution in lieu of open space on site, the necessary affordable housing requirements and monies towards the future provision of primary school education.

The proposal is considered to be acceptable in terms of its impact upon residential amenity and drainage/flooding. 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 facilities advised in the North West Sustainability toolkit, there is not a significant failure to meet these and all such facilities are accessible to the site. The development is therefore deemed to be locationally sustainable.

The planning balance clearly weighs in favour of the proposal and the development is considered to be sustainable. As such, the development is recommended for approval.

RECOMMENDATION:

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

1. A commuted payment of £17,795 towards off-site habitat creation/enhancement.
2. A commuted payment of £86,770 towards primary school education
3. A commuted payment of £67,000 towards the IDP Scheme of Improvement for the Peacock Roundabout
4. 30% Affordable Housing provision

And the following conditions

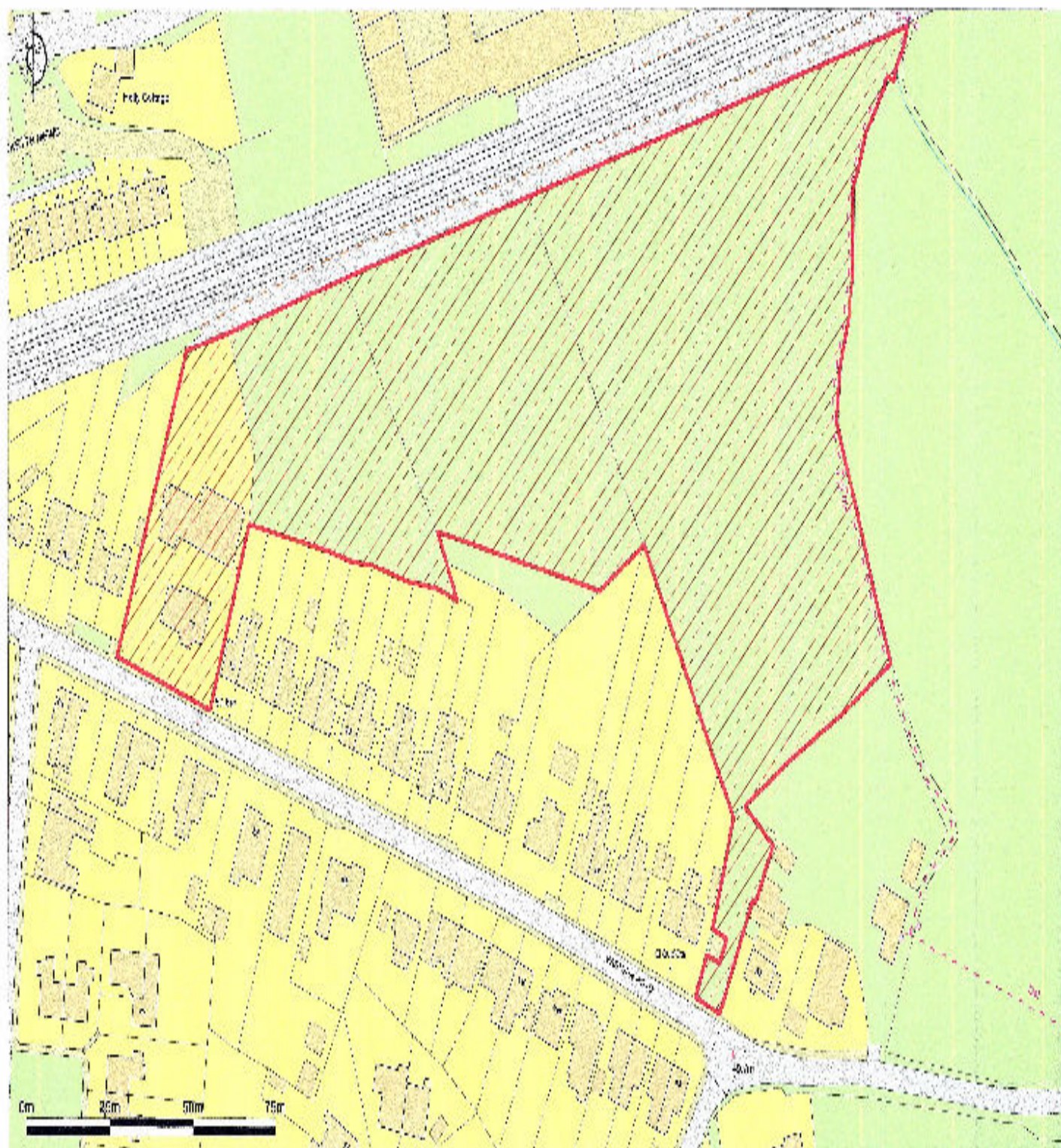
1. Time Limit (Outline)
2. Submission of reserved matters
3. Reserved Matters application made within 3 years
4. Approved plans
5. Prior submission of facing and roofing material details
6. Prior to first development the developer will provide a detailed suite of design plans for the development highway proposals which will inform the S38 agreement.
7. Prior submission of a construction phase Environmental Management Plan (to include mitigation measures with regards to noise, waste and dust)
8. Hours of operation
9. The prior submission of a noise mitigation scheme
10. The prior submission of lighting details
11. Hours of piling
12. Prior submission of piling method statement
13. Prior submission of drainage details
14. Prior submission of a scheme to manage the risk of flooding from overland flow of surface water.
15. Prior submission of a traffic management plan for construction works
16. Prior submission of an Arboricultural Impact Assessment with fully updated Tree Survey, Tree Constraints and Tree Protection Plan
17. Trees which support roosting bats to be retained
18. Breeding birds
19. Prior submission of boundary treatment details

Informatives:

1. Standard – Lawyers charter
2. Prior to first development the developer will provide a detailed suite of design plans for the development highway proposals which will inform the S38 agreement.
3. Contaminated land
4. United Utilities
5. Landscaping scheme to include suitable replacement hedgerows
6. Reserved matters to include levels details

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Planning and Place Shaping Manager has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Planning and Place Shaping Manager in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.



Information is current as of 1st July 2014. All rights reserved. For more information, please contact Promap at 0800 000 000.

EASTERN ROAD, WILLASTON REV 1