

Application No: 15/5063N

Location: Land West Of, BROUGHTON ROAD, CREWE

Proposal: Residential development (Use Class C3) consisting of 81 no. new affordable dwellings comprising 10 no. three bed houses, 45 no. two bed houses, 6 no. two bed apartments and 20 no. one bed apartments in three two storey apartment blocks with associated infrastructure including a new estate access off Broughton Road

Applicant: William Fulster, MCI Developments Limited and Wulvern Hou

Expiry Date: 09-Feb-2016

SUMMARY

The site is within the Open Countryside where, under policies NE.2 there is a presumption against new residential development. However, as Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites, the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The site has an 'in principle' planning approval, which is awaiting the finalisation of the section 106 agreement, the previously approved scheme was for the same site, however was a market scheme. Therefore the principle of housing development on this site has been accepted by the Local Planning Authority.

The development would provide significant social benefits in terms of much needed affordable housing provision by providing 100% social rented affordable housing which is desperately needed, and would contribute to the Council's delivery of 5 year housing land supply. It would provide a small area of public open space facility for future residents, and the development would provide significant economic benefits through the provision of employment during the construction phase, new homes and benefits for local businesses. Due to its landscape designation, it is not considered that the proposal will have a significant landscape impact.

Balanced against this are the adverse impacts of the development including the loss of open countryside and the lack of planning obligations for infrastructure which play a vital role in ensuring the social wellbeing of the community. However the contribution of affordable housing is also considered an important and overriding consideration.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged due to the provision of 81 social rented affordable homes. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits.

SUMMARY RECOMMENDATION

Approval subject to conditions

PROPOSAL

The application seeks full planning permission for 81 affordable dwellings, 15 units will be made available for affordable sale, however if they are not sold within 8 weeks they will revert back to social rented, the proposal is for a mix of 10 x three bed dwellings, 45 x two bed dwellings, 6 x two bed apartments and 20 x one bed apartments in three two storey apartment blocks. The layout has been subject to some design changes over the course of the application process, however the mix and broad location of the units has remained the same. The application proposes one point of access to the site. The main access road runs through the site with clusters of dwellings off it. A large amount of boundary landscaping will be retained, with additional landscaping proposed to mitigate impacts on the landscape.

SITE DESCRIPTION

The application site is a rectangular parcel of land on the west side of Broughton Road on the edge of Crewe. The site is surrounded by hedgerows and fencing in places with the hedgerow along the eastern boundary with Broughton Road being particularly strong. There are residential properties either side of the frontage of the site. Beyond the western boundary of the site is the railway line which runs north south. The site is pasture land with no agricultural activity taking place on it and it is not accessible to the public. The site is located within the Open Countryside as identified in the Crewe and Nantwich Local Plan and covers an area of 1.69ha.

RELEVANT HISTORY

P06/0108 – Construction of 8 dwellings and access road – refused 20.03.2006

10/4356N - Change of use for the keeping of Horses, Livery Stables and Associated Works such as Access and Hard Standing – Not determined

14/2915N - Outline Planning Application for Erection of up to 53 no residential units with associated infrastructure and ancillary facilities in Outline with access defined – motion to approve by Southern Planning Committee subject to completion of Section 106 agreement (outstanding)

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework (the Framework) establishes a presumption in favour of sustainable development. The Framework sets out that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

49. Housing supply policies

50 and 54. Wide choice of quality homes
56-68. Requiring good design
109. Conserving and enhancing the natural environment
186-187. Decision taking
196-197 Determining applications
203-206 Planning conditions and obligations

Borough of Crewe and Nantwich Replacement Local Plan 2011

NE2. – Open Countryside
NE.5 – Nature Conservation and Habitats
NE.8 – Sites of Local Importance for Nature Conservation
NE.9 – Protected Species
NE17 – Pollution control
BE1 – Amenity
BE2 – Design standards
BE3 – Access and parking
BE4 – Drainage, utilities and resources
BE5 – Infrastructure
RES.3 – Housing densities
RES.5 – Housing in the Open Countryside
RES.8 – Affordable housing in rural areas outside settlement boundaries (rural exceptions policy)
Tran.1 – Public Transport
Tran.3 – Pedestrians
Tran.9 – Car Parking Standards
RT.3 – Provision of recreational open space and children’s play space in new housing developments

Cheshire East Local Plan Strategy – Submission Version

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
EG1 Economic Prosperity
EG3 Existing and allocated employment sites
SC3 Health and Well-being
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

Other Material Considerations

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

CONSULTATIONS

Environmental Health – No objections subject to conditions recommended regarding Noise Mitigation Scheme, lighting and Environmental Management Plan, charging for electric vehicles, travel planning, dust control and contaminated land. Informative relating to hours of construction.

Highways Officer - The additional development does not have a material traffic impact that warrants a objection to the application. The internal layout as amended is in improvement on the previous submission and whilst there are areas that can be improved, technically the design meets standards and is not a reason for refusal. No objections.

Housing Officer - 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.

The IPS 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 Update (SHMA). The IPS states that the tenure mix split 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 SHMA.

The 2013 SHMA Update shows that for the sub-area of Crewe there is a 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, 12 x 1 bed older persons units and 20 x 2 bed older persons units. (There is an oversupply of 2-bed general needs accommodation).

There are currently 966 applicants on our housing register applying for social rented housing who have selected Crewe as their first choice, these applicants require 369 x 1 beds, 364 x 2

beds, 160 x 3 beds and 22 x 4+ beds (48 applicants haven't specified how many bedrooms they need).

The above information evidences that there is a clear need for affordable housing in Crewe and so we support this application. All the Affordable homes should be constructed in accordance with the Nationally Described Space Standards (2015).

Education comments - The development of 61 dwellings of 2 bedroom + is expected to generate:

11 primary children (61 x 0.19 – 1 SEN)

9 secondary children (61 x 0.15)

1 SEN children (61 x 0.51 x 0.03%)

The development is forecast to increase an existing shortfall for primary provision in the immediate locality and SEN provision.

To alleviate forecast pressures, the following contributions would be required:

11 x £11,919 x 0.91 = £119,309.19 (primary)

1 x £50,000 x 0.91 = £45,500 (SEN)

Total education contribution: £164,809.19

Without a secured contribution of £164,809.19, Children's Services raise an objection to this application. This objection is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. The objection would be withdrawn if the financial mitigation measure is agreed.

Public Rights of Way Officer - Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians. Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes.

United Utilities – No objections subject to conditions

Environment Agency – No objections, suggested informatives.

VIEWS OF THE TOWN COUNCIL

Crewe Town Council - It was resolved that the Town Council welcomes and supports the provision of affordable housing. However it has concerns about the density of the proposed layout, and in particular the lack of public amenity space and play provision.

OTHER REPRESENTATIONS

Representations from 2 neighbouring properties received raising the following points:

- Car parking
- Schools won't cope locally with all other development planned in the area
- Not supporting local residents
- Cumulative impact on highways from development

- New development eyesore
- Noise and disturbance
- Contamination
- Loss of wildlife

APPLICANT'S SUPPORTING INFORMATION

- Sustainable Drainage Statement
- Noise Assessment
- Transport Statement
- Viability Appraisal (confidential)
- Design and Access Statement
- Planning Statement
- Ecology Statement
- Flood Risk Assessment
- Utilities Statement
- Arboricultural Statement
- Landscape and Visual Impact Assessment
- Geoenvironmental study report
- Ecology Phase I report
- Tree protection plan
- Arboricultural method statement
- Tree survey report
- Affordable housing statement
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The planning statement concludes the following:

- This report has demonstrated that the proposal will if approved create a high quality and well-designed affordable residential development that will enhance and help towards enhancing the local neighbourhood. The development has also been specifically designed to address and meet local needs.

- This statement provides an overview of the proposals and the overall assessment of the proposals in the context of the Saved Policies of the Crewe and Nantwich Replacement Local Plan, emerging local plan and other policies along with the National Planning Policy Framework. It is considered the application complies with the principles of sustainable development as set out in the Framework. It demonstrates that the proposals perform a positive economic, social and environmental role and therefore justifies a presumption in favour of granting permission with the Framework (Paragraph 14).

APPRAISAL

Principle of development

The site is located within the Open Countryside as designated in the Crewe and Nantwich Local Plan. Development is restricted within the Open Countryside to facilities for 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 is restricted to agricultural workers dwellings, affordable housing in the form of Rural Exception Sites and limited infilling within built up frontages.

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

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

The most important material consideration in this case is the NPPF which states at paragraph 49 that 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 and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

This application proposes 81 dwellings and therefore is a clear departure from policy NE.2. However, the principle of residential development has been established through the motion to grant planning permission for a site of 54 market dwellings in early 2015.

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council’s identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

The calculation of Five Year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account ‘persistent under delivery’ of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

The above policy context must also be weighed in the planning balance taking account of the sustainability objectives as detailed below.

Sustainability

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

SOCIAL SUSTAINABILITY

Affordable Housing

The application proposes 81 affordable dwellings, to be provided by a registered provider Wulvern Housing. There is a pressing need for affordable housing of all tenures, however the need for social rented accommodation is high, this proposal will put 15 units for affordable sale with the remainder social rented, however if the sale units are not sold within 8 weeks they automatically revert back to social rented. The 2013 SHMA sets out that there is a requirement for 217 affordable homes in Crewe per annum, therefore this site will make a significant contribution to this requirement. The 2013 SHMA Update shows that for the sub-area of Crewe there is a 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, 12 x 1 bed older persons units and 20 x 2 bed older persons units.

There are currently 966 applicants on the Council's housing register applying for social rented housing who have selected Crewe as their first choice, these applicants require 369 x 1 beds, 364 x 2 beds, 160 x 3 beds and 22 x 4+ beds (48 applicants haven't specified how many bedrooms they need).

The proposal is strongly supported by Housing officers within Cheshire East Council, and the split in one, two and three bedroom units is welcomed. Therefore the proposal makes a significant contribution to the community in its own right and therefore is socially very sustainable.

Development proposals for housing can traditionally contribute to social sustainable development through the provision of some community benefit, this is often brought about through contributions (financial or otherwise). A main community benefit is itself the provision of affordable housing. However, alongside this, for large developments, other benefits are required to make the development acceptable in planning terms, and to ensure that it does not have a detrimental impact on the community it is to serve.

Education

Following consultation with children's services a financial contribution is required as the development of 61 dwellings of 2 bedroom + is expected to generate:

11 primary children (61 x 0.19 – 1 SEN)
9 secondary children (61 x 0.15)
1 SEN children (61 x 0.51 x 0.03%)

The development is forecast to increase an existing shortfall for primary provision in the immediate locality and SEN provision.

To alleviate forecast pressures, the following contributions would be required:

11 x £11,919 x 0.91 = £119,309.19 (primary)
1 x £50,000 x 0.91 = £45,500 (SEN)
Total education contribution: £164,809.19

Open Space

Policy RT.3 states that where a development exceeds 20 dwellings the Local Planning Authority will seek POS on site. There is therefore a requirement for open space as part of the proposal. The layout indicates an area of open space within the site; however comments from Ansa are awaited regarding the specific requirements for this scheme and will be provided as an update.

Viability

As part of the proposals a confidential viability assessment was submitted. This concluded that due to the nature of the scheme, being a 100% affordable housing scheme, it could not bear the costs of any financial planning obligations and could therefore not be fully policy compliant. This was independently tested through an external viability specialist. The report did conclude that the scheme would not be able to bear any financial cost of planning obligations.

However, a key planning obligation is for affordable housing, whereby 30% is expected from all developments. Therefore for this scheme to be providing 100% it is fully compliant with regard to this requirement. Therefore it is for this assessment to consider whether on balance the benefits outweigh the disadvantages of partial policy compliant scheme.

Social Sustainability Conclusion

It is considered that, although the proposal will not make an education or public open space contribution, it will make a very significant contribution to the provision of affordable housing, especially in an area where it is desperately needed. On balance this contribution alone does provide significant community benefit, and it is unfortunate that the scheme is unable to provide a financial educational contribution however this has been robustly tested through a viability appraisal which shows that this contribution cannot be afforded by the scheme. It is not considered that the education can be a showstopper, as an affordable housing scheme such as this, developed by a registered provider will be under significant financial pressure, as demonstrated by the viability reports. Although it is finely balanced this proposal will be sustainable socially by providing much needed affordable housing.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable 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 local area including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

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) will not be permitted unless:

- The need for the development is supported by 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
- Other sustainability considerations suggest that the use of higher quality land is preferable

The National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this case, the agricultural land is designated as "Urban" on the Council's constraints maps, which on the Magic Agricultural Land Classification comes below Grade 5 and Non Agricultural. It is therefore considered that the proposal does not involve the development of the best and most versatile agricultural land.

Economic sustainability conclusion

It is considered that the proposals represent sustainable development in terms of the economic sustainability of the scheme which will provide benefits to the local area through the construction process and the use by residents of local businesses.

ENVIRONMENTAL SUSTAINABILITY

Landscape Impact

The application was accompanied by a Landscape and Visual Impact Assessment (LVIA) this identifies both the national and local character areas in which the application site is located, namely National Character Area 61 'Shropshire, Cheshire and Staffordshire Plain' and within the Cheshire Landscape Character Assessment 2008, the East Lowland Plain, and specifically the ELP7: Wimboldsley Landscape Character Area.

The appraisal identifies that the likely landscape significance of effects on the setting will be Moderate-Major, but that in time mitigation will be minor adverse and negligible on the wider setting. The appraisal also identifies that the proposed development will have some effect on the surrounding visual amenity, and that the main visual receptors, those on Broughton Road, will have a moderate/major effect, which will reduce as mitigation becomes effective.

The Landscape Officer broadly agrees with the landscape and visual impacts that are identified in the appraisal and does not consider that the proposals will have a significant landscape or visual impact.

It is important that new developments in the Open Countryside do not have a detrimental landscape impact, it is considered that through mitigation over time, this proposal will not have a significant landscape or visual impact.

Impact on Trees

The arboricultural officer assessed the initial layout, however is now reviewing the amended layout. The comments relating to the second amendment of the application state the following:

The revised draft plan (SK 03B) makes minor increases to the separation between trees and dwellings but there is no evidence that this has been informed by a shade analysis and they have used round tree symbols rather than the true crown shapes shown on the earlier tree survey. The relationship between trees and western boundary plots 51, 55 & 57 in particular still appears poor with a large proportion of garden area covered by tree canopy.

Whilst there are some reservations, in the event of approval the tree protection plan and schedule of tree works will need updating to reflect the final layout- secured by an appropriate condition if not provided prior to determination. Please note that the tree works schedule originally proposed a 3m reduction of the crown on the tree affecting plots 55/57. As a current spread to the east of 6m has been reported, this extent of reduction seems excessive, so may need to be reconsidered.

Dialogue is ongoing between the arboricultural officer and the agent, and it is considered that the issues can be addressed through a suitably worded condition, in order for the proposed development not to have an adverse impact on the health or the amenity of the trees surrounding the site.

Public Rights of Way

There are no PROW located on the application site. In relation to the request for cycleway improvements, noted above in the consultations, it is not considered that the suggestions would be CIL compliant.

Ecology

The development site has a number of ecological concerns, these are set out in the comments below from the Council's ecologist.

Great Crested Newts

Some years ago this protected species was recorded at both of the ponds on the application site and also a number of other ponds some distance from the application site.

Based on the results of survey undertaken to inform earlier applications at this site and adjacent land I advise that great crested newts are now unlikely to be present or affected by the proposed development.

Lesser Silver Diving beetle and mud snail

Lesser silver diving beetle is a protected and priority species. Mud snail is a local priority species. Both of these species were recorded as being present at the two ponds on site.

There is also a ditch present along the southern edge of the application site. It is unclear whether this ditch would be lost as a result of the proposed development. Clarification of this point must be sought from the applicant.

The proposed development is likely to have a significant adverse impact on these species as a result of the direct loss of the ponds on site.

In order to address the adverse impacts of the proposed development upon these two species the submitted mitigation strategy proposes the creation of two replacement ponds and a section of ditch on land located offsite in third party ownership. I advise that there is no certainty that this mitigation strategy would be successful. These two species are however dependant upon specific management regimes including trampling of the ponds margins by livestock. The proposed strategy of providing replacement ponds within the local range of this species is therefore preferred to the alternative option of attempting to retain these two species at ponds within a housing development.

If planning consent is granted it is advised that a condition should be attached requiring the submission of a more detailed mitigation method statement, which includes a detailed design for the proposed ponds and a detailed monitoring specification for three years, prior to the commencement of development. As the proposed compensatory ponds are located offsite on third party land a section 106 agreement may be required to secure their implementation and on-going maintenance.

Reptiles

Reptiles are known to occur in this broad locality of the application site and may occur on the application site on a transitory basis. To ensure reptiles are not killed or injured during the construction phases the applicant should submit a method statement of reasonable avoidance measures which include proposals to ensure that the site remains in a state unsuitable for reptiles prior to the commencement of development. The applicant has submitted a brief method statement in order to address this point however the method statement is more relevant to great crested newts.

An updated method statement should be submitted to the Council prior to the determination of the application.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. It appears feasible for much of the boundary hedgerows to be retained as part of the proposed development. There will however be a loss of hedgerows from the sites interior and also a loss of hedgerow from the site frontage to facilitate the site access.

No replacement hedgerow planting appears to be proposed to compensate for these losses and so there will be a net loss of hedgerows as a result of the proposed development.

Breeding Birds

If planning consent is granted the conditions would be required to safeguard nesting birds.

Following dialogue between the applicant's ecologist and the Council's ecologist, additional information in respect of the issues raised above has now been submitted and considered by the ecologist. With regard to the mitigation for the Lesser silver diving beetle and mud snail,

this can be secured by way of a Grampian condition as it relates to a site which is on third party land. The method statement submitted addresses the issues and details the mitigation, it is recommended that the condition refer specifically to the method statement which has been agreed with the Council's ecologist. Other ecological issues are addressed through suitably worded conditions agreed with the ecologist. Therefore it is considered that the proposal accords with policy NE.9 of the Crewe and Nantwich Local Plan.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. Flood Zone 1 defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. As the application site is more than 1 hectare, a Flood Risk Assessment (FRA) has been submitted in support of the application.

The Environment Agency and United Utilities have been consulted as part of this application and have both raised no objection to the proposed development subject to the imposition of planning conditions. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

Contaminated Land

The Environment Agency and Environmental Health have been consulted with regard to contamination, the Contaminated Land team has raised no objections however the Phase I report recommends a Phase II ground investigation be undertaken in order to further investigate the potential contamination risks at the site.

The Phase II report has now been submitted and is currently under review by Environmental Health.

Air Quality

Following consultation with Environmental Health it is clear that the cumulative impact of a number of developments in the area, (regardless of their individual scale) has the potential to significantly increase traffic emissions, and as such adversely affect local air quality for existing residents by virtue of additional road traffic emissions.

Crewe has three Air Quality Management Areas and unless managed, the cumulative impacts of developments in the town will make the situation worse. It is the view of this office that any increase in concentrations within an AQMA is significant as it is directly converse to local air quality objectives and the Air Quality Action Plan. The NPPF requires that development be in accordance with the Council's Air Quality Action Plan.

Modern Ultra Low Emission Vehicle Technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such, it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern, sustainable developments. Conditions in relation to air quality have been recommended.

Noise Impact

The West Coast Mainline railway runs approximately 45 metres at the closest point to the west of the proposed development site and noise and vibration from this would have the

potential to adversely impact upon any residential properties. Environmental Health do not consider that vibration should be an issue at the proposed distance of the development from the rail track however the noise assessment shows that mitigation is required to achieve acceptable noise levels in internal and external living areas. A noise mitigation scheme has been submitted with the application which has been considered to be acceptable by Environmental Health. Therefore it is considered that the proposed development will not have a detrimental impact on the amenity of future residents by virtue of excessive noise or vibration.

Neighbour Amenity

The proposed development does not create issues with overlooking, loss of privacy or loss of light to existing properties due to the juxtaposition of the proposed dwellings and the provision of adequate separation distances. The proposed dwellings within the site will have an area of private amenity space, and will not create conflict by overlooking, loss of light, or loss of privacy within the scheme. Therefore it is considered that the proposed development accords with policy BE1 of the Crewe and Nantwich Local Plan.

Location

With regard to environmental sustainability, it is considered that the proposals are sustainable the proposed development is on the edge of Crewe which is a main service centre with a variety of amenities and services and is within close proximity to public transport connection, there is a footpath along Broughton Road. Therefore the location of the proposed development is considered to be environmentally sustainable.

Design

The importance of securing high quality design is specified within the Framework. 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.”

In this case the proposal has been amended during the application process and various improvements have been made to the layout to create a greater sense of place and a more sustainable environment for the future residents of the site. The amendments include additional detailing on house types, staggering of the dwellings within the layout, the removal of some car parking from frontages, improvements in the road layout with a hierarchy of surfaces and road widths. The highways design has been agreed with the Highways Officer and is designed to an adoptable standard.

The density of the scheme is high, due to apartments being on the site with a density of 47 dwellings per hectare, with a mixture of 2.5 storey, and 2 storey units. There is a high number of one bed units is so the site will not appear cramped and its still meets the recommended 30-50 units per hectare within the Local Plan. Therefore the proposal accords with policy RES.3 of the Local Plan.

Following the amendments to the scheme it is now considered that an acceptable design/layout has been achieved, and it does include an area of open space to the front of the site. It is considered that the proposed development accords with policy BE.2 of the Local Plan.

Highways

There have been objections raised by neighbouring properties in relation to highways and the surrounding road network. However the Highways Officer does not raise specific objection noting the previous application for 53 units.

Transport impact

An assessment of the traffic impact for the 53 units scheme was submitted with application 14/2915N, this submission has provided traffic generation figures for the additional impact of 28 units on the network. It is the case that there are capacity issues at a number of junctions on the Remer Street corridor and also further committed developments will come forward. Consideration was given on the previous application as to whether a refusal on grounds of traffic impact on these junctions could be defended. Given that once distributed, the development traffic would result in very minor increases in flows at the congested junctions it was determined that a refusal on traffic impact grounds could not be supported. Clearly, this application represents a further increase again although the amount of trips involved does not change the decision that it does not result in a material impact on the road network.

Internal layout

As this is a full application, the internal road layout is to be determined. The applicant has submitted a revised layout drawing that incorporates some traffic calming measures that will assist in reducing traffic speeds. As the internal roads are to be adopted there is some scope to change the amount of shared surface in the S38 Agreement and this will also aid the design.

Summary

The additional development does not have a material traffic impact that warrants an objection to the application. The internal layout as amended is in improvement on the previous submission and whilst there are areas that can be improved, technically the design meets standards and is not a reason for refusal.

Representations

Objections to the proposal have been received from neighbouring properties to the proposed development on various grounds which have been considered and are addressed in the main body of the report.

PLANNING BALANCE

The site is within the Open Countryside, where new development for housing is restricted to agricultural, forestry, limited infilling and affordable housing through Rural Exception Sites. As Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so

would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The site has a resolution to grant planning permission for residential development early 2015, and therefore the principle of housing development has been accepted by the Council on this site. The proposed development is for a 100% affordable housing scheme, which is needed within Cheshire East. The development cannot afford financial contributions, however the provision of affordable housing is a significant social benefit to the scheme. On balance, although it is regrettable that the scheme cannot contribute to a full package of community benefits, it is considered that the benefits of the scheme weigh significantly in the planning balance and outweigh the disadvantages of the scheme.

Through the assessment as to whether the scheme represents sustainable development, it is considered that it does achieve this in terms of social, environmental and economic sustainability. Therefore the proposal aligns with the presumption in favour of sustainable development set out in the NPPF, and should be approved without delay.

The benefits in this case are:

- The development would provide benefits in terms of much needed affordable housing provision and would help in the Council's delivery of 5 year housing land supply.
- The development would provide a small public open space facility for future residents.
- The development would provide significant economic benefits through the provision of employment during the construction phase, new homes and benefits for local businesses.
- The design of the proposed development has been improved to adopt some key urban design principles.
- The proposal will not have an adverse landscape impact.

The development would have a neutral impact upon the following subject to mitigation:

- The impact upon protected species/ecology is considered to be neutral subject to the imposition of conditions to secure mitigation.
- There is not considered to be any significant drainage implications raised by this development.
- The impact upon trees is considered to be neutral as this can be addressed through mitigation.
- The impact upon the residential amenity/noise/air quality/landscape and contaminated land could be mitigated through the imposition of planning conditions.
- Highway impact would be broadly neutral due to the scale of the development.

The adverse impacts of the development would be:

- The loss of open countryside.
- The impact upon education infrastructure as this cannot be mitigated through the provision of an education contribution as demonstrated by the viability assessment which has been tested independently.

The scheme is therefore recommended for approval.

RECOMMENDATION

Approve subject to the following conditions:

1. Commencement of development (3 years)
2. Development in accord with approved plans, including, materials, levels, boundary treatments
3. Delivery of affordable housing
4. Grampian condition mitigation for Lesser silver diving beetle and Mud snail
5. Mitigation for Breeding Birds in accordance with submitted details
6. Reptile method statement
7. Submission of landscape scheme
8. Submission of drainage scheme
9. Arboricultural method statement and tree protection measures
10. Dust Management and site welfare plan in accordance with details provided
11. Noise mitigation scheme
12. Details of lighting to be submitted
13. Details of construction management plan
14. Electric vehicle charging points to be provided for dwellings
15. Travel plan to be submitted
16. Phase II investigation to be submitted

Informatives:

1. Hours of construction
2. Contamination informative
3. Environment Agency contamination informative

