

**SOUTHERN PLANNING COMMITTEE – 9<sup>th</sup> August 2017**

**UPDATE TO AGENDA**

**APPLICATION NO.**

17/1666N

**LOCATION**

LAND WEST OF NEW ROAD, WRENBURY

**UPDATE PREPARED**

Error in the report

It is noted that the policies referred to in the policy section of the report (page 38) relate to the Congleton Local Plan. This is an error and should relate to the following policies in the Crewe and Nantwich Local Plan:

NE.5 (Nature Conservation and Habitats)  
NE.8 (Sites of Local Importance for Nature Conservation)  
NE.9: (Protected Species)  
NE.20 (Flood Prevention)  
BE.1 (Amenity)  
BE.3 (Access and Parking)  
BE.4 (Drainage, Utilities and Resources)  
BE.6 (Development on Potentially Contaminated Land)  
RES.5 (Housing in the Open Countryside)

Education comments

A development of 41 dwellings is forecast to generate 8 primary school children and 6 secondary school children and 0 Special Educational Needs (SEN) child.

The details of this forecast are contained within the table below:

|   |   |            |                |                   |   |       |       |       |       |          |       |
|---|---|------------|----------------|-------------------|---|-------|-------|-------|-------|----------|-------|
| <b>Development</b>  | Land West of New Road                               |            |                |                   | Number of Dwellings                                 | 41    |       |       |       |          |       |
| <b>Planning App Number</b>  | 17/1666N resubmission of 16/6028N but for 41 houses |            |                |                   | Primary Yield                                       | 8     |       |       |       |          |       |
| <b>Date Prepared</b>  | 26.7.2017   |            |                |                   | Secondary Yield                                     | 6     |       |       |       |          |       |
|   |   |            |                |                   | SEN Yield   | 0     |       |       |       |          |       |
|   | PAN Sep 17  | PAN Sep 18 | NET CAP May-17 | any Known Changes | PUPIL FORECASTS based on October 2016 School Census |       |       |       |       |          |       |
|   |   |            |                |                   | 2017  | 2018  | 2019  | 2020  | 2021  | Comments |       |
| <b>Primary Schools</b>  |   |            |                |                   |   |       |       |       |       |          |       |
| Wrenbury Primary School   | 20  | 20         | 140            | 140               | 92  | 99    | 103   | 105   | 103   |          |       |
| Developments with S106 funded and pupil yield included in the forecasts |   |            |                | 0                 |   |       |       |       |       |          |       |
| Developments pupil yield not included in the forecasts                  |   |            |                |                   |   |       |       |       | 0     |          |       |
| Pupil Yield expected from this development                              |   |            |                |                   |   |       |       |       | 8     |          |       |
| <b>OVERALL TOTAL</b>  | 20  | 20         | 140            | 140               | 92  | 99    | 103   | 105   | 111   |          |       |
| <b>OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP</b>      |   |            |                |                   | 48  | 41    | 37    | 35    | 29    |          |       |
| <b>PRIMARY CONCLUSION - NO CLAIM</b>                                    |   |            |                |                   |   |       |       |       |       |          |       |
|   | PAN Sep 17  | PAN Sep 18 | NET CAP May-17 | any Known Changes | PUPIL FORECASTS based on October 2016 School Census |       |       |       |       |          |       |
|   |   |            |                |                   | 2017  | 2018  | 2019  | 2020  | 2021  | 2022     | 2023  |
| <b>Secondary Schools</b>  |   |            |                |                   |   |       |       |       |       |          |       |
| Brine Leas  | 215   | 215        | 1,050          | 1,050             | 1,126   | 1,154 | 1,186 | 1,202 | 1,208 | 1,209    | 1,214 |
| Developments with S106 funded and pupil yield included in the forecasts |   |            |                | 19                |   |       |       |       |       |          |       |
| Developments pupil yield not funded and not included in the forecasts   |   |            |                |                   |   |       |       |       |       |          | 0     |
| Pupil Yield expected from this development                              |   |            |                |                   |   |       |       |       |       |          | 6     |
| <b>OVERALL TOTAL</b>  | 215   | 215        | 1,050          | 1,069             | 1,126   | 1,154 | 1,186 | 1,202 | 1,208 | 1,209    | 1,220 |
| <b>OVERALL SURPLUS PLACES PROJECTIONS</b>                               |   |            |                |                   | -57   | -85   | -117  | -133  | -139  | -140     | -151  |
| <b>SECONDARY CONCLUSION - 100% CLAIM</b>                                |   |            |                |                   |   |       |       |       |       |          |       |

As such there is a requirement for a contribution from this development towards secondary school with a sum of £98,056.

### Officer comment

The requested contribution is considered reasonable and necessary as it would increase demand for school places in the local area. The contribution can be secured by way of Section 106 Agreement.

### Updated CIL Statement

In order to comply with the Community Infrastructure Regulations 2010 it is necessary for planning applications with planning obligations 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.

As explained within the main report, POS and play equipment is a requirement of the Local Plan Policy RT.3. It is necessary to secure these works and a scheme of management for the open space and play equipment. This contribution is directly related to the development and is fair and reasonable.

The development would result in increased demand for secondary school places in the area and there is very limited spare capacity. In order to increase capacity of the schools which would support the proposed development, a contribution towards secondary school education is required.

This is considered to be necessary and fair and reasonable in relation to the development and can be secured by way of Section 106 Agreement.

The development would also require 12 affordable units. These are based on local need and are considered to be necessary and fair and reasonable in relation to the development.

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

### **Recommendation**

No change to initial recommendation.

### **REFUSE AS PER THE MAIN REPORT BUT WITH UPDATED HEADS OF TERMS SHOULD THE APPLICATION BE SUBJECT TO APPEAL:**

**1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:**

- The numbers, type, tenure and location on the site of the affordable housing provision**
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing**
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved**
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and**
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.**

**2. Provision of Public Open Space and LAP. Public Open Space to include management**

**company for maintenance in perpetuity**

**3. Contribution towards education (£98,056)**