

Application No: 19/1371N

Location: LAND OFF, MINSHULL NEW ROAD, LEIGHTON, CREWE

Proposal: Outline application for the development of up to 400 residential units (Use Class C3) and associated infrastructure and open space

Applicant: Mr M Thompson, Engine of the North Ltd

Expiry Date: 19-Jul-2019

SUMMARY

This outline application relates to part of an allocated site – LPS 4, in the adopted Local Plan Strategy and in principle is considered acceptable.

The development forms part of a comprehensive development of LPS 4 and needs to be seen in the context of development proposals for land to the north, also in LPS 4 but also in LPS 5 also on this agenda. Both applications are closely linked to the North West Crewe Package a series of highway works already approved, which provide access to this site.

The proposals are considered to be acceptable in terms of Highways, Ecology, Landscape, Public Rights of Way, Public Open Space and Environmental Considerations subject to agreed mitigation works.

Drainage proposals have been discussed extensively but at the time of writing this report have yet to be finalised. Members will be updated on this matter before Committee.

The application is subject to a viability appraisal, which is accepted, and concludes that a fully policy compliant scheme is not viable on this site when all the Section 111 requests are considered, including the required contribution to the highway works.

Whilst the Affordable Housing, Education and NHS Section 111 contributions are not being met, and as such an objection would be made by Housing, Education and the NHS, on balance the application is considered acceptable and will bring forward this important Local Plan Strategy site to help deliver housing and infrastructure for Crewe.

RECOMMENDATION

Approve subject to a Section 111 Agreement with conditions

SITE DESCRIPTION

This sizable 19.3 hectare site consists of three parcels of land sub-divided by the approved highways scheme known as the North West Crewe Package. The first and main parcel lies to the east (and north) of the road scheme and west of Minshull New Road. The northern boundary is formed by the Bloor Homes et al application and is marked by a hedgerow boundary and public footpath.

The second site is to the west and north of the new road scheme, and the western and northern boundaries are formed by the Bloor Homes et al application. Finally the third parcel of land is to the south of the road scheme, north of Leighton Brook.

The land is all currently used for agriculture and consists of a series of fields with hedgerow boundaries. Some scattered trees are found in these hedgerow boundaries, and a few within the fields. Over-head power lines cross close to the site to the north west. Whilst the land is fairly open to the west (fields with a few scattered farms), the eastern boundary, marked by Minshull New Road, forms the current outer edge of Crewe with a mix of relatively new residential properties.

The land falls away on a relatively gradual gradient towards Leighton Brook to the south. Bentley Motors lies to the south of the Brook.

There are no conservation areas on or adjoining the site, and there are no listed buildings on or adjacent to the site.

Public Footpaths - Leighton FP3 forms the northern site boundary, and Crewe FP20 cross east-west from near Middlewich Road to Minshull New Road.

PROPOSAL

The outline application is for the development of up to 400 residential units (Use Class C3) and associated infrastructure and open space. The application only seeks approval of means of access, all other matters are reserved.

The site makes up the southern part of LPS4 (the northern part being applied for by Bloor Homes et al also on this agenda).

The main elements of the proposed development consist of:

- Up to 400 residential units (Use Class C3) - 12.9ha (parcels 1 & 2)
- Green infrastructure including POS, play and ecology areas - 5 ha (parcel 3)
- Drainage and other services provision - 1.41 ha (parcel 3)

An illustrative masterplan, landscape strategy and parameters plan has been submitted in support of the application, together with a Design and Access Statement and supporting planning statement.

In addition, an Environmental Impact Assessment (EIA) was submitted with the application, and more recently a revised Flood Risk Assessment and Drainage Strategy has been issued to pick up issues raised by LLFA and UU.

RELEVANT PLANNING HISTORY

The most significant recent planning approval is for a series of Highway works:

18/6118N A proposed series of highway infrastructure measures and associated works, in the Leighton area of Crewe, and known as the North West Crewe Package - Land Between Flowers Lane Minshull New Road the A530 Middlewich Road And North Of, Pym's Lane, Crewe APPROVED March 2019

In addition there is the application on the adjacent land to the north also being considered on this agenda:

19/2178N Outline planning approval for the development of up to 850 residential units (Use Class C3), land reserved for new primary school , a local centre (Use Class A1-A4, AA, B1a, C3 and D1) and associated infrastructure and open space. - Land Off Minshull New Road and Flowers Lane, Leighton

POLICIES

Cheshire East Local Plan Strategy – 2010-2030

PG1 – Development Strategy
PG6 – Open Countryside
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
IN1 – Infrastructure
IN2 – Developer Contributions
SC1 – Leisure and recreation
Sc2 – Indoor and outdoor recreation
SE 1 - Design
SE 2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 6 - Green Infrastructure
SE 13 - Flood Risk and Water Management
CO1 – Sustainable Travel and Transportation

LPS4 – Leighton West

Crewe and Nantwich Local Plan (Saved policies)

NE5: Nature Conservation and Habitats
NE9: Protected Species
NE10: New woodland planting and landscaping
NE17: Pollution Control
NE20: Flood Prevention
NE21: New Development and Landfill Sites
BE1: Amenity
BE4: Drainage, Utilities and resources
TRANS3: Pedestrians

TRANS6: Provision for cyclists
RT9: Footpaths & Bridleways

Neighbourhood Plans:

Crewe has not made any progress towards making a Neighbourhood Plan, and Minshull Vernon is at Regulation 7 Stage: Designated Neighbourhood Area, but at this stage can be given very little weight.

Other Material Considerations

The National Planning Policy Framework

National Planning Practice Guidance
Cheshire East Infrastructure Delivery Plan
Cheshire East: Strategic Flood Risk Assessment August 2013
Cheshire Landscape Character Assessment

CONSULTATIONS (External to Planning)

Environment Agency: No objections subject to conditions relating to ground contamination, and an informative relating to waste material are recommended.

Natural England: No objections are made, and they do not consider the development will damage or destroy the interesting features for which Sandbach Flashes SSSI has been notified. Further advice is given on retention and enhancement of features on site and use of the Defra Metric to calculate any potential biodiversity losses and compensation to be measured.

United Utilities: No objections, but recommend conditions relating to a drainage hierarchy, separating surface and foul drainage and Management and Maintenance of Sustainable Drainage Systems.

Cadent Gas: No comments received

National Grid: No comments received

Health & Safety Executive: The development does not intersect a pipeline or hazard zone, HSE Planning Advice does not have an interest in the development.

NHS: Extensive comments have been received setting out the requirements in the local area, and requesting a financial contribution to NHS services:

The section 106 amount of £373,968 applied for would be most beneficial if in accordance with S.106 legal triggers; 50% paid upon commencement of development and the remaining 50% paid upon completion of 90% of the dwellings.

CEC Head of Strategic Infrastructure: No objections subject to a series of highway conditions, and Section 106 contributions as follows:

- £5,500 per dwelling towards the North West Crewe Highway Improvement package.
- £100,000 towards the Leighton Hospital Cycle link.
- £5,000 for travel plan monitoring.

CEC Housing: Object on the basis only 10% affordable housing is proposed and has not yet been validated by a viability appraisal.

CEC Public Rights of Way: The development, if granted consent, would affect Public Footpaths Crewe No. 20 and Leighton Nos. 3 and 6, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way. A condition requiring a public rights of way management scheme, and an informative are recommended.

CEC Environmental Health: No objections are raised subject to conditions relating to noise, lighting, air quality and contaminated land. Additionally informatives are requested in relation to construction works – including hours of operation, pile foundations, dust management and floor floating.

CEC Flood Risk Manager: Ongoing discussions are taking place with the applicant about how the scheme works with the approved road scheme and discharge rates associated with this. A number of conditions are likely to be required and will be reported in any update report.

CEC Education: To alleviate forecast pressures on Primary, Secondary and SEN provision a financial contribution of £1,756,573 is requested.

CEC Indoor Sport: A contribution of £71,500 is requested towards indoor sport provision in line with policy.

ANSA: No objections are raised but based on the submitted landscape strategy plan a range of detailed comments have been made which are set out in more detail below.

Archaeology: Whilst no objections are raised, there is a requirement for mitigation measures in view of the archaeology on site – that of the former Tottys Hall. A condition is recommended on that basis.

VIEWS OF THE TOWN/PARISH COUNCILS

Minshull Vernon and District Parish Council:

With regards to this application, the Council makes the following comments –

- 1) That no construction work be allowed outside the standard hours of 8am - 6pm Monday to Friday; and 8am – 1pm Saturday. No construction work to occur on Sundays or Public Holidays
- 2) No works to start before the new road infrastructure is complete and open to the public (planning application 18/6118N)
- 3) No deliveries outside of the above timescales and all deliveries to be off-loaded on-site
- 4) No contractors vehicles to be parked anywhere on the highway and must be parked on-site
- 5) Vehicle wheel wash facilities to be provided on-site and used for all vehicles exiting the site
- 6) S106 monies to be allocated for the community hub
- 7) No contractors vehicles to use Minshull New Road past the school (Leighton Academy)

Crewe Town Council:

The principle of residential development on this site was established through the Cheshire East Local Plan Strategy (CELPs) which was adopted in 2017. Policy LPS4 sets out the policy for the development of the Leighton West strategic site which is expected to deliver around 850 homes.

Application 19/1371N comprises the southern half of the Leighton West strategic site delivering up to 400 homes. Policy LPS4 sets out in detail how the whole strategic site should be developed and includes 13 site specific principles of development.

The submitted outline application, and its indicative plans and supporting statements fail to address many of the requirements of Policy LPS4:

(i) A masterplan is required for the whole of Leighton West, including a design code, to ensure that the development as a whole is well planned and meets the requirements of LPS4 (Policy LPS4(2)). Without a masterplan there is a risk of piecemeal development which does not meet the requirements of the Local Plan. The masterplan submitted with the application relates to the application site only and does not show, other than in respect of highway infrastructure, how it will relate to other phases, and where within the overall site various facilities required by LPS4 will be located. The Design and Access Statement submitted does include an image of a masterplan, but the image is too small to be useful. The Town Council has never been consulted on such a plan, and. It is important that the masterplan is consulted on either separately or as part of this application.

(ii) In the absence of a published masterplan, it is not possible to see how this phase of the site contributes to requirements in LPS4 for the provision of :

- a. Key worker housing for Leighton Hospital;
- b. A mixed use local centre;
- c. A bus interchange; or
- d. Geothermal infrastructure and district heating
- e. Green infrastructure including a green corridor, allotments and open space including pitches, MUGA, and equipped play spaces and facilities.

(iii) Policy LPS4 makes reference to the need for specific highway improvements. These are the subject of a separate application (resolved to be approved subject to conditions on 27 March 2019). Given that the applicant is a wholly owned subsidiary of Cheshire East Council, there should be an assessment by an independent body of the impact of the proposed development, cumulatively with other development in the area, upon the highway network taking into account the North West Crewe Package. The Town Council has particular concerns about the impact of all the developments upon Middlewich Road, taken together with the proposed closure of Pym's Lane.

(iv) As a publicly owned development site, it can, and should, be an exemplar of well-designed, environmentally friendly, sustainable development. LPS4 makes several references to the need for development to incorporate green infrastructure. The proposed indicative layout results in the loss of hedgerows and 9 trees according to the Environmental Statement. (The Financial Viability Assessment includes cost estimates for the removal of 50 trees (Appendix 3 Cost Estimate Details – Landscaping.) The layout should be designed to retain hedges and trees both for their landscape value, and their ecological value as wildlife habitats. Any approval should ensure that the detailed design and layout incorporates wildlife friendly features such as gaps under fences for hedgehogs to pass through, nesting boxes and the like.

(v) Policy LPS4 requires safe and secure pedestrian and cycle routes within the development site, and to connect the site to existing and proposed residential areas, employment areas, shops schools and health facilities, Crewe Town Centre and the Connect2 link to Nantwich. How will this application deliver or contribute to the delivery of this requirement?

(vi) Policy LPS4 also requires improved public transport links to Leighton Hospital, Crewe town centre and major employment areas. How will this application deliver or contribute to this requirement? The Travel Plan submitted as Appendix 9 to the Transport Assessment which is Appendix 13.1 of Volume 3 of the Environmental Statement notes that the existing bus services start at 8.06 arriving in Crewe at 8.21 and the last bus departs Crewe at 17.45. There is therefore no public transport provision for evening leisure activities, for workers who work staggered hours or shifts or who need to be at work for 8.00, and the services are unlikely to meet the needs of those working on major employment areas in Crewe which require onward travel from the Town Centre. The conclusion that the proposed development is highly accessible by bus is therefore incorrect.

(vii) Policy LPS4 and Policy SC5 of the CELPS require at least 30% of the homes to be affordable. The application proposes only 10% affordable housing. Engine of the North is a wholly owned subsidiary of Cheshire East Council, and it is an opportunity for the local authority to set an example by providing at least the minimum requirement of 30%, even if this means accepting a land value of less than the £6m assumed in the viability assessment submitted with the application. It is also an opportunity to set a comparable for future developments at higher level than the 10% quoted in the assessment for the David Whitby Way and Saxon Gate developments.

The Town Council therefore objects to this application in its current form for the following reasons:

1. The proportion of affordable housing is below the 30% requirement of Policy LPS4 and SC5 of the Local Plan Strategy.
2. The application should not be considered until there has been an open and transparent process to agree a masterplan for the entire LPS4 Strategic allocation to ensure that the development of the site as a whole is coherent and co-ordinated, and that all the requirements of policy LPS4 are met in a way that meets the needs of the existing and future occupiers and neighbours of the site.
3. The Town Council has concerns that the development will add to existing traffic congestion on Middlewich Road, notwithstanding the proposed North West Crewe Package, and would like to see an independent review of the applicant's assessment of the impact of the development on the highway network.
4. Provision needs to be made within the application site or the adjoining phase to the north for drop off and pick up car parking for the Leighton Academy School. Even if Minshull New Road is closed to through traffic, pick up and drop off parking along the road will continue to cause traffic problems and safety concerns.

Subject to the above objections being satisfied, any outline planning permission should be accompanied by:

- a. Conditions requiring the retention of existing trees and hedgerows, and their incorporation into the development layout.
- b. Conditions requiring the provision of a wildlife friendly design and layout.
- c. A comprehensive funded plan for cycle, pedestrian, public transport improvements linking the development to the Town Centre and major employment centres to meet the employment and leisure needs of residents.
- d. Contributions to health, education and community infrastructure within Crewe.
- e. A commitment that the development will not be commence until the full NW Crewe Package of highway infrastructure is in place.

OTHER REPRESENTATIONS

A number of local residents have written in raising the following issues:

- Lack of consideration for school provision
- Lack of consideration for GP provision and Leighton Hospital which will be subject to much greater demand.
- Loss of open countryside for the amenity of residents
- Congestion at Leighton Academy is already a problem, this will make it worse.
- Loss of wildlife and their habitats
- Geothermal resources are not being made the most of
- Lack of shops in the area
- Development should be on brownfield land in the town centre
- Concerns about the impact on air quality and traffic congestion

OFFICER APPRAISAL

Principal of Development

The site forms part of Local Plan site LPS4 Leighton West Crewe which reads:

Development at Leighton West will result in the creation of a new sustainable neighbourhood to support Leighton Hospital and provide a key site for the development of an automotive research, development and supply hub, in partnership with Bentley Motors which is located in very close proximity to the site. The development of Leighton West over the Local Plan Strategy period will be achieved through:

1. Contributions to health infrastructure and the provision of land adjacent to Leighton Hospital, for its future expansion, to ensure that the future health care needs of the area can be met;
2. The delivery of around 850 new homes (at a variety of densities). The design, density and scale of the development should reflect the fact that the site lies in a transitional location between the higher density urban area and the rural area. The surrounding development is predominantly suburban and the development of the site should reflect this. The development of the site will be masterplan-led, including a design code, which will consider its location, constraints and opportunities;
3. The inclusion of key worker housing, for the employees of Leighton Hospital;
4. The delivery of a new mixed-use local centre that will serve Leighton Hospital and nearby residents including:
 - i. Provision of retail appropriate to meet local needs;
 - ii. Community facilities;
 - iii. Public House;
 - iv. Children's day nursery;
 - v. A new primary school; and
 - vi. Leisure facilities;
5. Around 5 ha of additional employment land located at the southern end of the site including a science/energy park which could include advanced/automotive engineering and manufacturing;
6. The incorporation of green infrastructure, including:
 - i. Green corridor;
 - ii. Allotments;
 - iii. Open space including formal sports pitches, multi use games area, outdoor gym, equipped children's play space and facilities for teenagers;
7. A new bus interchange for the hospital and nearby residential areas;

8. On land to the north of Pym's Lane, there is potential for a science/energy park and delivery of a key site for the development of an automotive research, development and supply hub, working in partnership with Bentley Motors. This area also has the potential to include a geothermal plant and district heating hub;
9. The widening and/or realignment of Smithy Lane, to provide access to the site and improved access to Leighton Hospital for emergency vehicles and suitable footpath and cycle lanes;
10. A package of network improvements to provide improved access to Leighton Hospital and surrounding residential development including emergency vehicles and suitable footpath and cycle lanes; and
11. An improved 'emergency portal' for blue light vehicles being able to access the hospital's Accident and Emergency Department from Smithy Lane.

The site subject to this application in effect forms a central/eastern part of this allocated site, (some 19 ha out of the 98 ha forming the allocation) with the northern part of the allocation being subject to the other application on this agenda. Whilst this application only proposes housing – up to 400 units, it makes full provision for the highways improvements with their associated footpath/cycleways and proposes the usual requirements for open space provision within the development. Most significantly however it forms part of a joint masterplan with the adjacent site and in that respect the two applications, whilst separate, need to be viewed together.

It is considered that the proposals in principle comply with the Local Plan allocation, when read as part of the masterplan, but the specific elements are considered below. The Town Council have expressed some concern about the detail set out in the masterplan and the piecemeal development of the allocated site. It is however considered that the masterplan – which covers both sites, does cover all the important considerations in the policy and it must be remembered this is an outline application and more detailed matters will be considered at the Reserved Matters stage(s).

Highway Implications

Site description and current application proposal

The site is currently undeveloped land but has the benefit of an allocation for residential development in the Cheshire East Local Plan Strategy (LPS 4).

This is an outline application for the development of up to 400 dwellings with access to the wider highway network to be determined. The internal highway network is purely indicative and will be considered at the reserved matters stage. The highway network to support this allocation was approved in March 2019 (planning ref: 18/6118) with a decision notice dated July 2019 and is referred to as the North West Crewe Highway Improvement Package (NWCHP) which is to be provided by Cheshire East Council subject to s106 contributions from development.

The highway package comprises seven new junctions in conjunction with a realigned road from the A530/Smithy Lane roundabout to a new connection onto Flowers Lane. In addition foot and cycle facilities will be provided alongside the new north south link with crossing points included that will connect to future development.

Transport Assessment

- *Sustainable access*

Pedestrian and cycle facilities from the development connect with new and existing highway infrastructure so as to encourage sustainable travel to and from the development. To ensure direct foot/cycle access to the land immediately north of the site these connections will need to be provided up to the application site boundary.

These links will enhance connectivity to the Connect2 extension scheme linking Leighton with Nantwich of which the applicant will be required to make a financial contribution. The footway and cycleway on the east side of the new spine road (as detailed on drawing no. BRJ10410-SKE-0100-201 rev T0 and BRJ10410-SKE-0100-202 rev T0) along the site frontage will need to be provided by the applicant prior to first occupation.

Access to existing bus stops along Minshull New Road is being facilitated by the above mentioned walking routes. In the future bus services may serve the new spine road and appropriate bus stop infrastructure is to be provided by development.

- *Safe and suitable access.*

The proposed junctions have been assessed under the previous NWCHP having been subject to a Road Safety Audit stage 1 along with a designer's response which has confirmed the proposed preliminary highway design is acceptable.

- *Network Capacity (trip rates/distribution/jn modelling etc)*

To assess the traffic impact of the proposed development (and other Local Plan allocations) on the highway network at the critical Monday to Friday AM & PM peaks, a SATURN and VISSIM model were utilised. Future developments (including this site) and committed highway schemes were incorporated into the models using agreed vehicular trip rates and background growth datasets. Traffic demand was distributed across the network and both models were found to successfully meet the convergence and validation criteria and therefore are considered to be acceptable for traffic modelling use.

Furthermore following the approval of the Bentley planning application (ref: 17/4011) in 2017 the model was amended to reflect the changes to the existing highway network brought about by this development namely the restriction of Pym's Lane and Sunnybank Road to through traffic.

Capacity analysis was also undertaken at key junctions not included within the VISSIM model area but would be effected by the Bentley planning application proposals.

The new junctions and links proposed under the NWCHP, to serve identified Local Plan growth (including this site), have been shown to be designed with appropriate capacity to accommodate the forecast future traffic volume at the design year of 2030. Accordingly the proposed development is acceptable subject to the NWCHP being implemented prior to the occupation of the first dwelling.

In addition to the above network modelling the applicant has undertaken capacity tests at several junctions utilising standalone modelling techniques. It is noted that the commentary around these tests states that the development results in a non-material impact at these junctions which are not agreed. For the purposes of testing the impact and hence the required mitigation the appropriate methodology is to model and implement highway network improvements as required by the Local Plan Strategy.

Travel Plan

A travel plan framework has been submitted which proposes single car occupancy reductions of 10% over the first 5 years of the development assisted by the appointment of a Travel Plan Co-ordinator who will promote and implement the measures described in the framework plan. The proposed householder travel plan information pack issued to all new first occupation residents must include a cycle voucher that can be redeemed in exchange for a bike (value up to £150) and a travel voucher that can be redeemed in exchange for a 3 month bus pass valid on services connecting the development to surrounding destinations.

To ensure effective implementation of the travel plan measures and subsequent submission of travel plan reports a travel plan monitoring fee of £5,000 will be required to be secured via Section 106 agreement.

Conclusion

In conclusion, the proposed development is acceptable as the proposal includes infrastructure provision for facilitating sustainable modes of transport in the form of foot and cycle links subject to the provision of additional footway/bus stops prior to first occupation. In terms of traffic impact, comprehensive traffic modelling has taken place, informed by the modelling undertaken as part of the original site allocation process, which has demonstrated that the proposed development is found to be acceptable in terms of its traffic impact on the local highway network subject to the North West Crewe Highway Package (as approved) being in place prior to the occupation of the first dwelling and appropriate s106 contributions being secured towards its delivery.

Conditions are recommended as are Section 106 Contributions as set out at the end of the report.

Public Rights of Way/Cycle routes:

The development, if granted consent, would affect Public Footpaths Crewe No. 20 and Leighton Nos. 3 and 6, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

National Planning Policy Framework and Defra Guidance

The National Planning Policy Framework states that Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails (para 98). NPPF continues (para. 110) to state that applications for development should:

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport.
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.

The proposed development would have a direct and significant effect on the Public Right of Way, which constitutes a material consideration in the determination of applications for planning permission and local planning authorities should ensure that the potential consequences are taken into account whenever such applications are considered (Defra Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2, October 2009, para 7.2).

The application documents depict the Public Rights of Way running along the estate roads. It should be noted that any alternative alignment [of a Public Right of Way] should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic (Defra Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2, October 2009, para 7.8).

A condition is recommended requiring a public rights of way management plan to be approved.

It is important to highlight here that the site should not be seen in isolation, as it is an integral part of the proposed highways improvement which includes a footpath / cycleway along its length which forms the site frontage to most of this application site. The site also needs to be seen in the context of the adjacent development, also being considered on this agenda, which includes an off road footpath / cycleway – or greenway, through the area of open space to the northwest of the site. This would form the strategic link from Bentley Motors (and south to other parts of Crewe and Nantwich) to Leighton Hospital. This development would link directly to that greenway.

The Public Rights of Way team have recommended a further condition requiring a scheme of signage to footpath/cycle links.

Landscape

A Landscape and Visual Impact Assessment has been submitted as part of the application, this indicates that it has been based on the Guidelines for Landscape and Visual Impact Assessment, third edition (GLVIA3). The assessment identifies that it has been based on a 3km radius study area (8.45) and that it is based on the submitted parameters plan –Figure 5.1 (8.61).

The appraisal identifies the National Character Area (NCA) – Shropshire and Staffordshire Plain and that in the Cheshire East Landscape Character Area (CELCA) that two Landscape Character Types (LCTs) fall within the study area; LCT 4: Cheshire East Plain and LCT 10: River Valleys. The site itself is located within the urban boundary of Crewe, although in character it is really an extension of the adjacent LCT4: Cheshire East Plain. The assessment also identifies the local landscape character of the applications site as being agricultural in nature, with regular and irregular fields with hedgerow boundaries, some of which are fragmented and occasional hedgerow trees, mostly oaks. The highest part of the application site is located towards the northern boundary and is 55m AOD, the lowest is along the southern boundary and is 44m AOD. Leighton Brook follows a route along the southern boundary of the site, part of the brook has been culverted. Footpath FP 3/1 Leighton follows the northern boundary of the site, Footpath 20/1 Crewe follows a route through the central and then western part of the site. Both these footpaths are connected by Footpath FP 6/1 Leighton located towards the western part of the site.

To the west and north of the site is the wider landscape is agricultural, to the south of Leighton Brook is Meadow Brook Cemetery and to the south west is a former landfill site and the Bentley Motor works. To the east is Minshull New Road and to the east of this is existing residential development.

The assessment identifies that this landscape has no designations and that this is an agricultural land with hedgerows and hedgerow trees and offers an assessment of effects on regional character, on local landscape character, on the site and its immediate surrounds and Queen's Park Registered Park and Garden, and gives a significance of effect during construction and at year 0 and also for year 15. These indicate negligible effects for the national and regional landscape areas, minor adverse for the local landscape character and moderate for the character of the site and surrounds. The visual assessment of effects identifies that the most significant effects will be for those residents living adjacent to the site, moderate major adverse at year 0, reducing to minor to moderate at year 15. Also for users of footpaths passing through the site, major adverse at year 0 and remaining so at year 15. Effects for other receptors such as cemetery users, road users and those at work are lower.

As an outline application the Landscape Officer broadly agrees with the landscape appraisal. The assessment indicates that it has been based on the retention of features such as trees and hedgerows, as set out in the Landscape Strategy. The Land Use and Maximum Building Heights Parameters Plan (Drawing No: 04/11/2018), this plan identifies that an extensive area to the south of the area proposed for residential development is identified for Green infrastructure. While the Illustrative Masterplan identifies some tree planting in this area, it is considered that there will need to be considerably more tree planting than has been shown, since the topography in this part of the site allows extensive views towards the growing industrial area to the south west. The residential layout as shown on the Indicative masterplan (Drawing No: 18/10/2016) is indicative and will need to pay close regard to the Cheshire East Design Guide.

Trees

The site is a series of fields divided by hedgerows with hedgerow trees. Tree cover is generally restricted to trees in the internal hedgerows and along site boundaries with a few open grown trees. Most of the trees are mature although there are some younger specimens. The southern boundary is demarked by a group of trees along the Leighton Brook. None of the tree cover is currently subject to TPO protection.

The current application is supported by an Arboricultural Assessment dated February 2019. (ES Vol 3 App 9.10) which incorporates a BS 5837 Tree survey. The survey identifies 29 trees, 5 groups, 13 hedgerows. Whilst none of the trees are cited as veterans, several trees are noted to have veteran characteristics.

The Forestry officer is aware that the roundabouts and the route of the main spine road has been approved under separate application 18/6118N. Construction of the transport link will have arboricultural impacts which have not been assessed as part of this submission.

Based on the Indicative masterplan, the assessment states that 7 trees and a length of hedgerow are likely to be removed to accommodate layout. Reference is made to the constraints posed by trees indicated for retention around the periphery of the site. A need is identified for a detailed Arboricultural Impact Assessment at reserved matters stage, together with the provision of new tree planting

With the assessment post-dating the date of the Masterplan and Indicative Landscape Strategy, it would appear that the indicative site layout may not have been informed by an arboricultural survey. This is contrary to BS 5837:2012 Trees in relation to design, demolition and construction –

Recommendations which recommends that a tree survey informs layout design. We are assured the survey is in accordance with the British Standard.

Whilst there is an assumption in the submission that up to 400 dwellings can be accommodated on the site, with no testing layout this has not been demonstrated as part of this application. For a development of this scale a testing layout would normally be required at outline stage. The application of the British Standard design principles in BS 5837:2012 would be essential to ensure the successful retention of trees and may require a reduction in the number of dwellings proposed.

Should the outline application be deemed acceptable, a condition would be appropriate to ensure that any future reserved matters application shall be supported by an Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan that shall inform the design of the definitive site layout.

Hedgerow Regulations 1997.

A copy of a Hedgerow Assessment report dated 2018 has been submitted. The report considers the wildlife and countryside criteria in the Hedgerow Regulations 1997 but not the historic criteria. It appears that several of the site boundary hedges are deemed 'Important' under the wildlife and countryside criterion.

Data in respect of the historic criteria is still outstanding. Nevertheless, officer examination of the tithe map on the Cheshire Archive and Local studies website indicates several lengths of hedges within the site edged red form part of historic field patterns and are therefore likely to be deemed 'Important' under the historic criteria. The applicant has confirmed that the hedgerows will not be impacted by this development and their retention can be conditioned.

Impacts on important hedgerows are a material consideration. CELPS Policy SE5 refers.

Ecology

Veteran Trees

The submitted ecological assessment states that mature trees present on site may be of veteran status. Veteran trees receive specific protection through the NPPF.

Statutory designated sites

The application falls within Natural England's SSSI impact risk zones. The submitted ES advises that the proposed development is not likely to have an effect on the Ramsar sites which are located between 6 and 10km away from the site or the Sandbach Flashes SSSI.

It is noted that Natural England have been consulted on this application and advised that the proposed development will not have significant adverse impacts on statutory protected sites.

Under the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects'. The applicant has provided a Shadow Assessment. The assessment concludes that the proposed development is not likely to have a significant impact upon the features for which the statutory site was designated. Consequently, a more detailed Appropriate Assessment is not required.

Crewe Swift Colony Local Wildlife Site.

The application site is located within 1km of this Local Wildlife Site. It is advised that the proposed development is likely to have a low level adverse effect on this designated site as a result of the loss of suitable swift foraging habitat. It is advised that this impact could be compensated for through the provision of new wetland features and native species planting and the provision of artificial features for nesting swifts as part of the proposed development.

Hedgerows

Native Species Hedgerows are a priority habitat and hence a material consideration. In addition Hedgerow 7 and 9 are considered to be Important hedgerows under the Hedgerow Regulations.

Hedgerow 7 is partly lost to the NWCP consent, but the Environmental Master plan for NWCP (sheet 3 of 4) shows the northern extent of this hedgerow retained and subject to supplementary planting. Based on the submitted illustrative master plan it should be feasible to retain the remainder of this hedgerow as part of the development of this site. It is not however shown as retained on the submitted Landscape Strategy Plan. It is advised that the landscape strategy plan be amended to show the retention of this section of hedgerow.

A short section of Important hedgerow 9 is lost to the NWCP consent. This hedgerow is located on the boundary of this current application so it is feasible for this hedgerow to be retained as part of the proposed development.

A section of species rich Hedgerows 8 is lost to the NWCP consent and a further section of this hedgerow would also be lost as part of the proposed development. Similarly, species rich Hedgerow 6 is unaffected by the NWCP, but a section of this hedgerow is likely to be lost to access roads as shown on the submitted illustrative master plan.

The biodiversity offsetting report submitted in support of this application advises that 470m of hedgerow would be lost as a result of the proposed development.

It is advised that in accordance with the mitigation hierarchy all of the existing hedgerows should be retained and the illustrative layout plan amended to reflect this. If the loss of hedgerow is considered unavoidable, it must be ensured that a suitable level of compensatory planting is delivered as part of the reserved matters scheme. The submitted biodiversity metric calculates that the scheme has the capacity to deliver a net gain in the value of hedgerows on site. This matter may be dealt with by means of a condition in the event that outline consent is granted.

Foraging bats

Bat activity recorded during the submitted 2015 bat survey was relatively low with a single common species of bat recorded. Surveys of the wider site however undertaken to inform the NW Crewe package application identified a sufficient number of bat species for the site to qualify as a Local Wildlife Site, which would be considered to be of County Importance. The number of bat species recorded does however to a large extent reflect the extensive nature of the area surveyed.

It is advised that the proposed development will have an adverse effect on foraging and commuting bats as a result of the loss of hedgerows and other habitats. It is advised that suitable replacement hedgerows and tree planting is required to reduce the potential impacts of the proposed development upon foraging bats. The level of compensatory habitat that can be provided on site can be quantified through the Biodiversity Metric calculated discussed below. This calculation shows an overall gain for biodiversity so impacts on foraging bats are likely to be adequately compensated for.

Trees with bat roost potential

The submitted Ground Based Bat Inspection of Trees report identified a number of trees on site with potential to support roosting bats. Based on the submitted layout plan it is anticipated that eight trees with 'moderate – high' bat roosting potential are potentially affected by the proposed development. These trees are considered to be reasonable likely to support roosting bats.

The applicant has however indicated that they would be willing to retain these trees and that this could be the subject of a planning condition in the event that planning consent is granted.

Hedgehogs and Polecat

There are records of these two priority species from the broad locality of the application site and these species may occur on site on a transitory basis. The loss of hedgerows and other semi-natural habitats on site is likely to have a localised adverse effect on these species. This effect would be reduced if suitable replacement hedgerow and native species planting along with artificial structures for these species are provided on site.

Barn owls

Barn owls are known to occur at a farm building within close proximity to the proposed development. The proposed development will result in the loss of an area of suboptimal foraging habitat and increased road traffic will result in a slightly increased risk of mortality as a result of road traffic conditions. The impact of the proposed development upon barn owls is likely to be significant in the local context.

The applicant's ecologist has provided a summary of the results of barn owls surveys undertaken over a number of years at and adjacent to the site. Barn owls were recorded as being present in 2017, but surveys of the same buildings in 2018 did not record evidence of any further activity. It is therefore recommended that an updated barn owl survey is undertaken, to include 3 specific buildings.

Badgers

An updated badger survey has been submitted in support of this application. A main badger sett has been recorded outside the red line boundary of the application. This sett will not be directly affected by the proposed development. The proposed development will however result in the loss of a significant area of potentially suitable badger foraging habitat.

A substantial area of undeveloped habitat is retained in the vicinity of the sett and a new orchard proposed that would provide a seasonal food source for badgers. It is advised that this would partly mitigate the impacts of the development upon this species.

As a number of badger setts are present in the broad locality of the application site and the status of badgers can change over time it is advised that in the event that planning consent is granted a condition should be attached which requires any future reserved matters application to be supported by an updated badger survey and mitigation strategy.

Lighting

The lighting of this site is likely to have a localised adverse effect on foraging and commuting bats.

To minimise any adverse impacts on bats resulting from any lighting associated with the development it is recommended that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA.

Breeding Birds

A number of breeding bird species were recorded during the submitted surveys including a small number of species which are considered to be a priority for nature conservation, which are a material consideration for planning. The proposed development will result in the loss of habitat for these species. As with bats, it is advised that suitable replacement hedgerows and tree planting is required to reduce the potential impacts of the proposed development upon breeding birds. Whether the proposed development is able to deliver an appropriate level of compensatory habitat for nesting birds can be assessed using the Biodiversity Metric calculation below. This calculation shows a net gain for biodiversity resulting from the development so impacts on breeding birds are likely to be adequately compensated for.

Peregrine Falcon

The ES states that this bird species may be breeding at the hospital site a short distance from the application site. Further communications with the hospital however suggest that this has not been the case for 6 years. It is advised that this species is therefore unlikely to be significantly affected by the proposed scheme.

Common Toad

This priority species was previously recorded from Ponds 1 and 2 in 2015. The proposed development will result in the loss of connectivity between these ponds and the loss of terrestrial habitat. If replacement hedgerow and landscape planting is provided on site this will to a large extent compensate for the loss of terrestrial habitat. The provision of wildlife tunnels under the proposed spine road would reduce the loss of connectivity, however no additional tunnels have been proposed as part of the road scheme as this were difficult to deliver as the road scheme was at grade at that point.

Biodiversity net gain

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity and the NPPF paragraph 170 d requires planning decisions to provide net gains for biodiversity.

There is a need to provide sufficient compensatory habitats as part of the proposed development to address potential impacts on; swifts, breeding birds, foraging bats, hedgehog, polecat and common toad.

A biodiversity metric calculation has been undertaken in support of this application. The biodiversity metric assessment quantifies the residual impacts of the development and calculates in 'units' whether the proposed development results in a net loss or gain for biodiversity. In this instance the metric shows that the proposed development, including a number of habitat creation measures (detailed on the submitted Ecological Mitigation Plan), would result in a net gain for biodiversity.

The provision of specific features, such as bat and bird boxes (including specific boxes for swifts and house sparrow), features for hedgehog etc should be the subject of a condition in the event that planning permission is granted.

Habitat Management Plan

In order to ensure that any habitats on site achieve their target condition and are viable in the long term it must be ensured that if outline consent is granted a condition must be attached to ensure the submission and implementation of a method statement for the creation of the proposed habitats together with a 25 year habitat management plan with the reserved a matters application.

Site layout

As this is an outline application with all matters, save access, reserved, it is difficult to give any detailed comments on the only submitted documents, namely the Design and Access Statement, Indicative Masterplan, and Parameters Plan. The submitted Landscape Strategy plan is considered in the Public Open Space section below and landscape sections of the report.

Within the Design and Access Statement there is an illustrative layout which gives an indication as to how the site could be laid out, which is considered to give some comfort that up to 400 units can be accommodated on the site. Although as ever this ultimately depends on the mix of housing submitted and accordance with the CEC Design Guide.

The layout is to some extent constrained by the site constraints, most notably Minshull New Road to the east, and the approved new road to the south and west, but the Design and Access Statement sets out how the development should address these frontages, creating an internal road hierarchy, and utilizing and building on established landscape features notably trees and hedgerows. It is considered that these concepts will provide the building blocks on which a more detailed design can be developed at the Reserved Matters stage. A condition requiring the submission of a design code will enable the detailed design to be established at an early stage.

Public open space/play provision

Until the housing schedule is finalised it is not possible to accurately calculate the Public Open Space (POS) requirements. However, in line with the Policy SE6 of the CEC Local Plan, there is a public open space requirement of 65m² per family dwelling. On a development of this size we would expect to see all the POS on site.

Play Areas must enjoy natural surveillance with low level planting to assist with this. Play areas should embrace the DDA inclusivity ethos using play equipment that's creative, durable and maintainable.

Early reference to the Fields in Trust Design (FiT) Guidance is essential as a benchmark document paying particular attention to buffer zones for each of the LAP's, LEAP's NEAP's etc. Green Flag Award guidance – Raising the Standard - is also useful reference material.

The design proposes a LEAP situated in the south of the site and a further play area (item 6. shown on the plan) within the housing area.

For a development of this size (201 – 500 units) Fields in Trust recommend LAP, LEAP, NEAP contribution and MUGA – multi-use games area. This is part of CELP strategic site LPS4 which also places importance on providing the correct level of provision of formal and informal recreation.

It is therefore recommended that the NEAP is located in place of the LEAP shown on the plan with a minimum of 12 items for all age ranges. The applicant is agreeable to this change. This should enjoy a

well drained site and be in line with FiT standards. A third of the equipment should be DDA inclusive and complement existing local facilities.

A LAP should be provided within the heart of the development incorporating a low level trim trail for younger children and appropriate planting.

Detailed technical CAD plans with images including product codes for equipment, levels, surfaces, planting and infrastructure and should be submitted with the application at RM stage.

Removal of existing trees if absolutely necessary should be recycled on site in the form of art work giving the development a unique sense of place. This would depend on the type of trees being suitable for carving. If unsuitable, areas for wildlife such as log piles and bug houses could be accommodated within the area of native planting and/or habitat are shown on the plan.

Amenity greenspace must be functional, varied and flexible space, to serve the current and future needs of the community that it serves. Therefore, amenity greenspace should be a minimum width of 40m. Areas/buffers of less than 40m wide will not be considered amenity greenspace.

As far as possible POS should be linked by hard surfaced accessible traffic free routes to encourage people of all abilities to access the spaces and make the most of the recreational opportunities they present. These connections should link to the wider environment to encourage community cohesion and safe routes to important facilities or other recreational opportunities. To accommodate both pedestrian and cycle ways 3m wide paths are recommended.

There is a requirement for Recreation and Outdoor Sport (ROS) both indoor and outdoor in line with policy SC1, SC2 and SE6 in CEC Local Plan.

This should be provided in line with Cheshire East's Open Spaces Assessment, Green Space Strategy, Indoor Sports Strategy, Local Football Facility Plan and the recently updated (PPS) Playing Pitch Strategy. Both strategic sites LSP4 and LPS5 recommend sports provision should be in accordance with PPS and Policy SC2. Whilst the PPS notes the importance of local sites in more rural areas it recommends hub sites and key service centres are targeted in the more urban environment.

Full detailed hard and soft landscaping scheme along with details of the play facilities should be submitted with any reserved matters applications.

Environmental Impacts

Noise/Residential amenity

The applicant has submitted an acoustic report in support of the application. The impact of the noise from road traffic noise on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and the Guidance Document Calculation of Road Traffic Noise. This is an agreed methodology for assessing noise of this nature.

The report highlights that there would be a negligible to moderate impact during the construction phase of the development. Once the development is complete the proposed building façade noise levels would be not significant.

In accordance with the acoustic report and recommended by the applicant a construction management plan would be required to be submitted and approved prior to commencement.

Informatives are recommended in relation to construction hours, pile foundations and dust management.

Air Quality

Policy SE12 of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

When assessing the impact of a development on Local Air Quality, Environmental Protection has regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance Land Use Planning & Development Control: Planning for Air Quality January 2017)

Air quality impacts have been considered within the air quality assessment submitted in support of the application.

The report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads to model NO₂, PM₁₀ and PM_{2.5} impacts from additional traffic associated with this development and the cumulative impact of committed development within the area.

A number of modelled scenarios have been considered within the assessment. These were:

- Scenario 1 – Verification Year (2016);
- Scenario 2 – 2030 'without proposed development' (including the NWCP Highways Strategy);
- Scenario 3 – 2030 'with proposed development' (including the NWCP Highways Strategy); and
- Scenario 4 – 2030 cumulative assessment (proposed development and the Leighton West (North) development).

The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to all the modelled pollutants. However, the proposed development is considered significant in that it is highly likely to change traffic patterns and congestion in the area.

Crewe has three Air Quality Management Areas, and as such the cumulative impact of developments in the area is likely to make the situation worse, unless managed.

Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact.

A development of this scale and duration would be expected to have an adequate demolition, construction and dust control plan implemented to protect sensitive receptors from impacts during this stage of the proposal and this is mentioned within the assessment as a form of mitigation.

Conditions relating to Electric Vehicle Infrastructure and Ultra Low Emission Boilers are considered necessary to ensure that local air quality is not adversely impacted for existing and future residents.

Contaminated Land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- The application is for a proposed use that would be particularly vulnerable to the presence of contamination.
- Residential developments are a sensitive end use and could be affected by any contamination present or brought onto the site.
- The development area is adjacent to the Pym's Lane Phase 1 and Phase 2 landfill sites. Considerable quantities of methane and carbon dioxide being produced by these landfills.
- RoC Consulting Phase I Desktop Study RoCP Ltd / RoC/ES/AS/3582 P1 (January 2019) was submitted in support of the application. The report references a Phase II investigation report also submitted in support of the application (JB/AS/ROC/p2 3582, January 2015).
- There are a range of issues that require further consideration (including further gas risk assessment) and a supplementary site investigation is required. The scope of the further investigation must be agreed with Environmental Protection prior to the fieldworks.

Conditions are recommended.

Flood Risk/Drainage

As much of the site is on heavy clay there is a known issue in the area with standing water following periods of heavy rain that needs to be addressed in any development proposals, and indeed the applicant has submitted a Drainage and Flood Risk Assessment as part of their submission.

Formal comments are awaited, however the LLFA have been involved in extensive discussions with the applicant and know the drainage proposals as part of the approved Highways scheme. Some clarification has been sought from the applicant on flow rates and a number of conditions are likely to be recommended and will be confirmed in an update report to Members.

Education

To date already approved development in Crewe is expected to create an increase of 563 additional primary aged children and 435 additional secondary aged children. Of these approved developments developer contributions have been sought to mitigate the impact on education infrastructure in accordance with the CIL Regulations. To date this equates to 336 primary children and 46 secondary children.

The development of 400 dwellings is expected to generate:

74 primary children (400 x 0.19) – 2 SEN

59 secondary children (400×0.15) – 1 SEN
5 SEN children ($400 \times 0.51 \times 0.023\%$)

The total number of dwellings proposed in the wider context of the Local Plan for this immediate area generates the requirements of a new primary school. This will be shared equally between the final total numbers of dwellings across the sites. The costs below have been derived using indicative total dwelling figures of 1250 dwellings.

The total number of dwellings proposed in the wider context of the Local Plan for this immediate area generates a large number of secondary children. The Service has an existing secondary project in the Capital programme in the immediate area that is not fully funded. The Service is seeking the remaining cost of the project (£1,254,543) to be shared equally between the final total numbers of dwellings across the sites. The costs below have been derived using indicative total dwelling figures of 1250 dwellings.

Special Education provision within Cheshire East Council currently has a shortage of places available with at present over 47% of pupils educated outside of the Borough. The Service acknowledges that this is an existing concern, however the 5 children expected from The Land Off Minshull New Road application will exacerbate the shortfall. The 3 SEN children, who are thought to be of mainstream education age, have been removed from the calculations above to avoid double counting. The remaining 2 SEN children are expected to be 1 EYFS child and 1 Sixth Form child. The Service does not claim for EYFS or Sixth Form at present therefore those children cannot be removed from the calculation above.

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

$74 \times £15,238.09$ (£3.2 Million new primary school cost / 210) = £1,127,619 (primary contribution)
 $£1,254,543 / 1250$ dwellings $\times 400$ = £401,454 (proportionate share towards new Crewe secondary infrastructure (secondary contribution)
 $5 \times £50,000 \times 0.91$ = £227,500 (SEN contribution)
Total education contribution: £1,756,573
1.9 ha of level and serviced land reserved for Education use (shared proportionately between landowners/ownership)

No objection subject to developer contribution of £1,756,573. However, without a secured contribution of £1,756,573, Children's Services raise an objection to this application.

This objection would be on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. Without the mitigation, 74 primary children, 59 secondary children and 5 SEN children would not have a school place in Crewe. The objection would be withdrawn if the financial mitigation measure is agreed.

Affordable Housing

The Cheshire East Local Plan (CELP) and 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 desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance

with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 400 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 120 dwellings to be provided as affordable dwellings.

The CELP states in Policy SC5 justification paragraph 12.44, 'The Housing Development Study shows that there is the objectively-assessed need for affordable housing for a minimum of 7,100 dwellings over the plan period, which equates to an average of 355 dwellings per year.' This is for the whole borough of Cheshire East.

The current number of those on the Cheshire Homechoice waiting list with Crewe as their first choice is 2041. This can be broken down to 942x 1 bedroom, 665x 2 bedroom, 269x 3 bedroom, 89x 4 bedroom and 76x 5 bedroom dwellings.

The SHMA 2013 showed the majority of the house type demand annually in Crewe is for 217 dwellings per year. This can be broken down to 50x 1 bedroom, 149x 3 bedroom and 37x 4 bedroom dwellings for general needs. The SHMA also showed an annual requirement for 12x 1 bedroom and 20x 2 bedroom dwellings for older persons. These can be via flats, cottage style flats, bungalows and lifetime standard homes.

78 units should be provided as Affordable/Social rent and 42 units as Intermediate tenure.

The Cheshire East Plan (CELP) and the Councils Interim Planning Statement: Affordable Housing (IPS) requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration and also that the affordable housing should be provided no later than occupation of 50% of the open market dwellings

The affordable housing should be secured by way of a S106 agreement, which: -

- requires them to transfer any rented affordable units to a Registered Provider
- provide details of when the affordable housing is required
- includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site.

The applicant has provided a viability study that states that the site can only provide 10% Affordable Housing. This has been validated by an independent assessment.

Archaeology

The application is supported by a Heritage Assessment written by Orion heritage (January 2019) which was produced to identify the archaeological potential of the development area and to assess the need for archaeological mitigation.

The heritage assessment correctly identifies the limited potential for archaeological remains, something which has been confirmed by the evaluation of the adjacent spine road where very little archaeological remains were uncovered. However, the heritage assessment has identified Tottys Hall, a site of a former hall and garden centred on SJ6872 5716, which shows buildings associated with the site present on the 1845 tithe map.

Tottys Hall is recorded as late as 1945 via aerial photography but since then the hall has since been removed. However, there is very little evidence of further disturbance to the site of the Tottys Hall resulting in a very high probability of surviving below ground remains of the hall and its associated outbuildings (including the building which appears on the 1845 Tithe map).

This is not to say that the potential archaeological remains justify an archaeological objection to development or to necessitate further recommendations for pre-determination work. Instead it is advised that, if permission is granted for this development, the site be subjected to targeted mitigation which may be secured by condition. This work should take the form of an archaeological strip and record exercise centred on SJ 6872 5716 and extending to circa 50m x 50m.

This work which should allow the archaeological recording of any below ground remains and would result in the production of a report; this work can be secured by condition.

Viability

The application is subject to a viability assessment submitted by the applicant. This has been independently assessed and the consultants have broadly agreed to the costs as set out. In conclusion the proposals can afford to pay some £3,905,000 with 10% affordable housing. This is with a 15.36% profit which is at the bottom of an acceptable profit range (identified in national planning policy guidance at 15-20%).

The provision of 30% affordable housing would result in a profit level of 4.7% which is not viable. Notwithstanding the viability appraisal which would indicate that a lower provision is justified in planning terms, in this instance it has been determined that the applicant will however be seeking to deliver **20% affordable housing** on the site to maximise the opportunities for future CEC residents.

CIL REGULATIONS

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010, it is 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; a) Directly related to the development; and b) Fair and reasonably related in scale and kind to the development. It is considered that the contributions required as part of the application are justified meet the Council's requirement for policy compliance. All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of development. The non-financial requirements ensure that the development will be delivered in full. On this basis the S106 the scheme is compliant with the CIL Regulations 2010.

CONCLUSIONS

This outline application relates to part of an allocated site – LPS 4, in the adopted Local Plan Strategy and in principle is considered acceptable.

The development forms part of a comprehensive development of LPS 4 and needs to be seen in the context of development proposals for land to the north, also in LPS 4 but also in LPS 5 also on this agenda. Both applications are closely linked to the North West Crewe Package a series of highway works already approved, which provide access to this site.

The proposals are considered to be acceptable in terms of Highways, Ecology, Landscape, Public Rights of Way, Public Open Space and Environmental Considerations subject to agreed mitigation works.

Drainage proposals have been discussed extensively but at the time of writing this report have yet to be finalised. Members will be updated on this matter before Committee.

The application is subject to a viability appraisal, which is accepted, and concludes that a fully policy compliant scheme is not viable on this site when all the Section 111 requests are considered, including the required contribution to the highway works.

Whilst the Affordable Housing, Education and NHS Section 111 contributions are not being met, and as such an objection would be made by Housing, Education and the NHS, on balance the application is considered acceptable and will bring forward this important Local Plan Strategy site to help deliver housing and infrastructure for Crewe.

SECTION 111

A section 111 agreement (An agreement under the Local Government Act 1972 as the agreement is between two parts of the Local Authority and cannot be subject to a Section 106 Agreement under the Planning Acts) will accompany the application and is required to secure the following:

S106	Amount	Triggers
Affordable Housing	20% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan to be submitted at the reserved matters stage. No more than 80% open market occupied prior to affordable provision in each phase.
Education	£1,488,500	Phased payment TBC
Health	£40,000	Phased payment TBC
Indoor recreation	£71,500	On first occupation
Outdoor recreation	Private Management Co.	On first occupation
Public Open Space	Private Management Co.	On first occupation
Highways contribution	£5,500 per dwelling	Phased payment TBC

Towards NWCP	(£5,500 x 400 units = £2,200,000)	
Highways contribution To Leighton Hospital Link	£100,000	On first occupation
Travel Plan Monitoring	£5,000	On first occupation

RECOMMENDATION

Approve subject to a Section 106 contribution and the following conditions;

- 1. Outline – matters to be reserved**
- 2. Outline – timescales**
- 3. Approved plans**
- 4. Phasing plan**
- 5. Materials**
- 6. Landscaping**
- 7. Landscape implementation**
- 8. Submission of an AIA at reserved matters stage**
- 9. Tree/hedgerow protection plan**
- 10. Surface water drainage system**
- 11. Foul and surface water on separate systems**
- 12. Implementation of the NW Crewe Package before first occupation**
- 13. Implementation of highways infrastructure prior to occupation**
- 14. Future RM application to provide unimpeded access to adjacent development to the north**
- 15. Construction/Environmental Management plan**
- 16. Travel plan**
- 17. Public Rights of Way Management Scheme**
- 18. Electric vehicle infrastructure**
- 19. Ultra Low Emission Boilers**
- 20. Phase II ground investigation**
- 21. Verification report**
- 22. Soils assessment**
- 23. Unexpected contamination**
- 24. Reserved matters applications to be supported by an updated badger survey and mitigation strategy.**
- 25. Submission of a wildlife friendly lighting scheme with reserved matters applications.**
- 26. Submission of a detailed strategy for the delivery and 25 year management of the habitat creation measures detailed on the submitted Ecological Mitigation Plan (drawing reference G7362.020A prepared by TEP) with the relevant reserved matters application. The strategy to include compensatory hedgerow planting for any hedgerows lost.**
- 27. Each reserved matters application to be supported by proposals for the incorporation of features including, bird (swift, house sparrow) and bat boxes, hedgehog domes, brash and log piles, gaps in garden fences for hedgehog and native species planting,**
- 28. Submission and implementation of 25 year habitat management plan with any subsequent reserved matters application.**
- 29. Retention of all trees with bat roost potential unless otherwise agreed by the Council at the reserved matters a stage.**

- 30. Retention of hedgerows (H7 and H9) on submitted plans as important hedgerows.**
- 31. Updated barn owl survey to be undertaken. The survey should include buildings B14, B31 and B39.**
- 32. Archaeology**
- 33. Levels**
- 34. Urban design coding submitted as part of RM submission in line with the Cheshire East Design Guide.**

Informatives;

- **Public Rights of Way**
- **Water Course**
- **Environmental Protection matters**

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 Head of Planning 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.

