

Application No: 19/2178N

Location: Land off Minshull New Road and FLOWERS LANE, LEIGHTON

Proposal: 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.

Applicant: Bloor Homes and Galifford Try Partnership

Expiry Date: 08-Aug-2019

SUMMARY

This outline application relates to part of two allocated sites – LPS 4 Leighton West, and LPS 5 Leighton in the adopted Local Plan Strategy and in principle is considered acceptable.

The development forms part of a comprehensive development of LPS 4 and LPS 5 (which includes the approved development off Flowers Lane) and needs to be seen in the context of development proposals for land to the south, also in LPS 4 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, Landscape, Public Rights of Way, Public Open Space and Environmental Considerations subject to agreed mitigation works.

Additional information on some Ecology matters has been submitted for assessment, and Members will be updated on this in any update report.

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

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 106 requests are considered, including the significant contribution to the highway works.

Whilst not all the 106 Section contributions are being met, 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 106 Agreement with conditions

SITE DESCRIPTION

This sizable 47.4 hectare site, consists of two main elements:

Firstly land to the south of Flowers Lane, east of the Middlewich Road (A530) and Leighton Hospital, west of Minshull New Road and north of land leading down to Leighton Brook with Bentley Motors beyond. The land is mainly agricultural and consists of several large fields separated by hedge-lines containing a few trees. Smithy Lane crosses this part of the site east-west at the northern end. The land is largely flat but begins to slope down gently towards Leighton Brook at the southern end. The most notable feature of this part of the site are the sizable overhead power lines running roughly north east to south west.

Secondly is the land to the north of Flowers Lane and north of the approved housing site referenced below. This land again consists of agricultural land, here split into two large fields separated and bordered by hedge-lines with a few scattered trees. The land is essentially flat. This site adjoins open countryside to the north with the village of Bradfield Green to the north-west.

Both sites effectively wrap around Leighton Hospital and adjoin the main Crewe settlement to the east at Minshull New Road. To the west the site adjoins a few residential properties/farms off the Middlewich Road.

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

Three public footpaths cross the site, Leighton FP3 and Crewe FP20 cross east-west from Middlewich Road to Minshull New Road, and Leighton FP2 runs along the southern boundary of the northern site from Flowers Lane to Moss Lane.

PROPOSAL

The outline application seeks 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.

This application only seeks approval of means of access, all other matters are reserved.

The site makes up the northern part of LPS4 (the southern part being applied for by Engine of the North also on this agenda), and the northern part of LPS 5, the southern part already having planning approval under reference 16/2373N referred below.

The main elements of the proposed development consist of:

- Up to 850 Residential Units (Use Class C3)
- Land reserved for a primary school
- Up to 4,400 sqm Local Centre comprising:
 1. Retail Uses (Class A1)
 2. Professional and service uses (A2/A3/A4/A5)
 3. Offices (Use Class B1 a) and

4. Health/Creche/community facilities (Class D1)

In addition to the above, a sizable area of public open space would be created following the line of the over head power-lines, and this would contain a green link (footway/cycleway) allotments and ecology areas.

An illustrative masterplan has been submitted in support of the application, together with a Spatial Design Code setting out 4 character areas.

An Environmental Impact Assessment (EIA) was submitted with the application, and more recently an addendum issued to pick up flood risk and drainage 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 south also being considered on this agenda:

19/1371N Outline application for the development of up to 400 residential units (Use Class C3) and associated infrastructure and open space - Land Off, Minshull New Road, Leighton, Crewe

Land to the east, also part of policy allocation LPS 5 has been granted consent:

16/2373N Outline application for the construction of up to 400 dwellings with garaging; parking; public open space; landscaping; new vehicle and pedestrian accesses; highway works, foul and surface water drainage infrastructure and all ancillary works. - Land At, Flowers Lane, Leighton APPROVED

This site is now subject to a current reserved matters application:

20/3210N Reserved matters approval sought for access, appearance, landscaping, layout and scale. following outline permission for the construction of up to 400 dwellings with garaging; parking; public open space; landscaping; new vehicle and pedestrian accesses; highway works, foul and surface water drainage infrastructure and all ancillary works. Land At, Flowers Lane, Leighton CURRENT

This site adjoins housing developments off Parkers Road which are now nearing completion, and whilst no reserved matters application has yet been submitted, one is anticipated in the near future.

Finally there are numerous approvals at Leighton Hospital, the most relevant being a car park on the north eastern side fronting Flowers Lane:

19/3595N Extension to the existing staff car park to accommodate 338 parking spaces with controlled access and associated landscaping on land to the north-west of Leighton Hospital. A new priority junction with controlled egress and access to the car park is proposed from Flowers Lane. - Leighton Hospital, Middlewich Road, Leighton - APPROVED

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
LPS5 – Leighton

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

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.

Sport England: A range of comments were given encouraging the development of sport in the development but raising no objections.

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: An informative is recommended informing the applicants of their responsibilities when working in the vicinity of operational gas apparatus within the application site boundary and inform them in advance of any proposed works.

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.

Cheshire Brine: As the site is located outside of the consultation area the Board would not normally make any comments. Despite this, due to the considerable size of the development and the proximity of nearby claims, the board has assessed documentation appended to the application.

The Reports do not appear to adequately assess the risk presented to the site by the residual effects of nearby historic brine pumping, and it doesn't appear to have a Cheshire Salt Search attached to any of the submitted Reports. As this would Identify a Notice Of Damage filed for a parcel of this land, which would need investigating further.

Further information as requested has been supplied to the Board, but no reply has been forthcoming.

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

The section 106 amount of £1,011,600 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.

The CCG also welcomes any opportunity to collaborate with both the Local Authority and developers of this project in terms of the proposed usages of the identified local centre identified within the application.

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 package.
- £212,500 towards the Leighton Hospital Cycle link.
- £5,000 for travel plan monitoring.

CEC Housing: Object, on the basis it is unclear whether 30% provision is being provided.

CEC Public Rights of Way: Following the submission of additional information no objections are now made, but the development, if granted consent, would affect Public Footpaths Leighton Nos. 1, 2, 3 and 6 and Crewe No. 20, 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 and comments received will be reported in any update report. It is not anticipated there will be any significant issues, but additional conditions may be required.

CEC Education: To alleviate forecast pressures on Primary, Secondary and SEN provision a financial contribution of £3,715,707 is requested.

CEC Indoor Sport: A contribution of £149,500 is requested towards indoor sport provision in line with policy.

ANSA: No objections, but detailed comments are set out below.

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

VIEWS OF THE TOWN/PARISH COUNCILS

Minshull Vernon and District Parish Council:

The Parish Council agreed to OBJECT to this application on the following grounds –

- It will lead to an increase in traffic congestion in and around the area as the increase will be in excess of any increase in capacity created by the North West Crewe Package (18/6118N). The road infrastructure is already over capacity particularly towards Crewe and Nantwich and this will exacerbate the problem, with the additional adverse effect on the environment caused by queueing traffic;
- The detrimental effect on the local countryside with the loss of the green fields and habitats;

- Increased pressure on local amenities such as schools, health services, social care, drainage, etc. Notwithstanding the additional monies being provided by the developers and it is noted that these monies will be used to support existing services, which in some cases will be a distance from the site and thus increase the traffic use on the already congested roads; and
- There is a lack of clarity regarding the provision of social housing, thus further details on this would be required to ensure that the development meets the needs of this important policy requirement.

However, in the event that the planning authority approves this application, the Parish Council insists that conditions are included to take account of the following issues, to mitigate the effects of the development –

- The North West Crewe Package (18/6118N) must be completed and open to vehicles in its entirety prior to the commencement of any works on the site;
- No construction traffic is to use Minshull New Road;
- All vehicles associated with the construction must be parked onsite, in secure compounds if appropriate, and this no parking on the highways;
- A landscaping scheme to retain the maximum amount of the existing hedgerows, trees and other natural features, whilst creating as much new green space as possible within the site;
- Following the completion of the development, the road network is continually reviewed by the highways authority and consideration given to the potential requirements for traffic calming measures;
- S106 monies are provided for the Community Hub to support the new occupiers and surrounding areas. The Parish Council held a public consultation on the 25 February regarding the Leighton West proposals. As part of this, residents were surveyed regarding the requirements of a community hub, which were as follows –

Requirement:	Support:
Community Centre	80%
Public House	25%
Retail Outlet	29%
Health Centre	58%
Play Areas including MUGA	29%
Allotments	9%

There is much support for a community centre in Leighton. There are various groups interested in setting up activities, including ground to provide activities for youth activities, seniors, craft clubs, health-related are just some of the groups who have confirmed to the Parish Councillors that they would be interested in using a community centre. The Centre would provide groups that would contribute to the health and wellbeing of all residents, reduce social isolation and provide a focal centre for the area. The Parish Council is fully committed to providing and setting up a variety of activities and bringing the Parish Council back into the community by having a building that is more central and accessible to the public for Parish Council meetings and Councillor surgeries. The Parish Council has already ring fenced £40,000 towards the development of a community centre thus a condition for the developer to provide monies to enable a community centre to be built is essential in the interests of new and existing residents of the area and beyond.

Crewe Town Council: The Town Council would like to see this site developed as an exemplar carbon neutral or low carbon development, using geothermal energy, carbon neutral or very energy efficient buildings, and carbon offset planting.

The Town Council therefore has no objection to the principle of the development of this area, but objects to this particular application in its current form for the following reasons:

1. The absence of affordable housing clearly breaches the 30% requirement of Policy LPS 4, LPS 5 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 LPS 4 and LPS 5 Strategic allocations to ensure that the development of the site as a whole is coherent and co-ordinated, and that all the requirements of policy LPS 4 and LPS 5 are met in a way that meets the needs of the existing and future occupiers and neighbours of the strategic 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 south 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 provision of a wildlife friendly design and layout.
- b. 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.
- c. Contributions to health education and community infrastructure within Crewe.
- d. A requirement that the provision of public facilities such as the local centre, allotments, sports and play areas, together with contributions to other services such as health and education must be phased as the development progresses, and not left until it is completed or substantially completed.
- e. A commitment that the development will not be commence until the full NW Crewe Package of highway infrastructure is in place.
- f. A commitment to a carbon neutral or low carbon development.

OTHER REPRESENTATIONS

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

- St.Peter's, Leighton-cum-Minshull Vernon feels a financial contribution should be made to this local community facility.
- There is no demand for more houses in Crewe
- Concerns about impacts during the construction period
- People should no play under the pylons
- Crewe doesn't have the facilities to cope with this many new residents
- Is water supply adequate to provide for these houses?
- Concern about traffic congestion on Flowers Lane
- Concerns about flooding on land which has poor drainage (heavy clay soils)
- Proper protection should be given to existing trees and hedgerows
- Property heights should be limited to 2 storey's not 3 as indicated.

- Support given for footpath/cycleways proposed but need to ensure it is segregated, and links into existing networks
- Desire to see ecological enhancement incorporated into the development
- Concern about impact on Leighton Hospital and provision of healthcare locally
- Loss of green-fields locals use for recreation – dog walking etc.
- Schools struggling to meet demand
- Loss of wildlife habitat for Great crested Newts, Bats and Ground nesting birds
- Desire to see more variety of houses proposed, and have more green credentials, EVCP's etc.
- Public transport in the area needs to be improved

OFFICER APPRAISAL

Principal of Development

The site is allocated in Local Plan policies LPS 4 and LPS 5:

LPS 4 Leighton West, Crewe

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.

Site LPS 5 Leighton, Crewe

This site lies adjacent to the Strategic Site of Leighton West. The site lies in close proximity to both Leighton Hospital and Bentley Motors; its development will result in the expansion of the new sustainable neighbourhood at Leighton West. This will provide opportunities for people to live near to the key automotive hub, to be located at the southern end of the Leighton West site and in close proximity to Bentley Motors. The development of the Leighton West Strategic Site over the Local Plan Strategy period will be achieved through:

1. The delivery of around 500 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;

2. Further road improvements to upgrade access to Leighton Hospital for emergency vehicles and suitable footpath and cycle lanes;

3. Key worker housing to be provided, for the employees of Leighton Hospital;

4. Site to be designed to complement the allocated site at Leighton West; and

5. Incorporation of green infrastructure, including:

i. A linear green corridor through the site, including the land below and adjacent to the pylons;

ii. Allotments;

iii. Open space including formal sports pitches, multi use games area; outdoor gym and equipped children's play space.

The site, subject to this application consists of the northern half of LPS5 (the southern half already benefiting from outline planning permission as referenced above) and the northern half of LPS 4, a further part of LPS4 is subject to a separate application also on this agenda. Both sites share a joint masterplan and together make up a significant part of both allocations, but with areas to the south adjoining Leighton Brook and Bentley Motors being excluded.

Highway Implications

.. 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 delivered 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/bus stops 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 south 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 footways serving the site which are not being provided as part of the NWCHP are to be provided by the applicant in accordance with the drawings conditioned within this recommendation. These measures include the provision of a toucan crossing facilitating the link between the Local Centre and the Hospital.

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, (detailed on drawing no. BRJ10410-SKE-0100-203 rev T0), will need to be provided by the applicant prior to first occupation.

- 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 modelling predicted traffic impact.

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 development.

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 t 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 and Section 106 contributions are recommended.

Public Rights of Way/Cycle routes:

The development, if granted consent, would affect Public Footpaths Leighton Nos. 1, 2, 3 and 6 and Crewe No. 20, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

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 Rights 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).

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).

Conditions are recommended requiring a footpath management plan to be agreed, and for a signage scheme to be agreed before any units are occupied.

Finally the PROW Team want to use this opportunity to deliver and improve walking, cycling and equestrian facilities for transport and leisure purposes, both within the proposed development site and in providing access to local facilities for education, employment, health etc.

In this respect the Illustrative Masterplan indicates the provision of footpath/cycleways through the site linking the school, local centre and housing areas together, together with linkages into Crewe, Leighton Hospital and south to Bentley Motors and beyond. Whilst this plan is only illustrative, it does give an indication as to how the network can be designed and would need to be looked at in more detail as part of any reserved matters submission.

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 (8.43) and that it is based on the submitted parameters plan –Figure 5.1 (8.63).

The appraisal identifies the National Character Area (NCA 61) – 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 almost entirely located within LCT 4: Cheshire East Plain, specifically LCA 4d: Wimboldsley, apart from one small area along the eastern boundary that lies within the Urban area. The assessment also identifies the local landscape character of the applications site as being agricultural in nature, comprising a number of small and medium sized fields which area largely regular in shape with well maintained hedgerow boundaries and hedgerow trees, mostly oaks; with some mature trees within fields, which are remnants of former hedgerows. The application site is relatively flat, ranging from approximately 50-55m AOD, sloping towards Leighton Brook to the south of the site. A double row of pylons cross the site from the northeast to southwest. Footpath FP 2/1 Leighton follows a route across the central part of the site (east to west); Footpath 1/1 Leighton terminates just to the west of the site boundary in the north of the site. Footpath FP 3/1 Leighton cuts across the southern part of the site (east to west)and Footpath FP 6/1 Leighton cross the southern part of the site (south to north).

Flowers Lane follows a route along the north western part of the site and separates the northern section of the site from the remainder of the site. Minshull New Road forms the eastern boundary; Middlewich Road follows a short section of the western boundary. Leighton Hospital is located to the north west of the site; Mile House and a number of other residential properties are located to the west of the site along the Middlewich Road; to the east of Minshull New Road is the western extent of Crewe. To the south of the site is Leighton Brook, part of which is culverted and to the south of the brook is the Meadow Brook Cemetery and the Bentley Motor Works.

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. The assessment identifies that the susceptibility of the local landscape as being medium and of the site as low, with the landscape sensitivity identified as being medium for the local landscape and low for the site. The landscape assessment identifies a negligible effect on the regional landscape character, a minor adverse effect on the local landscape – remaining as moderate after 15 years and a moderate adverse effect on the site and surrounds – remaining as moderate after 15 years. The visual assessment identifies that for a number of footpaths FP 3/1 and FP 6/1 there will be moderate to major adverse effects, reducing to moderate adverse after 15 years, and moderate adverse effects for Leighton Hospital and parts of Minshull New Road, reducing to negligible/minor and minor to moderate respectively. The assessment identifies that there would be major effects for residents along part of Minshull New Road, and moderate for residents along Flowers Lane and in a number of nearby farms; the assessment indicates that these effects would reduce after 15 years.

This is an outline application, and the Council's Landscape Architect broadly agrees with the landscape and visual assessments. 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 and the Land Use and Maximum Building Heights Parameters Plan (Drawing No: 614A-06G), this plan identifies areas of green infrastructure along the northern boundary of the site and also following the route of the electricity pylons through the central part of the application site. It should be noted that the establishment of any plant structure larger than shrubs may not be possible along the pylon corridor. The residential layout as shown on the Illustrative Masterplan (Drawing No: 614A-01N) is indicative and will need to pay close regard to the Cheshire East Design Guide.

Trees

The application has identified approximately 15ha of the site for landscaping, green infrastructure and open space, with proposals for native planting, allotments and a community orchard. Ecological measures will include the planting of 200 trees and 1.31 ha of woodland and 3017 metres of hedgerow

The application is supported by an Arboricultural Assessment (TEP 7362.02.001 dated January 2019)

The Cheshire East Borough Council (Crewe – Land to the West of Moss Lane) Tree Preservation Order 2017 protects selected individual and groups of trees along and adjacent to the eastern boundary within the northern field parcel to the east of Leighton Hospital.

The Assessment has identified 158 individual trees, 28 groups of trees and 24 hedges within or immediately adjacent to the site, with the northernmost section of the site having the greater density of tree cover. Trees have been assessed in accordance with the tree quality assessment categories in

BS5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations (Table 1) . A breakdown of these quality categories identifies 34 individual trees and 1 group as High (A) category; 81 individual and 21 groups as Moderate (B) category , 40 individual trees and 5 groups as Low (C) category and 3 individual trees and 1 group as unsuitable for retention (U) category.

One tree, an Oak (T133) located within the south- eastern field parcel to the west has been identified as Veteran status

The Assessment considers the impact on these trees based upon the Masterplan layout which is shown on Drawing 2 Tree Conflict Plan. Para 5.13 states that 16 individual trees and 6 groups or parts of groups would likely need to be removed and are shown on Drawing 3 . Drawing 3 is not included as part of the Arboricultural Assessment nor has a summary of the breakdown of the tree losses under the relevant quality categories been provided, therefore it is not possible to determine at this stage the significance of these losses.

The Assessment has identified four individual trees and 3 groups of trees which are protected by the TPO which may be influenced by the development. Of these, one Group comprising of 2 Oak (G7 and G2 of the TPO) will result in the loss of one or both trees due to a proposed access to the east of the site.

It is noted that the identified Veteran Status tree Oak (T133) located on the line of the proposed link road between the two roundabouts to the north and south of the site and would need to be removed to accommodate the road and associated infrastructure. The route of the link road forms part of the highway infrastructure measures approved under 18/6118N

Para 5.19 suggests that tree losses could be reduced and designed out at future reserved matter stages, particularly with regard to High (A) category trees. The Assessment specifically states that A category trees should be retained in plans for future development (para 5.5) . Local Plan Policy SE 5 states that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, hedgerows or woodlands that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted, except where there are clear overriding reasons for allowing the development and there are no suitable alternatives. This can include moderate (B) category trees which have potential to reach Category A.

Any future reserved matters application must fully consider the design considerations detailed in sections 5.2 and 5.3.4 of BS5837:2012 as part of site planning for development and include existing and proposed levels, and proposed services

Should planning permission be granted a condition should be attached which requires the submission of an Arboricultural Impact Assessment.

Ecology

Statutory Designated Sites

The application site falls within Natural England's SSSI Impact Risk Zones. It is noted that Natural England have been consulted on this application and raised no objection to the proposed development.

Non Statutory Sites

The Crewe Swift Colony Local Wildlife Site (LWS) is located to the south east of the application site. There will be no direct impacts on the LWS, however the proposed development may result in the loss of some suitable foraging habitat for birds associated with it. It is advised that the habitat creation measures proposed as part of this outline application would be sufficient to compensate for this impact.

Phase One Habitat Survey and Grassland Habitats

Whilst a drawing showing the results of the phase one habitat plan has been submitted in support of this application, a report of the results of the Phase One habitat survey does not appear to have been provided. The results of the survey are however reported in the Ecology chapter of the Environmental Statement (ES).

The majority of the grassland habitats recorded on site are improved agricultural grasslands with limited botanical interest. There is however an area of semi-improved grassland in the south western corner of the site. It was advised that a botanical species list including abundance data for each species recorded on the DAFOR scale should be provided for this habitat. This has been submitted and comments on this are awaited and will be reported in any update report.

Badgers

A single badger sett was recorded during the submitted survey. This sett is located sufficiently far away from the redline of the application as not to be directly affected by the proposed development. The proposed development will however result in the loss of a significant area of badger foraging habitat. This would have a localised adverse effect on badgers. This effect would be partly mitigated through the creation of semi-natural habitats in the area of land beneath the pylons.

As the status of badgers on site can change in a short time scale and the precise impacts resulting from the development of the site will depend upon the layout proposed at the detailed design phase it is recommended that if outline planning consent is granted a condition should be attached which requires the submission of an updated badger survey in support of any future reserved matters application.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. In addition Hedgerows 4, 9, 10, 17 and 18 were assessed as being Important under the Hedgerow Regulations. Based upon the submitted illustrative masterplan it appears likely that Important hedgerows 4 and 9 would be affected by the proposed development.

It was advised that the illustrative master plan should be amended to retain as much of the existing hedgerows as possible and hedgerow 9 in particular should be retained within a suitable corridor of open space. It is however acknowledged that there is some information provided on this matter as part of the submitted ES. Should permission be granted it is advised that a condition should be attached requiring an updated hedgerow impact assessment maximising any retained hedgerows.

The submitted ecological assessment identifies a total of 5589m of hedgerow on site, 470m of which is anticipated as being lost. 3017m of new hedgerow planting is proposed to compensate for that lost.

Bats

Roosting

The submitted Ecological Assessment identified a number of trees on site with potential to support roosting bats. It is advised that a further assessment is required to determine which trees with 'moderate – high' bat roosting potential are likely to be affected by the proposed development. Further surveys of any such trees should then be undertaken to establish the presence/absence of roosting bats. To enable the Council to determine this application in accordance with its policy and statutory obligations a report of this survey should be submitted prior to the determination of this application. The applicant has submitted additional information on this and comments on this are awaited and will be reported in any update report.

Foraging and commuting

Surveys of the wider locality undertaken to inform the NW Crewe package application identified a sufficient number of bat species for the NW Crewe package 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.

The proposed development will result in the loss of suitable bat foraging habitat including hedgerows and trees. Replacement planting and the habitat creation areas are proposed for the land beneath the Pylons. In order to ensure that any loss of habitat for foraging bats is adequately compensated for it must be ensured that adequate compensatory habitat is provided in relation to that lost. This can be quantified through the use of the Defra biodiversity metric as discussed below.

Great Crested Newts

It is advised that this protected species is unlikely to be present or affected by the proposed development.

Common Toad

Common toad, a priority species and hence a material consideration, was recorded at two ponds (P1 and P2). The submitted Ecological Assessment states that impacts on common toad are likely to be significant at the Local level. Connectivity between the two known breeding ponds would be lost as a result of the construction of the NE Crewe package. The current proposals would however result in the further loss of terrestrial habitat associated with pond 1.

A new pond, hedgerow planting and species rich grassland is proposed as part of the outline planning application. It is advised that this would go towards compensating for the loss of habitat for this species. It was advised however than a new pond, accessible to amphibians associated with pond 1 should be added to the submitted illustrative master plan. This has been submitted and comments on this are awaited and will be reported in any update report.

Barn owls

Barn owls have previously been recorded as breeding at a building located in close proximity to the proposed development. The most recent surveys however did not record any evidence of current breeding activity.

The proposed development will result in the loss of a significant area of poor quality barn owl foraging habitat. The submitted Ecological assessment states that the loss of foraging habitat for barn owl is likely to be significant at the Local Level.

The proposed development has the potential to result in the disturbance of barn owls during the construction phase. Based on the current status of barn owls at this building a significant impact would not be likely to occur.

However as barn owls may return to this building in future years it is recommend that a condition be attached requiring any future reserved matters application to be supported by an updated barn owl survey and mitigation strategy.

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. The provision of these types of features is currently being proposed for the land beneath the Pylons.

Breeding Birds

The application site supports a number of species of breeding birds. Including a number of more widespread priority species. These species are a material consideration for planning. In order to ensure that any loss of habitat for priority birds is adequately compensated for it must be ensured that adequate compensatory habitat is provided in relation to that lost. This can be quantified through the use of the Defra biodiversity metric as discussed below.

Peregrine falcon

Anecdotal evidence suggests that this protected 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 directly affected by the proposed development.

The proposed development will result in some loss of foraging habitat for this species, this would be partly compensated through the habitat creation proposed on site. The likely impacts on the foraging activity of this species are however difficult to fully predict.

Japanese Knotweed

The applicant should be aware that Japanese Knotweed (*Fallopia japonica*) is present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause Japanese Knotweed to grow in the wild. Japanese knotweed may be spread simply by means of disturbance of its rhizome system, which extends for several meters around the visible parts of the plant and new growth can arise from even the smallest fragment of rhizome left in the soil as well as from cutting taken from the plant.

Disturbance of soil on the site may result in increased growth of Japanese Knotweed on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with Japanese Knotweed must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste.

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 I recommend that if planning permission is granted a condition should be attached requiring any additional lighting to be agreed with the LPA. Suggested condition below:

Net gain for biodiversity

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. A number of habitat creation proposals have been submitted with this outline application. It is recommended the applicant undertakes and submits an assessment of the residual ecological impacts of the proposed development using the Defra biodiversity offsetting 'metric' methodology.

An assessment of this type would both quantify the residual impacts of the development (after identified potential impacts have been avoided, mitigated and compensated for in accordance with the mitigation hierarchy) and calculate in 'units' whether the proposed development would deliver a net gain or loss for biodiversity.

Ecological enhancement

This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Local Plan Policy SE 3.

If planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy. The areas of habitat creation required will however depend on the outcome of the Defra biodiversity metric calculation:

Habitat Management Plan

If outline planning consent is granted a condition should be attached requiring the submission and implementation of a 25 year habitat management plan.

Urban design/site layout

The application has been discussed with officers prior to its submission and has been submitted with a detailed design and access statement together with an illustrative masterplan, spatial design code, parameters plan and landscape strategy plan.

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 850 units, together with the local centre, can be accommodated on the site. Although as ever this ultimately depends on the mix of housing submitted, and the range of uses in the local centre. It will also depend upon the compliance of the scheme with the CEC Design Guide and Building for Healthy Life (BHL) principles.

The layout is to some extent constrained by the site constraints, most notably Flowers Lane and the settlement boundary to the north, Minshull New Road to the east, and the approved new road through the site, 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. The local centre is located centrally adjacent to the hospital which is considered to be the optimum location. 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 a design code to be formulated prior to the detailed submission will also set out the design principles to be adopted across the whole site.

Local Centre

The application proposes a local centre (Use Class A1-A4, AA, B1a, C3 and D1- under the old Uses Classes Order) in line with the Local Plan policy. The detail will need to be dealt with at the Reserved Matters, however it is considered important at this stage to limit the floor space being provided, and the size of units to ensure that a range of local shops/services is provided to meet local needs and avoid a single use that would limit provision. This matter should be conditioned.

The Parish Council has suggested a community centre be provided in the centre, which this proposal does not specifically supply, but could be provided as one of the uses. No specific funding is identified, but this would be difficult without some idea of costings, which of course is dependent on size and range of facilities intended.

Environmental Impacts

Noise / residential amenity

. Noise and vibration impacts have been considered within the noise and vibration assessment submitted in support of the application.

The assessment considered the potential for noise and vibration associated with the proposed development to impact on existing sensitive receptors during its construction and completed development phases, and at future sensitive receptors, formed as part of the proposed development. There are moderate adverse impacts predicted at medium and high sensitivity receptors, due to the proximity of some construction works. Impacts were also predicted to be negligible to minor adverse at sensitive receptors, from vehicle movements on the completed development.

As such, a condition requiring the submission of a noise impact assessment as part of any reserved matters application is necessary in order for this application to be approved.

Lighting

The Baseline Lighting Assessment submitted indicates that effective impact management can be achieved by ensuring lighting performance meets current best practice functional requirements and environmental guidelines. Therefore to ensure that the overall artificial lighting impacts associated within the proposed development on the surrounding area are minor adverse, as stated in the assessment, Environmental Protection recommend a condition requiring the submission of lighting details prior to installation.

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, this office 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)

The applicant's submitted 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 (South) 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 charging 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:

- RoC Consulting Phase 1 Desktop Study report RoCP Ltd /ES /3582 p1 (16/01/2019) was submitted in support of the application.
- The report identifies a number of potential pollutant linkages that require further investigation. The report recommends that a Phase II investigation is conducted at the site.

- A rigorous monitoring-based ground gas risk assessment will be required to assess the potential impact of ground-gas migration from the landfills adjacent south.

Conditions are recommended.

Flood Risk/Drainage

The proposals are very closely linked to the approved road scheme, as this has been designed to accommodate much of the flows, and has been discussed in some detail with the applicant. At the time of writing the report no formal comments have been received from the LLFA as they were seeking some clarification of flow rates, however it is understood this matter is close to resolution and Members will be updated before Committee.

Public Open space

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 all the POS should be provided 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 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 NEAP situated near the primary school site, a LEAP adjacent to the PRow on the Southern boundary, LAP's that do not necessarily require fixed equipment (amenity green space), however these can accommodate 3 items of equipment.

For a development of this size (500+) Fields in Trust recommend LAP, LEAP, NEAP and MUGA – multi-use games area. These are also incorporated into the CELP but in addition require facilities for teenagers and outdoor gym.

It is therefore recommended the LEAP located near the primary school site is predominately targeted at the 2 – 10 years of age. Natural elements can be incorporated such as boulders but should not be a substitute for equipment. Wooden equipment with steel feet for durability could be used giving a natural feel.

A destination playground incorporating a NEAP and MUGA (see Sport England specification) should be located close to the local centre. Floodlighting is recommended to maximise the potential use of the MUGA. Teen facilities should also be considered here such as a 'hang out' shelter, skate/bmx facility. The NEAP should cater for all age ranges and enjoy a flat accessible surface.

Six LAP's should be provided throughout the site with one containing equipment adjacent to the PRow on the Southern boundary.

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.

A green gym could be provided through the linear walkway detracting from the overhead powerlines giving further interest.

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.

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.

Allotment provision requires thoughtful planning. The potential for conflict between allotment tenants and neighbouring residents needs careful consideration particularly around the management of the site, boundary treatments and supporting facilities such as parking. Accessible hard surfaced paths should be incorporated and consideration for raised beds for the less able community should be accommodated. Fencing, storage, water supply and delivery area should also be a consideration. Allotment provision is normally managed by the Town/Parish Council or by an Allotment Association therefore discussions will need to take place should this application be accepted in principle.

Where POS overlaps with other requirements for example, ecological habitat or drainage swales and ponds, conflicting uses and maintenance regimes will limit the flexibility and therefore value for any of these purposes. Careful consideration of proposed uses and maintenance requirements at the outset will help to avoid these conflicts.

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.

All POS should reflect local wildlife/heritage/culture to create distinctive, high quality spaces that compliment and strengthen the identity of the overall development and wider community, encouraging community cohesion.

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. Therefore, contributions to enhance key service centres within Crewe are sought at £1000 per family dwelling or £500 per 2 bed space plus apartment.

A full detailed hard and soft landscaping scheme along with details of the play facilities should be submitted as part of any reserved matters application.

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 850 dwellings is expected to generate:

158 primary children (850×0.19) – 4 SEN
125 secondary children (850×0.15) – 3 SEN
10 SEN children ($850 \times 0.51 \times 0.023\%$)

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 10 children expected from The Land Off Minshull New Road and Flowers Lane application will exacerbate the shortfall. The 7 SEN children, who are thought to be of mainstream education age, have been removed from the calculations above to avoid double counting. The remaining 3 SEN children are expected to be 2 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:

$158 \times £15,238.09$ (£3.2Million new primary school cost / 210) = £2,407,618 (primary contribution)
 $£1,254,543 / 1250$ dwellings $\times 850$ = £853,089 (proportionate share towards new Crewe secondary infrastructure (secondary contribution)
 $10 \times £50,000 \times 0.91$ = £455,000 (SEN contribution)
Total education contribution: £3,715,707
1.9 ha of level and serviced land reserved for Education use (shared proportionately between land owners/ownership)

No objection subject to developer contribution of £3,715,707. However, without a secured contribution of £3,715,707, 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. Without the mitigation, 158 primary children, 125 secondary children and 10 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 850 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 255 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 2120. This figure can be broken down to 983x 1 bedroom, 681x 2 bedroom, 278x 3 bedroom, 96x 4 bedroom and 82x 4+ bedroom dwellings.

The Cheshire Homechoice data can be further split to the following:

1602x are looking for a House.

680x are looking for a Bungalow.

158x are looking for a Maisonette.

349x are looking for Flats/Bedsits.

In Crewe that are currently 94 applicants who require over 55 Accommodation. Of these 94, 10 require Extra Care and 30 require Sheltered Accommodation.

The SHMA 2013 showed the majority of the house type demand annually up to and including 2018 in Crewe was for 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 for Older Person's. The dwellings can be via flats, cottage style flats, bungalows and lifetime adaptable homes.

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

Housing prefer that the affordable housing meets the HCA's housing quality indicator (HQI) standards.

The preference is that the affordable housing is 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.

Details of Registered Providers of social housing can be obtained from the Development Officers in Strategic Housing.

If 30% affordable housing is not provided Housing object to the application unless validated viability information is provided to set out why not. As discussed below the viability has been assessed and the development of this site can only stand 10% affordable housing will an allowance for the other 106 contributions.

Archaeology

This substantial residential and landscaping development will have a dramatic impact on the landscape and any below ground remains which may be present.

After reviewing the extensive supporting documentation for this application, which included a Heritage Statement authored by Orion Heritage, and reviewing the historical information held on Cheshire Historic Environment Record, it has become clear that there are archaeological considerations which will need to be addressed for this development.

Previous consultations provided by APAS have offered some insight into the potential archaeological remains that this proposed development will impact. Earlier advice relating to application 18/6118N in 2018 noted that there are two township boundaries within the proposed development area. Furthermore it was noted that the presence of the WWII crash site within the proposed development area. Archaeological mitigation was recommended to address the township boundaries.

Further comments were made in 2017 in relation to a pre application consultation, and identified the presence of tithe buildings within the East of the application area, relating to Finger Post Farm. At the time a programme of archaeological mitigation was recommended to address these tithe buildings.

The historical statement report supplied by Orion Archaeology indicates in section 10.79 that there are no substantial archaeological remains and therefore there *No archaeological mitigation is warranted*. The report does note the presence of the WWII crash site, but neglects to mention the two township boundaries, the tithe buildings in association with Finger Post Farm, or the tithe buildings located to the West of the development area. Subsequently, there clearly is a requirement for archaeological mitigation in order to address and record these tithe buildings and township boundaries.

The area of the WWII crash site, The Wellington X3547 was recorded as crashed within the study area on 20th of March 1943. Any work in the vicinity of the crash site will require a Ministry of Defence license. There has been a previous license issued for this site, relating to the construction of the spine road, however, this has since expired and the applicant will need to apply for a new license in relation to this current proposed development. It is advised that this could form part of the program of archaeological mitigation and the license obtained on behalf of the applicant by the contract archaeological unit.

Given the presence of the tithe buildings, township boundaries and the crash site, it is clear that despite the comments in 10.79 of the Heritage Statement, there is a requirement for archaeological mitigation for this proposed development. This mitigation should include the following:

- Formal section across the northern Township boundary,
- Strip and Map of the tithe buildings associated with Finer Port Farm
- Strip and Map of the tithe buildings located in the West of the development area
- A License obtained from the Ministry of Defence

These works can be undertaken by an archaeological contractor, and may be secured by condition.

Viability

As with the adjacent application to the south, the application is subject to a viability assessment submitted by the applicant. This was assessed independently by an external consultant (The Reviewer), on two separate occasions, over the course of some 11 months. Unfortunately, whilst many matters are agreed, there has been disagreement between the two parties on a number of important points, notably some build and abnormal costs, which resulted in a stalemate position. After much discussion it was agreed, that in the interests of moving this matter forward, that the viability should be assessed by a second independent consultant (Roger Hannah).

Each party's assessment was therefore reviewed and comments upon the credibility and reasonableness of the reports made to provide advice on whether the approach adopted is in accordance with accepted industry standards. The differences are summarised in the table below. The full viability appraisal report, as with all the viability reports submitted with this application are available on the website.

	Applicant	Reviewer	RH
GDV:	£155,760,000	£147,640,441	£155,773,209
Open market sales:	£148,570,000	£122,543,080	£148,586,172
Affordable Housing:	£7,190,000	£25,097,362	£7,187,037
Build Cost	£101,630,100	£93,700,772	£98,448,181
inc contingency and fees	£105,030,100 inc garages	exc garages	inc garages
Benchmark Land Value	£10,923,000	£10,097,381	£10,133,381
Planning Obligations			
Affordable Housing provision	10%	23.95%	10%
Financial Contributions	£7,868,826	£9,194,026	£8,580,576

This second consultant has concluded that:

In line with the adopted NPPF, NPPG on viability and RICS Guidance Note (Financial Viability in Planning Guidance Note – GN 94/2012), developments must deliver a return which does not undermine deliverability of a scheme. For an open market housing scheme, a developer will require a typical profit on GDV of 20% and for any affordable housing element a typical profit of 6% on GDV. For the subject site, based on the GDV above this produces a blended profit of 19.35%.

We have taken on board both the applicant's and reviewer's comments in relation to the Benchmark Land Value and assessed this as being £10,133,381.

Adopting the agreed sales rates and applying the costs as provided by BBS, our appraisal accounting for 10% affordable housing provision and a financial contribution of £8,580,576, generates a residual land value equal to the benchmark land value.

As such the scheme is able to viably support this level of planning obligations. The imposition of any additional planning obligations will render the scheme unviable.

Based on this the applicant is proposing the following contributions:

Affordable Housing:

10% of total number of homes to be Affordable

The Affordable Housing will comprise the following tenure mix:

65% -Affordable Rent

35% -Intermediate Tenure

S106 Financial Contributions:

Highways roof tax - £4,675,000 (£5,500 per dwelling)

Travel Plan Monitoring - £5,000

Leighton Hospital Cycle Link Contribution - £212,500

Open Space Indoor Sports - £149,500

Education– Serviced Land for School provided at Nil Consideration plus a financial contribution of £721,936

NHS Contribution - £86,000

They also include a figure for extra/over Drainage Infrastructure at £2,743,726 which they feel should be included in the amount taken from the c £8.5m available. There is an ongoing discussion on this amount as officers feel this sum should not be included here and was treated as a build cost in viability. This sum could therefore be available to split between Education and the NHS. Members will need to be updated on this matter and the final figures in the s106 confirmed at that stage.

As Members will appreciate these contributions are not fully policy compliant, and do not meet the recommendations of Housing (30% affordable), Education (£3,715,707 – although a serviced school site is being provided) and the NHS (£1,011,600). However it must be highlighted that the contributions towards Highways - a significant cost, are being met.

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 two allocated sites – LPS 4 Leighton West, and LPS 5 Leighton in the adopted Local Plan Strategy and in principle is considered acceptable.

The development forms part of a comprehensive development of LPS 4 and LPS 5 (which includes the approved development off Flowers Lane) and needs to be seen in the context of development proposals for land to the south, also in LPS 4 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, Landscape, Public Rights of Way, Public Open Space and Environmental Considerations subject to agreed mitigation works.

Additional information on some Ecology matters has been submitted for assessment, and Members will be updated on this in any update report.

Drainage proposals have been discussed extensively but at the time of writing this report has 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 106 requests are considered, including the required contribution to the highway works.

Whilst not all the 106 Section contributions are being fully met, 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 106

A section 106 agreement will accompany the application and is required to secure the following:

S106	Amount	Triggers
Affordable Housing	10% (65% Affordable Rent / 35% Intermediate)	In accordance with phasing plan submitted at the reserved matters stage. No more than 80% open market occupied prior to affordable provision in each phase.
Education	£721,936 (TBC) and provision of a serviced site for a school	TBC
Health	£86,000 (TBC)	TBC
Indoor recreation	£149,500	On first occupation
Outdoor recreation	Private Management Co.	On first occupation
Public Open Space	Private Management Co.	On first occupation
Highways contribution Towards NWCP	£5,500 per dwelling (£5,500 x 850 units = £4,675,000)	TBC
Highways contribution Leighton Hospital Cycle Link	£212,500	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. Provision of pedestrian links N & S of Flowers Lane
15. Future RM application to provide unimpeded access to adjacent development to the south
16. Construction/Environmental Management plan
17. Travel plan
18. Public Rights of Way Management Scheme
19. Electric vehicle infrastructure
20. Ultra Low Emission Boilers
21. Phase II ground investigation
22. Verification report
23. Soils assessment
24. Unexpected contamination
25. Reserved matters applications to be supported by an updated badger survey and mitigation strategy.
26. Submission of a wildlife friendly lighting scheme with reserved matters applications.
27. 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.
28. 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,
29. Submission and implementation of 25 year habitat management plan with any subsequent reserved matters application.
30. Retention of all trees with bat roost potential unless otherwise agreed by the Council at the reserved matters a stage.
31. Archaeology
32. Levels
33. Restriction on uses/floor-space in local centre
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.



