

Application No: 21/6385N

Location: Land East Of Broughton Road And North Of, BIDVALE WAY, CREWE

Proposal: Construction of 104 affordable homes with new access from Broughton Road and ancillary open space.

Applicant: Breck Homes Ltd and Mark Unwin

Expiry Date: 27-Jul-2022

## **SUMMARY**

This is a full application for a scheme of 104 affordable dwellings comprising the final and southern part of allocated site LPS 11– Broughton Road, Crewe.

The principle of residential development on the site has been established through its allocation within the Cheshire East Local Plan Strategy (CELPS) under Policy LPS 11 and approval (19/3515N) granted for 129 dwellings within the northern part of the site. This development of 104 units will result in an overall total of 233 dwellings within the allocated site. Whilst this exceeds “the delivery of up to 175 new homes as set out by LPS 11, this is not a reasonable basis on which to withhold approval, as the amended proposals demonstrate that the site can satisfactorily accommodate the proposed development and also significantly delivers a greater proportion of affordable homes within the allocated site.

The proposal achieves an appropriately designed residential development and its detailed design and layout accords with the overall principles for the development of the site and the CEC Design Guide. It achieves an acceptable relationship with the character of the locality, without material harm to neighbouring residential amenity, and would provide sufficient amenity for the new occupants. The development subject to conditions is supported in design terms and accord with CELPS policies SD1, SD2 and SE1 in relation to design quality.

The proposed access arrangement for the development will not adversely affect highway safety or result in traffic management issues on the local highway network and as such complies with Policies CO2 & CO4 of the CELPS and BE3 of the CNLP.

Appropriate public open space including a Locally Equipped Area for Play (LEAP) will be provided. Tree and hedgerow losses have been accepted and would be mitigated in the proposed landscaping of the site and through off-site habitat creation to achieve biodiversity net gain.

With regard to ecological impacts, subject to conditions and securing off site habitat creation to deliver biodiversity net gain through a S106 agreement, it is considered that the ecological impacts can be mitigated. As a result, the proposal complies with Policies NE5, NE9 of the CNLP and SE 3 of the CELPS.

The Council's Flood Risk Officer considers that the proposed drainage system will satisfactorily serve the development, without resulting in flooding of adjoining properties.

To satisfactorily address the impact on local services/facilities, contributions to education, healthcare provision and outdoor sport will be secured through a S106 agreement in compliance with Policies IN1, IN2 of the CELPS and RT3 of the CNLP.

A significant benefit of the scheme includes the provision of 100% affordable housing in a sustainable location which would go towards meeting an identified local need. In addition, the proposal would also provide economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy, the Borough of Crewe and Nantwich Local Plan, draft SADPD and advice contained within the NPPF.

## **RECOMMENDATION**

**APPROVE, Subject to conditions and the prior completion of a S106 Agreement to secure the following**

## **DESCRIPTION OF SITE AND CONTEXT**

The application site is located to the east of Broughton Road and forms the southern part of allocation LPS 11 of the Cheshire East Local Plan Strategy.

The site measures approximately 2.9 hectares in size and is presently unmanaged agricultural pasture land. The majority of the site comprises of a relatively flat field which are bound by traditional hedgerows and a number of trees and includes an existing pond.

Detailed planning approval (19/3515N) has been granted for a development of 129 new homes within allocation LPS 11 to the north of the application site. The northern site boundary is defined by a mature hedgerow and several mature trees, beyond which is the route of Public Footpath Crewe FP 16 that runs east/ west from Broughton Road and also public open space of the approved development (19/3515N).

A site with an extant planning approval (17/3951N) for a development of 11 dwellings accessed from Stoneley Road adjoins the eastern site boundary. The route of public footpath Crewe FP 17 also runs along part of the eastern site boundary and connects with Crewe FP 16 linking the land to the north with Stoneley Road.

The southern boundary adjoins existing residential properties located at the end of a pair of cul de sacs known as Bidvale Way. In addition the ends of rear gardens of two pairs of semi-detached houses fronting Stoneley Avenue adjoin the south-western corner of the site.

Properties of the existing ribbon of housing along Broughton Road back onto the western site boundary. Existing properties on the western side of Broughton Road face toward the site access.

## **DETAILS OF PROPOSAL**

This is a full application and represents the final third of development within allocation LPS 11 Broughton Road, Crewe.

The application proposes a development of 104 new dwellings (100% affordable homes) with associated infrastructure including access from Broughton Road, site drainage arrangements incorporating a pumping station, public open space including a LEAP and LAP, ecological habitat, and landscaping.

The development includes a mix of 1, 2, 3 and 4 bed units, including apartments, maisonettes semi-detached and terraced dwellings. The maximum height of the proposals house types will be two-storey whilst an apartment building located adjacent to the northern site boundary accommodating 12 flats will be three storeys.

Revised plans and additional information have been received during the application process in response to issues raised by the Council. This has been predominantly in relation to design, but also in respect of ecology, highways, drainage and public open space/playscape. The amended scheme has also reduced the originally proposed number of units from 119 to a total of 104.

It is proposed that the site is served by a single point of vehicular access onto Broughton Road. Pedestrian/cycle connections to the scheme are provided via the existing PROW network with also a footpath connection to the adjoining site to the north.

## **RELEVANT HISTORY**

None

## **DEVELOPMENT PLAN POLICIES**

### **Cheshire East Local Plan Strategy (CELPS)**

LPS 11 - Broughton Road, Crewe

MP 1 - Presumption in Favour of Sustainable Development

PG 1 - Overall Development Strategy

PG 2 - Settlement Hierarchy

PG 6 - Open Countryside

PG 7 - Spatial Distribution of Development

SD 1 - Sustainable Development in Cheshire East

SD 2 - Sustainable Development Principles

SE 1 - Design

SE 2 - Efficient Use of Land  
SE 3 - Biodiversity and Geodiversity  
SE 4 - The Landscape  
SE 5 - Trees, Hedgerows and Woodland  
SE 6 - Green Infrastructure  
SE 8 - Renewable and Low Carbon Energy  
SE 9 - Energy Efficient Development  
SE 12 - Pollution, Land contamination and Land instability  
SE 13 - Flood Risk and Water Management  
CO 1 - Sustainable Travel and Transport  
CO 2 - Enabling Business Growth Through Transport Infrastructure  
CO 3 - Digital connections  
CO 4 - Travel Plans and Transport Assessments  
IN 1- Infrastructure  
IN 2 - Developer Contributions  
SC 1 - Leisure and Recreation  
SC 2 - Outdoor Sports Facilities  
SC3 - Health and wellbeing  
SC 4 - Residential Mix  
SC 5 - Affordable Homes

The Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy Local Plan that still apply and have not yet been replaced. These policies are set out below.

### **Crewe and Nantwich Replacement Local Plan**

BE.1 – Amenity  
BE.3 – Access and Parking  
BE.4 – Drainage, Utilities and Resources  
BE.6 – Development on Potentially Contaminated Land  
NE.5 – Nature Conservation and Habitats  
NE.7 – Sites of National Importance for Nature Conservation  
NE.8 – Sites of Local Importance for Nature Conservation  
NE.9 – Protected Species  
NE.11 – River and Canal Corridors  
NE.17 – Pollution Control  
NE.20 – Flood Prevention  
NE.21 – New Development and Landfill Sites  
TRAN.3 – Pedestrians  
TRAN.5 – Provision for Cyclists  
RT.9 – Footpaths and Bridleways

### **Relevant Emerging policies for Site Allocations and Development Policies Document (SADPD)**

The Site Allocations and Development Policies Document (SADPD) is at an advanced stage of preparation. The Plan was submitted for examination in April 2021, hearings took place in October and November 2021. Draft Main Modifications were consulted on during April and May

2022. Noting the relatively advanced stage of the SADPD it is considered that at least moderate weight should be applied to relevant policies, including the proposed modifications.

GEN 1 Design principles  
GEN 4 Recovery of forward funding infrastructure costs  
ENV 1 Ecological network  
ENV 2 Ecological implementation  
ENV 3 Landscape character  
ENV 5 Landscaping  
ENV 6 Trees, hedgerows, and woodland implementation  
ENV 7 Climate Change  
ENV 12 Air quality  
ENV 16 Surface water management and flood risk  
HOU 1 Housing mix  
HOU 3 Self and custom build dwellings  
HOU 6 Space, Accessibility and wheelchair housing standards  
HOU10 Amenity  
HOU 11 Residential standards  
HOU 12 Housing Density  
HOU 13 Housing Delivery

INF 1 Cycleways, bridleways and footpaths  
INF 3 Highways safety and access  
INF 9 Utilities  
REC 3 Green space implementation  
PG9 Settlement Boundaries

### **Other Material Considerations**

National Planning Policy Framework (The Framework)  
National Planning Practice Guidance  
Cheshire East Design Guide

### **CONSULTATIONS (External to Planning)**

**United Utilities** – No objection subject to either the submission of a detailed drainage plan for consideration prior to determination of the application, or a condition being imposed requiring details of a sustainable surface water drainage scheme and a foul drainage scheme. (UU response awaited to proposed drainage arrangements which have been submitted)

**Natural England** - No objection.

**Housing** - No objection subject to completion of S106 Agreement .

**Flood Risk Manager** - No objection, subject to conditions requiring details of surface water drainage and levels

**Environmental Health** - No objection subject to conditions relating to, electric vehicle infrastructure, ultra-low emission boilers and contaminated land.

**Education** - No objection subject to a financial contribution towards local secondary school and SEN places.

**Public Rights of Way** – Concerns raised in respect of relationship of development with Crewe FP17 resulting lack of natural surveillance and details required of its surfacing.

**Head of Strategic Infrastructure** – No objection subject to conditions

**Leisure** - No objections subject to conditions and contribution to outdoor sport.

**NHS Cheshire Clinical Commissioning Group** - No objection subject to a financial contribution to fund improvements to GP practice infrastructure.

## **VIEWS OF PARISH/TOWN COUNCIL**

**Crewe Town Council** : Objects and comments as follows;

- The application does not provide for any sustainable energy generation. It is noted that many, if not all, of the pitched roofs of the houses would be suitable for PV installations (Solar power generation), making a significant contribution to reduce the development's carbon footprint and to make the cost of living in the houses more sustainable for the future residents.
- The play area is not adequate for the development. It should be considered how the future green spaces will be maintained and managed; by who and that the play area should be considerably larger to accommodate potentially high proportion of young families in the proposed homes.
- The development does not demonstrate net biodiversity gain. The derisory installation of a small number of bird boxes does not meet the requirements of the relevant CEC planning policy. More nesting sites should be included (including for swifts/swallows/house martins), invertebrate habitats and areas for small mammals and amphibians.
- Boundary treatments should be permeable to wildlife, such as hedgehogs.
- All existing hedges should be retained.
- The SUDS documentation does not identify proactive actions to ensure sustainable drainage in its conclusions and this does not meet the needs of ensuring reduced risk of flooding due to the development.

Further comments received in respect of re-consultation on amended plans and additional information;

- Amendments have not addressed issues associated with sustainable energy generation, demonstrable net biodiversity gain, sufficient play and recreation facilities and ongoing maintenance, sufficient compensatory replacement of any removed hedges and/or trees, boundary treatments are not permeable to wildlife, e.g. hedgehogs.
- detrimental impact of the proposals on local wildlife, which must be mitigated and provide for increased opportunity for wildlife.
- The CEC education consultation identifies that provision of 100% funding contribution towards education establishment impact is required but not represented within the application.

## **OTHER REPRESENTATIONS**

4 representations have been received objecting to the proposal on the following grounds:

- Increased volume of traffic detrimental to safety
- Broughton Road of inadequate capacity to handle substantially increased amounts of traffic
- Exacerbate problems from on-street parking along Broughton Road
- No increase in highway capacity or to serve housing developments
- Damage to road surface, cars, gardens and homes with the debris and dust etc from construction
- Lack of co-ordinated/comprehensive approach to address cumulative impact of housing developments and proposed HS2 access site off Broughton Road on wider road network and highway safety.
- Exacerbate existing highway safety problems and traffic congestion at junction of Broughton Road and North Street.
- No improvement of Broughton Road/North Street junction
- Transport Assessment does not consider expected future increase in use of the road junction (North street & Broughton Road by) by substantially increased numbers of pedestrians and heavy goods vehicles
- Impact of the proposed HS2 access point around 80m south of the proposed entrance to development and potential subterranean disruptions
- Development fails to reduce congestion and emissions and improve air quality
- Inadequate drainage will exacerbate flooding problems
- Potential subsidence
- Too many new homes around the area which has resulted in a huge loss of green space in this already very built-up area
- Detrimental effect on the local environment and air pollution,
- Overlooking and loss of privacy
- Local infrastructure, schools and health care facilities is already overstretched
- Loss of quality of life for local residents during construction phase from disruption and noise
- Requirement for integrated solar panelled roofs in climate emergency and to reduce heating costs
- Adverse impact on Great Crested Newts/wildlife habitat

A representation has also been received from the Guinness Partnership commenting as follows:-

- Sufficient connectivity will be provided between the site and the approved development to the north (19/3515N) through the retention of established path connection at Footpaths at Crewe FP16/17 and provision of new pedestrian link (located mid-way on northern boundary).
- A further proposed footpath link will not provide any additional benefit and a potential detriment to each development with possible conflict with site of a new electricity substation. (Amended plans have removed this link from the scheme)
- Clarification required of whether a LEAP will be provided within the site or if an off-site contribution will be required

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of developing the application site for housing has already been accepted. It occupies the southern part of allocation LPS 11 Broughton Road of the CELPS.

LPS 11 states that the development of Broughton Road over the Local Plan Strategy period will be achieved through:

1. The delivery of up to 175 new homes; and
2. The incorporation of green infrastructure including:
  - i. Equipped children's play area and public open space;
  - ii. Retention of existing ponds/marsh areas;
  - iii. The retention, where possible, of hedgerows and trees that have habitat potential and a cumulative impact on the screening of the site.

Planning Approval (19/3515N) has been granted for the development of 129 new homes including 30% affordable housing units within the northern two-thirds of allocation LPS 11.

These proposals have been amended during the course of the application and propose a 100% affordable housing scheme of 104 units, which will thereby provide an overall total of 233 dwellings within allocation LPS 11.

These proposals will result in the total number of dwellings indicated by LPS 11 being exceeded by 58 units. However, as detailed in the report below when assessed on its merits, it is considered the application site can satisfactorily accommodate the proposed development in terms of its siting and design and without adversely affecting the character of the area, amenity, or highway safety/traffic congestion.

Importantly the delivery of the site for residential development will also contribute towards the Council's housing land supply, provide 100% affordable housing, and thereby assist in meeting the development requirements of Crewe and the wider Borough.

It is considered that the development of this site is acceptable in principle. Further requirements of Policy LPS 11 and all other material considerations are addressed below.

## **Affordable Housing**

Affordable Housing Policy SC 5 (Affordable Homes) in the Cheshire East Local Plan Strategy (CELPS) sets out the thresholds for affordable housing in the borough. In residential developments, affordable housing will be provided as follows: -

- i. In developments of 15 or more dwellings (or 0.4 hectares) in the Principal Towns and Key Service Centres at least 30% of all units are to be affordable;
- ii. In developments of 11 or more dwellings (or have a maximum combined gross floorspace of more than 1,000 sqm) in Local Service Centres and all other locations at least 30% of all units are to be affordable;
- iii. In future, where Cheshire East Council evidence, such as housing needs studies or housing market assessments, indicate a change in the borough's housing need the above thresholds and percentage requirements may be varied



The CELPS states in the justification text of Policy SC5 (paragraph 12.44) that 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 across the borough. This figure should be taken as a minimum.

This is a revised proposed development of 104 dwellings on an allocated site therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 32 (31.2) dwellings to be provided as affordable homes.

This application is stating the reduced amount of 104 units are all to be 100% Affordable Housing.

### Cheshire Homechoice

The current number of those on the Cheshire Homechoice waiting list with Crewe as their first choice is 2322. This can be broken down as below;

	How many bedrooms do you require?						
First Choice	1	2	3	4	5	5+	Grand Total
Crewe	1088	634	388	124	88		2322

There is also still a need for Intermediate units that will cater for those 1<sup>st</sup> time buyers, those making a new household and families who cannot buy on the open market.

### Affordable Housing Mix

Point 3 of policy SC5 (affordable homes) notes that “the affordable homes provided must be of a tenure, size and type to help meet identified housing needs and contribute to the creation of mixed, balanced and inclusive communities where people can live independently longer”. Paragraph 12.48 of the supporting text of Policy SC5 (affordable homes) confirms that the Council would currently expect a ratio of 65/35 between social rented and intermediate affordable housing.

The split of the affordable units is 53% Shared Ownership / Intermediate Sale - 55 plots and 47% Affordable Rent– 49 plots. As this is a 100% affordable scheme, the Housing Officer has advised that this covers the 30% Affordable requirement and policy required tenure split of 65% Rent and 35% Intermediate dwellings is acceptable.

The applicant has also supplied an Affordable Housing Statement that has also accepted by the Housing Team.

Therefore the proposal complies with Policy SC5 and the affordable housing provision can be secured by way of Section 106 Agreement.

### **Residential Mix**

Policy SC4 of the CELPS states that new residential development should maintain, provide, or contribute to a mix of housing tenures, types, and sizes to help support the creation of mixed, balanced, and inclusive communities.

The proposed development comprises:

18 x 1 bed apartments  
6 x 2 bed apartments  
41 x 2 bed units  
29 x 3 bed units  
10 x 4 bed units

The proposed residential mix comprises of terraced, semi-detached, ground floor apartment units and maisonettes. The development therefore provides a wide range of house types, ranging from 1-4-bedroom units is considered to meet the requirements of policy SC4 of the CELPS.

In terms of dwelling sizes, it is noted that HOU6 of the draft Site Allocations and Development Policies Document (SADPD) requires that new housing developments comply with the Nationally Described Space Standards (NDSS). As part of the SADPD Inspectors post hearing comments he accepts this requirement but states that;

*'as advised in the PPG, a transitional period should be allowed following the adoption of the SADPD, to enable developers to factor the additional cost of space standards into future land acquisitions. Given that the intention to include the NDSS in the SADPD has been known since Page 24 the Revised Publication Draft was published in September 2020, a 6-month transitional period for the introduction of NDSS, following the adoption of the SADPD, should be adequate. This should be included as an MM to criterion 3 of Policy HOU 6'*

The applicant has provided the following table to show the current position in terms of the house types and NDSS compliance;

**Broughton Road, Crewe**  
**NDSS Compliance**

House Type	No of Storeys	GIA (Actual)	GIA (NDSS)	Compliance (%)
1B2P 59 Apt	1	59sq m	50sq m	118%
2B3P 60 Apt	1	60sq m	61sq m	98%
1B2P 46 Mais	1	46sq m	50sq m	92%
1B2P 53 Mais	1	53sq m	50sq m	106%
2B3P 68	2	68sq m	70sq m	97%
2B3P 72	2	72sq m	70sq m	102%
3B4P 77 Asp	2	77sq m	84sq m	92%
3B4P 80 Asp	2	80sq m	84sq m	95%
3B4P 82	2	82sq m	84sq m	98%
3B5P 94 Corner	2	94sq m	93sq m	101%
4B5P 100	2	100sq m	97sq m	103%

This shows that the vast majority of unit types across the entire development are NDSS compliant or very close to compliance. The smallest unit are at 92% compliance relate to 6 one-bed apartments and two, three-bed houses . Nevertheless given the 6-month transitional period referred to by the SADPD Inspector this is considered to represent an acceptable position.

## Education

One of the site-specific principles of LPS 11 in the CELPS requires “contributions to education provision”. Education contributions have already been secured in respect of the first phase of the allocated site under the S106 Agreement for 129 dwellings.

However the proposed development with 104 units (2 bed+) is expected to generate:

- 15 - Primary children (86 x 0.19) (- 1 SEN)
- 13 - Secondary children (86 x 0.15)
- 1 - SEN children (86 x 0.51 x 0.023%)

The development is expected to impact on primary and secondary school places in the locality. Contributions which have been negotiated on other developments are factored into the forecasts both in terms of the increased pupil numbers and the increased capacity at primary and secondary schools in the area because of agreed financial contributions.

However the analysis undertaken has identified that a shortfall of primary school places remains. CEC Children's Services acknowledge that this is an existing concern and 16 primary age children expected from this development will exacerbate the shortfall.

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. CEC Children's services advises that this is an existing concern, and the 1 child expected from development will exacerbate the shortfall.

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

$15 \times £11,919.00 \times 0.91 = £162,694$  (Primary)

$1 \times £50,000 \times 0.91 = £45,500$  (SEN)

Total education contribution: £208,194

Without a secured contribution of £208,194 Children's Services raise an objection to this application. This position 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 mitigation, the proposal would not comply with LPS 11 in the CELPS.

## **HEALTHCARE**

The NHS CCG's consultation response requests a financial contribution being secured to support the development the development of Grosvenor Medical Centre (and associated branch surgery), Earnswood and Millcroft Medical Centre, Haslington Surgery and Hungerford Road Surgery in their ability to continue to provide the expected level of Primary Care services in Crewe.

Additional growth in patient numbers will add pressures to the GP practices, with an increase in clinical and non-clinical staff required in order to meet these future patient needs. A financial contribution is therefore sought as part of this application, which is based on a calculation consisting of occupancy x number of units in the development x £360. This is based on guidance provided to other CCG areas by NHS Property Services.

The required contribution resulting from the proposed development of 104 units has been calculated as follows;

<b>Size of Unit</b>	<b>Occupancy Assumptions Based on Size of Unit</b>	<b>Health Need/Sum Requested per Unit</b>
1 bed unit	1.4 persons	£504 per 1 bed unit
2 bed unit	2.0 persons	£720 per 2 bed unit
3 bed unit	2.8 persons	£1,008 per 3 bed unit
4 bed unit	3.5 persons	£1,260 per 4 bed unit
5 bed unit	4.8 persons	£1,728 per 5 bed unit

Therefore,

1 bed unit x 18 = £9,072  
 2 bed unit x 48 = £34,560  
 3 bed unit x 28 = £28,224  
 4 bed unit x 10 = £12,600

Total: £84,456

As such the CCG requests a contribution to health infrastructure via Section 106 of £84,456. This would comply with policy LPS 11 of the CELPS.

## **Public Open Space**

The local plan allocation (LPS 9) states that the development of this site should include, the provision of green infrastructure, to include open space provision, including children's equipped play space/multi-use games area and allotments.

In addition, Policy SE6 of the CELPS sets out the open space requirements for housing development which are (per dwelling):

- Children's play space - 20sqm
- Amenity Green Space - 20sqm
- Allotments - 5sqm
- Green Infrastructure connectivity 20sqm

The Leisure Officer has advised that given the opportunities/constraints this site contains, satisfactory public open space provision has been achieved. This is in terms of the POS quantum balancing the needs for community food production, ecology and accommodating the pedestrian access routes/ PRow within green infrastructure.

Based on 104 dwellings the minimum requirements consist of green infrastructure connectivity, 5m<sup>2</sup> (520<sup>2</sup> total) growing space/community gardens/allotment and a 40m<sup>2</sup> (4160m<sup>2</sup> total) combined amenity green space and children's play space. The amended layout provides total areas of combined amenity green and children's play space of about 3,800 m<sup>2</sup>. However amended plans ensure the development will provide a LEAP and also a separate LAP in suitable locations.

The Leisure Officer has advised that play facilities should be predominately level and embrace Fields in Trust standards in terms of buffers, inclusivity, and accessibility.

A condition is therefore recommended requiring details of the design and specification of the play areas to secure appropriate provision, and which would complement the LEAP on the northern site. Details of hard and soft landscaping, including the specification of planting, will be secured by a condition requiring the submission and approval of the landscape scheme for the development. The Leisure Officer also recommends that a condition is also required to secure infrastructure within POS such as seating, way markers, a pond viewing platform and interpretation/information boards to maximise leisure opportunities within the site.

A condition is required for the submission and approval of management plan for all areas of POS and landscaping. The provision of a management company to maintain all on site open space will be secured through the S106 agreement.

### Outdoor Sport

In terms of outdoor sports facilities Policies SE6, SC1 and SC2 states that major residential developments contribute, through land assembly and/or financial contributions, to new or improved sports facilities where development will increase demand and/or there is a recognised shortage in the locality that would be exacerbated by the increase in demand arising from the development.

The proposal will increase demand on existing facilities and as such a financial contribution towards off site provision will be required. The financial contribution is required at a rate of £1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment. The funds would be used in line with the Council's adopted Playing Pitch Strategy or the emerging supplementary planning document .

The Council's Leisure Officer has confirmed that the overall public open space and play provision is acceptable and contribute to the approved network of green open spaces to be provided within the northern part of LPS 11.

The proposals are therefore considered to comply with the open space requirements policy LPS 9, SE 6 and SC2 of the CELPS.

### **Design, Character and Appearance**

Policies SD2 and SE1 of the CELPS expect housing developments to achieve Building for Life 12 (BfL12) standard, and that development proposals consider the wider character of a place in addition to that of the site and its immediate context, to ensure that it reinforces the area in which it is located. These principles are also reflected in the CEC Design Guide. BfL12 uses a traffic light system, with the aim of eliminating reds, whilst maximising the number of greens.

The Council's Design Officer has undertaken an assessment of amended proposals for a scheme of 104 units, which is reflected in the commentary below.

## Connectivity

The Design Officer considers that this has been markedly improved from the initial layout. As a result, the entrance to the development and the frontage to Broughton Road, now with a reinforced building line, is considered acceptable. Internal connections are acceptable due to use of the perimeter block arrangement. Although opportunities are not taken to connect to the two Bivdale Way cul-de-sacs to the South, given the need to safeguard existing residential amenity from the use of through routes here.

With regard to pedestrian and cycle connections, the Design Officer advises these are also improved, with the larger and better overlooked area of POS to the north providing a better connection to the new development beyond. The other new footpath links are useful too, with these being well overlooked as a result of the layout changes. The new path to the side of No.53 is now set within some POS and links with FP17 which is retained, and of a suitable width. The inclusion of a buffer to the FP 17 is an improvement on the previously narrow timber-fence edged route and is now acceptable.

## Site Layout

As stated above, the gateway to Broughton Road is improved with a better relationship to the street. The removal of the units to the northern boundary making the scheme more outward looking is a further improvement. The houses now overlook the POS to the north as opposed to presenting mainly rear garden fencing to, the neighbouring development. Similarly, the apartment block is now better located with its dual aspect providing surveillance over the POS. There remained some issues over the scale and massing of this large block, however, and this is addressed below.

The addition of corner turning units and more dual aspect houses is also welcomed and the result is to create better natural surveillance and a more legible scheme.

The Design Officer advises that the revised layout is a significant improvement on the original submission and there is a further reduction in the number of units provided (119 to 104) which has also had the effect of giving the houses more space and improving the layout.

## Streets

There has been an improvement to the street design with the introduction of some shared drives to properties 48-52, 75-79 and 55-70, although inconsistently different hard surface materials are used in similar cases elsewhere.

All materials should be locally relevant and the suggested materials palettes for the Salt and Engineering Towns character area in which Crewe sits are set out in the CEC Design guide

A condition is therefore recommended to require the submission and approval of surfacing materials.

## Parking.

The revisions have improved the parking provision considerably, something that has clearly been aided by the reduction in units and subsequently in the reduction in spaces required. Car parking courts are now suitably small (within the suggested limits in Volume 2 of the Design Guide) and there is space for landscape and whilst there is an issue with insufficient overlooking of the small central court this is not considered to be significant given the number of properties that it serves. Secured by Design advice would suggest that these two courts should be gated. A condition is therefore recommended to ensure the provision of suitable gates to the courtyard.

## Open Space

The Design Officer considers that overall private gardens are reasonably generous and the changes to the parking arrangements to those in the central perimeter block have improved the size of these for those homes. All appear to have independently accessible for refuse/recycling which is welcomed.

The POS is now larger than it was previously and this is considered to be more appropriate, especially with the northern area relating to the POS on the site with permission to the north. Furthermore, effort has now been taken to ensure that all POS has adequate natural surveillance and this is now good.

It can be seen that the retained pond performs both a drainage and an ecological function and the decision to make this a landscape feature too is welcomed.

However, the detailed landscape design is critical. A detailed landscape scheme further to landscape masterplan will be secured through a planning condition.

## Scale and Massing

The proposals remain predominantly two-storey and appropriate in terms of scale and massing. With regard to the apartment block, revisions including the addition of more elevational depth, with gables and a revised roof plan, have been successful in reducing the bulkiness of the block. Whilst it is not materially smaller, the Design Officer considers that it does sit more comfortably on the site and is now considered acceptable.

## Character

Whilst the applicants Design & Access Statement makes reference to the National Design Guidance and the need for context and identity, the Design Officer is not convinced that this has been a major consideration in the design of the scheme. Nevertheless, on the plus side, the houses are of a clean and simple design/appearance which is welcomed, and there are certainly improvements from the earlier proposals, with the introduction of corner turning units, the reduction in frontage parking bays and the change to more contrasting brick colours.

However, the Design Officer comments there is a sense that the architecture is still 'anywhere' in approach, with no apparent contextual cues. Ideally, the detailed specification of dwellings



could be greater informed from the local contextual information including materials and colour palettes specifically for the 'Salt and Engineering Towns' of which Crewe is the largest.

The applicant has responded to the assessment of architectural quality of the scheme, and in particular comments that;

"There is long established ribbon development along Broughton Road which predominantly dates from the 20th century and consists of semi-detached and terraced properties of a variety of styles together with two bungalows. In addition, recent housing estates have been built to the west of Broughton Road. To the south are post-war terraces possibly dating from the 1970s in a staggered arrangement and with blank gables adjoining the application site. The dominant building material in the vicinity is red brick, with a mixture of grey or red roof tiles. Pebbledash, now mostly rendered and painted, typifies the inter-war semis on Broughton Road and limited examples of full or partial render occur elsewhere."

Furthermore the applicant adds that;

"The present semi-rural character of the site is already set to change through the approved housing developments to the north and immediately to the east, whilst the Stoneley Park development beyond by Taylor Wimpey to the east is characteristic of a suburban housing estate by a volume housebuilder".

Following consideration of both the comments of Design Officer and the response of the applicants, on balance, given the locality does not have distinctive character and comprises a mixture of styles of varying quality, the amended scheme is of design which will sit comfortably with established residential properties and forthcoming development, as well as reinforcing the linear frontage along Broughton Road.

### Overall Assessment

The Design Officer confirms that the amended proposals have delivered key improvements to the scheme. As a result, a BFHL (Homes England, 2020) assessment results in the following awards:

1. Connections - AMBER
2. Facilities and services - AMBER
3. Public Transport - AMBER
4. Meeting Local Housing requirements - GREEN
5. Character - AMBER
6. Working with the site and its context - AMBER
7. Creating well defined streets and spaces - GREEN
8. Easy to find your way around - GREEN
9. Streets for All - GREEN
10. Car parking - GREEN
11. Public and private spaces - GREEN
12. External storage and amenity space - GREEN

As a result of the design changes, there are no red lights. The first three ambers are essentially a product of the location of the site and the single point of vehicular access.

The other two ambers relating the issues discussed in the character section above. Overall, the Design Officer advises that the proposals are now considered to be acceptable in urban design terms.

The design of the scheme is therefore considered to satisfactorily reflect the principles set out in the CEC Design Guide and meets the requirements of policies SD2 and SE1 of the CELPS.

## **Ecology**

There are various ecology matters to consider. These are broken down into the following subsections and assessed accordingly. Additional survey information and clarification in respect of ecological issues has been provided during the course of the application.

### Statutory Designated Sites

The application site falls within Natural England's SSSI impact risk zones for residential development. Natural England have been consulted on the application and raised no objections.

### Mud Snail and Lesser Silver Diving Beetle

These two protected/priority species are known to occur in the broad locality of the application site. A further survey of the ponds, ditches and marshy grassland has been submitted. These features were all largely dry during the latest survey. This may in part reflect the very dry conditions this year, however these features were also found to hold limited water during the previous site visit in November 2021. The Council's Ecologist advises that whilst the presence of these species cannot be completely discounted, based upon the currently available information, they are not reasonable likely to be present or affected by the proposed development.

### Great Crested Newts

This protected species is known to be present at ponds in the vicinity of the application site. The proposed development is likely to result in an adverse impact upon this species as a result of the loss of terrestrial habitat and the risk of animals being killed or injured during the construction phase.

## **Important**

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained

The development relates to a substantial part allocated site LPS 11 within the Cheshire East Local Plan Strategy which is necessary to meet housing needs within the Borough. The

development of the site is therefore in the overriding public interest, and there are no other suitable alternative sites which are capable of delivering this scale of development in accordance with the objectives of the Local Plan Strategy.

To mitigate the impact the proposed development upon great crested newts the applicant has proposed to enter the development into Natural England's District Level Licencing Scheme. This approach is supported and the Councils Ecologist has advised this is sufficient to maintain the favourable conservation status of the species. The applicant has provided a copy of the countersigned agreement with Natural England as evidence that the development is eligible to enter the District Licencing Scheme.

A planning condition is recommended requiring that prior to the commencement of development the consented development is to be entered into Natural England's District Licensing Scheme for Great Crested Newts.

### Hedgerows

Native hedgerows are a priority habitat and a material consideration. The proposed site access will result in the loss of a section of native hedgerow with a corresponding loss of biodiversity. The Councils Ecologist advises that the development proposals maximise the retention of the existing hedgerows. However, if the loss of the existing hedgerow is considered to be unavoidable then sufficient compensatory planting can provide as part of a landscaping scheme for the site.

### Bats

An assessment of the potential for the trees on site to support roosting bats has been submitted in support of the application. Only one tree on site has been identified as being reasonable likely to support roosting bats and this will be retained as part of the proposed development. In accordance with best practice guidance the submitted survey report includes recommendations for the 'soft felling' of trees with low bat roost potential. The Councils Ecologist has therefore advised that the proposed development is unlikely to result in a direct impact on roosting bats. A condition is recommended to ensure that trees 13G.1, 14T and 34H are felled in accordance with the mitigation measures as detailed in paragraph 4.2.1 of the submitted Bat Tree Assessment.

### Lighting

The Councils Ecologist has assessed the submitted external lighting plan (reference SL/1300/001/A Rev A). There is potentially some light spill on one retained tree (as drawn illustratively on the layout plan). The effects of this will be localised and unlikely to have a significant effect upon foraging or commuting bats. A condition is recommended requiring the implementation of the submitted lighting scheme.

### Barn Owl

This protected species has historically been recorded in the vicinity of the application site. The Councils Ecologist has received confirmation from the applicant's ecological consultant that the trees on site do not provide any opportunity for this species. It is therefore advised that this species is not reasonable likely to be significantly affected by the proposed development

### Reptiles, Brown Hare and Hedgehog

These species have been recorded within the broad locality of the application site. The Council's Ecologist considers it is likely that these species may occur on site occasionally, but the site is unlikely to be critically important for them. The exception to this is the pond which may attract grass snake. The pond will however be retained. In order to minimise the risk of these species being harmed during the construction phase the submitted Ecological Assessment includes a method statement of reasonable avoidance measures. A condition should be attached to secure the implementation of these measures during the development.

### Nesting Birds

A standard condition to safeguard nesting birds is recommended requiring no removal of any vegetation between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds.

### Biodiversity net gain

Local Plan policy SE3(5) requires all development proposals to lead to an overall enhancement for biodiversity. In order to assess the overall loss/gains of biodiversity an assessment has been undertaken in accordance with the Defra Biodiversity 'Metric' version 3.1.

The assessment shows that the proposed development would result in the loss of 12.11 biodiversity units (-48.863%). The proposed development therefore fails to comply with Local Plan Policy SE3 (5).

The applicant proposes the delivery of compensatory habitat at an offsite location in order to deliver a net gain for biodiversity and has begun negotiations with suitable habitat providers, although no firm details have however been received at the time of writing this report.

A S106 Agreement will secure the submission of detailed proposals for the habitat creation works, 30 years management plan and monitoring at an offsite location to deliver more than 12.11 Biodiversity Units.

### Ecological enhancement

These proposals provide an opportunity to incorporate features to increase the diversity value of the final development in accordance with Local Plan Policy SE 3. Proposals for the incorporation of bat and bird boxes have been submitted, but the development of this site provides opportunities for the incorporation of additional features. A condition is recommended for the submission of an ecological enhancement strategy to include the provision of features for nesting birds including house sparrow and roosting bats, gaps in garden fences to facilitate the movement of hedgehogs and brash/deadwood piles, and a wildlife pond and native species planting.

### Conditions

In summary, the Council's Ecologist raises no objection to the development and the following conditions are recommended:

- Entry into Great Crested Newt District Level Licencing scheme
- Tree felling in accordance with bat mitigation measures
- Safeguarding of nesting birds
- Implementation of submitted amphibian, reptile mitigation and hedgehog mitigation.
- Implementation of submitted lighting scheme (drawing reference SL/1300/001/A Rev A)
- On site habitat creation and 30 year habitat management plan
- Ecological enhancement (bat and bird boxes etc).

A S106 obligation is also required to secure off-site Biodiversity Net Gain works.

## **Landscape**

The application site forms the southern part of Strategic Site LPS 11 of the Cheshire East Local Plan. The Site Specific Principles for development of this site include,

*‘the retention where possible of hedgerows, trees and the inclusion of appropriate planting and buffering along the northern and eastern boundaries to provide a clear edge to the development and reduce visual impacts to the surrounding countryside’.*

The submitted landscape proposals have been assessed by the Councils Landscape Officer.

It is firstly noted that hedgerow boundaries to the northern and eastern boundaries are identified on the landscape plans to be trimmed and replanted where necessary with native species and that this will be for entire lengths of north and east boundary. Although, further planting details are required of the hedgerow planting to form part of detailed landscape proposals.

Amended plans have ensured that an acceptable landscape buffer is provided to public footpath Crewe FP 17 adjacent to the eastern edge of the development. However the design of the proposed play areas (LAP and LEAP) must include relevant landscape details and will be secured through a condition and be approved prior to their installation.

The Landscape Officer also advises that appropriate screening of the bin collection areas and bin stores adjacent to the apartment block and elsewhere, as indicated on the site layout plan are screened by appropriate planting and suitable enclosure. It is also recommended that an alternative hedgerows species is used adjacent to the apartment block car park and surrounding the pumping station to hornbeam or beech which will help better screen the car parking in winter.

In view of issues raised and improvements necessary, it is recommended that a condition requiring the submission of an updated landscape scheme for the site be attached, together conditions requiring the implementation of the approved scheme and a management plan for its future maintenance.

Areas of landscaping and open space will also be subject to management arrangements which will be secured under the S106 agreement and need to accord with maintenance details as set out within the approved management plan

## **Trees**

The site layout has been supported by an Arboricultural Impact Assessment and Method Statement (Revision B) by TBA Landscape Architects (MG/6803/AIA&AMS/REV B/AUG 22). The AIA has considered a total of 23 individual trees, 9 groups and 3 hedges which comprise of 2 individual high quality A Category trees, 9 individual and 1 group of moderate quality B Category trees and 11 individual, 7 groups and 3 hedgerows surveyed as low-quality C Category trees. One individual and 1 group of trees were surveyed as U Category and therefore unsuitable for retention irrespective of the development proposal.

Of these, 3 individual moderate quality trees and 4 individual and 5 groups of low-quality trees and 1 section of hedgerow are shown to be removed to accommodate the proposal. Having reviewed the site layout and considered the quality and age class of trees to be removed, the Council's Forestry Officer raises no objections to these losses which largely comprise of lower quality trees of low arboricultural significance.

The layout is noted to have evolved and now largely preserves the northern boundary vegetation and trees. The Forestry Officer initially advised that the relationship of the apartment building with a mature high-quality Oak 4T was considered poor, and greater separation between the building and tree would provide a more sustainable relationship and provide greater confidence in it being retained in the longer term. The layout has been amended repositioning the building outside the root protection area (RPA) of this tree and enabling the extent of crown reduction to be reduced, and tree Officer has subsequently advised this this relationship is broadly defensible given that construction is outside RPA and no statutory protection applies to the tree.

The Forestry Officer considers that the strengthening of the eastern boundary through retaining boundary hedgerows and in filling with mixed native hedgerow species would accord with the site-specific principals of LPS 11. Additional details have been submitted indicating the extent of hedgerow retention along the eastern boundary and enhancement with mixed native species. This planting will be secured through the implementation of the approved landscaping scheme.

The tree protection plan identifies areas where construction within the root protection areas (RPA) of retained trees for new hard standing and buildings is proposed (4T and 7T) and provision of tree protection fencing is indicated. The footprint of the apartment building has now been moved so that construction is outside the RPA of 4T, but the Forestry Officer notes that access to plot 71 remains unchanged with no provision made for the use of a no-dig surface within the RPA of 7T.

Conditions are recommended requiring the implementation of tree protection measures and tree protection and special construction measures identified in the Arboricultural Impact Assessment and Method Statement and for a "no dig" hard surface construction specification for the area of hard surfacing within the root protection area of retained tree 7T.

## **Amenity**

Policy BE.1 of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking,

visual intrusion or noise and disturbance Policy SE1 of the CELPS further states that development should ensure an appropriate level of privacy for new and existing residential properties.

The Crewe and Nantwich Supplementary Planning Document (SPD) relating to new residential development states that to maintain an adequate standard of privacy and amenity between residential properties interface distances should be achieved of 21 metres between principal elevations, and 13.5 metres between a non-principal and principal elevations. However the CEC Design Guide states that separation distances should be seen as guide rather than a hard and fast rule. The Design Guide does however acknowledge that the distance between rear facing habitable room windows should not drop below 21m. 18m front to front will also provide a good level of privacy, but if this applied too rigidly it will lead to uniformity and limit the potential to create strong street scenes and variety, and so this distance could go down as low as 12m in some cases.

The closest existing properties to the application site are those of Broughton Road, Bidvale Way and Stoneley Avenue adjoining the western and southern boundaries.

Existing properties of Broughton Road, in the main, have good sized rear gardens, ensuring that interface distances between elevations of proposed and existing properties accord with the 21 metres minimum set out in by the SPD and the Cheshire East Design Guide. In addition an acceptable distance of about 12.5m will be retained between the side elevations of Plot 17 which contains no windows and 94 Broughton Road, particularly as these properties will be partially offset from one another.

The relationship of new dwellings and existing properties of Bidvale Way and Stoneley Road will also be acceptable. The gable elevations of end terraced houses of Bidvale Way lie adjacent to the southern site boundary and which contain no principal windows. Separation distances exceeding 13.5m are achieved between proposed rear elevations and existing gable ends of properties of Bidvale Way. In addition separation distances of more than 21.5 m are achieved between the rear facing elevations of plots 27 -30 and existing semi-detached houses of Stoneley Road which adjoins the southwestern corner of the site.

The scheme also ensures satisfactory separation distances between proposed plots adjacent to the northern site boundary and approved dwellings of the development to the north (19/3515N). Furthermore the site layout has been amended to ensure that an acceptable relationship is achieved with minimum interface distances secured between principal and non-principal elevations of the approved development (17/3951N) located adjacent to the eastern boundary.

As set out in the drainage section of the report below, levels need to be raised throughout the site, and in some areas by about 800mm, to facilitate the operation of the surface water drainage system. Indicative site sections demonstrate that the relationship with existing properties of Broughton Road and Bidvale Way will be acceptable where site levels have increased, and care will also be taken to ensure that the proposed levels at the site boundaries will tie into existing levels. A condition is recommended requiring details of boundary treatment to further mitigate any impact between existing and proposed properties.

Furthermore, the impact and of the increased levels proposed on the amenities of adjacent properties will be satisfactorily mitigated through the separation distances achieved between existing and proposed dwellings, and as required by the LLFA a specific land drain provided along the site boundaries to ensure surface water does not drain onto adjoining properties. To safeguard the amenities of adjacent properties a condition is required for the submission and approval of full details of levels within the development relative to the those of the adjoining dwelling and garden areas. In addition, a condition is also recommended for the approval of the surface water drainage system serving the development.

It is therefore considered that the amenities of the occupiers existing neighbouring dwellings of Broughton Road, Bidvale Way and Stoneley Avenue or future occupants of approved development to the north or and on land to the east off Stoneley Road will not be detrimentally affected in relation to with regard to loss of light, privacy, or an overbearing impact.

In consideration of amenity for future occupiers of the proposed development, the layout adheres to, or closely adheres with, the recommended separation standards within CEC Design Guide to ensure the future occupiers of the proposed development are not detrimentally impacted in terms of loss of light, or privacy, or an overbearing impact from each other.

The Council's Environmental Protection officers have raised no objections, subject to conditions to ensure the remediation of contaminated land.

Representations raise concerns about the impact of the development during the construction phase in terms of noise, disruption as well as dust etc. Impacts during the construction phase are a temporary manifestation of the development process, and as such will be temporary in nature. A Construction Environmental Management Plan (CEMP) has been submitted for this development and includes measures to protect the amenities local residents during the construction of the development. This is considered acceptable by the Council's Environmental Health Officer. The implementation of the CEMP will be secured by condition.

## **Highways**

### Sustainable access

The site will connect to the existing footway infrastructure on Broughton Road which will provide pedestrian access to the wider area and to public footpath Crewe FP 16 on the eastern boundary of the site which then connects to Stoneley Road.

A pedestrian access is also proposed to link to the adjoining development (19/3515N) of LPS 11 to the north and through to public footpath Crewe FP16. A well-used desire line is evident through a gap in the existing hedgerow approximately midway along the northern boundary to locate the footpath link. A condition is therefore required to secure an appropriate connection. The site is also an acceptable walking distance to the bus stops on North Street which provides two services per hour to the wider Crewe area and Shavington.

### Safe and suitable access

The access onto Broughton Road will be wide enough for 2-way vehicle movement including for larger vehicles, and will be built to CEC adoptable requirements. The access will also provide sufficient visibility for drivers.



The applicant has agreed to provide a new footway link from public footpath Crewe FP 17 to the east of the site along Stoneley Road to recent residential development off Broad Street. A small residential development on the western side of Stoneley Road opposite to Crewe FP 17 has been approved with part of this footway to be provided along its frontage. This additional footway infrastructure will provide safe pedestrian access to all surrounding areas and be secured through a planning condition.

This accords with Policy LPS 11 (site specific principle (d)) which requires; "The improvement of existing and provision of new pedestrian and cycle links to link new and existing residential areas, employment areas, shops, schools and health facilities".

#### Network Capacity

The development would generate approximately 50 vehicle trips in the peak hour and the highways impact of this is considered acceptable. Financial contributions for network upgrades along the Sydney Road corridor have been secured through previous developments in Crewe. The Highway Officer has advised that a financial contribution for highway improvements is not required to be secured from this development.

#### Layout

The internal layout will provide sufficient carriageway and footway widths, and vehicle turning areas. Parking provision is also acceptable. Although cycle parking is indicated on the site plan, further details of storage including numbers are required and a condition is recommended to secure appropriate provision.

#### Summary

The Highway Officer considers that the proposals are acceptable and raise no significant highway safety or traffic generation issues. Conditions are recommended requiring the provision of the new footway along western side of Stoneley Road, details of the pedestrian connection on the northern site boundary linking both parts of the allocation, and details of cycle parking.

#### **Public Rights of Way**

The Public Rights of Way officer raised concerns about Crewe FP 17 which runs along the eastern edge of the site being constrained between the development and the eastern boundary resulting in limited natural surveillance from the adjacent properties.

However the amended site plan has ensured that footpath 17 now passes through an area of public open space of sufficient size to achieve acceptable levels of natural surveillance and thereby deter anti-social behaviour or criminal activity

The Public Rights of Way Officer also requires details are provided of the surfacing of the footpath and suggested that the continuation of FP17 in the site to the north be 'hoggin surface with a timber edge laid flush'. The surfacing details can be secured through a planning condition.

## **Flood Risk/ Drainage**

The site is situated within Flood Zone 1, which is deemed to have a low probability of flooding. The latest proposed drainage arrangements accompanying this application have been assessed by the LLFA. The surface water options of the drainage hierarchy in the order of priority have been considered as follows:

1. into the ground (infiltration);
2. to a surface water body;
3. to a surface water sewer, highway drain, or another drainage system;
4. to a combined sewer.

The LLFA have advised that following consideration of ground conditions infiltration is not possible. Furthermore given the potential off site flooding as well as the ecological implications from utilising the existing ordinary watercourses on the site (ditches) it has been determined that option (2) of the hierarchy is neither appropriate for surface water drainage from the development.

Therefore in these circumstances surface water will need to discharge to the existing combined sewer in Broughton Road as there are no other arrangements available under option (3). As a result the LLFA do not raise objections in principle to the proposed drainage strategy subject to conditions in requiring full details of surface water drainage system and proposed ground levels and finished floor levels of the development.

It is understood that discussions have taken place between the applicant and United Utilities in view of the need for a surface water connection to the combined sewer. United Utilities have been re-consulted on the proposed drainage arrangements and its response is awaited.

The LLFA has noted that levels are being raised, and by circa 800mm in some areas of the site, to enable surface water drainage system to discharge surface water into the public sewer at an attenuated rate via a pumping station. The LLFA requires that surface water flows associated with the level changes are managed and retained within the site and not increase surface water run-off onto adjacent third-party land. It is understood that the developer will install a land drain around the boundaries of the site which is considered by the LLFA to be an appropriate approach and acceptable in principle.

An update to this report will include the response from United Utilities to the proposed drainage arrangements and connection to the sewer in Broughton Road.

## **Air Quality**

CELPs Policy SE12 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.

The Council's Environmental Protection Officer has advised that the Air Quality Assessment which has been submitted alongside the application is considered to be acceptable. That being said, there is still a need for the Local Planning Authority to consider the cumulative

impact of a large number of developments in a particular area. In particular, the impact of transport related emissions on Local Air Quality.

In order to minimise the proposed development's impact on the surrounding air quality the Environmental Protection Officer recommends conditions are imposed to secure the provision of satisfactory Electric Vehicle Infrastructure within the development and the use of ultra-low emission boilers.

## **HS2**

The site is located outside the safeguarded zone for HS2 (phase 2B).

However, concerns have been raised by regarding the cumulative impact of traffic potential implications for the local highway network due to an HS2 site access from Broughton Road about 80m to the south of proposed housing development.

HS2 (phase 2b) construction is projected to take place well into the future, and over several years, the extent of such cumulative traffic or highway impact cannot yet be accurately quantified. In these circumstances, this would not therefore be a reasonable basis on which to withhold approval of this application.

## **Other Matters**

The issues raised in representation that are material planning considerations have been considered by the relevant specialist officers of the Council, and in the preceding text.

## **S106 Heads of Terms**

Further to the comments above, a s106 agreement will be required to secure:

- 100% affordable housing
- Off-site habitat creation
- Open space provision and management
- Education contributions of:
  - £162,694 (primary)
  - £ 50000 (SEN)
  - Total - £208,194
- Recreation and outdoor sport contribution
- Healthcare contribution of £84,456

### 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;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of affordable housing, off-site ecological mitigation, outdoor sport (financial) mitigation, education (financial) and healthcare (financial) mitigation are all necessary, fair and reasonable to provide a sustainable form of development, to contribute towards sustainable, inclusive and mixed communities and to comply with local and national planning policy.

The development would result in increased demand for primary school, and SEN places within the catchment area. In order to increase the capacity of the schools which would support the proposed development, a contribution towards primary and SEN school education is required based upon the number of units applied for. This is considered to be necessary and fair and reasonable in relation to the development.

All elements are necessary, directly relate to the development and are fair and reasonable in relation to the scale and kind of the development

## **CONCLUSION**

The principle of residential development on the site has been established through its allocation within the Cheshire East Local Plan Strategy (CELPS) under Policy LPS 11 (Broughton Road, Crewe) and approval (19/3515N) granted for 129 dwellings within the northern part of the site.

This development of 104 units will result in an overall total of 233 dwellings within this allocated site. Whilst this exceeds “the delivery of up to 175 new homes as set out by LPS 11, this is not a reasonable basis on which to withhold approval of this application, as the amended proposals demonstrate that the site can satisfactorily accommodate the proposed development and also significantly delivers a greater proportion of affordable homes within this allocated site.

The proposal achieves an appropriately designed residential development and its detailed design and layout accords with the overall principles for the development of the site and the CEC Design Guide. It achieves an acceptable relationship with the character of the locality, without material harm to neighbouring residential amenity, and would provide sufficient amenity for the new occupants. The development subject to conditions is supported in design terms and accord with CELPS policies SD1, SD2 and SE1 in relation to design quality.

The development will not have a detrimental impact upon residential amenity and would comply with Policies BE.1 of the CNLP.

The proposed access arrangement for the development will not adversely affect highway safety or result in traffic management issues on the local highway network and as such complies with Policies CO2 & CO4 of the CELPS and BE3 of the CNLP.

Appropriate public open space including a Locally Equipped Area for Play (LEAP) will be provided. Tree and hedgerow losses have been accepted and would be mitigated in the proposed landscaping of the site and through off-site habitat creation to achieve biodiversity net gain.

With regard to ecological impacts, subject to conditions and securing off site habitat creation to deliver biodiversity net gain through a S106 agreement, it is considered that the ecological

impacts can be mitigated. As a result the proposal complies with Policies NE5, NE9 of the CNLP and SE 3 of the CELPS.

The Council's Flood Risk Officer considers that the proposed drainage system will satisfactorily serve the development.

To satisfactorily address the impact on local services/facilities, contributions to education, healthcare provision and outdoor sport will be secured through a S106 agreement in compliance with Policies IN1, IN2 of the CELPS and RT3 of the CNLP.

A significant benefit of the scheme includes the provision of 100% affordable housing in a sustainable location which would go towards meeting an identified local need. In addition the proposal would also provide economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and is therefore considered to be acceptable in the context of the relevant policies of the adopted Cheshire East Local Plan Strategy, the Borough of Crewe and Nantwich Local Plan, SADPD and advice contained within the NPPF.

## **RECOMMENDATION**

**APPROVE, Subject to conditions and the prior completion of a S106 Agreement to secure the following:**

	<b>Requirement</b>	<b>Triggers</b>
<b>Affordable Housing</b>	100% provision  (47% Affordable Rent /53% Intermediate)	Prior to commencement
<b>Biodiversity Net Gain - Off site Ecological Mitigation</b>	Off- site habitat creation to deliver 12.11 biodiversity units.	Prior to commencement
<b>Open Space</b>	Management Scheme for POS and landscaped areas	Prior to occupation
<b>Recreation &amp; Outdoor Sports Contribution</b>	£1,000 per family (2+bed) dwelling and £500 per 2+ bed apartment.	Prior to commencement

<b>Education</b>	<p>Total education contribution: £208,194</p> <p>Primary £162,694 - towards mitigation measure as local schools are forecast to be cumulatively oversubscribed</p> <p>SEN £50,000 - Due to significant shortage of SEN placements across the Borough.</p>	<p>50% Prior to first occupation</p> <p>50% at occupation of 50<sup>th</sup> dwelling</p>
<b>Healthcare</b>	<p>Total: £84,456.</p> <p>Towards local healthcare infrastructure/provision</p>	<p>50% Prior to first occupation</p> <p>50% at occupation of 50<sup>th</sup> dwelling</p>

**AND subject to the following conditions;**

- 1. Commencement of development (3 years)**
- 2. Development in accordance with approved plans**
- 3. Details of materials and finishes**
- 4. Surfacing treatments**
- 5. Details of ground and finished floor levels**
- 6. Submission of landscaping scheme**
- 7. Implementation of landscaping scheme**
- 8. Design detail, specification and implementation of LEAP/pay features and infrastructure within POS including seating and interpretation/information boards.**
- 9. Submission of Landscape Management Plan**
- 10. Details of Boundary treatment**
- 11. Tree protection**
- 12. "No dig" hard surface construction specification**
- 13. Entry into Great Crested Newt District Level Licencing scheme**
- 14. Tree felling in accordance with bat mitigation measures**
- 15. Safeguarding of nesting birds**
- 16. Implementation of submitted amphibian, reptile mitigation and hedgehog mitigation.**
- 17. Implementation of submitted lighting scheme**
- 18. On site habitat creation and 30 year habitat management plan**
- 19. Ecological enhancement Strategy**
- 20. Provision of Electric Vehicle infrastructure**
- 21. Provision of Ultra Low Emission Boilers**
- 22. Contaminated land – soil testing**
- 23. Measures to deal with unexpected contamination**

- 24. Implementation of CEMP
- 25. Details and Provision of Cycle Storage
- 26. Details and Provision of Bin Stores
- 27. Pedestrian connection to the northern site boundary
- 28. Provision of footway link along Stoneley Road
- 29. Details of drainage system
- 30. Removal of permitted development rights (Part 1 Classes A-E)

*In order to give proper effect to the Strategic Planning Board's intent and without changing the substance of its decision, authority is delegated to the Head of Planning in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.*



