

Strategic Planning Board

Updates

Date: Wednesday, 28th May, 2025
Time: 10.30 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

The information on the following pages was received following publication of the committee agenda.

5. **24/0999M - Erection of a 74 no. bed care home (Use Class C2) with associated parking and landscaping at The Towers and Progress Mill, Parsonage Street, Macclesfield (Pages 3 - 4)**
6. **24/4223/FUL - Full planning permission for the erection of a retirement living development (category 2 type accommodation) (use class C3); green infrastructure; landscaping; access and associated infrastructure on Land Off Peter De Stapleigh Way, Stapeley (Pages 5 - 12)**
7. **24/4242/FUL - Full planning permission for the erection of a residential development (use class C3); public open space; green infrastructure; landscaping; entrance feature wall, access and associated infrastructure on Land Off Peter De Stapleigh Way, Stapeley (Pages 13 - 20)**
8. **24/4287/FUL - Residential development (use Class C3) including the creation of a new vehicular access off the A534 roundabout, landscaping, public open space, ecological enhancement area, internal access roads, garages, car parking and associated infrastructure. Land South of Old Mill Road, Sandbach (Pages 21 - 24)**
10. **Local Listed Building Consent Orders for Crewe Railway Cottages, Crewe (Pages 25 - 26)**

Please contact Sam Jones
E-Mail: CheshireEastDemocraticServices@cheshireeast.gov.uk

This page is intentionally left blank

APPLICATION NO: 24/0999M

LOCATION: The Towers And Progress Mill Parsonage Street,
Macclesfield, Cheshire East,

PROPOSAL: Erection of a 74 no. bed care home (Use Class C2) with
associated parking and landscaping

ADDITIONAL REPRESENTATIONS

A further representation has been received making the following comments:

- The officer report does not include the most important CELPS and SADPD policies relevant to the application, namely LPS 12 Central Macclesfield, RET 7 'Supporting the vitality of town and retail centres', RET 8 'Residential accommodation in the town centre' (which does not support Use Class C2 in town centres), and RET 11 'Macclesfield town centre and environs'.
- The site lies near the centre of the Sunderland Street & Silk Quarter character area of Macclesfield town centre
- These omissions would leave an approval of the application open to legal challenges and so the application should be excluded from the agenda.

OFFICER COMMENT

1. CELPS Policy LPS 12 relates to 'Central Macclesfield' The application falls within the area indicated by LPS 12 and advises that the council "will look to maximise opportunities for improvement and regeneration" including the delivery of new dwellings. This is subject to proposals being appropriate within their context including strengthening leisure and retail sectors, encouraging landmark developments of a high-quality design that respond well to local heritage.
2. SADPD Policy RET 7 states that town centre locations are the primary location for main town centre uses to support their long-term vitality and viability and development proposals should be of a scale commensurate with the centre's role and function.
3. SADPD Policy RET 8 advises that the provision of residential accommodation in principal town centres and town centres will be supported including the redevelopment of existing sites where appropriate and safe access arrangements, cycle parking and well-located waste and recycling facilities are provided.
4. SADPD RET 11 states that the council will support opportunities for improving and regenerating Macclesfield town centre and environs. The site lies with the 'Sunderland Street and Silk Quarter' character area where RET 11 advises that 'opportunities to encourage and develop a quarter with a strong residential element around the Sunderland Street area will be supported in principle'.

5. None of the above policies preclude the residential development of this site. Whilst the site is located within the town centre, it is on the periphery and not within the primary / principal shopping area. It would not undermine the long-term vitality and viability of the town centre in terms of retail or commerce and is appropriate in terms of scale and location having regard to surrounding development.
6. The design and impact on local heritage is considered acceptable having regard to the benefits of the scheme i.e. bringing forward a prominent, vacant brownfield site into viable use which would also align with the general strategic aims of helping to regenerate the town centre, including the Sunderland Street and Silk Quarter' character area.
7. Taking this into account, the scheme is found to be acceptable in the context of the policies identified by representation.

RECOMMENDATION

No change to recommendation.

APPROVE the application subject to a s106 legal agreement and the conditions and heads of terms on pages 26-27 of the Agenda Reports Pack.

APPLICATION NO: 24/4223/FUL

LOCATION: Land Off Peter De Stapleigh Way, Stapeley

PROPOSAL: Full planning permission for the erection of a retirement living development (category 2 type accommodation) (use class C3); green infrastructure; landscaping; access and associated infrastructure.

APPLICANTS SUBMISSION

The applicant has provided several comments in response to the committee report:

- The CEMP has been updated to change the site working hours in line with environmental protections request. Under Condition 9 the amended CEMP can be treated as a document for approval.
- The Comments raised by Stapeley Parish Council have been previously addressed (in a letter dated 13 February 2025) and summarised below:
 - *The ecology and arb reports have been updated to align tree/hedgerow referencing. (NB there are trees on this site)*
 - *A condition will be secured in relation to a lighting plan which is sensitive to bats and other ecological receptors.*
 - *A large SUDS feature was created as part of the original permission on the site. This was designed to accommodate surface water for the approved residential elements as well as the local centre and employment uses. Therefore, sufficient storage capacity has been created in the water feature to the west and these schemes should be seen as part of a wider masterplan which is in the process of being delivered to the west. A holistic approach to planning is sensible in this case and the Council's attention is drawn to the overall context.*
 - *The site is in a sustainable location, on the edge of the settlement with extensive services in walking and cycling distance of the site.*
 - *The S106 contributions for the previously consented development will be paid by the development partner (DWH) delivering the contributions secured as part of that scheme. This includes the delivery of pedestrian crossings.*
 - *There will be no construction works on weekend or bank holidays, unless prior agreed with CEC in exceptional circumstances.*
 - *The capacity of local services has been identified as part of the planning process.*
 - *Trees, verges and play areas within communal areas will be managed via a management company. Any trees or verges within highways land will be adopted by CEC as part of S38 procedures.*

- *Vehicular movements actually reduce significantly between the consented commercial uses and the proposed developments, the levels of traffic flow differences have been highlighted in application documents. Therefore, the impacts to local air quality would actually reduce when comparing the fallback position and the proposals.*
- Policy SC5 'Affordable homes' allows Applicants to present a viability assessment if a scheme is unable to provide a policy compliant level of affordable housing. There is no conflict with Policy SC5.
- Highlighted design matters can be addressed by suitably worded planning conditions.
- The applicant's position in relation to viability is stated in full as follows :

"Alder King, on behalf of McCarthy and Stone, have prepared a rebuttal to Keppie Massie's viability review. This has reduced the deficit in their appraisal by circa £350,000 from £418,000 to £70,000. The revised appraisal includes compromises on 2 out of the 3 main areas of difference, namely the land value and professional fees. To close these two points off, Keppie Massie's figures have been used. The other outstanding difference is build costs where McCarthy & Stone must retain with the use of median quartile BCIS. The Keppie Massie figure is from their internal QS and is in line with the lower quartile BCIS. The narrative in the rebuttal addresses this.

In summary, McCarthy and Stone's position remains that the scheme is unviable to make any S106 contributions.

However, the application is made in joint names and the landowner, Muller Property Group, are willing to act reasonably with CEC on this matter and are willing to offer a gesture of goodwill on the basis of commercial expediency to reach the proposed S106 request of £328,500 and a settlement in the matter on the basis that there is no requirement for an overage calculation (given the absence of an agreed viability position to base any future reassessment upon). This offer is available for Planning Committee next Wednesday and should the Council refuse the planning application then the joint applicants reserve their right to review the viability situation through any appeal process".

- Ecology : The BNG metric has been provided to address officer comments.
- There is a need to deliver the access road as soon as possible once a decision is released and wording of pre-commencement conditions need to permit construction of the access road and enabling works.

OFFICER COMMENT

The comments from the applicant's agent are noted, and where necessary are addressed below further to the consideration of additional information and consultee responses.

KEY ISSUES

Ecology

Updated comments have been received from the Council's Ecologist following consideration of revised BNG information being submitted in support of this application and that amphibian exclusion fencing is in place around the site.

Mandatory Biodiversity Net Gain

The application is subject to Mandatory Biodiversity Net Gain. The revised BNG metric submitted in support of the application indicates that the proposed development would result in a net gain of 18.15% in respect of Area Based habitats and a net gain in respect of hedgerows.

The Council's Ecologist advises that although no condition assessments have been submitted in respect of the existing habitats on site., the condition of the existing site is however likely to be accurate.

The proposed landscape plan and proposed habitats entered into the BNG metric includes the planting of a number of 'individual trees' trees within areas also proposed to be planted with scrub. However, the Council's Ecologist considers that at in reality the proposed individual tree planting will be rapidly lost within the surrounding scrub planting as it matures and unrecognisable as individual trees. Substituting the proposed native scrub planting for 'other neutral grassland' in moderate condition, delivers the same BNG benefits as scrub, but avoids the conflict between the tree planting and scrub. The Councils Ecologist therefore advises that then submitted landscape plan be revised to include this change and this can be secured through the recommended planning condition requiring the submission of hard and soft landscape details .

The Council's Ecologist recommends that two further conditions be attached. The first of these conditions being the mandatory BNG condition introduced through the Environment Act. The second is required to secure the submission and implementation of a detailed habitat management plan and the recommendation will be amended accordingly.

Great Crested Newts

This protected species is known to breed at a number of ponds within close proximity of the proposed development.

The applicant's ecological consultant has confirmed that the site is covered by an extant Natural England protected species licence and that amphibian exclusion fencing is in place around the site. the Councils Ecologist advises that the proposed development would not be likely to result in an offence in respect of this species.

NHS

Further comments have been received from the NHS Cheshire and Merseyside ICB in response to the issues raised by the Legal Opinion disputing the justification for the requested NHS financial contribution.

The NHS reaffirms its position that the calculated contribution is required for improving the physical infrastructure of the primary care services within the patient catchment area of this development to ensure the needs of the increased population are met. In particular, the NHS response set out that the contribution is required to ensure GP Practices that are at capacity with their patient provision, such as in the amount of sessions and appointments which can be accommodated within their existing space, are improved to mitigate the impact of this development. The NHS maintain that the requested capital funds will therefore be utilised to reconfigure and redevelop the Nantwich Heath Centre and Wrenbury Medical Centre as previously detailed and set out in the report.

It therefore remains the position that the requested healthcare contribution is considered fair and reasonable in mitigating the impact of the proposed residential development on local health care provision.

Flood risk/Drainage

The submitted surface water drainage strategy proposes to capture surface water within each parcel and discharge it into the drainage system which was approved to serve phases 1 and 2 of the mixed-use development. The LLFA and United utilities raised no objections in principle to the and the proposed Drainage Strategy supporting Reserved Matters Approvals.

The LLFA acknowledge this site is part of a larger scheme at Maylands Park and elements of SuDS provision are included elsewhere within the designed scheme. However, it is considered that SuDS features should still be provided within this residential site as part of the drainage system and could include rain gardens or tree pit planters in addition to parking spaces being permeable.

Condition 12 is recommended to require the submission and approval of SuDs features within the scheme. It is however recognised by the LLFA that Suds provision will be subject to the ground conditions and what is feasible based on these. Therefore, as proposed by the applicant, it is recommended that condition 12 will require that a revised drainage strategy must be provided which incorporates SuDs, subject to their suitability based on detailed ground investigations.

Environmental Protection – CEMP

The submitted Construction Environmental Management Plan (CEMP) has been amended to ensure site working hours accord with those required by the Council's Environmental Health Officer. It is recommended that Condition 9 is amended to require the development to be implemented in accordance with the approved CEMP.

Viability / S106 Contributions

Further to the independent review of the submitted financial viability appraisal by Keppie Massie, a rebuttal prepared by Alder King on behalf of the applicants has been received. This disputes Keppie Massie's findings and concludes that the "proposed scheme continues to be non-viable with a deficit of c £70,000". It is also

McCarthy & Stones position that scheme remains unviable and cannot sustain any S106 contributions.

Notwithstanding this, the Muller Property Group (joint applicant) states that on the “basis of commercial expediency” it is willing to accept the findings of the Keppie Massie review that the application scheme can support a Section106 financial contribution of £328,500 . This is also subject to there being no requirement for an overage calculation due to the “absence of an agreed viability position to base any future reassessment upon”.

The recommendation will therefore require a S106 contribution of £328,500 being obtained from the development , with following amounts being secured upon the occupation of the 20th Apartment of the approved scheme.

- Off-site Affordable Housing (in lieu of on-site provision) £229,095.00
- NHS healthcare £44,296.00
- Outdoor sport facilities £55,108.90

Conditions

Further to the applicant’s request, pre-commencement conditions have been kept to a minimum. These conditions are recommended to address fundamental matters in relation to the development of the site and include;

- Condition 12: Approval of a contaminated land remediation strategy-
- Condition 7: Revised drainage strategy to incorporate Sustainable Drainage Systems measures
- Condition 8: Details of levels
- Condition 19: Submission of updated badger survey prior to commencement
- Condition 20: Submission and implementation of a detailed habitat management plan

In accordance with the NPPF (paragraph 57) the use of these conditions is considered necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

CONCLUSION

As set out above , the recommendation has been updated to clarify the contributions to be secured by the S106 Agreement, and also the inclusion of additional and amended planning conditions.

RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

S106	Amount	Trigger
Affordable Housing - In lieu of on-site provision	financial Contribution of £229,095 towards off-site Affordable housing provision	Upon occupation of 20 th Apartment
NHS Healthcare	<p>A financial contribution of £44,296</p> <p>(£904 per apartment)</p> <p>TBC</p> <p>Calculated on following basis:</p> <ul style="list-style-type: none"> - Population served by surgery = 7,000 - Equivalent number of dwellings (at an average of 2.3 persons per dwelling) = 3,043 - Total cost of required primary care floorspace = £2,752,367 - Contribution cost per dwelling = £904 <p>TBC</p>	Upon occupation of 20 th apartment
Contribution to outdoor sports facilities	<p>£55,108.90</p> <p>The financial contribution is calculated at £782.27 per bed space in apartments (to a maximum of £1,574.54 per apartment). The funds would be required on commencement of development and used in line with the Council's adopted</p>	Upon occupation of 20 th Apartment

	Playing Pitch and outdoor Sports Strategy.	

And the following conditions.

1. Standard 3-year consent
2. Approved Plans
3. Materials
4. Full hard and soft landscape details
5. Implementation of landscaping
6. Submission of details for the treatment of verges of brick gabled elements and design of entrance (North east corner)
7. Revised drainage strategy to incorporate Sustainable Drainage Systems measures, subject to their suitability based on detailed ground investigations.
8. Details of levels
9. Implementation of approved Construction Environmental Management Plan (CEMP)
10. Use of Ultra-low emission boilers
11. Implementation of Residents travel plan
12. Approval of a contaminated land remediation strategy
13. Contaminated land verification report
14. Soil tests for contamination
15. Measures to deal with unexpected contamination
16. Submission of an ecological enhancement strategy.
17. Details of lighting to safeguard bats
18. Implement Hedgehog and Brown Hare Mitigation measures
19. Submission of updated badger survey prior to commencement
20. Submission and implementation of a detailed habitat management plan

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.

This page is intentionally left blank

APPLICATION NO: 24/4242/FUL

LOCATION: Land Off Peter De Stapleigh Way, Stapeley

PROPOSAL: Full planning permission for the erection of a residential development (use class C3); public open space; green infrastructure; landscaping; access and associated infrastructure

APPLICANTS SUBMISSION

The applicant has provided several comments in response to the Committee Report and recommended planning conditions;

- The application forms part of a wider masterplan which is in the process of being delivered. A large SUDS basin is being delivered as part of the previous consent and will be used to store the surface water for this scheme. It is considered sufficient SUDS provision has been implemented and no further measures are considered necessary.
- With regards to the 150mm freeboard, Lees Roxburgh have confirmed that there are no issues proposed floor levels and external levels design.
- The Applicant disagrees with the CEC Strategic consultation responses there is higher demand for 1 and 2 bed properties, and the overall mix is very strong comprising 20% 1-bed; 27.5% 2-bed; 22.5% 3-bed; and 30% 4-bed. (Affordable housing provision and housing mix is addressed within the report).
- The Education contribution requested should be adjusted to be based on 32 dwellings rather than 40 , as only 32 units are 2-bed+ dwellings. This results in a reduced total education contribution of £184,888.00.
- The design of the scheme is very high quality. The scheme has been subject to several iterations based on officer advice including revised layout in the north in response to the McCarthy and Stone scheme, provision of an acceptable gateway in to the wider site, new mix of house types to relate to the site's wider context; inclusion of a LAP within the parcel and improved landscaping strategy.
- The proposed landscaping proposes to deliver 57 new trees (in addition to the two trees being retained) and extensive hedgerow planting.
- The Applicant is willing to accept a suitably worded condition to review the southern boundary treatment.
- The open space in the western extent of the site is a substantial overprovision against policy. SE.6 and a surplus of 1,195sqm in POS is being delivered The layout of this space will be a seamless large POS area combined with the POS proposed with the care scheme (being brought forward under a separate application 24/4228/OUT). The layout of this space has been driven by requests from the Parish Council for a large grassed area to hold community events and fetes. Guidance is requested on whether the requests for play equipment and orchard outweigh the requests of the Parish Council.
- All ecology matters have now been addressed with the Council's Ecologist.
- Condition 6 landscaping – a scheme has been submitted for approval rather than seeking a condition to resubmit the landscaping.

- Condition 8 boundary treatment – (as Condition 6) above.
- Condition 9 bin storage – this is submitted for detailed approval as per plan AH170-WM01-G Waste Management Plan Layout.
- Condition 11 POS features – Council guidance on preferred approach is requested.
- Condition 12 SUDS – A detailed drainage layout has been submitted for approval. No further SUDS measures are proposed.

OFFICER COMMENT

The comments from the applicant's agent are noted, and where necessary are addressed below further to the consideration of further information and consultee responses which have been received.

KEY ISSUES

Ecology

Updated comments have been received from the Council's Ecologist in relation to updated BNG information and additional bat survey submitted in support of this application and also confirmation that amphibian exclusion fencing is in place around the site.

Mandatory Biodiversity Net Gain

The application is subject to Mandatory Biodiversity Net Gain.

The BNG metric submitted in support of the application indicates that the proposed development would result in a net gain of 21.7% in respect of Area Based habitats and 31.04% in respect of Hedgerows.

The Council's Ecologist advises that achieving this level of BNG is however dependent upon the POS area being occupied by Scrub planting and 'other neutral grassland'. This treatment would require the POS area to be of long unmown grass for a significant proportion of the year. Whilst the landscape plans and metric spreadsheet are now consistent the BNG report still refers to the open space area as being amenity grassland and scrub.

The details for planting within the POS will be secured under Condition 6 which requires the submission and approval of landscape details for the application site, including areas of POS.

The Council's Ecologist further recommends that two further conditions be attached. The first of these conditions being the mandatory BNG condition introduced through the Environment Act. The second condition is required to secure the submission and implementation of a detailed habitat management plan and the recommendation will be amended accordingly.

Great Crested Newts

This protected species is known to breed at a number of ponds within close proximity of the proposed development.

The applicant's ecological consultant has confirmed that the site is covered by an extant Natural England protected species licence and it has been confirmed that amphibian exclusion fencing is in place around the site. I therefore advise that the proposed development would not be likely to result in an offence in respect of this species.

Bats

Three trees on site have been identified as having bat roost potential. These trees would all be retained as part of the proposed development. Works are however likely to occur within close proximity to some of the trees. These trees have been subject to a further survey which did not record any evidence of roosting bats. The Council's Ecologist therefore advises that works in the vicinity of the trees are unlikely to affect roosting bats.

The application site was assessed as having Moderate potential for foraging/commuting bats. Consequently, two bat activity surveys were undertaken. These were completed in September and October, meaning only a limited range of seasonal activity was assessed during the surveys. A low level of bat activity was recorded in September and a moderate level of bat activity was in October focused around hedgerow 1 and 2.

The proposed development will result in the loss of existing hedgerows on site and so based upon the available survey information is likely to result in a localised adverse impact upon foraging bats. This impact could potentially be compensated for through the creation of replacement hedgerows as part of the landscaping of the scheme. Whether sufficient hedgerow planting is being provided to compensate for that lost can be assessed through the use of the BNG metric.

Education

Updated comments have been received from the Council's Education teams reflecting that this is a development of 32 dwellings and also 8 one-bedroom flats which should be omitted from the calculation of a financial contribution. A development of 32 dwellings is therefore expected to generate:

- 9 - Primary children (32 x 0.29)
- 4 - Secondary children (32 x 0.14)
- 1 - SEN children (32 x 0.60 x 0.047%)

The development is expected to impact on 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.

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 1 child expected from the proposed development will exacerbate the shortfall.

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

4x £27,492.00 = £109,968.00 (Secondary)
1 x £74,920.00 = £74,920.00 (SEN)
Total education contribution: £184,888.00

This will be secured through a Section 106 Agreement as amended below.

NHS

Further comments have been received from the NHS Cheshire and Merseyside ICB in response to the issues raised by the Legal Opinion disputing the justification for the requested NHS financial contribution. However, the NHS reaffirms its position that the calculated contribution is required for improving the physical infrastructure of the primary care services within the patient catchment area of this development to ensure the needs of the increased population are met.

The NHS set out that the contribution is required to ensure GP Practices that are at capacity with their patient provision, such as in the amount of sessions and appointments which can be accommodated within their existing space, are improved to mitigate the impact of this development. The NHS maintain that the requested capital funds will therefore be utilised to reconfigure and redevelop the Nantwich Heath Centre and Wrenbury Medical Centre as detailed in the report.

It therefore remains the position that the requested healthcare contribution is considered fair and reasonable in mitigating the impact of the proposed residential development on local health care provision.

Flood risk/Drainage

The submitted surface water drainage strategy proposes to capture surface water within each parcel and discharge it into the drainage system which was approved to serve phases 1 and 2 of the mixed-use development. The LLFA and United utilities raised no objections in principle to the and the proposed Drainage Strategy supporting Reserved Matters Approvals.

The LLFA acknowledge this site is part of a larger scheme at Maylands Park and elements of SuDS provision are included elsewhere within the designed scheme. However, it is considered that SuDS features should still be provided within this residential site as part of the drainage system and could include rain gardens or tree pit planters in addition to parking spaces being permeable. The requirement to provide surface-based SuDs is also echoed by the Council's Design Officer who comments that although SuDS were included as part of the Phase 1 scheme to cater for the entire Maylands Park site, this is based upon below ground piped storage and conveyance to the SuDS basin. Such a solution does not meet the guidance set out in the CEC SuDS Design Guide and there is potential to design in bio-retention and permeable surfaces within this scheme.

Condition 12 is recommended to require the submission and approval of SuDs features within the scheme. It is however recognised by the LLFA that Suds provision will be subject to the ground conditions and what is therefore feasible. As previously proposed by the applicant, Condition 12 will be worded to require that

revised drainage strategy must be provided that incorporates Sustainable Drainage Systems measures, subject to their suitability based on detailed ground investigations.

Design

The report sets out several of issues which needs to be addressed as regards the design of the scheme. These focus on the cramped nature of the layout within the southern part of the site and the provision of a softer edge to the southern edge of the site. Discussions have continued with the applicant and an amended layout plan has been received.

The principal amendment is the provision of a tree lined boundary alongside the site's southern boundary. Although as stated by the applicant, *"the green infrastructure boundary does not extend the full width as it responds to potential access locations to the south"*.

This amendment has been achieved through repositioning plots 34 and 35 to the north with plots 32 and 33 becoming semi-detached units rather than detached with accessway serving plots 11 and 12 now shared. The changes largely address the concerns raised in respect of the southern parcel of the scheme, and on balance, the siting and design of the development is now considered satisfactory when taking into account the constraints of the site.

Given that the changes to the layout, Conditions 6 and 8 requiring the approval of details landscaping and boundary treatment remain as recommended.

Although a "Waste Management Plan Layout" has been submitted this does not however provide details of bin Bin/cycle storage, particularly to serve the flats, and therefore Condition 9 remains as recommended .

Public Open Space

No details have been submitted of the detailed design and layout of what is acknowledged to be a substantial area of POS at the centre of the Maylands Park development. Its is understood that provision of this space has involved consultation with the Parish Council who require a large grassed area to hold community events and fetes. Nevertheless, the Council's Leisure Officer recommendation for the provision of additional green gym equipment, some play elements for 8 - 11 years and a small orchard (200 sq m) to complement the adjoining POS being delivered by David Wison Homes would not undermine the uses of this space required by the Parish Council.

Condition 11 requiring the submission of details of the main POS to include orchard, play and green gym items, short mown area for informal games, paths and seating is considered necessary and reasonable.

CONCLUSION

Further to the assessment above , the recommendation has been updated to include the education contributions to be secured by the S106 Agreement, and also the inclusion of additional and amended planning conditions.

RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

S106	Amount	Trigger
Education (primary/secondary/SEN)	£184,888	50% prior to Commencement of a dwelling, then 50% Prior to occupation 20 th dwelling (or 50% percentile dwelling)
Affordable Housing	30% (tenure split of 8 rented units and 4intermediate housing units).	Not more than of 50% of open market dwellings (sale/rent) shall be occupied until all affordable units within have completed and made ready for immediate occupation and use.
Arrangements for transfer to management company of all areas of planting /landscaping, POS/incidental open space Childrens play space, allotments/orchards and ecological areas		Prior to first occupation of the development

Contribution to outdoor sports facilities	<p>£56,316</p> <p>The financial contribution is £1,564 per family dwelling or £782.27 per bed space in apartments (to a maximum of £1,564.54 per apartment). The funds would be required on commencement of development and used in line with the Council's adopted Playing Pitch and outdoor Sports Strategy.</p>	<p>50% prior to Commencement of a dwelling, then 50% Prior to occupation 20th dwelling</p>
NHS Healthcare	<p>Financial contribution of £36,160 (£904 per dwelling/ apartment)</p> <p>Calculated on following basis.</p> <ul style="list-style-type: none"> - Population served by surgery = 7,000 - Equivalent number of dwellings (at an average of 2.3 persons per dwelling) = 3,043 - Total cost of required primary care floorspace = £2,752,367 - Contribution cost per dwelling = £904 	<p>Prior to occupation 20th dwelling</p>

And the following conditions.

1. Commencement of development (3 years)
2. Development in accordance with approved plans
3. Details of facing materials
4. Details of hard surfacing treatments

5. Details of ground levels and finished floor levels
6. Submission of landscaping scheme
7. Implementation of landscaping
8. Details of Boundary treatment
9. Details for the provision of cycle storage and bin storage
10. Submission of Details for design of LAP
11. Submission of details of the main POS to include orchard, play and green gym items, short mown area for informal games, paths and seating.
12. Revised drainage strategy to incorporate SUDS measures, subject to their suitability based on detailed ground investigations.
13. Provision of Ultra Low Emission Boilers
14. Implementation of Residents travel plan
15. Contaminated land – soil testing
16. Measures to deal with unexpected contamination
17. Implementation of Construction Environmental Management Plan (CEMP)
18. Implementation of measures to minimise the risk of harm to Hedgehog and Brown Hare during works on site
19. Safeguarding of nesting birds
20. Details of lighting to safeguard bats
21. Provision of ecological enhancement features
22. Submission and implementation of a detailed habitat management plan

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.

APPLICATION NO: 24/4287/FUL

LOCATION: Land South of Old Mill Road, Sandbach

PROPOSAL: Residential development (use Class C3) including the creation of a new vehicular access off the A534 roundabout, landscaping, public open space, ecological enhancement area, internal access roads, garages, car parking and associated infrastructure

Additional Consultation Responses:

NHS: A contribution of £212,054 will be required to mitigate the impact of this development.

Additional Representations

Additional representations have been received from Cycling UK which raise the following points:

- Cycle access to Laurel Close is secured via a condition attached to the appeal on application 19/3784C. Assurances should be given that a cyclist can travel between footpath 18 and Laurel Close (a distance of 8m).
- Clarification is required in terms of how cycle access will be provided from the site onto Houndings Lane.
- Concerns raised over the cycle parking provision to the development.

Officer comment

The recommendation will be amended from that in the original report. This will include changes to the Heads of Terms to amend the NHS contribution and the affordable housing provision (the affordable housing change is to allow alternative types of intermediate tenure including Rent to Buy).

In addition to the above, there will be some minor changes to some of the conditions.

In terms of the comments from cycling UK, the details of the cycle parking for the development are to be controlled via the imposition of a condition. A condition will also be imposed to require the provision of the cycle links onto Houndings Lane (x2) and Laurel Close.

Recommendation

APPROVE subject to a S106 Agreement with the following Heads of Terms:

S106	Amount	Triggers
Affordable Housing	Affordable housing	20% Affordable Provision (40 units) with a 67.5% to 32.5%

		tenure split between Affordable Rent and Intermediate Tenure (including shared ownership and rent to buy)
Amenity Green Space and Play Provision	On site provision of Open Space and a NEAP. Scheme of Management to be submitted and approved	Shall be provided prior to the first occupation of 30% of the dwellings on the site.
Outdoor Sports Contribution	£299,609.41	To be paid prior to the occupation of the 120 th dwelling
NHS	£212,054	To be paid prior to the first occupation of the 120 th dwelling
Education	£879,516.00 (Primary) £577,332.00 (Secondary) £299,680.00 (SEN)	- Primary to be provided prior to first occupation of the 50 th dwelling - Secondary to be provided prior to first occupation of the 15 th dwelling - SEN to be provided prior to first occupation

And the following conditions:

1. Standard Time – 3 years
2. Approved Plans
3. At least 30% of the dwellings in housing developments should comply with the requirements of M4(2) Category 2 of the Building Regulations regarding accessible and adaptable dwellings.
4. At least 6% of the dwellings in housing developments should comply with the requirement m4 (3)(2)(a) Category 3 of the Building Regulations regarding wheelchair adaptable dwellings.
5. Submission and approval of a scheme for acoustic mitigation
6. Submission and approval of a scheme for odour mitigation
7. Low emission boiler provision
8. Phase II Contaminated Land report to be provided
9. No development to commence until a Remediation Strategy has been submitted and approved.
10. Contaminated land – importation of soil
11. Contaminated land – unexpected contaminated land
12. Construction Management Plan to be submitted and approved
13. Materials to be submitted and approved
14. Cycle parking provision to be submitted and approved
15. Compliance with the submitted Arboricultural Impact Assessment and Tree Protection.
16. Submission of a scheme for the provision of Biodiversity Net Gain

17. Submission, approval and implementation of a management plan to ensure the delivery and monitoring of the BNG measures
18. Submission and approval of a scheme for the removal of non-native invasive species
19. Hedgehog mitigation (Reasonable Avoidance Measures)
20. Provision of the cycle/pedestrian links onto Laurel Close and Houndings Lane (x2)
21. Submission and approval of a scheme for a mammal ledge
22. Nesting birds – timing of works
23. Lighting to be submitted and approved.
24. Ecological Enhancement Management Plan compliance with the submitted details
25. Submission and approval of a drainage strategy.
26. Prior to the first occupation of the development the improved roundabout access and off-site highway works shall be fully implemented and operational.
27. 10% of energy needs to be from renewable or low carbon energy
28. Obscure glazing requirement – Apartments at plots 15-18 first-floor windows facing north east and first floor side windows on plots 23 and 59.
29. Boundary Treatment – including any fencing to the PROW, the drainage basin and any highway safety barriers
30. Detailed designs of the retaining structures to be submitted and approved.
31. Landscaping (including food growth/production) to be submitted
32. Landscaping to be implemented
33. Landscaping Management Strategy to be submitted and approved
34. Hard landscaping to be submitted and approved.
35. Details of the themed NEAP equipment and play-on-the-go equipment to be submitted and approved.

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

Should the application be the subject of an appeal, approval is given to enter into a S106 Agreement with the following Heads of Terms

S106	Amount	Triggers
Affordable Housing	Affordable housing	20% Affordable Provision (40 units) with a 67.5% to 32.5% tenure split between Affordable Rent and Intermediate Tenure (including shared ownership and rent to buy)
Amenity Green Space and Play Provision	On site provision of Open Space and a NEAP. Scheme of Management to be submitted and approved	Shall be provided prior to the first occupation of 30% of the dwellings on the site.

Outdoor Sports Contribution	£299,609.41	To be paid prior to the occupation of the 120 th dwelling
NHS	£212,054	To be paid prior to the first occupation of the 120 th dwelling
Education	£879,516.00 (Primary) £577,332.00 (Secondary) £299,680.00 (SEN)	- Primary to be provided prior to first occupation of the 50 th dwelling - Secondary to be provided prior to first occupation of the 15 th dwelling - SEN to be provided prior to first occupation

LOCAL LISTED BUILDIGN CONSENT ORDER - UPDATE

CONSULTATIONS

CREWE TOWN COUNCIL

RESOLVED:

That the committee submits the following comments:

- a. That it supports and endorses the comments submitted by the Railway Cottages Residents' Association
- b. in 4.1 [statement of reasons], my understanding is, the properties require the change from the current pointing to recommended pointing (in the CTC Conservation Management Plan) for the other changes especially damp issues to have an impact.
- c. Doors – the proposals look to enforce new doors to meet 1970s doors rather than the original doors which we have archival records of (see p30 of CMP)
- d. The colours are a problem and should be as close to the specified colours as possible or evidenced via historic paint analysis.
- e. 3.12.1 doesn't state the damage of the external walls being painted – p36 of CMP. Paint should be removed not made to match others as this would not allow walls to breathe.
- f. Copings as triangular is welcomed.

Representations

A further comment on behalf of the Residents Association has been received which supports changes to the colour references, and is satisfied in the judgement made in respect of the colour of the porches in that it does not affect the "special character and appearance" of the cottages and doesn't need to be included in this LLBCO

RECOMMENDATION

Revisions to the orders **in bold** response to the above:

3.9 Works to **Stone**

3.9.1 To qualify for consent under this order the works must:

A – **All** stone ~~window-cills~~ to be painted the colour in the palette provided in Appendix C

B - Stone/ render plinths - Careful removal of the remains of the stone plinth (to a specification in appendix A) and replacement render sections is permitted, providing the brickwork behind and pointing are repaired in line with this specification and undertaken at the same time.

3.12.1 decoration of **External joinery and External metalwork, & Painted stonework**

3.12.1 To qualify for consent under this order the works must:

A - Be painted the colour in the palette provided in Appendix C