

Strategic Planning Board

Update Reports

Date: Wednesday 30th January 2013
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 Agenda

10. **Update Reports for the following applications (Pages 1 - 16):**
Item 5 – 12/3114N
Item 6 – 11/1643N
Item 9 – 12/2217C

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Application No: 12/3114N

Location: Land South of Newcastle Road, Shavington & Wybunbury, Cheshire

Proposal: Outline Application for Residential Development of up to 400 Dwellings, Local Centre of up to 700 sqm (with 400 sqm being a single convenience store), Open Space, Access Roads, Cycleways, footpaths, Structural Landscaping, and Associated Engineering Works

Applicant: Mactaggart & Mickel Homes Ltd

Expiry Date: 14-Nov-2012

UPDATE 3 – 29th JANUARY 2013

ERRATUM

Page 49

The report states:

“On the basis of the above assessment the proposal does not appear to be sustainable”

It should read:

“On the basis of the above assessment the proposal does not appear to meet all of the accessibility criteria of the North West Sustainability Checklist”

ADDITIONAL REPRESENTATIONS

Gladman

- Gladman Developments Ltd have now obtained legal advice on the report to Strategic Planning Board
- The advice, identifies a number of flaws with the way the application has been assessed in the report in terms of relating the reduction in affordable housing provision to an 'enhanced' strategic highway contribution. Placing material weight on an unsubstantiated highway contribution could be contrary to the CIL Regulations.
- Maximising the provision of affordable housing is a key objective within the Council's Corporate Plan 2011-13. No development plan policy based justification is provided within the Report to explain why policy compliant affordable housing (by reference to Policy RES7 of the adopted Local Plan; the Council's Interim Planning Statement on Affordable Housing; and Policy SC4 of the Council's draft Policy Principles document) has been reduced from 30% to 15%. If the approach advocated in the Report is replicated elsewhere with other proposals it will perpetuate the problems of housing affordability in Cheshire East which would not be sustainable. This would have far reaching consequences for people in Cheshire East who are in desperate need of life changing, affordable accommodation. Failure to provide sufficient affordable housing will also have adverse economic consequences for the economy of Cheshire East.
- Consequently, in the light of the advice we have received Gladman warn that if the SPB resolve to approve the application on the basis of the published Officer's Report they may commence proceedings to Judicially Review any subsequent grant of planning permission.

ADDITIONAL CONSULTATION RESPONSES

Cllr Clowes – Ward Member

- Cllr Clowes has submitted a number of documents related to the Wybunbury Moss and the 1992/3 application for the A500 Hough/Shavington/Nantwich extension. They were only recently found in the papers of (the late) Mr John Colbert by his wife, Parish Councillor Barbara Colbert.
- The Triangle Residents Group and Parish Council believe them to have material data that support concerns regarding the stability of the SSSI Moss ecosystem in relation to the wider hydrology and drainage systems of the surrounding area that will inevitably be fundamentally remodelled by this development proposal.
- She has read the Applicant's Ecological report and must also express some concern regarding the lack of factual scientific support data by the applicant and Natural England (to date), especially with regard to the very particular hydrology of the wider area surrounding the Moss that other organisations have identified as having a significant impact on this RAMSA site. The files attached relate to this, as do reports for which she has provided links (and key extracts).
- There is some repetition of biological data but I have retained this where it occurs to provide appropriate context to the material.
- The Highways Agency File contains a number of cross-sectional pages illustrating the bore hole survey that was carried out at that time, confirming the very high water table across this area.
- The last file includes two cross-sectional diagrams of the structure of the Moss and aquifer/surface drainage flows. These were previously sent u by Mr Mark Donlon but again help to contextualise the scientific data presented in these documents.
- Also included is an annotated historic map of the area as it offers a clearer understanding of the principal water courses across the Moss and surrounding area (including the application site). They still exist virtually as illustrated albeit with three culverts.
- There is also an annotated section of the Highways report to show how very close the A500 Route 4 proposal was sited both to the Moss and the application site.
- This route was rejected on environmental grounds at that time. These grounds are still 'material'.
- The additional material is as follows:-
 - Section 1: Highways
 - **File 12/3114N Speed Indicator Device: Traffic data** (December/January 2012/13): Stock Lane, Dig Lane, Main Road Wybunbury (This data was requested by the strategic highways planning engineer at a meeting with Shavington Parish Council at Westfields, Tuesday 15th January 2013.)
 - Section 2: Impact of development on SSSI Wybunbury Moss
 - **File Wybunbury Moss 001(b) : Nature Conservancy Council** (13.06.1986) Map of area (scale 1:10,000) / Covering letter **J A Thompson** (Regional Officer) / Description & Reasons for Notification / Operations likely to damage the special interest. Letter (22.11.1989) **C J Hayes** (Asst Regional Officer) re: A500 routes
 - **File Wybunbury Moss 002(b) : Report of C J Hayes (English Nature)** (30.04.1992) / (plus my annotated map of area for clarity: J Clowes 2013)
 - **File Wybunbury Moss 003(b) : Cheshire Wildlife Trust** (Public Enquiry 25.03.1992) Report of David Harpley (Conservator of Cheshire Wildlife Trust) Description & Reasons for Notification (as in file 001(b)) Letter 13.02.1992 : Simon Young (Countryside Manager: Cheshire College of Agriculture)

- **File Wybunbury Moss 004: Department Of Transport 19.03.1992** (Report of D J Lea – Regulation & Planning Liaison Officer) / Six (x6) sections of geological cross-sectional plan of area (April 1992) / Two (x2) maps of proposed A500 route 4 (with cross-section map-line)
- **File : Moss Maps & Diagrams** : - Ordnance Survey First order 7 Map (with superimposed annotations for context) - Geological cross-section & conceptual model of Wybunbury Moss: (Dr A M Fouillac et al, Environment Agency 2003/4) - Department of Transport: Proposed Route for A500 (Rejected) 1992 (with superimposed annotations for context)

Natural England

- Natural England has no further comment to make and the further additional information (in relation to the application above), which you provided to us in 3 separate emails (dated: 21/01/2013), does not change our previous response dated: 14/09/2012.

Greenspaces Officer

- Policy RT.3 requires that on sites of 20 dwellings or more, a minimum of 15sqm of shared recreational open space per dwelling is provided and where family dwellings are proposed 20sqm of shared children's play space per dwelling is provided. This equates to 6,000sqm of shared recreational open space and 8,000sqm of shared children's play space which is a total of 14,000sqm of open space.
- In addition, the proposal should provide an equipped children's play area. The equipped play area needs to cater for both young and older children - 6 pieces of equipment for young, plus 6 pieces for older children. The proposal states that a Neighbourhood Equipped area for Play (NEAP), with 12 pieces of equipment will be provided. It does not however provide details of exactly what is proposed. This information should be requested from the applicant. All equipment needs to be predominantly of metal construction, as opposed to wood and plastic and should ensure that less able bodied children are catered for. All equipment must have wetpour safer surfacing underneath it, to comply with the critical fall height of the equipment. The surfacing between the wetpour needs to be bitmac, with some ground graphics. The play area needs to be surrounded with 16mm diameter bowtop railings, 1.4m high hot dip galvanised, and polyester powder coated in green. Two self-closing pedestrian access gates need to be provided (these need to be a different colour to the railings). A double-leaf vehicular access gate also needs to be provided with lockable drop-bolts. Bins, bicycle parking and appropriate signage should also be provided.
- A Multi Use Games Area (MUGA) is also proposed. Again, further information should be requested from the applicant, with regard to exactly what is proposed.
- The (MUGA) should use the IAE Fencing "Shooter" Sportswall System 15m wide x 26m long x 1m high with open goals. It must be installed entirely in accordance with the manufacturers installation instructions, polyester powder coated in red (RAL 3000), and at the location shown on Plan BHD4. Access gates must have lockable drop bolts, and have keepers installed into the base, to accommodate the drop bolts. The finished surface will be 50mm above the grass surround.

Excavation for Baseworks

- To accommodate the above, the baseworks will be 17m wide x 30m long. The contractor shall excavate where shown on the site plan to accommodate the equipment, pre-cast concrete edgings, sub-base, basecourse, and wearing course. All excavated material is to be removed from site to the contractor's tip, and the contractor must bear the cost of this within his rates.

Sub-base

- The sub-base will be 200mm consolidated depth of MOT Type 1 stone, well compacted with an 8 tonne roller.

Edgings

- Pre-cast concrete edgings shall be 150mm x 50mm, laid as shown on Standard Detail No. B18. with continuous bed haunching minimum 100mm depth; top of kerb to be 25mm proud of existing turf surrounds. Edgings shall be laid around the perimeter of the multigames area.

Base Course

- The Base Course will be dense Macadam to DOT Specification 906, with 20mm nominal sized crushed stone aggregate and 100 PEN Bitumen or C54 Tar Binder. The finished tolerances are to be the same as the finished surface. The depth of base course will be 60mm after final consolidation with no undulations, hollows, joints, seams or textural variation. To achieve the above, base course will have to be laid by machine. All basework will extend into the access areas 3m x 2m.

Wearing Course

- The Wearing Course will be a non-porous Hot Rolled Asphalt to BS594 Part 1, with a 10mm aggregate laid and consolidated to 40mm thickness to a 100mm crossfall. Surface evenness will not exceed 3mm under a 3m straight edge in any direction. The surface level from the agreed crossfall profile will not exceed 25mm at any point from end to end, as per the amended BS7044 Part 4.

Line Painting

- The contractor shall apply one primer coat of court binder, apply two coats of Decatone Acrylic paint in red, set out and apply line markings to 1 basketball court and 1 5-a-side football pitch (D's and spots only).
- An outdoor gym is also proposed, with 16 activities however further detail has not been provided. Again, further information should be requested from the applicant, with regard to exactly what is proposed. There should be a bitmac surfacing and it should be located no nearer than 25m to the NEAP.

- An area of allotments, with 20 plots is also proposed. They would need to be surrounded by 2.4m high metal palisade fencing painted green. The allotments should have bitmac surfaced roadways, plus a metered water supply, with one standpipe per plot. Again, further information should be requested from the applicant, with regard to exactly what is proposed.
- Two areas of community woodland are also proposed. They should be comprised of regionally native species; this could perhaps assist with the drainage issues for the site.
- The applicants confirm that the future management of the greenspace on the site will be carried out by a private management company.

Highways

Introduction.

Legal advice has been sought by Gladman, who are objecting to the scheme as to way the above application has been assessed in terms of relating the reduction in affordable housing provision to an 'enhanced' strategic highway contribution.

The Highway development control advice to planners highlighted the following concerns not referenced in the Legal opinion:

“of concern is the A500 towards the M6 Junction 16. During the peak periods queuing occurs eastbound on this link towards the M6. This queuing can extend back from Junction 16 through the roundabout junction of the A500/A5020/A531. The Traffic Master data below shows the extents of delays on this section of the network.”



The report also challenges the validity of the findings of the applicant's transport statement – namely:

“Given the location of the development in relation to the strategic highway network, with good links to the M6, it could be expected to see commuters attracted to the development. As a result it is felt that there could be a larger proportion of traffic using the A500 route towards the M6, rather than the distribution used [in the transport statement] which reflects existing traffic patterns. This would affect the existing congestion issues on this link.”

“The developer's modelling of the Nantwich Road/South Street/Gresty Road junction [in the transport statement] shows that the junction will operate within capacity in 2015 and 2030 both with and without the development in place. However, this junction currently operates over capacity in the peak periods and other busy times during the day – again evidenced by the Traffic Master data.”

Policy CO2 of the Emerging Policy principles sets out the requirements to deliver infrastructure improvements on the A500 corridor and other key areas.

The Draft Development Strategy sets out proposals for 6500 new dwellings over the Local Plan period. The proposed site at Shavington triangle is included as a preferred site to help deliver this target.

Highway Impact of the Shavington Triangle Site and justification for enhanced highways contribution.

The Crewe SATURN model has been used to assess the impact of the development traffic and inform the flows required for the junction assessments. Due to the nature of the SATURN model there is an element of rerouting of traffic onto routes which may be considered unsuitable. To avoid this undesirable redistribution it is necessary to provide capacity improvements at the existing capacity constraints.

The transport assessment was undertaken with the assumption that the Crewe Green Link Road scheme (A500 to A5020 link) is provided. This scheme relieves congestion on both Gresty Road, Nantwich road and other key urban links. Although the scheme has received Programme Entry status from the Government there remains uncertainties around delivery including statutory procedures and 3rd party funding.

Crewe's highways network is highly constrained (a function of the number of rail crossings) and already suffers significant highway capacity issues.

As part of the supporting evidence work to direct and influence the emerging Local Plan, assessments of the scale of highway impact from a range of development scenarios have been undertaken. The work has been based on the (Department for Transport approved) Crewe traffic model. This has included an assessment of the necessary mitigation measures to unlock development. These measures will be set out in the Local Infrastructure Plan supporting the Core Strategy and will be available for full public scrutiny. Key schemes will include:

- Crewe Green Link Road South
- A500 Dualling
- Capacity improvements at Peacock Roundabout and Alvaston Roundabout on the A51 Nantwich Bypass
- Remodelling of Crewe Green Roundabout
- Two-way working at Sydney Road Bridge
- The scale of investment necessary to deliver the require infrastructure is significant – and as such it is considered that, where viable, it is necessary to achieve maximum developer contributions towards the appropriate mitigation.

Taking these issues together it is considered that the contribution to strategic highways improvements is both warranted and necessary.

What the additional highways contribution would fund.

- Gap funding the necessary junction improvement works at Gresty Road/South Street. (£155,000). The balance of funding would:
- Assist in meeting the gap funding as necessary for the Crewe Green Link Road scheme (which is included as the base position in the transport assessment).
- Improvements to the A500 corridor – potentially as 3rd party match funding to a Pinch Point fund bid to widening the approach to J16.

OFFICER COMMENTS

Ecology

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) no satisfactory alternative and

(c) no detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Local Plan Policy NE.9 states that development will not be permitted which would have an adverse impact upon species specially protected under Schedules 1, 5 or 8 of the wildlife and Countryside Act 1981 (as amended), or their habitats. Where development is permitted that would affect these species, or their places of shelter or breeding, conditions and/or planning obligations will be used to:

- facilitate the survival of individual Members of the species
- Reduce disturbance to a minimum
- Provide adequate alternative habitats to sustain the current levels of population.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case specific advice has been sought from the Council's Ecologist and that advice, which is reproduced in the main committee report and Update Report 2 still stands.

Natural England was also consulted on the application and, as stated in the main report, raised no objections. Subsequently, additional information was received from local residents, via Cllr Clowes and Mr. Mark Donlan with regard to the impact on Wybunbury Moss. This has been forwarded to Natural England, who have confirmed that their initial advice still stands.

Highways

The additional information received from Cllr Clowes includes additional highways data. This has been forwarded to the Strategic Highways Manager, for consideration, and he has confirmed that his original recommendations remain unchanged.

Gladman Developments have raised concerns, and obtained a Counsel's Opinion, to the effect that the enhanced highways contributions which have been negotiated with the developer fail to meet the tests of the CIL Regulations, which state that a planning obligation must comply with the following three tests as set out in the Community Infrastructure Regulations 2010:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

The Strategic Highways Manager has provided further clarification on this matter, as set out above, which clarifies why the enhanced contribution is required to mitigate identified highway impacts, which are directly related to the development, in order to make the development acceptable in planning terms.

He has also confirmed that if the applicant were to revert to the position of 30% affordable and only a £75k contribution towards highways improvements he would recommend a refusal to the scheme on the harm caused to the highway network for the following reasons:

1. Impact on the te South Street/Mill Street/ Nantwich Road junction
2. Cumulative impact of development on the A500 corridor.

On this basis, Planning Officers are satisfied that the requested contribution also fairly and reasonably related in scale and kind to the development and, on the basis of the above, consider that the requested contributions meet the requirements of the CIL Regulations.

Hedgerows

A Hedgerow Assessment (Schedule 1 Part II para 5A Archaeology and History) has now been submitted and is considered to be acceptable.

The submitted assessment identifies 13 Hedgerows deemed to be 'Important' under the Archaeology and History criteria. It should be noted that the Indicative Layout will result in some Important Hedgerow loss namely Hedgerow H15, H9 and part of H7. The layout will therefore require adjustment to account for their retention at Reserved Matters. A condition should therefore be applied to ensure retention of those Important Hedgerows identified.

AMENDED RECOMMENDATION

APPROVE subject to a Section 106 Legal Agreement to Secure:

- 15 % of the dwellings to be affordable.
- The tenure split of the affordable housing required is 65% social or affordable rent, 35% intermediate tenure.
- The mix of affordable homes to be 25% x 1 bed, 40% x 2 bed, 20% x 3 bed and 15% x 4 beds.
- Affordable Homes should be pepper-potted (in clusters is acceptable)
- The affordable homes to be provided no later than occupation of 50% of the market dwellings unless the development is phased, in which case 80% of the market dwellings can be occupied.
- Underwrite the cost of introducing evening bus services between Crewe and Nantwich via Shavington (effectively extending the existing day time service) up to a maximum cost of £215,000.
- Contribute £85,000 towards upgrading existing bus stops on Newcastle Road and other improvements (including speed limit reduction and crossing facilities) on Newcastle Road
- Contribute £75,000 towards either a planned improvement of the northern end of the Gresty Road corridor into Crewe and /or the construction of the Crewe Green Link.
- Enhanced Strategic Transport Contribution of £1,200,000
- Education contribution to a maximum (i.e. capping indexation) of £705,009 calculated on a formula approach based on the number of dwellings.
- Provision of a NEAP with 12 pieces of equipment – specification to be submitted and agreed and in accordance with that set out in the Greenspaces Officer consultation response.
- Provision of a MUGA – specification to be submitted and agreed and in accordance with that set out in the Greenspaces Officer consultation response.
- Provision of an outdoor gym with 16 activities – specification to be submitted and agreed and in accordance with that set out in the Greenspaces Officer consultation response.
- Provision of allotments with 20 plots– specification to be submitted and agreed and in accordance with that set out in the Greenspaces Officer consultation response.
- Provision of community woodland
- Management plan for open space in perpetuity
- Provision of a local residents management company to maintain all on site open space (including, inter alia, the NEAP, MUGA, gym, allotments, woodland, general amenity openspace, village green, nature conservation area, drainage areas and any other areas of incidental open space not within private gardens or the adopted highway).
- Commuted sum of £50,000 to be used to deliver habitat creation within the Meres and Mosses Natural Improvement Area

And the following conditions

1. Standard Outline
2. Submission of reserved matters
3. Plans
4. No approval for indicative layout
5. Submission / approval and implementation of a scheme to manage the risk of flooding from overland flow of surface water,

6. The development shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) from RPS, ref. AAC4908 Issue 3 dated 25/06/2012 and the following mitigation measures detailed within the FRA:
 1. *Limiting the surface water run-off generated by the proposed development, so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.*
 2. *Finished floor levels are set no lower than, the relevant 1 in 100 years plus climate change plus 600mm freeboard level.*
7. Submission / approval and implementation of a scheme is agreed to protect the watercourses and ponds on site and to provide a 5 metre wide undeveloped buffer zone around them measured from top of bank. The undeveloped buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping/. The schemes shall include:
 - plans showing the extent and layout of the undeveloped buffer zone.
 - details of any proposed planting scheme (for example, native species).
 - details demonstrating how the undeveloped buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
8. The proposed river channel and corridor shall be constructed in accordance with a scheme to include the following features:
 - Detailed designs of new watercourse corridor within the site, which is fully integrated as part of overall scheme design, in such as way as to positively contribute to the nature conservation, landscape and amenity value of the site
 - Plans showing the extent and layout of the undeveloped buffer zone between the new development and the stream.
 - This undeveloped buffer zone shall be a minimum of 5 metres wide measured from bank top. This zone shall be without structure and domestic gardens
 - Details of planting schemes
 - Details demonstrating how the buffer zone will be protected during development and managed/maintained over the long term.
9. Reserved matters to make provision for houses to face waterfronts and footpaths
10. The site shall be drained on a total separate system, with only foul drainage connected into the public foul sewerage system. Surface water should discharge to soakaway and or watercourse. No surface water will be allowed to discharge in to the public sewerage system.
11. Submission / approval and implementation of details of Sustainable Drainage Systems (SuDS).
12. The hours of demolition / construction of the development (and associated deliveries to the site) shall be restricted to: Monday – Friday 08:00 to 18:00 hrs; Saturday 09:00 to 14:00 hrs; Sundays and Public Holidays Nil
13. All Piling operations shall be undertaken using best practicable means to reduce the impact of noise and vibration on neighbouring sensitive properties. All piling operations shall be restricted to:

**Monday – Friday 09:00 – 17:30 hrs; Saturday 09:00 – 13:00 hrs;
Sunday and Public Holidays Nil**

- 14. Submission approval and implementation of a piling method statement.**
- 15. Submission approval and implementation of details of location, height, design, and luminance of any proposed lighting**
- 16. Noise levels from any services plant shall be designed to be 10dB below the existing background noise level at the nearest residential property**
- 17. Submission approval and implementation of noise mitigation measures for properties adversely affected by road traffic noise from Newcastle Road to provide for**
 - the internal noise levels defined within the “good” standard within BS8233:1999.**
 - provisions for ventilation that will not compromise the acoustic performance of any proposals whilst meeting building regulation requirements.**
- 18. Submission of revised Air Quality assessment to take into consideration Nantwich Road and mitigation against any impact.**
- 19. Submission / approval and implementation of dust mitigation during development.**
- 20. Submission of updated archaeological report**
- 21. At least 10% of predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated that this is not feasible or viable.**
- 22. Provision of sustainable design strategy / plan**
- 23. Submission of construction details for access / roads**
- 24. Provision of access / roads**
- 25. Provision of visibility splays of 2.0m x 43m in both directions at each of the access points.**
- 26. Provision of parking**
- 27. Submission of updated contaminated land report.**
- 28. Development to be in accordance with principles set out in Design and Access Statement**
- 29. Submission of Statement Design principles to take into account, the Master Plan, the Parameters Plan and Phasing Plan and to include the principles for:**
 - determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration;**
 - determining the hierarchy for roads and public spaces;**
 - determining the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures;**
 - the design of the public realm to include the colour, texture and quality of surfacing of footpaths, cycleways, streets, parking areas, courtyards and other shared surfaces;**
 - the design and layout of street furniture and level of external illumination;**
 - the laying out of the green infrastructure including the access, location and general arrangements of the multi use games area, the children’s play areas and allotments;**

- sustainable design including the incorporation of decentralised and renewable or low carbon energy resources as an integral part of the development
 - ensuring that there is appropriate access to buildings and public spaces for the disabled and physically impaired.
30. Maximum number of units to be 360
 31. Submission / approval and implementation of boundary treatment
 32. Submission / approval and implementation of materials
 33. Submission / approval of landscaping
 34. Implementation of landscaping
 35. Important hedgerows and trees to be retained and to be incorporated within reserved matters layout
 36. Submission of tree and hedgerow protection measures
 37. Implementation of tree and hedgerow protection measures
 38. Replacement hedge planting
 39. Reserved Matters to include details of bin storage.
 40. Breeding Bird Survey for works in nesting season
 41. Provision of bird boxes
 42. Retention and enhancement of the on-site ponds.
 43. Submission / approval and implementation of Construction management plan
 44. Retention of no.90 Stock Lane
 45. Any future reserved matters application to be supported by a survey and mitigation proposals
 46. Provision and implementation of Travel Plan
 47. Provision of new footway to Newcastle Road prior to first occupation

In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD

Date of meeting: 30th January 2013
Report of: Steve Irvine – Development Management and Building Control Manager
Title: Outline Application for the Erection of 650 Dwellings, a Public House, a Local Shop and Associated Infrastructure and Open Space Provision Together with the Demolition of the Former Cross Keys Public House.

UPDATE REPORT 29th JANUARY 2013

AMENDED RECOMMENDATION

That the Board resolve to amend the previous resolution in respect of application 11/1643N to read:

APPROVE subject to Section 106 Legal Agreement securing:

- **Affordable Housing: 'Provision of 10% of the total units as affordable housing in perpetuity, with 50% of the affordable housing provided in Phase 1, which would equate to 33 dwellings. The mix on Phase 1 being 10% 7% 1 bed flat, 30% 2 bed flat, 30% 40% 2 bed house, 30% 53% 3 bed house. The tenure split of the units on all phases to be 25% social / affordable rent and 75% intermediate tenure. The mix of house types for phase 2 and subsequent phases to be agreed as part of subsequent reserved matters applications. Social Rented and Shared Ownership dwellings to be transferred to a Registered Provider'.**
- **Overage clause**
- **Provision of education contribution of £161,752.**
- **Provision of highways contribution of £1,683,426 towards Remer Street / Middlewich Street, Sydney Road Bridge Widening, Crewe Green Roundabout and public transport improvements.**
- **Travel Plan contribution of £5000**
- **Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children's play areas and amenity greenspace. Submitted details must include the location, grading, drainage, layout, landscape, fencing, seeding and planting of the proposed public open space, transfer to and future maintenance by a local residents management company.**

And the following conditions

- 1. Standard Outline**
- 2. Submission of reserved matters**
- 3. Plans**
- 4. Air Quality assessment updates to be submitted with each reserved matters**
- 5. Submission, approval and implementation of Construction Environmental Management Plan (CEMP)**

6. Submission, approval and implementation of Travel Plan
7. Submission, approval and implementation of contaminated land preliminary risk assessment (PRA)
8. Submission, approval and implementation of contaminated land site investigation (SI)
9. Provision of detailed scheme of drainage
10. Reserved matters to make provision for allotment site (30 plots) within the development.
11. Breeding bird survey to be carried out prior to commencement of any works during nesting season
12. Provision of replacement hedgerows
13. Provision of detailed design and layout of the GCN mitigation area
14. retention of visually important trees
15. A scheme for the provision and implementation of a surface water regulation system
16. Management of overland flow
17. Provision and management of habitat creation
18. No discharge to Fowle Brook unless further information is provided to prove that the SSSI will not be adversely affected
19. Retention of important hedges
20. Notwithstanding detail shown – no approval of indicative residential masterplan.
21. Landscape design principles to be incorporated into final layout
22. Submission of landscape and ecological management plan
23. Submission of Arboricultural Impact Assessment
24. Submission of Arboricultural Method Statement
25. Submission of Comprehensive tree protection measures
26. A scheme for the provision and management of compensatory habitat creation
27. Each reserved matters application for commercial activities to be accompanied by a noise impact assessment
28. Submission of Noise Mitigation Measures with each reserved matters application.
29. Submission of details of detailed lighting plan with each reserved matters application.
30. Submission of details of bin storage with each reserved matters application.
31. The first phase of development for the occupation of 150 dwellings shall be accessed from the Stoneley Road Access, in accordance with the approved drawing (Drg No: CH004 03)”
32. No development of subsequent phases shall commence until a Phasing Plan for the proposed development has been submitted to and approved in writing by the Local Planning Authority which shall include inter alia details of the phasing of the proposed development and the triggers for the construction of: -
 - (a) Groby Rd Secondary Site Access;
 - (b) Remer St / Broad St / North St / Stoneley Rd Roundabout Improvement and site access;
 - (c) Remer St / Groby Rd / Maw Green Rd / Sydney Rd / Elm Drive Roundabout; and,
 - (d) Sydney Road Bridge MOVA.

The development shall be implemented in complete accordance with the approved details unless otherwise agreed, in writing, by the Local Planning Authority .

STRATEGIC PLANNING BOARD UPDATE – 30TH JANUARY 2013

APPLICATION NO: 12/2217C

PROPOSAL: Report to amend the resolution on the reserved matters application ref; 12/2217C pursuant to Outline planning permission 11/1682C proposing full details for the appearance, landscaping, layout and scale for a residential development comprising 224 dwellings, internal access road, open space and landscaping on the Former Fisons site, Marsh Lane, Holmes Chapel

ADDRESS: Former Fisons Site, London Road, Holmes Chapel

APPLICANT: Bellway Homes Limited & J S Bloor (Wilmslow) Limited

Officer Comments

Since publication of the agenda, the applicant has submitted an Affordable Housing Statement and further clarification on how the Public Open Space will be managed. The previous resolution recommended that these details would be secured by a supplemental s106 agreement. However, should these details be acceptable, there will be no need for an additional s106 legal agreement. As such, it is recommended that authority be delegated to the Development Management and Building Control Manager to consider these schemes.

Recommendation:

That the Board resolve that its previous resolution in respect of application 12/2217C should still stand, with the deletion condition no. 22 below, and without a supplemental s106 legal agreement pending acceptance of submitted Affordable Housing Statement and POS schemes:

- *Detailed drawings showing the following alterations to the scheme shall be submitted to and approved by the LPA before any work is commenced on site:*
 - .1.1 *A roundabout and spur accessing the site or suitable practical alternative*

This part of the development shall only be completed in accordance with alteration thus approved.

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