

Strategic Planning Board

Agenda

Date:	Wednesday, 20th April, 2016
Time:	10.30 am
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

Please note that members of the public are requested to check the Council's website the week the Strategic Planning Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 1 - 6)

To approve the minutes of the meeting held on 23rd March 2016 as a correct record.

Please Contact: Gaynor Hawthornthwaite on 01270 686467
E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **15/4416C - Land To The South Of, Hind Heath Road, Sandbach: Reserved matters application following approval of outline application (14/0977C) for the erection of up to 120 dwellings, public open space, green infrastructure and associated works for Mr Simon Miller, Miller Homes (Pages 7 - 22)**

To consider the above application.

6. **15/5184N - 138 Sydney Road, Crewe, CW1 5NF: Outline planning application for residential development of up to 250 dwellings, open space and associated works, all other matters reserved apart from access (Resubmission of 15/0184N) for Mr C Muller, Muller Property Group (Pages 23 - 52)**

To consider the above application.

CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 23rd March, 2016 at The Capesthorne Room - Town
Hall, Macclesfield SK10 1EA

PRESENT

Councillor H Davenport (Chairman)
Councillor J Hammond (Vice-Chairman)

Councillors B Burkhill, T Dean, L Durham, S Edgar (Substitute),
M Hardy (Substitute), D Hough, J Jackson, D Newton, M Sewart, J Wray and
G M Walton

OFFICERS IN ATTENDANCE

Nicky Folan (Planning Solicitor)
David Hallam (Principal Design & Conservation Officer)
Neil Jones (Highways Development Manager)
Robert Law (Senior Planning Officer)
David Malcolm (Head of Planning (Regulation))
Phil Mason (Senior Enforcement Officer)
Paul Wakefield (Planning Officer)
Gaynor Hawthornthwaite (Democratic Services Officer)

125 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors R Bailey, S McGrory and
S Pochin.

126 **DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of applications 15/3531C, 15/5407M,
15/4089C and the Draft Cheshire East Borough Design Guide
Consultation Report Councillor J Hammond declared that he was a
Director of ANSA Environmental Services Limited who were consultees,
but had not made any comments nor been involved in any discussions
relating to these applications and report.

Councillor M Hardy declared that In the interest of openness in respect of
application 15/5407M, he was employed by Manchester Airport, but had
not made any comments nor been involved in any discussions relating to
this application.

127 **MINUTES OF THE PREVIOUS MEETING**

The Head of Planning (Regulation)) reported that a question had arisen in respect of the Committee's decision to refuse application 15/0400M which was determined by this Committee on 24th February 2016 and the refusal reason that was given in the decision notice. The question that had arisen is whether the wording in the decision notice goes beyond or has in some way failed to accurately captured the view Members arrived at when refusing this application.

RESOLVED

That the minutes of the meeting held on 24th February did accurately capture Members' views on the decision to refuse application 15/0400M and that they be approved as a correct and signed by the Chairman.

128 **PUBLIC SPEAKING**

That the public speaking procedure be noted.

129 **15/3531C LAND BOUNDED BY OLD MILL ROAD & M6
NORTHBOUND SLIP ROAD, SANDBACH - RESERVED MATTERS
APPLICATION FOR PROPOSED ERECTION OF 232 NO. DWELLINGS
INCLUDING ROADS, SEWERS, BOUNDARY TREATMENTS AND
GARAGES AND ASSOCIATED WORKS FOR MR SIMON ARTISS,
BARRATT HOMES MANCHESTER DIVISION**

The Board considered a report regarding the above application.

Councillor S Corcoran (Ward Member) and Mr S Artiss (on behalf of the Applicant) attended the meeting and spoke in respect of the application)

RESOLVED

That for the reasons set out in the report the application be APPROVED subject to the outcome of the request of the Secretary of State to intervene and to the following conditions:

1. To comply with outline permission
2. Time limit following approval of reserved matters
3. Development in accord with approved plans
4. Submission of samples of building materials
5. Landscaping - submission of details
6. Landscaping (implementation)
7. Implementation of noise mitigation scheme
8. Updated badger survey to be submitted
9. Nesting birds survey to be submitted
10. Provision of features for nesting birds and roosting bats to be provided
11. Access and ghost island works on the A534 to be provided

12. Wheelwash facilities to be provided
13. Submission of an amended Arboricultural Method Statement (including arboricultural supervision and monitoring and detailed special construction measures for proposed road batters and other operations proposed in tree root protection areas)
14. Submission of a Tree Protection Scheme (in accordance with BS58387:2012).
15. Submission and approval of a 10 year management plan for the Offley Wood Woodland, and ecological buffer zone, together with details to secure its implementation, prior to commencement
16. Submission and approval of the location, engineering specification and method statement for the proposed woodland footpaths, prior to commencement.
17. Implementation of strategy for protection of Offley Wood
18. Scheme of acoustic attenuation (internal noise levels) to be submitted (maintenance in perpetuity)
19. Cycle storage

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 Regulation 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.

Councillor L Durham left the meeting during the consideration of this application and so took no part in the debate or vote.

The meeting adjourned at 12.00 noon for a short break.

130 **15/5407M HARMAN TECHNOLOGY SITE AND ADJOINING LAND, ILFORD WAY, MOBBERLEY, CHESHIRE - HYBRID PLANNING APPLICATION FOR MIXED-USE REDEVELOPMENT SEEKING: A: FULL PLANNING PERMISSION FOR ALTERATIONS TO EXISTING EMPLOYMENT BUILDINGS, CONSTRUCTION OF NEW EMPLOYMENT BUILDINGS AND INSTALLATION OF NEW OVER GROUND SERVICES, PIPING AND DUCTING. B: FULL PLANNING PERMISSION FOR DEMOLITION OF REMAINING REDUNDANT EMPLOYMENT BUILDINGS AND REMOVAL OF REDUNDANT OVER GROUND SERVICES, PIPING AND DUCTING. C: OUTLINE PLANNING PERMISSION FOR CONSTRUCTION OF UP TO 290 DWELLINGS, CLASS B1 BUSINESS PARK, ASSOCIATED INFRASTRUCTURE, LANDSCAPING AND OTHER ASSOCIATED WORKS (MEANS OF ACCESS) FOR ARGONAUGHT HOLDINGS LTD C/O LPC LIVING**

The Board considered a report and written and verbal updates regarding the above application.

(Councillor J Macrae (Ward Member), Councillors M Bowden and I Norbury (on behalf of Mobberley Parish Council), Councillor O Hunter (Neighbouring Ward Member), Ms H Evans and Mr S Nixon (Objectors) and Mr J Hinds (Agent) attended the meeting and spoke in respect of the application)

RESOLVED

That contrary to the Planning Officer's recommendation for approval, the application be REFUSED for the following reason:

Although it is accepted that extensive noise mitigation measures can be provided to achieve a satisfactory indoor living acoustic environment, the site is not suitable for residential development, due to the inability to mitigate for noise from overhead aircraft, to a satisfactory level for outside living / amenity areas, which shall remain above 57dBA Leq, 16 hour, the threshold for the onset of significant community annoyance. This is contrary to Paragraph 123 of the National Planning Policy Framework: Avoid noise from giving rise to a significant adverse impact on health and quality of life. It is considered that the new development is not appropriate for its location, due to the effects of pollution on health and general amenity. Therefore, the development is contrary to Paragraph 120 of the National Planning Policy Framework.

Following consideration of this application, the meeting adjourned for lunch from 14.30 pm to 15.15 pm.

- 131 **15/4089C FORMER SUTHERLAND WORKS, BROMLEY ROAD, CONGLETON, CHESHIRE - RESIDENTIAL DEVELOPMENT (USE CLASS C3) COMPRISING 84 NO. NEW AFFORDABLE DWELLINGS COMPRISING 33 NO. THREE BED HOUSES, 27 NO. TWO BED HOUSES, 12 NO. ONE BED APARTMENTS AND 12 NO. TWO BED APARTMENTS WITH ASSOCIATED INFRASTRUCTURE INCLUDING A NEW ESTATE ACCESS OFF BROMLEY ROAD FOR MR ANDREW GARNETT**

The Board considered a report regarding the above application.

Councillor A Martin (on behalf of Congleton Town Council) and Mr B Fulster (on behalf of the Applicant) attended the meeting and spoke in respect of the application)

RESOLVED

That for the reasons set out in the report the application be APPROVED subject to the following conditions:

1. Standard time limit 3 years
2. Development to be carried out in accordance with approved / amended plans
3. Hours of piling limited
4. Accordance with submitted noise mitigation scheme
5. Accordance with submitted Construction Method Statement and Dust Management Plan
6. Drainage – Foul and surface water drainage connected on separate systems
7. Accordance with submitted flood Risk Assessment and Drainage Strategy
8. Construction of approved access including submission of plans detailing realigned junction layout of Bromley Road/Vaudrey Crescent, a suitable footway/cycleway link to Brunswick Street
9. Ecological mitigation to be carried out in accordance with submitted statement
10. Phase II Contaminated land report to be updated to further inform the Remediation Strategy and shall be carried out and the results submitted to, and approved in writing by the LPA
11. Bird breeding survey
12. Incorporation of features for breeding birds
13. Materials to be submitted and approved
14. Accordance with landscaping scheme including management details and boundary treatments in perpetuity
15. Landscaping implementation
16. Accordance with updated Arboricultural Impact Assessment and Method Statement (AMS)
17. Parking to be provided as per approved plan prior to first occupation
18. Removal of permitted development rights Classes A-E
19. Obscurely glazed windows on selected plots
20. Affordable Housing including older persons accommodation
21. Bin storage
22. Cycle storage

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in

accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement should they be required.

132 **CHESHIRE EAST BOROUGH DESIGN GUIDE CONSULTATION
DRAFT**

Consideration was given to a report regarding the Cheshire East Borough Design Guide SPD Consultation Draft.

In accordance with the Council's Constitution, Draft Supplementary Planning Documents (SPDs) are required to be reported to Strategic Planning Board, prior to reporting to the Portfolio Holder before a decision is made to undertake public consultation. A report is being presented to the Portfolio Holder on, this matter on 29th March 2016, seeking approval to undertake public consultation.

RESOLVED

That the Portfolio Holder be recommended to authorise officers to conduct public consultation on the Cheshire East Borough Design Guide SPD Consultation Draft and the accompanying Sustainability Assessment and Habitat Regulations Assessment.

The meeting commenced at 10.30 am and concluded at 4.20 pm

Councillor H Davenport (Chairman)

Application No: 15/4416C

Location: Land To The South Of, HIND HEATH ROAD, SANDBACH

Proposal: Reserved matters application following approval of outline application (14/0977C) for the erection of up to 120 dwellings, public open space, green infrastructure and associated works

Applicant: Mr Simon Miller, Miller Homes

Expiry Date: 28-Dec-2015

SUMMARY

The principle of development has already been accepted as part of the outline approval on this site.

It is considered that the development is acceptable in terms of affordable housing provision and this complies with the S106 attached to the outline application.

The provision of the access point was accepted as part of the outline application and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. The internal design of the highway layout is subject to further comments from the highways officer.

The majority of the separation distances to the adjoining existing and proposed dwellings mean that there would not be a detrimental impact upon residential amenity through loss of outlook, loss of light, overbearing impact or loss of privacy. Minor amendments have been requested for some of the plots.

The impact upon local education is considered to be acceptable and a contribution has been secured as part of the S106 for the outline consent.

In terms of the POS provision on the site this is considered to be acceptable.

An update will be provided in relation to ecological issues as well as the impact on trees.

Details of the proposed landscaping would be secured through the use of planning conditions.

There are no drainage/flood risk implications for this proposed development subject to the imposition of a planning condition.

Subject to the expected updates / amendments, the development is considered to be of an acceptable design and layout and complies with emerging Neighbourhood Plan policies, Local Plan Policies and guidance contained within the NPPF.

RECOMMENDATION

APPROVE subject to conditions.

PROPOSAL

This is a reserved matters application for the erection of 120 dwellings (17.4 dwellings per hectare). The matters for determination as part of this application are appearance, landscaping, layout and scale.

Access was approved as part of the outline application and the site would be accessed via a single vehicular access point which would be located off Hind Heath Road adjacent to the residential development which is currently under construction.

The proposed housing mix is as follows:

One bedroom – 6 units

Two bedroom – 18 units

Three bedroom – 39 units

Four bedroom – 51 units

Five bedroom – 6 units

The majority of the proposed dwellings would be two-storeys in height but the development includes 34 units which are two and a half storeys in height.

SITE DESCRIPTION

The site of the proposed development extends to 6.9 ha and is roughly rectangular in shape and is located to the southern side of Hind Heath Road. The site is within open countryside as defined by the Congleton Borough Local Plan. To the north of the site is agricultural land and Big Hind Heath Farm, to the east is a residential development which is under construction following the approval of applications 10/2609C, 13/2762C and 14/2913C to the south are a Canal and a sewage plant beyond, to the west of the site is agricultural land.

The site includes a tree lined watercourse which is located to the west of the site, the land levels gradually slope down to this watercourse. A native hedgerow forms the front boundary to the site. The site includes an existing access track which serves a property known as Bridge House and a sewage plant on the opposite side of the Canal.

RELEVANT HISTORY

Application site

14/0977C - Outline Application for the Erection of Up To 120 Dwellings, Public Open Space, Green Infrastructure and Associated Works – Approved 22nd September 2015

13/3887C - Outline Application for the Erection of Up To 100 Dwellings, Public Open Space, Green Infrastructure and Associated Works – Refused – Appeal Lodged – Appeal Allowed with costs awarded against the Council 1st August 2014

Adjacent site

14/2913C - Application for Reserved Matters the appearance, landscaping, layout & scale for Phase 2 to include 177 dwellings on planning application no: 10/2608C – Approved 18th November 2014

13/2672C - Reserved matters application to Outline 10/2609C (approved under appeal) to provide a 3m wide shared footpath/cycleway adjacent to a section of Hind Heath Road – Approved 24th March 2014

13/1215C - Reserved Matters Application for 10/2608C for the Appearance, Landscaping, Layout & Scale for Phase 1 to Include 67 Dwellings – Approved 19th June 2013

13/0915C - Reserved matters following Outline Approval 10/2508C – Approved 17th May 2013

10/2609C - Shared Footpath and Cycleway and Associated Works - Refused 21st December 2010. Appeal Lodged. Appeal Allowed

10/2608C - Erection of up to 269 Dwellings, Provision of Public Open Space, Highway Works and Associated Works – Refused 28th October 2010. Appeal Lodged. Appeal Allowed

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

Sandbach Neighbourhood Development Plan

PC2 – Landscape Character

PC3 – Policy Boundary for Sandbach

PC4 – Biodiversity and Geodiversity

PC5 – Footpaths and Cycleways

HC1 – Historic Environment

H1 – Housing Growth

H2 – Housing Layout

H3 – Housing Mix and Type

H4 – Housing and an Ageing Population

H5 – Preferred Locations

IFT1 – Sustainable Transport, Safety and Accessibility

IFT2 – Parking

CW1 – Amenity, Play, Recreation and Outdoor Sports

CW3 – Health

CC1 – Adapting to Climate Change

Local Plan

The Development Plan for this area is the Congleton Borough Local Plan First Review 2005, which allocates the site, under policy PS8, as open countryside.

The relevant Saved Policies are:

PS3 – Settlement Hierarchy
PS8 - Open Countryside
GR21- Flood Prevention
GR1- New Development
GR2 – Design
GR3 - Residential Development
GR4 – Landscaping
GR5 – Landscaping
GR9 - Accessibility, servicing and provision of parking
GR14 - Cycling Measures
GR15 - Pedestrian Measures
GR16 - Footpaths Bridleway and Cycleway Networks
GR17 - Car parking
GR18 - Traffic Generation
NR1 - Trees and Woodland
NR3 – Habitats
NR4 - Non-statutory sites
NR5 – Habitats
H2 - Provision of New Housing Development
H6 - Residential Development in the Open countryside
H13 - Affordable Housing and Low Cost Housing
RC2 – Protected Areas of Open Space

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC4 – Residential Mix
CO1 Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - 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 13 Flood Risk and Water Management
IN1 – Infrastructure
IN2 – Developer Contributions

Supplementary Planning Documents:

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land
Sandbach Town Strategy

CONSULTATIONS

Environment Agency: No further comments to add to the previous consultation response submitted as part of the outline application.

CE Flood Risk Manager: No further comments to make.

United Utilities: No comments received.

Strategic Highways Manager: No objection. *(However an amended plan has been received and at the time of writing the report no final comments had been received from the highways officer).*

Environmental Health: Conditions suggested in relation to construction management plan, hours of operation, buffer to the sewage treatment works and contaminated land. An informative is suggested in relation to contaminated land.

CEC Strategic Housing Manager: No objection.

Ansa (Public Open Space): There is no requirement for additional amenity greenspace. The green infrastructure and public open space appear to be sufficient with diverse habitats through the site. The development will generate the need for a NEAP facility.

Natural England: No comment

Countryside Access Team: It is important that the facilities for walking and cycling, including routes, destination signage and information materials, are completed and available for use prior to the first occupation of any property within any phase of the development, and remain available for use during the completion of other phases.

The 'cycling contribution' contained within the s106 agreement signed in relation to the outline consent is noted.

The legal status, maintenance and specification of the 'proposed recreational walk through linear park' in the public open space of the site would need the agreement of the Council as the Highway Authority.

Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes, with key routes signposted.

Cheshire Brine Subsidence Board: No comments received.

Canal and Rivers Trust: No objection.

VIEWS OF THE PARISH COUNCIL

Sandbach Town Council: Object due to the degree of planting proposed being insufficiently wide to compensate for loss of naturally occurring green space and woodland being displaced by this development.

The comments from CTC were recently presented to Sandbach Town Council's Planning Committee. Following review of the suggestions made, the Committee confirm that the Town Council fully supports CTC's recommendations for improvements and trusts that they will be taken into account within the report on this application.

REPRESENTATIONS

Letters of objection have been received from 4 local households raising the following points:

Principal of development

- The development does not take into account the emerging Sandbach Neighbourhood Plan
- Loss of greenspace between Elworth and Ettiley Heath
- The housing mix and type is inappropriate
- The size of the development is excessive
- The site is not sustainably located
- The site is not enclosed
- No evidence to demonstrate that the housing numbers meet any local need
- Loss of open countryside

Highways

- Inadequate car parking provision
- Hind Heath Road suffers from traffic congestion
- Traffic impact

Green Issues

- Landscape impact
- Loss of the green gap along Hind Heath Road
- Impact upon biodiversity
- Impact upon protected species

Infrastructure

- Increased pressure on local schools (both primary and secondary)
- Impact upon local health provision

Other issues

A representation has been received by CTC – The National cycling Charity raising the following points:

- There needs to be greater connection between this site and the Bovis Homes development – with connections for pedestrians and cyclists
- A cycle priority crossing of the shared footway/cycleway on Hind Heath Road could be investigated

APPRAISAL

Principle of Development

The principle of development and point of access have already been approved as part of application 14/0977C. This application relates to the approval of the reserved matters; appearance, landscaping, layout and scale.

Sandbach Neighbourhood Development Plan

The Sandbach Neighbourhood Plan was subject to referendum in March 2016 and it is expected to be made on 19th April 2016.

In this case the principle of development has already been accepted on this site following the recent appeal decision on the outline application. The Sandbach Neighbourhood Plan acknowledges this decision and includes the site within the settlement boundary (as defined by policy PC3).

The details of the application are considered below but the development is not broadly considered to be in conflict with any of the detailed policies contained within the Sandbach Neighbourhood Plan (SNP). Albeit there are still some amended plans/reports required to ensure full compatibility which are detailed below.

Housing Mix

Policy SC4 of the submission version of the Local Plan requires that developments provide an appropriate mix of housing (this is echoed within Policies H3 and H4 of the SNP). In this case the development would provide the following mix:

- One bedroom – 4 units
- Two bedroom – 20 units
- Three bedroom – 36 units
- Four bedroom – 50 units
- Five bedroom – 10 units

This mix is acceptable as the majority of the development will be smaller family homes and would not be dominated by larger executive dwellings.

Affordable Housing

This site is located in the Sandbach sub-area for the purposes of the Strategic Housing Market Assessment Update 2013 (SHMA). In the SHMA the Sandbach sub-area shows a need for 94 new affordable homes per year between 2013/14 and 2017/18 (18 x 1 beds, 33 x 2 beds, 18 x 3 beds, 9 x 4+ beds and 11 x 1 bed & 5 x 2+ beds older persons accommodation).

In addition to this, information taken from Cheshire Homechoice shows that there are currently 280 applicants who have selected one of the Sandbach lettings areas as their first choice. These applicants require 114 x 1 bed, 103 x 2 bed, 43 x 3 bed and 12 x 4+ bed units. Eight applicants did not state their bedroom requirement.

Therefore there should be provision of 30% of the total dwellings on this site as affordable, with 65% provided as social or affordable rent and 35% intermediate. This equates to a requirement for up to 36 affordable dwellings on this site, with up to 23 provided as social or affordable rented dwellings and up to 13 provided as intermediate tenure.

The affordable housing mix would be as follows;

- 1 bed units x 6
- 2 bed units x 18
- 3 bed units x 12

The affordable housing provision would be sufficiently pepper-potted across the site in seven small pockets across the site. On this basis there is no objection to the development from the Councils Affordable Housing Officer.

Public Open Space

The layout shows that a linear park and ecological buffers would be provided to the southern and western boundaries of the site. The Open Space Officer has stated that if the development is approved there would be a surplus in the quantity of provision. Therefore the amount of open space to be provided is acceptable and in accordance with the thrust of SNP policies.

In terms of children's play space, the Public Open Space Officer has requested the provision of a NEAP. This is not shown on the indicative plan which shows a LEAP. However the S106 Agreement secures the provision of a NEAP and this will be controlled through the use of a planning condition.

Education

The S106 Agreement as part of the outline planning permission includes a primary school education contribution of £173,541 and a secondary school education contribution of £261,483.

Residential Amenity

In terms of the surrounding residential properties, these are mainly off-set to the north-east and north-west, with Bridge House to the south and the dwellings which are currently under construction as part of the Bovis scheme to the east.

From the layout plan the separation distances that would be achieved exceed those contained within the SPG. In this case there would be a distance of 42 metres from the nearest point of Bridge House and the nearest proposed dwelling on plot 83. To the east of the site there would be separation distances varying from 25 metres to 36 metres to the proposed dwellings on the Bovis development. The dwellings to the north-east and north-west are off-set from the proposed development and there would be no detrimental impact to these properties.

Therefore, it is not considered that the development would have a detrimental impact upon neighbouring residential amenity.

In terms of the proposed layout the relationship of the affordable housing units on plots 115-120 is not considered to be acceptable. The ground floor flats would have principal openings just 1 metre from a boundary fence and the first floor flats would have principal windows 1 metre from the boundary with the proposed dwellings on plots 107-111. This has been raised with the applicants and a revised plan is expected to resolve these concerns. Subject to these amended plans the overall design and layout would accord with Policy H4 of the SNP.

The Environmental Health Officer has raised no objection to this development and the following conditions were attached to the outline approval; Environment Management Plan, Travel Plan and submission of bin storage details.

Air Quality

The impact upon air quality was considered as part of the outline application and conditions were attached to secure mitigation to air quality.

Contaminated Land

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present. A condition is requested by the Councils Contaminated Land Officer and this is included on the outline planning permission.

Impact upon the adjacent canal

The Conservation Area runs along the line of the adjacent canal located to the south of the site. Given that open space would be located to the south of the site on the indicative plan it is considered that it would be possible to negotiate an acceptable design solution that would not harm the setting of the Conservation Area.

Highways

The wider traffic congestion issues in Sandbach and the point of access were considered as part of the outline application.

To mitigate the traffic impact of this development a contribution of £240,000 has been secured towards the upgrade of the junctions of old mill Road/The Hill, Crewe Green Roundabout and Junction 17 of the M6. There is also an off-site cycling contribution of £120,000 for cycling provision improvements in the Wheelock, Sandbach and Elworth/Ettiley Heath area. A travel plan also forms part of the conditions attached to the outline consent.

In terms of the proposed layout/internal highways design and parking provision an amended plan has been submitted following negotiations with the Strategic Highways Manager. An update will be provided in relation to this issue.

Trees and Hedgerows

Trees

There are no trees protected by a Tree Preservation Order on this site.

At the time of writing this report updated arboricultural information was awaited from the applicant and an update will be provided in relation to this issue.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

In this case the density of the site is consistent with that of the surrounding area of Sandbach and the development approved on the adjacent site (which is under construction).

The layout has been subject to a number of revised plans following negotiations with the Councils Urban Design Officer. The majority properties located at corner plots would have dual-frontages to create an active frontage. A strong and prominent scheme of tree-planting within the site would create an avenue effect which would add quality to the appearance of the development.

The layout of the internal highways and siting of the dwellings has seen a number of revisions as it originally appeared very over-engineered and lacked imagination. This has been subject to a number of revisions and the internal design is now compliant with the emerging Cheshire East design guide in terms of the layout and detailed design (such as a mix of surfacing materials). The internal layout is now considered to be acceptable.

To all sides of the site, a boundary hedgerow would be provided/retained to act as a green buffer to the open countryside and surrounding residential properties. The development would also be set well back from the existing watercourse and valley which is set to the north-west of the site. The proposed dwellings would provide natural surveillance and would overlook this retained area of open space.

The detailed design of the units is considered to be acceptable as is the provision of two and a half storey units is considered to be acceptable. These units would be pepper potted across the site and would help to create visual interest in terms of a varied roof-scape. Furthermore it should be noted that this would not appear out of character with the adjacent site where the approved development includes two and a half and three storey development.

It is considered that the scheme is of an acceptable design and the proposal would comply with Policy GR2 (Design) and the NPPF. The development would also comply with Policy H2 of the SNP.

Landscape

Following the submission of this application extensive negotiations have taken place with the applicant and from a landscape perspective the scheme is now much improved. Most proposed houses are now located behind the existing fence line which marks the break of slope at the top of the valley. Roads and shared access drives still encroach into the valley but not as far as the previous layout.

The revised cross sections have also improved and show that the changes to the valley profile can generally be achieved by banking at varying gradients with a relatively short section of retaining wall up to about 2 metres in height in the vicinity of plot 83. This is an improvement from the initial scheme which included retaining walls along most of the retained open space which was shown to extend to a height of up to 5 metres.

It is now considered that the development is of an acceptable design and would not have such an impact upon the landscape character as to warrant the refusal of this application. Full details of existing and proposed levels, contours and cross sections plus full details for the height, type and design of any retaining structures will be secured as part of the planning conditions.

A landscape scheme/masterplan for the entire site will be secured through the imposition of a planning condition and this shall include; the provision of footpaths along both sides of the valley; a cycleway link to the existing cycleway that runs along the northern site boundary; a new safely railing along the canal bank; soft and hard landscape design. Subject to the above conditions it is considered that the proposal accords with Policy PC2 of the SNP and respects landscape character.

Ecology

Protected Species

Other Protected Species

An updated survey has been undertaken. A sett was previously recorded within the area of proposed open space adjacent to the proposed development. The latest survey has also recorded two additional setts, one adjacent to the proposed dwellings and one within the footprint of the proposed development. At least one of these setts would require closure under the terms of a natural England license to allow the development to proceed lawfully.

An updated mitigation strategy must be submitted and agreed by the LPA prior to the determination of the application. At the time of writing this report was still awaited.

Any proposals brought forward for additional paths within the open space areas of the development must also take account of the presence of the setts.

Reptiles

Grass snakes are known to occur in this locality and may occur on site. The majority of suitable habitat for this species is however within the grassland habitats in the open space areas. The applicant has submitted a reptile and amphibian mitigation method statement to reduce the risk of any animals being disturbed during the site clearance and construction process. The Councils Ecologist advises that, provided the grassland habitats in the open space area are retained, the proposed development is unlikely to have a significant adverse impact upon reptiles.

Habitats

Hedgerows

Hedgerows are a habitat of principal Importance and hence a material consideration. Based upon the submitted layout it appears feasible that the existing hedgerows can be retained as part of the development.

Semi-improved grassland

The grassland habitats adjacent to the stream within the open space areas to the west of the proposed dwellings have some nature conservation value and some potential to support protected species (particularly reptiles as discussed above). The submitted landscape plan refers to amenity grassland and meadow/wildflower in this area.

Clarification should be sought from the applicant as to whether it is intended to retain and enhance the habitats in this area or whether to grassland habitats would be lost and reinstated as part of the proposed development. This will be clarified as part of the update report.

Ecological Mitigation and Enhancement Strategy

The outline application was supported by an ecological mitigation strategy which in addition to mitigation recommendations also includes a number of proposals for the ecological enhancement of the site. The proposed ecological enhancements included a new pond and the incorporation of features for roosting bats and nesting birds.

To ensure the enhancement proposals put forward at the outline stage are taken forward into the reserved matters scheme it is recommended that a revised ecological enhancement and mitigation strategy is submitted and that the recommendations of this be incorporated into the submitted layout plan. This was awaited at the time of writing this report.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. As the application site is more than 1 hectare in size, a Flood Risk Assessment (FRA) has been submitted as part of this application.

Within the Flood Risk Assessment (FRA) submitted as part of the previous application for the site it was proposed to limit the surface water discharge rate from the development to greenfield Qbar (5.15l/s/ha). This approach should also be implemented as part of the latest reserved matters application. For any surface water discharges in excess of this rate, on-site attenuation will be required to cater for all return periods up to and including the 1 in 100 annual probability with a 30% allowance for climate change and it must be demonstrated that there will be no increase in flood risk either on or off site.

The FRA indicates that surface water from storms in excess of the 1 in 30 annual probability will be contained and conveyed on carriageways and directed to a pond in the south of the site. The depths of flooding expected on the carriageway during this event have not been calculated as part of the FRA. However the Councils Flood Risk Manager has expressed concern at utilising the highway for flood storage and has suggested the imposition of a planning condition to secure details of the disposal of surface water drainage.

As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

Ground Conditions

In relation to this issue an informative was attached to the outline planning permission advising the applicant about the Brine Board's comments.

PLANNING BALANCE

The principle of development has already been accepted as part of the outline approval on this site.

It is considered that the development is acceptable in terms of affordable housing provision and this complies with the S106 attached to the outline application.

The provision of the access point was accepted as part of the outline application and the traffic impact as part of this development has already been accepted together with contributions for off-site highway works. The internal design of the highway layout is subject to further comments from the highways officer and an update will be provided.

The majority of the separation distances to the adjoining existing and proposed dwellings mean that there would not be a detrimental impact upon residential amenity through loss of outlook, loss of light, overbearing impact or loss of privacy. However, the relationship between plots 115-120 and 107-111 is not considered to be acceptable and amendments have been requested.

The impact upon local education is considered to be acceptable and a contribution has been secured as part of the S106 for the outline consent.

In terms of the POS provision on the site this is considered to be acceptable.

An update will be provided in relation to ecological issues as well as the impact on trees.

Details of the proposed landscaping would be secured through the use of planning conditions.

There are no drainage/flood risk implications for this proposed development subject to the imposition of a planning condition.

Subject to the expected amendments, the development is considered to be of an acceptable design and layout and complies with emerging Neighbourhood Plan policies, Local Plan Policies and guidance contained within the NPPF.

RECOMMENDATION:

APPROVE the application subject to the following conditions

- 1. Approved Plans**
- 2. Details of existing and proposed ground levels in accordance with the approved plans**
- 3. Phasing of the development to be submitted and agreed**
- 4. Submission and approval of materials for the development**
- 5. Details of the play equipment which from the NEAP to be submitted and approved**
- 6. Details of scheme for the disposal of foul water**
- 7. Submission of Landscape Details including surfacing materials**
- 8. Implementation of the approved landscaping scheme**
- 9. Submission of Boundary Treatment Details**
- 10. Full details of existing and proposed levels, contours and cross sections plus full details for the height, type and design of any retaining structures.**
- 11. A landscape scheme/masterplan for the entire site and this shall include; the provision of footpaths along both sides of the valley; a cycleway link to the existing cycleway that runs along the northern site boundary; a new safely railing along the canal bank; soft and hard landscape design.**
- 12. Implementation of the approved landscaping scheme**
- 13. A Landscape & Habitat Management Plan for the management in perpetuity of all areas that are not within domestic curtilages.**

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.



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Application No: 15/5184N

Location: 138 SYDNEY ROAD, CREWE, CW1 5NF

Proposal: Outline planning application for residential development of up to 250 dwellings, open space and associated works, all other matters reserved apart from access. (Resubmission of 15/0184N)

Applicant: Mr C Muller, Muller Property Group

Expiry Date: 16-Feb-2016

SUMMARY:

The proposal is contrary to the 'saved' policies NE2 (Open Countryside) and NE4 (Green Gap) of the Replacement Borough of Crewe and Nantwich Local Plan 2011 and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

However the site is now proposed as part of an allocation for 525 dwellings within the Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft): March 2016 as site CS5 Sydney Road, Crewe. This document is the subject of public consultation from 4 March to 19 April 2016.

The most important material consideration in this case is the NPPF which states at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide market and affordable housing to meet an acknowledged shortfall. The proposal would also have some economic benefits in terms of jobs in construction, spending within the construction industry supply chain and spending by future residents in local shops.

Turning to access issues amended plans showing the precise arrangement of the Maw Green Lane access, the design of the junction with Sydney Road is considered to be acceptable. In terms of traffic generation and congestion the impact on Sydney Road bridge and Crewe Green roundabout is acknowledged and will be addressed through significant Section 106 contributions.

There would be an adequate level of POS on site together with a play area which would comply with policy.

Subject to a suitable Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements, and the requirement for the future maintenance of the open space and playspace on site. It would not generate any shortfall in education capacity locally.

The proposal is considered to be acceptable in terms of its impact upon residential amenity and drainage/flooding. Conditions could be imposed to ensure this. It therefore complies with the relevant local plan policy requirements for residential environments

Whilst the site does not meet all the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, other developments within the area have been deemed to be sustainably located by both the Council and Inspectors at Appeal. Furthermore, Section 106 contributions can be secured towards the upgrading of the local footpath and cycle network. Therefore it is not considered that a refusal on locational sustainability grounds could be sustained.

The proposal would not result in the loss of any best and most versatile agricultural land, and any impacts on ecological assets can be suitably mitigated.

It is also necessary to consider the negative effects of this incursion into Open Countryside and the erosion of the Green Gap by built development.

Despite the loss of open countryside, on the basis the Council cannot demonstrate a 5 year supply of housing, and the endorsement of the site to be taken forward as a Local Plan strategy site, it is considered that the proposal represents sustainable development and paragraph 14 is not engaged.

SUMMARY RECOMMENDATION:

APPROVE with conditions

DESCRIPTION OF DEVELOPMENT

This planning application seeks outline planning permission for up to 250 dwellings, public open space and associated works. The scheme constitutes phase 2 of development at this location and is a resubmission of a previous application for up to 275 dwellings. That application was “Minded to Refuse” by SPB in January this year, following an appeal against non determination. This application has been submitted following a change in circumstances regarding the Local Plan which are outlined below.

The Phase 1 application was resolved to be granted in December 2013. This application sought approval for up to 240 dwellings and a new access off Sydney Road, Crewe. The Phase 1 scheme envisages the demolition of no.138 Sydney Road, the construction of a new simple priority junction off Sydney Road and the construction of a carriageway on a north – south alignment. This phase 2 application will utilise the approved access point from Sydney Road. Given the additional dwellings proposed, the approved site access for Phase 1 will be upgraded to provide a ghost island right turn lane.

SITE DESCRIPTION:

The site comprises of a rectangular shaped parcel of land situated to the north-east of Sydney Road and to the south-east of the Crewe-Manchester railway line. The site is approximately 9.78ha (24.2 acres) in area.

The site is currently set to pasture. The site is relatively flat with a slight fall towards the northern boundary. Hedges form defensible boundaries on all sides. The site adjoins the settlement boundary of Crewe and is bounded to the south west by approved Phase 1 residential development which was proposed as an allocation for 250 new homes in the Submitted Local Plan Strategy (Site CS5). Maw Green Road lies to the north and beyond the area subject of the approved Phase 1 residential development land lies established residential development, on Sydney Road. The site is bound to the east by open countryside.

The site is bound by hedgerows on all sides. The trees and hedgerows that form the main arboricultural features are situated predominantly within the existing hedge lines and are typical of this type of agricultural landscape. Most of the significant trees have been incorporated into the design and layout of the site and the hedgerows will be retained and reinforced with additional planting along the eastern boundary of the site. The proposed Local Plan Allocation requires additional buffering and planting along the northern, eastern, southern and western boundaries of the whole site, to include buffering and planting that will also ensure that noise and disturbance from the West Coast Mainline is reduced to a level to be agreed at a later date.

The application site is bound to the south west by the recently approved residential development (Phase 1). Further residential properties are located off Maw Green Road to the north and Herbert Street to the south of the application site. The surrounding properties predominantly comprise of 2 storey residential accommodation with some bungalows located along Sydney Road. There are also 2.5 and 3 storey properties located off Herbert Street and Foxholme Court (to the south east of the site).

RELEVANT HISTORY:

13/2055N Outline application for up to 240 residential dwellings, open space and new access off Sydney Road APPROVED August 2015 **PHASE 1**

14/5842N Detailed planning application for an upgraded site access junction and internal spine road and associated works to serve land at Sydney Road, Crewe APPROVED February 2016

15/0184N Outline planning application for up to 275 dwellings open space and associated works, with all detailed matters reserved apart from access. MINDED TO REFUSE January 2016 subject to forthcoming appeal in July 2016.

15/2818N Outline planning application for residential development of up to 12 dwellings, all matters reserved. October 2015 PHASE 1

15/4342D Discharge of conditions 2, 4, 6, 7(a), 7(b), 17, 18 & 22 on approved 13/2055N - Outline application for up to 240 residential dwellings, open space and new access off Sydney Road UNDETERMINED **PHASE 1**

NATIONAL & LOCAL POLICY

National Policy

National Planning Policy Framework

Local Plan policy

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plans (January 2004).

Policies in the Local Plan

NE.2 (Open countryside)
NE.5 (Nature Conservation and Habitats)
NE.9: (Protected Species)
NE.20 (Flood Prevention)
NE.21 (Land Fill Sites)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
RES.5 (Housing In The Open Countryside)
RT.6 (Recreational Uses on the Open Countryside)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)

National Policy

National Planning Policy Framework

Other Material Policy Considerations

Interim Planning Statement: Affordable Housing (Feb 2011)
Strategic Market Housing Assessment (SHMA)
Strategic Housing Land Availability Assessment (SHLAA)
North West Sustainability Checklist
Article 12 (1) of the EC Habitats Directive
The Conservation of Habitats and Species Regulations 2010.

Cheshire East Local Plan Strategy – Submission Version

The following are considered relevant material considerations as indications of the emerging strategy:

PG2 – Settlement Hierarchy
PG3 – Proposed Green Belt
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC3 – Health and Wellbeing
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE1 - Design
SE2 - Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 - The Landscape
SE5 – Trees, Hedgerows and Woodland
SE9 –Energy Efficient Development
IN1 - Infrastructure
IN2 – Developer Contributions

CS5 – Sydney Road Crewe (Allocation for Phase 1 for 250 houses)

The site is now proposed as part of an allocation for 525 dwellings within the Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft): March 2016, forming an enlarged site CS5 Sydney Road, Crewe. This document is the subject of public consultation from 4 March to 19 April 2016.

CONSULTATIONS:

Brine Board

- The Board has considered the above application and information in the Board's possession indicates that this site is in an area which has previously been heavily affected by brine subsidence, and the possibility of future ground movements cannot be completely discounted.
- Large-scale geological mapping clearly shows a subsidence hollow and a major fault crossing the proposed development area and our records indicate that the Board have recommended raft foundations for all newbuild on adjacent sites.
- The Engineer's report submitted with the application has flagged up the risk of potential settlement but has indicated that "subject to further consultations with the Brine Board, allowance should be made for reinforced foundations comprising ring beams or rafts".
- Therefore recommend that the following informative is included, should outline permission be granted:
- In consideration of the significant impact of historical brine pumping, the Cheshire Brine Subsidence Compensation Board require structural precautions to be utilised in all infrastructure such as:

- Foundations
 - use reinforced foundations and floor slabs e.g. strip acting as a ring beam, or raft foundations
 - strengthen pad foundations and reinforce floor slabs in commercial buildings
- Services
 - use flexible materials in service runs
 - maximise gradients of drainage systems
 - provide flexible joints where services penetrate floor slabs and walls
 - avoid creating concentrated infiltration/soakaway points
- Superstructure
 - incorporate flexibility wherever possible (e.g. flexible couplings within portal frames in commercial buildings)
 - maximise use of movement joints

Natural England

Although the site is close to a SSSI (Sandbach Flashes) it is not considered the development will have an adverse impact if carried out as proposed. As such they raise no objections subject to conditions relating to Sustainable Urban Drainage, and consideration of local issues in accordance with standing advice.

Environment Agency

No objections subject to conditions including a scheme to limit surface water run off, management of surface water flow and disposal of foul drainage.

Network Rail

No objections subject to dealing with issues of railway trespass, risk and railway noise. Finally all work should be carried out within the developers land ownership only.

Public Open Space

- Would like to see on-site provision of open space in line with the Local Plan.
- A children's play area should be provided within the development, plus a contribution for off-site improvements (say £20,000) specifically for the children's play area on Lansdowne Road.

Education

Comments are awaited and will need to be reported in the update report, however their comments on the previous scheme for 275 dwellings were as follows:

- 275 dwellings are expected to generate 52 primary (275×0.19) 41 secondary (275×0.15) and 4 SEN children ($275 \times 0.51 \times 0.03\%$)
- Forecasts show that the development will impact primary and SEN education within the immediate vicinity, but not secondary.
- Therefore a contribution for primary and SEN is required to mitigate the impact.

- $52 \times £11,919 \times 0.91 = £564,007.08$ (primary)
- $4 \times £50,000 \times 0.91 = £182,000$ (SEN)
- Total education contribution (£746,007.08)

For 250 dwellings the contributions would presumably be reduced pro rata.

United Utilities

No objection subject to the following condition:

- Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

Archaeology

This application is supported by an archaeological desk-based assessment which has been prepared by Museum of London Archaeology. This report is based on a consideration of data held in the Cheshire Historic Environment Record and an examination of the historic mapping, aerial photographs, and readily-available secondary sources. It concludes that the archaeological potential of the site is limited and the main point of interest is the extensive pattern of ridge and furrow which is visible on the aerial photographs dating from 1946. Sadly, this evidence for past agricultural use has been much reduced by recent ploughing and only limited remains survive today. In these circumstances it is concluded that further archaeological work would be difficult to justify and no further mitigation is advised.

The one possible area of interest lies in the south-west corner of the site, which is currently occupied by Thorney Field Farm. The arrangement of agricultural buildings has changed over the years but the farmhouse is depicted on the Tithe Map of 1840, although it is absent from Burrdett's map of 1777. This matter is, however, more relevant to the historic built environment and, if this does raise any issues, it has been agreed that these will be addressed by colleagues in Heritage and Design.

Environmental Health

No objection subject to the following conditions:

- Submission / approval and implementation of a Construction Environmental Management Plan
- Limit on hours of construction.
- Details of Lighting to be submitted and agreed
- The detail of the glazing, ventilation and roof design for the final proposed layout should be submitted and agreed in the reserved matters application.
- Implementation of Noise Mitigation Measures.
- Travel Plan
- Electric Vehicle Charging Points

- Dust Control Measures
- Contaminated Land

Rights of Way

- The development, if granted consent, would affect Crewe Public Footpath No.4, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.
- Although the indicative site layout plan is annotated to read 'green corridor along footpath', it appears from the plan that the Definitive alignment of the Public Footpath would be obstructed by the development; the Definitive Map alignment of the Public Footpath does not run tight to the site boundary at all times. The developer is urged to ensure that they depict the Definitive alignment of the Public Footpath on all plans. Without a commitment to the realignment of either the proposed housing or highways, Rights of Way would be obliged to object to any Reserved Matters application on the basis of the depiction in the indicative site layout plan.
- It should be noted that *"any alternative alignment [of a Public Right of Way] should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic"* (Defra Rights of Way Circular (1/09), Guidance for Local Authorities, Version 2, October 2009, para 7.8). Further, Public Rights of Way and other paths should be afforded natural surveillance and designed using Crime Prevention through Environmental Design principles.
- The Public Rights of Way team would seek a number of conditions to be applied to any planning consent granted, with on-site and off-site improvements to the existing footpaths.

Highways

The principle of residential development (Phase 1) has been agreed in a previous application, this application is a further extension of the site. The road infrastructure access is proposed to be upgraded to provide access to the further development, the main access design that is proposed as a ghost island right turn facility that would increase capacity in order to accommodate the further development proposed and the already committed developments using Sydney Road.

There is a significant capacity problem at Crewe Green roundabout and Sydney Road Bridge and without mitigation this development would have a material impact at these junctions and is a reason to refuse the application. As there are major improvements planned at this junction a contribution of £1.6m on the basis of the amount of contribution secured on 13/2055N is required for this application.

Therefore, subject to a financial contribution being secured the Strategic Highways Manager does not raise objections to the application.

Housing

30% affordable housing should be provided on site in line with the requirements of the SHMA and IPS. Their comments are incorporated in the affordable housing section below.

Crewe Town Council

Object to this proposal on following grounds:

- 1) The cumulative adverse impact of this proposal together with other existing and approved developments on traffic flows along the Sydney Road corridor
- 2) Encroachment on the Green Gap. The site is within the area allocated as Green Gap in the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011 (Policy NE4). The purpose of this policy is to maintain the definition and separation between Crewe and Haslington. The Town Council supports this approach and therefore objects to the proposed development as it would reduce the Green Gap.
- 3) Whilst welcoming the recognition that there is need for a second access to a development of this size, considers that permanent access to Maw Green Lane is unacceptable unless substantial improvements are made to Maw Green Lane in the vicinity of the railway overbridge to ensure the safety of additional road users.
- 4) The development is in an unsustainable location because of the absence of shopping facilities nearby and need for additional education provision.

REPRESENTATIONS:

2 representations have been received, one supporting the application, the other expressing highway safety concerns about using Maw Green Lane as an access.

APPRAISAL:

There are three dimensions to sustainable development:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

These roles should not be undertaken in isolation, because they are mutually dependent.

Social Sustainability

The first dimension to sustainable development is its social role. In this regard, the proposal will provide new family homes, including 30% affordable homes, on site public open space and residents would use local education and health provision.

Housing Land Supply

Following the receipt of the Further Interim Views in December 2015, the Council has now prepared proposed changes to the Local Plan Strategy (LPS), alongside new and amended strategic site allocations, with all the necessary supporting evidence. The proposed changes have been approved at a Full Council meeting held on the 26 February 2016 for a period of 6 weeks public consultation which commenced on Friday 4 March 2016.

The information presented to Full Council as part of the LPS proposed changes included the Council's 'Housing Supply and Delivery Topic Paper' of February 2016.

This topic paper sets out various methodologies and the preferred approach with regard to the calculation of the Council's five year housing land supply. From this document the Council's latest position indicates that during the plan period at least 36,000 homes are required. In order to account for the historic under-delivery of housing, the Council have applied a 20% buffer as recommended by the Local Plan Inspector. The topic paper explored two main methodologies in calculating supply and delivery of housing. These included the Liverpool and Sedgefield approaches.

The paper concludes that going forward the preferred methodology would be the 'Sedgepool' approach. This relies on an 8 year + 20% buffer approach which requires an annualised delivery rate of 2923 dwellings.

The 5 year supply requirement has been calculated at 14617, this total would exceed the total deliverable supply that the Council is currently able to identify. The Council currently has a total shortfall of 5,089 dwellings (as at 30 September 2015). Given the current supply set out in the Housing Topic Paper as being at 11,189 dwellings (based on those commitments as at 30 September 2015 the Council remains unable to demonstrate a 5 year supply of housing land. However, the Council through the Housing Supply and Delivery Topic paper has proposed a mechanism to achieve a five year supply through the Development Plan process.

National Planning Policy Guidance (NPPG) indicates at 3-031 that deliverable sites for housing can include those that are allocated for housing in the development plan (unless there is clear evidence that schemes will not be implemented within five years).

Accordingly the Local Plan provides a means of delivering the 5 year supply with a spread of sites that better reflect the pattern of housing need however at the current time, the Council cannot demonstrate a 5 year supply of housing.

Affordable Housing

The Council's Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate

element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013 and Policy SC5 of the LPS proposed changes. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social rented and intermediate housing.

This is a proposed development of 250 dwellings therefore in order to meet the Council's Policy on Affordable Housing there is a requirement for 75 dwellings to be provided as affordable dwellings. 49 units should be provided as Affordable rent and 26 units as Intermediate tenure

The SHMA 2013 shows that the demand in Crewe is for 50 x 1 bed, 149 x 3 beds, 37 x 4 beds, 12 x 1 bed older person and 20 x 2 bed older persons (it showed an oversupply of 2 bed accommodation). The demand on Cheshire Homechoice is for 371 x 1 bed, 378 x 2 beds, 174 x 3 beds and 21 x 4 beds. Therefore on this site a mixture of 1, 2 and 3 bed units would be acceptable. It would also be beneficial for the site to provide some older persons accommodation in line with the information from the SHMA.

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

The affordable housing should meet the HCA's housing quality indicator (HQI) standards.

Preference is that the affordable housing is secured by way of a S106 agreement, which: -

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

Public Open Space

Policy RT.3 of the Borough of Crewe and Nantwich Replacement Local Plan 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 3750sqm of shared recreational open space and 5000sqm of shared children's play space. This totals 8750 sq.m or 0.87 ha (2.14 acres) based on up to 250 family homes (2-4 bed units).

The Greenspaces Officer (commenting on the previous application) stated that the proposal should provide an equipped children's play area. This can be secured through the Section 106 Agreement. He has also requested a financial contribution towards off-site improvements.

However, it is not considered that the latter would be CIL Regulations compliant given that the open space requirements of the development could be met, and would be exceeded on site.

Infrastructure

Policy GR19 of the Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. It is advised that such provision may include on site facilities, off site facilities or the payment of a commuted sum.

Policy IN1 of the Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft): March 2016 advises that the Local Planning Authority should work in a phased co-ordinated manner to secure funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration.

The Council's Education Officer, in response to a consultation to ascertain the impact of the proposed development on nearby schools advised that based on the original 275 dwellings, they would be expected to generate 52 primary, 41 secondary and 4 Special Educational Needs (SEN) children. Forecasts showed that the development will impact primary and SEN education within the immediate vicinity, but not secondary. Therefore a contribution of £564,007.08 for primary and £182,000 SEN is required to mitigate the impact. This will be updated when formal comments are received.

Environmental Sustainability **Green Gap**

In this case, the application site is within the Green Gap. Therefore, as well as being contrary to Policy NE2 (open countryside) it is also contrary to Policy NE.4 of the Local Plan which states that approval will not be given for the construction of new buildings or the change of use of existing buildings or land which would:

- result in erosion of the physical gaps between built up areas;
- adversely affect the visual character of the landscape.

A development of the scale proposed will clearly erode the physical gap between Crewe and Haslington. It is also considered that it will adversely affect the visual character of the landscape. This is discussed in greater detail below.

Policy NE.4 goes on to state that exceptions to this policy will only be considered where it can be demonstrated that no suitable alternative location is available.

Turning to the question of whether, in the light of the lack of a 5 year supply, Policy NE4 should be considered to be a housing land supply policy / and or out of date, Green Gap policy has a specific planning purpose – to avoid settlements merging. This is not a housing supply policy purpose. Whilst Open Countryside areas also have specific roles (including the protection of the Countryside for its own sake, in accordance with NPPF paragraph 17.(v)) open countryside policy does not have the special, additional function of ensuring that two settlements remain separate (that is the function of Green Gaps). Hence Green Gaps are not a function of Open Countryside policy; rather Green Gaps have their own specific function.

The Courts have ruled that the interpretation of policy is a matter of law, and the above stance is supported by Ousley J in the Barwood case (see Appendix 15) who draws a distinction between general open countryside policy and policies which protect gaps between settlements. It has also been the approach taken by the Secretary of State in the Gresty Oaks and Church Lane Wistaston Appeal cases and Mrs Justice Lang in the High Court decision which led to the quashing of the decision to allow the appeal at Moorfields in Willaston.

As Members will be aware this situation is still being digested, as a recent High Court Decision *Richborough Estates Partnership LLP v Cheshire East Borough Council and Secretary of State for Communities and Local Government*, has determined that any policy which restricts the supply of housing could be seen as being out of date if the Council cannot show a 5 year supply of housing. This clearly has implications for the Green Gap Policy.

The site is now proposed as part of an allocation for 525 dwellings within the Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft): March 2016 as site CS5 Sydney Road, Crewe. This document is the subject of public consultation from 4 March to 19 April 2016. As part of the site selection process, all sites that were considered for inclusion in the Local Plan Strategy Proposed Changes (Consultation Draft) were subject to a Site Selection Methodology (SSM). This site was subject to the SSM and as part of that process a large number of factors were considered which included the impact of the site on the Green Gap. The conclusion, in relation to the impact of the development of this site on the Green Gap is contained within paragraph 7.146 of the Crewe Town Report and is as follows:

‘Development of this site will erode the physical gap between the two settlements however at this point the Green Gap between Haslington and Crewe is not at its narrowest and it is considered that, with appropriate landscaping mitigation the visual impact of development on this additional area of land could be reduced.’

Landscape

This is an outline application for up to 250 residential dwellings on land to the east of Maw Green Road and to the north of Sydney Road, Crewe. The application site is located on the northern boundary of Crewe and is currently agricultural land that covers a number of fields, extending to an area of 9.78ha. the application site has a network of hedgerows and a number of hedgerow trees. The Crewe to Manchester railway line is located a short distance to the west; to the north is the wider rural landscape. To the south is an already consented residential site. Footpath 4 Crewe follows the southern boundary of the application site.

As part of the application a Landscape and Visual Impact Assessment has been submitted, this indicates that it is based on the principles described in ‘Guidelines for Landscape and Visual Impact Assessment’ 3rd Edition. The baseline information does include reference to the National Character Areas as defined by Natural England in their revised study of the countryside Character Series (1998), where the application area is defined as Character Area 61; Shropshire, Cheshire and Staffordshire Plain. The study also refers to the Cheshire Landscape Assessment 2008, adopted March 2009 which identifies that this site is located in Landscape Type 7: East Lowland Plain; within this character type the application site is located within the Wimboldsley Character Area: ELP5.

The assessment identifies that the application site is located within the boundary of the Green Gap (Policy NE.4) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. Since the submitted assessment also identifies that there will be both adverse landscape and visual impacts, it appears that the proposals are contrary to policy NE.4 Green Gap. However as part of the LPS allocation, the policy requires additional planting to mitigate these impacts.

Amenity

In terms of the surrounding residential properties, there are a number of existing properties on Sydney Road adjoining the access road. However, given that this part of the site already benefits from planning approval no additional amenity concerns are raised. Whilst there are a small number of dwelling adjoining the northern part of the site on Maw Green Road it is considered that a layout could be achieved that could comply with the separation distances as outlined in the Borough of Crewe and Nantwich Supplementary Planning Guidance. Accordingly, there would be minimal impact upon residential amenity.

In order to protect the amenity of neighbouring occupiers during the construction period Environmental Health have recommended conditions requiring the submission, approval and implementation of a Construction Environmental Management Plan as well as limits on the hours of construction.

Contaminated Land

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

- The application area has a history of agricultural use and therefore the land may be contaminated.
- This site is within 250m of a known landfill site or area of ground that has the potential to create gas.
- The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site.
- Reports submitted in support of the application recommend a Phase II ground investigation be undertaken in order to further assess identified potential contaminant linkages.

As such, and in accordance with the NPPF, Contaminated Land recommends that the standard conditions, reasons and notes be attached should planning permission be granted.

Odour

The proposed site is located near the active Maw Green Landfill site and there is some potential for adverse impacts. The assessment considers the likelihood of odour impacts. Essentially this would require the coincidence of the failure of the site Odour Management Plan (an integral part of its Environmental Permit) and unfavourable weather conditions. The likelihood of this occurring is not considered significant based on complaints history however

the recommended mitigation measures of phasing and planting should be adopted and addressed in the reserved matters application.

Noise and Vibration

The vibration assessment considers impacts on proposed residential dwellings from the railway. The assessment shows that adverse impacts are not likely.

Noise impacts from the roads and railway are assessed and are such that noise mitigation design is required for proposed units closest to these noise sources. The detail of the glazing, ventilation and roof design for the final proposed layout should be submitted and agreed in the reserved matters application.

The applicant has submitted a scheme of acoustic insulation with the application. The report recommends mitigation designed to ensure that occupants of the properties are not adversely affected by noise from road vehicles and train movements.

The mitigation levels recommended in this report shall be detailed in the reserved matter application to meet the following criteria:

For facades facing Maw Green Road and the rail way line the following strategy has been recommended:

- 42dB Dne,w acoustic ventilation unit and 40dB Rw double glazed window units are required to facades overlooking Maw Green Road to meet 'desirable' internal noise levels in habitable spaces during the daytime (07.00hrs – 23.00hrs) and night-time (23.00hrs – 07.00hrs) period.

For facades with line of sight of Maw Green Road and the rail line

- 39dB Dne,w acoustic ventilation unit and 34dB Rw double glazed window units are required to facades overlooking Maw Green Road to meet 'desirable' internal noise levels in habitable spaces during the daytime (07.00hrs – 23.00hrs) and night-time (23.00hrs – 07.00hrs) period.

For all other facades the following strategy has been recommended:

- 31dB Dne,w trickle ventilation unit and 31dB Rw double glazed window units are required for facades with no direct line of Maw Green Road and rail line for a 'desirable' internal noise levels in habitable spaces during the daytime (07.00hrs – 23.00hrs) and night-time (23.00hrs – 07.00hrs) period.

This can be secured by condition along with

Air Quality

Whilst this scheme itself is of a relatively small air quality impact, there is 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.

The cumulative impact of a number of developments in the area around Crewe and the Air Quality Management Areas (regardless of their individual scale) has the potential to significantly increase traffic emissions and as such adversely affect local air quality for existing residents by virtue of additional road traffic emissions. For the protection of human health, it is the significance of these cumulative impacts that we must take into to

consideration when recommending mitigation measures and not the impacts of each individual proposal.

The guidance associated with assessing the significance of impacts of the developments has been revised since the air quality assessment was completed. There is greater emphasis on the cumulative impacts of developments in an area and best practice of mitigation measures. Using the updated methodology the cumulative impacts of this development and others in the area in the worst case receptors (in the Earle Street AQMA) could be classified as 'moderate' rather than 'negligible' as given in the report. It is therefore considered essential that air quality mitigation measures are incorporated as part of any planning permission.

The accessibility of low or zero emission transport options has the potential to mitigate the impacts of transport related emissions, however it is felt appropriate to ensure that uptake of these options is maximised through the development and implementation of a suitable travel plan.

In addition, modern Ultra Low Emission Vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern properties.

It is therefore recommended that conditions are attached to any approval requiring submission, approval and implementation of travel plans and electric vehicle infrastructure.

Ecology

Commenting on individual species:

Lesser Silver Diving Beetle and Mud snail

Surveys have been carried out on site and have found no evidence of the two species. However as they are known to be present in the area, when conditions could be different, should planning permission be granted then a condition should be attached requiring a reserved matters stage application to be supported by an updated survey for the two species, and reinstatement of one of the ditches on site which could form suitable habitat.

Great Crested Newts

A medium sized great crested newt population has been identified as breeding at a pond located to the north of the application site. In the absence of mitigation the proposed development would result in the loss of a significant area of 'average' quality terrestrial habitat and pose the risk of killing or injuring any newts present on the application site during the construction process. The submitted great crested newt appraisal advises that the proposed development would have a medium to high negative adverse impact upon great crested newts in the absence of mitigation.

In order to address the impacts of the proposed development upon great crested newts the applicant is proposing the enhancement of an existing pond, that is currently not suitable for newts, and the provision of 2ha of enhanced terrestrial habitat. This would take the form of 1.5ha of shrub/tree planting and 0.5ha of wildflower/rough grassland habitat together with the

creation of new native species hedgerows along the western and northern boundary of the mitigation area. To mitigate the risk of great crested newts being killed or injured during the construction process newts will be removed and excluded from the site using standard best practice methodologies under the terms of a Natural England license.

As a requirement of the Habitat Regulations there three tests are outlined below:

EC Habitats Directive

Conservation of Habitats and Species Regulations 2010

ODPM Circular 06/2005

The UK implemented the EC Directive in the Conservation (natural habitats etc.) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities ("lpas") to have regard to the directive's requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is 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
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable "other imperative reasons of overriding public interest", then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Overriding Public Interest

The provision of mitigation would assist with the continued presence of Great crested Newts.

Alternatives

There is an alternative scenario that needs to be assessed, this is:

- No Development on the Site

Without any development, specialist mitigation for Great crested Newts would not be provided which would be of benefit to the species. Other wider benefits of the scheme need to be considered.

Detriment to the maintenance of the species

The Council's Nature Conservation Officer has advised that with appropriate mitigation, as proposed, there should be no harm to Great crested Newts. It is however noted that this would consist of rough grassland which would not be suitable for public open space provision. A condition is recommended requiring an updated mitigation strategy.

Bats and Barn Owls

No evidence was found of either species, and it was considered that the buildings and trees only offer limited potential for roosts. An updated survey report should be submitted with any future reserved matters application.

Grassland habitats

The submitted phase one habitat report has identified the grassland habitats on site as being 'Improved' and of low nature conservation value. The photographs incorporated into the report tend to support this assessment, however no botanical survey data has been provided to substantiate this determination. It is not however considered to be a major deficiency of the assessment.

Flood Risk and Drainage

The Environment Agency and United Utilities have been consulted as part of this application and have both raised no objection to the proposed development subject to various conditions. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

Urban Design

The submitted indicative Masterplan illustrates the potential form and layout of the development. It shows a one point of access from Sydney Road via the approved phase 1, blocks of development with an area of Public Open space and landscape buffer to the open countryside to the north.

Subject to a suitable detailed layout and design, reflecting Manual for Streets principles, which can be secured at reserved matters stage, it is considered that this cul-de-sac form of development is appropriate and will reflect the character of the existing suburban development to the south and east of the site. Draft Policy CS5 includes a requirement for a design code and masterplan for the site.

However, no testing layouts have been provided, and therefore, the applicant has not demonstrated that the maximum number of dwellings proposed 250 can be accommodated on the site in addition to public open space requirements, whilst maintaining an adequate standard of residential amenity for existing and proposed occupiers and a layout of sufficiently high quality in urban design terms.

However, there is no requirement to provide this level of information at the outline stage, and it can be addressed as part the reserved matters. However, it may be necessary to reduce

the total number of units on the site below 250, in the final layout in order to produce a scheme of suitable quality.

To turn to the elevational detail, the surrounding development comprises predominantly modern bungalows arranged in a ribbon development along Sydney Road. To the south is a large estate accessed via Rochester Crescent and Lansdown Road, which is made up of 1960, 70's and 80's 2 storey detached and semi-detached houses and bungalows. To the east of the site is Mayfair Drive, which comprises 2 and three storey properties built within the last 10 to 15 years. .

Although external appearance and design are also reserved matters, it is considered that an appropriate design can be achieved, which will sit comfortably alongside the mix of existing development within the area.

Policy CS5 of the Proposed Changes consultation Document reads:

“j. The development of the site will be masterplan-led, including a design code, which will be informed by its location, constraints and opportunities.”

This would need to be addressed at the Reserved Matters stage.

Access to facilities

Accessibility is a key factor of sustainability that can be measured. One methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

The toolkit sets maximum distances between the development and local amenities. These comprise of everyday services that a future inhabitant would call upon on a regular basis, these are:

Category	Facility	Sydney Road
Open Space:	Amenity Open Space (500m)	295m
	Children's Play Space (500m)	953m
	Outdoor Sports Facility (500m)	723m
Local Amenities:	Convenience Store (500m)	1050m
	Supermarket* (1000m)	2018m
	Post box (500m)	1596m
	Playground / amenity area (500m)	953m
	Post office (1000m)	1596m
	Bank or cash machine (1000m)	1639m
	Pharmacy (1000m)	1694m
	Primary school (1000m)	1400m

	Secondary School* (1000m)	1409m
	Medical Centre (1000m)	1694m
	Leisure facilities (leisure centre or library) (1000m)	1409m
	Local meeting place / community centre (1000m)	2217m
	Public house (1000m)	623m
	Public park or village green (larger, publicly accessible open space) (1000m)	953m
	Child care facility (nursery or creche) (1000m)	427m
Transport Facilities:	Bus stop (500m)	581m
	Railway station (2000m where geographically possible)	2501m
	Public Right of Way (500m)	87m
	Any transport node (300m in town centre / 400m in urban area)	87m

Rating	Description
	Meets minimum standard
	Fails to meet minimum standard (Less than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).
	Significant failure to meet minimum standard (Greater than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).

It is considered that the proposal does not meet the minimum standards of accessibility in respect of 16 of the facilities listed, of which 10 are significant failures. The site only meets the required distances against 6 criteria in North West Sustainability checklist. However, these facilities are within the town, albeit only just outside minimum distance and Crewe is a principal town in the Local Plan Strategy where development can be expected to take place on the periphery. Development on the edge of a town will always be further from facilities in a town centre than existing dwellings but, if there are insufficient development sites in the Town Centre to meet the 5 year supply, it must be accepted that development in slightly less sustainable locations on the periphery must occur.

Similar distances exist between the town centre and the existing approved sites and proposed local plan allocations at Coppenhall, Leighton and Maw Green, and although two of these sites would probably be large enough have own facilities, not all the requirements of the checklist would be met on site. However, in recent Appeal decisions, such as at Broughton Road, Crewe, Inspectors have determined that similar sites are locationally sustainable.

Furthermore, accessibility is only 1 aspect and sustainability and the NPPF defines sustainable development with reference to a number of social, economic and environmental factors. These include the need to provide people with places to live and, on this basis, it is not considered that the Council would not be successful in defending a reason for refusal on the grounds of lack of sustainability. Previous Inspectors have also determined that accessibility is but one element of sustainable development and it is not synonymous with it.

There are many other components of sustainability other than accessibility. These include, meeting general and affordable housing need, reducing energy consumption through sustainable design, and assisting economic growth and development.

In summary, whilst the site does not comply with all of the standards advised by the NWDA toolkit, as stated previously, these are just guidelines and are not part of the development plan. Owing to its position on the edge of Crewe, there are some amenities that are not within the ideal standards set within the toolkit and will not be as close to the development as existing dwellings which are more centrally positioned. Indeed this is not untypical for suburban dwellings. However, all of the services and amenities listed are accommodated within Crewe and are accessible to the proposed development on foot, by bus or bike and therefore it is not considered that a refusal on locational sustainability grounds could be sustained. Furthermore, it is possible to improve the non-car mode accessibility through suitable Section 106 contributions towards the upgrading of the local footpath and cycle network (discussed in more detail below).

The site is now proposed as part of an allocation for 525 dwellings within the Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft): March 2016 as site CS5 Sydney Road, Crewe. As part of the site selection process, all sites that were considered for inclusion in the Local Plan Strategy Proposed Changes (Consultation Draft) were subject to a Site Selection Methodology (SSM). This site was subject to the SSM and as part of that process a large number of factors were considered, including the Sustainability Appraisal (SA) of all sites. The SA includes an Accessibility Assessment which shows that the site meets the minimum standard in relation to the majority of services and facilities in the Assessment. This is documented in the table on page 49 of the Crewe Town Report.

Renewable Energy

Paragraphs 96 and 97 of the Framework deal with decentralised and renewable energy supply. The aim is to secure a proportion of predicted energy requirements for new developments from decentralised and renewable or low carbon sources. This could be dealt with by condition in the interests of sustainable development.

Highways

Planning History

There is extant consent for residential development of up to 240 dwellings on land fronting this site, access was determined at the outline stage with a priority junction access being agreed to serve the 240 units.

Site description and current application proposal

This application for 250 dwellings is in outline with all matters reserved except for access, the main access to the site is taken from Sydney Road and as the submitted plan is indicative no comments are made on the internal residential road layout. There is a separate application that deals with an upgraded access from Sydney Road to serve this proposed development. (Application 14/5842N refers)

The proposal as submitted shows a secondary access into the site from Maw Green Lane.

Analysis of Transport Submissions

In order to serve the additional development proposed in addition to the existing approved scheme, it is necessary to improve the standard of access and this is dealt with in application 14/5842N. There is also a further access to the site at the north of the site off Maw Green Road, the junction proposed is a normal priority junction.

With regard to the traffic impact, the location of the site lies off the Sydney Road that has a number of capacity constraints, Sydney Road Bridge is close to the site and is currently operating one-way working under signal control and also to west is Crewe Green Roundabout that operates well in excess of capacity. There is no capacity assessments submitted in the Transport Assessment either on Sydney Road Bridge or on Crewe Roundabout as part of this submission. As there are already agreed scheme for improvement that will significantly increase the capacity on Sydney Road Bridge there is no need for an assessment to be undertaken. The applicant has accepted that there are capacity problems at Crewe Green roundabout and indicated that a contribution to improvement works would be provided as part of the application.

The accessibility of the site fronting this site was considered on application 13/2055N and although this site is located further away from Sydney Road it is proposed to be linked to Sydney Road by a footway/cycleway and there are a number of bus services that run along Sydney Road to the town centre. Overall, the site is reasonably accessible and the Strategic Highways Manager would conclude that sustainability is not a reason to reject the application.

Conclusion and Recommendations.

The principle of residential development has been agreed in a previous application, this application is a further extension of the site. The road infrastructure access is proposed to be upgraded to provide access to the further development, the main access design that is proposed as a ghost island right turn facility that would increase capacity in order to accommodate the further development proposed and the already committed developments using Sydney Road.

There is a significant capacity problem at Crewe Green roundabout and Sydney Road Bridge and without mitigation this development would have a material impact at these junctions and is a reason to refuse the application. As there are major improvements planned at this junction a contribution of £1.6m on the basis of the amount of contribution secured on 13/2055N is required for this application.

Therefore, subject to a financial contribution being secure the Strategic Highways Manager does not raise objections to the application.

Public Rights of Way

The Rights of Way team have commented that the development would affect Crewe Public Footpath No.4. Although the indicative site layout plan is annotated to read 'green corridor along footpath', it appears that the route of the path is not accurately plotted and that the

Definitive alignment of the Public Footpath would be obstructed by the development. However, as this is an outline application and the layout plan is only indicative, it is considered that this matter could be adequately addressed at the reserved matters stage.

The Rights of Way team have also requested a number of conditions to protect the footpaths during and after development including details of a scheme of management, details of surfacing, widths, gradients, landscaping and structures which could be added to any approval. Given the increase in use of the footpath network, in particular Crewe Public Footpath No. 4 they have also recommended upgrading of this right of way. This could also be secured through condition.

In addition they have recommended conditions relating to the design and construction of cycle routes signposting of key routes and provision of cycle storage facilities all of which are considered to be acceptable. They have also provision of new residents with information about local walking and cycling routes for both leisure and travel purposes. This could be secured through the travel plan condition.

The Transport Assessment recognises the value of Public Footpath Nos. 3 and 36, which run between Sydney Road and Hungerford Road and act as a route towards the town centre and railway station, for pedestrians (para 5.6) and potentially also cyclists (para. 5.9). Whilst the 'Phase 1' development s106 includes a contribution to improve such routes, the contribution secured would only be sufficient to improve a short section of the whole route. The Rights of Way Team are therefore seeking further contributions from this proposed development within any s106 agreement for the further improvement of this route, and its onward connections, in order to accommodate the increased usage arising as a result of the proposed development.

A precise figure for this contribution was being sought from the relevant team at the time of report preparation and a further update will be provided prior to the Board meeting.

Trees & Hedges

The application is supported by two Arboricultural Implication Assessment (Ref AIA/SRC/03/13) dated 16th March 2013 and (Ref AIA/SRC/11/14 Rev A) dated 26th November 2014 and 14th December 2014 by Shields Arboricultural Consultancy. The reports indicate that the assessments have been carried out in accordance with the recommendations of British Standard BS5837:2012 Trees in relation to design, demolition and construction. The reports have been carried out to assess the environmental and amenity values of all trees on or adjacent to the development area and the arboricultural implications of retaining trees with a satisfactory juxtaposition to the new development.

BS5837:2012 Trees in relation to design, demolition and Construction – Recommendations no longer refer to Arboricultural Implications Assessments, but to Arboricultural Impact Assessments (sub section 5.4 of the Standard). The assessment should evaluate the effects of the proposed design, including potentially damaging activities such as proposed excavations and changes in levels, positions of structures and roads etc in relation to retained trees. In this regard BS5837:2012 places greater robustness and level of confidence necessary to ensure the technical feasibility of the development in respect of the successful retention of trees.

The British Standard identifies at para 5.2 *Constraints posed by Trees* that all relevant constraints including Root Protection Areas (RPAs) should be plotted around all trees for retention and shown on the relevant drawings, including proposed site layout plans. Above ground constraints should also be taken into account as part of the layout design

The submitted plans and particulars illustrate which trees are suggested for retention and are cross referenced with their Root Protection Areas and respective Tree protection details onto the proposed Master Plan. As a consequence it is possible to determine the direct or indirect impact of the proposed layout on retained trees.

The site at present is open agricultural pasture land bordered by hedgerows and individual trees with a limited number of individual and groups of trees within the central aspect of the fields. Access into the site is primarily reflective of a previously approved application, and a secondary access off Maw Green Road. No significant trees require removal to facilitate implementation as presented. The AIA (7.4) identifies none of the hedgerows as being species rich comprising mainly of Hawthorn this negates the 1997 Hedgerow Regulations irrespective of any other considerations.

The indicative site layout plan has been amended from the original submission, with 23 significant and moderate value trees to be incorporated into an acceptable site layout. All the prominent and appropriate trees where possible have been recognised for retention, with only category C low value and un-classified trees identified for removal.

It is imperative should the site proceed to a reserved matters application the advice contained within an updated AIA is adhered to in terms of a definitive layout to ensure issues of infrastructure and social proximity are addressed in accordance with current best practice BS5837:2012.

Economic Sustainability

Supporting Jobs and Enterprise

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth'

Given the countryside location of the site, consideration must also be given to one of the core principles of the Framework, which identifies that planning should recognise:

'the intrinsic character and beauty of the countryside and supporting thriving rural communities within it'.

Specifically, in relation to the rural economy the Framework identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking

a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

‘support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings’

The economic benefits of the development include, maintaining a flexible and responsive supply of land for housing, business and community uses as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Similarly, the NPPF makes it clear that:

“the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.”

According to paragraphs 19 to 21:

“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Investment in business should not be overburdened by the combined requirements of planning policy expectations.”

Agricultural land

Policy NE.12 of the Local Plan states that development on the best and most versatile agricultural land (grades 1, 2 and 3a in the ministry of agriculture fisheries and food classification) will not be permitted unless:

- the need for the development is supported in the local plan;
- it can be demonstrated that the development proposed cannot be accommodated on land of lower agricultural quality, derelict or non agricultural land; or
- other sustainability considerations suggest that the use of higher quality agricultural land is preferable to the use of poorer quality agricultural land.

This is supported by the National Planning Policy Framework, which states that:

“where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”.

The applicant has undertaken a survey which confirms that the entire site has been defined as Grade 3b agricultural land. This is not the best and most versatile land and therefore there is no conflict with Policy NE12 or the NPPF in this regard.

Section 106 Agreement / Community Infrastructure Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now 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.

As explained above, POS and children's play space is a requirement of the Local Plan Policy. It necessary to secure these works and a scheme of management for the open space and children's play space is needed to maintain these areas in perpetuity. Similarly the affordable housing is a policy requirement.

The footpath contribution is necessary to improve the sustainability of the site and to cater for increased usage of the Rights of Way Network. The highway and education contributions referred to above are also necessary to mitigate the impacts of the scheme. On this basis the footpaths highways, education, open space and affordable housing is compliant with the CIL Regulations 2010.

As stated above, the financial contribution towards off-site open spaces improvements is not considered that the latter would be CIL Regulations compliant given that the open space requirements of the development could be met, and would be exceeded on site.

Planning Balance and Conclusion

The proposal is contrary to development plan policies NE2 (Open Countryside and NE4 (Green Gap) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise. However, the site is now proposed as part of an allocation for 525 dwellings within the Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft): March 2016 as site CS5 Sydney Road, Crewe. As part of the site selection process, all sites that were considered for inclusion in the Local Plan Strategy Proposed Changes (Consultation Draft) were subject to a Site Selection Methodology (SSM). This site was subject to the SSM and as part of that process a large number of factors were considered, including Green Gap. As referred to in the section on Green Gap above, paragraph 7.146 of the Crewe Town Report states: *'Development of this site will erode the physical gap between the two settlements however at this point the Green Gap between Haslington and Crewe is not at its narrowest and it is considered that, with appropriate landscaping mitigation the visual impact of development on this additional area of land could be reduced.'*

The NPPF states at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide market and affordable housing to meet an acknowledged shortfall. The proposal would also have some economic benefits in terms of jobs in construction, spending within the construction industry supply chain and spending by future residents in local shops.

In terms of traffic generation and congestion the impact on Sydney Road bridge and Crewe Green roundabout is acknowledged and will be addressed through significant Section 106 contributions.

There would be an adequate level of POS on site together with a play area which would comply with policy.

Subject to a suitable Section 106 package, the proposed development would provide adequate public open space, the necessary affordable housing requirements, and the requirement for the future maintenance of the open space and playspace on site. It would not generate any shortfall in education capacity locally.

The proposal is considered to be acceptable in terms of its impact upon residential amenity and drainage/flooding. Conditions could be imposed to ensure this. It therefore complies with the relevant local plan policy requirements for residential environments

Whilst the site does not meet all the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, other developments within the area have been deemed to be sustainably located by both the Council and Inspectors at Appeal. Furthermore, Section 106 contributions can be secured towards the upgrading of the local footpath and cycle network. Therefore it is not considered that a refusal on locational sustainability grounds could be sustained.

The proposal would not result in the loss of any best and most versatile agricultural land, and any impacts on ecological assets can be suitably mitigated.

It is also necessary to consider the negative effects of this incursion into Open Countryside and the erosion of the Green Gap by built development.

The site is however now proposed as part of an allocation for 525 dwellings within the Cheshire East Local Plan Strategy Proposed Changes (Consultation Draft): March 2016 as site CS5 Sydney Road, Crewe. This site was subject to a Site Selection Methodology which considered those sites to be included in the aforementioned document. Paragraph 7.151 of the Crewe Town report states that: *'On the basis of all the relevant evidence, including sustainability appraisal and the assessment of alternative options, it is now proposed to change the policy that applies to this area and to allocate it for development.'*

Furthermore, at paragraph 7.152 of the Crewe Town report, it is stated that: *'Overall, this site has been progressed as an extension to CS5 because it is considered capable of making a significant contribution to meeting the identified housing need for Cheshire East, in a location adjacent to the existing urban area; it will help to deliver highway infrastructure improvements along the North Crewe Corridor linking the A530 at Leighton to the A500, thereby improving connectivity and traffic flow.'*

Despite the loss of open countryside, on the basis the Council cannot demonstrate a 5 year supply of housing, and the endorsement of the site to be taken forward as a Local Plan strategy site, it is considered that the proposal represents sustainable development and paragraph 14 is not engaged.

RECOMMENDATION

APPROVE subject a Section 106 to secure the following:

- **Affordable housing:**
 - **30% of the total dwellings to be provided as affordable housing**
 - **65% of the affordable dwellings to be provided as either social rent or affordable rent**
 - **35% of the affordable dwellings to be provided as intermediate tenure**
 - **Affordable housing to be provided on site**
 - **Affordable rented or Social rented dwellings to be transferred to a Registered Provider**
 - **The affordable dwellings to be provided as a range of property types to be agreed with Housing**
 - **Affordable housing to be pepper-potted in small groups, with clusters of no more than 10 dwellings.**
 - **The affordable housing to be provided no later than occupation of 50% of the open market dwellings, or if the development is phased and there is a high degree of pepper-potting the affordable housing to be provided no later than occupation of 80% of the open market dwellings.**
 - **Affordable dwellings transferred to an RP to be built in accordance with the HCA Design and Quality Standards or the latest standards applied by the HCA.**
- **Equipped children's play area.**
- **Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity**
- **Education Contribution: TBC but based on the numbers set out in the report for 275 dwellings**
- **Highways Contribution of £ 1.6m towards the costs of improvements at Sydney Road Bridge and / or Crewe Green Roundabout.**
- **Rights of Way contribution of £TBC**

And the following conditions

1. **Commencement of development (3 years) or 2 from the date of approval of reserved matters.**
2. **Reserved matters to be approved.**
3. **Approved plans**
4. **Materials**
5. **Landscaping**
6. **Implementation of landscaping**
7. **Tree retention/protection in accordance with agreed scheme**
8. **Further ecological surveys for bats and badgers**
9. **Surface water drainage**

10. Separate systems for drainage
11. Contaminated land verification report
12. Submission / approval and implementation of a Construction Environmental Management Plan, including limiting the hours of construction.
13. Noise mitigation
14. Details of Lighting to be submitted and agreed
15. Travel Plan
16. Electric Vehicle Charging Points
17. Footpath improvements

