

Application No: 25/0835/VOC  
Application Type: Variation of Condition  
Location: Land To The North Of Sydney Road, Crewe, Cheshire East, CW1 5NF  
Proposal: Variation of condition 1 on approval&nbsp;21/1098N  
Applicant: Iain Smith, Watkin Jones Group

Expiry Date: 17 July 2025

### Summary

This application is linked to application 25/0836/FUL and proposes a re-plan of one area of the site with more smaller units. Application 25/0836/FUL will be determined separately and then proposes the increase in numbers on the site.

Whilst there are outstanding matters to clarify with regards to the plot drainage for the new units, and the PROW surface which Members will need to be updated on, in all other respects there are no objections from consultees with regards to highway changes, design/layout changes, tree impacts, nature conservation/landscaping and amenity considerations.

### Summary recommendation

**Approve subject to conditions and a Section 106 Agreement to link to the original outline Section 106 and to application 25/0836/FUL**

## 1. DESCRIPTION OF SITE AND CONTEXT

1.1. This application relates to a development site to the north of Sydney Road, and close to Maw Green Road in Crewe. The site borders open countryside to the north. The site subject to this application consists of an area adjacent to the northern boundary, which has the benefit of outline and reserved matters approval for residential development. The area in question has permission for 4 bed 2 storey detached dwellings.

1.2. A second closely linked application has been submitted on a nearby part of the site to the east, also part of the original housing development and on this Committee agenda:

*25/0836/FUL - Construction of 24 houses with associated landscaping, parking, and other works. Land to the North of Sydney Road, Crewe, Cheshire East, CW1 5NF*

## 2. DESCRIPTION OF PROPSAL

2.1. This application title reads "Variation of condition 1 on approval 21/1098N" but in effect it is a re-plan of an area of the site, with an increase in the number of units, with a different mix of house types – giving a development of this area of the site of 32 units consisting of 2 and 3 bed apartments, semi-detached and detached dwellings (originally approved 17 units with this

area). As part of this application an area of housing approved to the southern boundary would be omitted from the development (this area is then the subject of application 25/0836/FUL)

### **3. RELEVANT PLANNING HISTORY**

- 3.1. 24/2532N Variation of condition 1 - approved plans on application 21/1098N Land to the North of Sydney Road, Crewe - Approved
- 3.2. 21/1098N Variation of conditions 1, 8 & 14 on application 19/4337N - Application for approval of reserved matters (appearance, landscaping, layout and scale) for the erection of 245 dwellings together with associated access, landscaping, car parking and public open space reserved following the grant of planning permission 19/2859N. - Land at and to the North of 138 Sydney Road, Crewe - Approved
- 3.3. 19/4337N Application for approval of reserved matters (appearance, landscaping, layout and scale) for the erection of 245 dwellings together with associated access, landscaping, car parking and public open space reserved following the grant of planning permission 19/2859N (as originally granted under permission 15/0184N) The development was not EIA development Land North of Sydney Road, Crewe, CW1 5NF - Approved
- 3.4. 19/2859N Variation of conditions on 15/0184N - Outline planning application for up to 275 dwellings, open space and associated works, with all detailed matters reserved apart from access 138 Sydney Road, Crewe, CW1 5NF - Approved
- 3.5. 15/0184N Outline planning application for up to 275 dwellings open space and associated works, with all detailed matters reserved apart from access. 138 Sydney Road, Crewe - Approved

### **4. NATIONAL PLANNING POLICY**

- 4.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

### **5. DEVELOPMENT PLAN POLICY**

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

#### **5.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)**

1. CELPS Policy MP 1: Presumption in favour of sustainable development
2. CELPS Policy PG 1: Overall development strategy
3. CELPS Policy PG 2: Settlement hierarchy
4. CELPS Policy PG 7: Spatial distribution of development
5. CELPS Policy SD 1: Sustainable development in Cheshire East

- 6.CELPS Policy SD 2: Sustainable development principles
- 7.CELPS Policy SE 1: Design
- 8.CELPS Policy SE 13: Flood risk and water management
- 9.CELPS Policy SE 2: Efficient use of land
- 10.CELPS Policy SE 3: Biodiversity and geodiversity
- 11.CELPS Policy SE 4: The landscape
- 12.CELPS Policy SE 5: Trees, hedgerows and woodland
- 13.CELPS Policy CO 1: Sustainable travel and transport
- 14.CELPS Policy CO 4: Travel plans and transport assessments
- 15.CELPS Policy LPS 7: Sydney Road, Crewe
- 16.CELPS Policy IN 1: Infrastructure
- 17.CELPS Policy IN 2: Developer contributions
- 18.CELPS Policy SC 1: Leisure and recreation
- 19.CELPS Policy SC 2: Indoor and outdoor sports facilities
- 20.CELPS Policy SC 3: Health and well-being
- 21.CELPS Policy SC 4: Residential mix
- 22.CELPS Policy SC 5: Affordable homes
- 23.SADPD Policy GEN 1: Design principles
- 24.SADPD Policy ENV 16: Surface water management and flood risk
- 25.SADPD Policy ENV 2: Ecological implementation
- 26.SADPD Policy ENV 5: Landscaping
- 27.SADPD Policy ENV 6: Trees, hedgerows and woodland implementation
- 28.SADPD Policy HOU 1: Housing mix
- 29.SADPD Policy HOU 12: Amenity
- 30.SADPD Policy HOU 13: Residential standards
- 31.SADPD Policy HOU 14: Housing density
- 32.SADPD Policy INF 1: Cycleways, bridleways and footpaths
- 33.SADPD Policy INF 3: Highway safety and access
- 34.SADPD Policy REC 3: Open space implementation

### 5.3. Neighbourhood Plan

There is no Neighbourhood Plan in Crewe.

## **6. Relevant supplementary planning documents or guidance**

6.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

6.2. Cheshire East Design Guide.

6.3. Ecology and Biodiversity Net Gain SPD

6.4. Environmental Protection SPD

6.5. Developer Contributions SPD.

6.6. Housing SPD.

6.7. SuDS SPD.

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

7.1. **Highways** – No objections.

7.2. **Environmental Protection** – No objections, subject to a number of informatives.

7.3. **LLFA** – Additional information requested.

7.4. **PROW** – Comments were made in relation to the footpath surfacing material referenced in the landscaping plan, and this has been raised with the applicant to clarify. It does however need to be highlighted this is a matter in relation to the site as a whole not in relation to the part of the site under consideration here, although clearly is a matter that needs to be resolved.

7.5. **Education** – A financial contribution of some £2m is requested in relation to this application. This is discussed below.

7.6. **Housing** – Whilst raising concerns about the application on the adjacent site (as set out in the report for 25/0836/FUL), no comments were made in relation to this site.

## 8. REPRESENTATIONS

8.1. **Crewe Town Council** – No comments received

8.2. Representations have been received from 2 residents of Maw Green Road and Cllr Faddes. The comments can be summarised as follows:

- Many comments relate to previous planning consents granted for the development of this site, and concerns about noncompliance with planning conditions, unauthorised raising of land levels, with particular concerns about flooding and overlooking. These matters have been addressed in previous application reports and enforcement investigations.
- In relation to this particular application concerns are of a similar nature with residents highlighting the effects of the development on wildlife – bats and owls in particular, fears of increased flood risk, concerns about the impacts on the pumping station for foul water should it fail, the figures for flow rates on the drainage plans are questioned.
- Cllr Faddes highlights the PROW comments about whether Condition 14 has been adequately addressed as the surfacing is unsuitable.

## 9. OFFICER APPRAISAL

### *Principle of the development*

9.1. The site is allocated for residential development (the delivery of around 525 new homes) under CELPS Policy LPS 7: Sydney Road, Crewe, and has the benefit of outline and reserved matters approval for housing. On this basis the principle of the development has been established.

### *Key Issues*

9.2. The key issues here are considered to be site specific and include:

- Highways amendments
- Urban design changes
- Forestry impacts
- Nature conservation/Landscape changes
- Flood risk/drainage changes
- Amenity considerations
- Education/Affordable housing

- Other matters

## **Highways**

10.3 The Head of Strategic Transport states that this application reduces the size of 32 units which were located across the site and now consolidated on the northern boundary as on the site plan. The highways impact will be negligible, and the internal layout and parking remain acceptable, and no objection is raised.

## **Urban Design**

9.3. Whilst there were some detailed comments on the adjacent application, the Council's Urban Design Officer has no comments to make on this re-plan application. The original design concept has been maintained with this revised proposal with similar external treatment and as such there are no objections on design grounds.

## **Forestry**

10.5 There are several trees on the open space areas around this application site, although only 2 are in close proximity. The Council's Forestry Officer states that an updated AIA has been submitted which makes some accepted improvements in terms of plot position to protected tree T17 (increase in 3 metres). The improvements relating to T11 are not significantly better with an increase in separation of just 1 metre provided.

10.6 It is accepted that the layout has now been slightly improved to address forestry concerns and that the dwellings are largely sited outside the RPAs. The new layout now presents a sustainable relationship with a high-quality A Category tree (T17). The proposed relationship with moderate quality tree T11 still presents concerns but broadly accords with best practice and is considered defensible.

10.8 The updated AIA and AMS can be secured via the imposition of a planning condition.

## **Nature Conservation/Landscape**

9.4. The Council's Nature Conservation Officer has confirmed the revised scheme subject to this application raises no ecological concerns.

9.5. The wider landscaping treatment of the site and open areas remains as approved, and it should be noted that the only changes are to the plot landscaping, and the Council's Principal Landscape Officer has raised no objections to the proposals.

## **Flood risk/Drainage**

9.6. The LLFA have requested additional information so they can assess the impacts of this revised layout relative to that previously approved, and the applicant has submitted additional information to address these comments. However, the LLFA still require individual plot drainage information so the total drainage picture can be assessed and at the time of writing this report this was awaited.

9.7. Although flood risk and drainage are sensitive issues on this site given the proximity to Maw Green Road an area known to be prone to flooding given the nearby brook, it is not anticipated that this re-design will result in significant changes to the overall flood risk, but Members will need to be updated on this matter.

## **Amenity**

9.8. The layout is considered acceptable from a design perspective and Environmental Protection raise no concerns.

### **Education**

10.10 Education requested a financial contribution in excess of £2.7m for this Variation of Condition application based on a development of 245 dwellings. This is then reduced to £2,082,917.92 due to the amount already agreed as part of the original application.

10.11 It is not considered that the overall terms should be re-visited, especially considering most of the site has already been built out and as such it is considered that would be unreasonable. To be clear the numbers proposed do not change from the original approval and only relates to the replan of 32 units.

10.12 The linked application (25/0836/FUL) which increases numbers on the site is treated separately, as set out in that report.

### **Affordable Housing**

10.10 As noted above Housing have raised concerns about the level of affordable housing on the adjacent site no comments were made in relation to this site. It must be noted that the number of dwellings has remained the same as approved, so in policy terms no additional affordable housing units can be required. They have not commented on the housing mix now proposed, but introducing a greater mix of housing (and smaller units) into this larger development is generally supported.

### **Other matters**

10.12 Although no comments have been received for the Councils Open space Officer, the proposed development does not impact on approved areas of public open space. Finally, the development of this part of the site has no impact on the PROW which lies to the south, although the surfacing material matter needs to be addressed and Members will be updated on this matter.

10.13 Members will be updated on contributions already made in relation to the Section 106 Agreement made in relation to this site.

## **10. PLANNING BALANCE/CONCLUSION**

10.1. This application is linked to application 25/0836/FUL and proposes a re-plan of one area of the site with more smaller units. Application 25/0836/FUL will be determined separately and then proposes the increase in numbers on the site.

10.2. Whilst there are outstanding matters to clarify with regards to the plot drainage for the new units, and the PROW surface which Members will need to be updated on, in all other respects there are no objections from consultees with regards to highway changes, design/layout changes, tree impacts, nature conservation/landscaping and amenity considerations.

## **11. RECOMMENDATION**

**Approve subject to conditions and the completion of a S106 Agreement.**

**The S106 would only be required in the event that application 25/0836/FUL is refused and would ensure that the developer agrees not carry out the permission approved**

**under the original Reserved Matters 21/1098N for the area shaded grey on the site layout.**

**Should the Southern Planning Committee resolve to approve application 25/0836/FUL then there is no requirement for a S106 Agreement.**

**Conditions:**

- 1. Approved plans**
- 2. Accord with the Arboricultural Impact Assessment and Method Statement**
- 3. Foul & surface water on separate systems**
- 4. Sustainable drainage management and maintenance plan**
- 5. Features to enhance the biodiversity value of the site**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.**

