

## **SPB UPDATE REPORT-7 SEPTEMBER 2011**

### **ADDITIONAL REPRESENTATIONS**

#### **Taylor Wimpey**

##### Public Right of Way

- Confirm that there will be no permanent impact on the public right of way through the site. The existing footpath has been incorporated into the development proposals and will be enhanced to create an improved walkway through the site. However, if there any issues affecting the right of way during construction we will work with the Council as necessary.

##### Open Space

- The Section 106 Agreement will include provisions to secure the long term management of the open spaces within the development either through a private management company or the transfer of the land to the Council for adoption.
- Taylor Wimpey UK Limited consulted with local residents on the provision of allotments on the site as part of the public exhibitions held in March and April 2011 and there was limited interest in the provision of allotments on the site. However, we will re-evaluate the inclusion of allotments on the site during the reserved matters stage of the development.
- A requirement for allotments should not be imposed as part of the planning permission as there is no justified demand for them nor has the Council identified that there is a need for them.
- A commuted sum of £60,000 for the Lansdowne Road playground is considered to be unreasonable.

##### Ecology

- The Ecology Chapter of the Environmental Statement has considered the potential for impacts on Sandbach Flashes arising from the construction and operation of the proposed development. Sandbach Flashes is located approximately 370m north east of the application site boundary. No development works are located in the proximity of Sandbach Flashes and therefore no impacts are predicted. In addition, breeding bird habitat to be lost within the application site boundary (to be mitigated by the development) relates to barn owl whereas Sandbach Flashes supports important numbers of wildfowl and waders.

##### Environmental Health Matters

- The Noise Assessment did consider the impact of the surrounding roads, the railway and the landfill. In addition, the noise monitoring locations were agreed with the EHO prior to the survey.

- The Contaminated Land Preliminary Risk Assessment report has been submitted to and agreed with the Council's Enforcement Officer and it is considered that this is no longer an issue.
- It has agreed with the Council's Enforcement Officer that the Site Investigation work will be dealt with via condition prior to the commencement of the development.

### Public Consultation

- The Committee Report identifies that a petition containing over 1500 signatures has been submitted to the Council as well as objections being received from various residents on Remer Street, Broad Street, Stoneley Road and from other residential streets in the vicinity.
- Circular 03/2009 states:- "While planning authorities are expected to consider the views of local residents when determining a planning application, the extent of local opposition is not, in itself, a reasonable ground for resisting development".
- There is "*overwhelming policy support for the scheme*" [p.24]. In addition we would also like to make you aware of the fact that residents have contacted Taylor Wimpey and accused the protestors of intimidating people to sign the petition. The validity of some of the signatures on the petition is therefore questionable.
- The scheme was the subject of significant public consultation.
  - community engagement has been inclusive, comprehensive and transparent.
  - The consultation programme included:-
    - Stakeholder meetings with key councillors, Monks Coppenhall Primary School, local businesses and other interested parties to discuss the proposals in detail ahead of the public consultation.
    - information leaflet to over 11,600 business and residential properties
    - A three-day interactive exhibition to discuss the plans and collect feedback.
    - Information regarding the proposals and consultation events were available online. Interested parties had opportunities to review the proposals as well as submit comments and questions.

### Landscape

- Arup and Camlin Lonsdale have been working with the Landscape Officer in respect of his concerns. The development of the site and its impact on the landscape is considered to be acceptable by the Landscape Officer
- The historic importance of the hedgerows within the site boundary has been considered, in accordance with the Hedgerow Regulations (1997). It has

been determined that all the hedgerows except those marked H20, H21 and H22 on the site plan formed an integral part of a field system pre-dating the Enclosure Acts. In accordance with Criterion 5a of the Regulations the hedgerows are classified as important. Where it is proposed that hedgerows are removed that are considered to be 'important' in accordance with the Hedgerow Regulations 1997, CEC will be consulted with and the appropriate procedures followed.

- An assessment of the hedgerows has been undertaken with reference to the Hedgerow Regulations (1997) in relation to protected species. The assessment has determined that no hedgerows at the site are 'important' according to The Hedgerows Regulations 1997 assessment criteria.
- The applicant has been working with the Ecology Officer and Natural England in respect of their concerns. NE is satisfied that the proposed mitigation measures are acceptable and there is no ecological reason to refuse the scheme.

#### Conservation and Listed Buildings

- The Environmental Statement demonstrates that the setting of Grade II Listed Foden's Farm does not contribute to architectural or historic interest of the building and thereby the reason for its listing. Foden's Farm is listed due to its architectural merit.
- The development proposals will not affect the setting of the Foden's Farm as the proposed development incorporates a large area of open space to the south and west of the Foden's Farm. The landscaped areas will maintain an open aspect and a 'countryside' setting for the building with the new dwellings located a substantial distance away from the building. No objections have been received from English Heritage on the impact of the development on Foden's Farm. As a consequence, the proposed development will have a negligible impact on the setting of this heritage asset.

#### Sustainability

- Whilst it is considered that some aspects of the site, including renewable energy and surface water attenuation, will meet the credits required for Code for Sustainable Homes Level 4 others such as ecology may not. The feasibility of achieving Code for Sustainable Homes Level 4 cannot be determined until a Code for Sustainable Homes pre-assessment is undertaken at the detailed design stage. It is therefore requested that this section of the committee report is amended to specify that as a minimum Code for Sustainable Home Level 3 will be achieved across the site.

#### Conditions

- **Condition 9: Code for Sustainable Homes Level 4** - Request that the Council works with the applicant on drafting a suitably worded planning condition in relation to the delivery of the Code for Sustainable Homes.

- **Condition 10: 10% renewable energy on site** – Request condition is amended to place a requirement on the developer to submit an update to the Energy Strategy which will specifically demonstrate how the development will include sustainable energy technology to reduce energy demand, increase energy efficiency and reduce carbon emissions.
- **Condition 20: No discharge into Fowle Brook** - It is requested that this condition is removed. The Flood Risk Assessment prepared for the site has identified two options for discharging surface water from the site. The confirmed solution relates to discharging to a United Utilities surface water sewer approximately 2 kilometres from the site boundary. The second relates to discharging to Fowle Brook approximately 300 meters from the site boundary. The approach to surface water discharge outlined in the Flood Risk Assessment has been reviewed by the Environment Agency with no concerns raised. Building Regulations Part H pertains to drainage, and requires surface water runoff to be disposed of in accordance with the following hierarchical order: 1) Discharge to an adequate soakaway or some other infiltration system, or where not reasonably practical; 2) Discharge to a watercourse, or where not reasonably practical; 3) discharge to a sewer. The applicant is seeking to deliver the most sustainable solution in line with the Building Regulations Part H and the constraints of the site water disposal hierarchy. It is proposed that as part of detailed design further work is undertaken to determine discharge to Fowle Brook as a deliverable solution.

#### Late information

- The Committee Report currently states that no comments have been received from your housing and highways departments. If the comments are raised as late material the applicant request that these issues are delegated back to Planning Officers to deal with. It is considered that the issues relating to tenure and mix comply with the relevant material guidance contained within the Interim Planning Statement and this can be resolved without Members input. In addition, Highways Officers have not objected to the proposals and there are no issues relating to highways safety, parking or traffic generation. Issues relating to financial contributions for highways improvements can also be resolved without Members input and this should be emphasised should Members seek to defer the application.

#### **Richborough Estates**

##### Interim Planning Policy

The application is not in accordance with the IPP because the site is not capable of being fully developed within 5 years of the grant of outline planning permission. This is a requirement of the IPP that is every bit as fundamental to the IPP as the other 7 criteria in the way the policy has been drafted.

The Committee Report acknowledges that the application is inconsistent with this requirement of the IPP but states that it would not be a sustainable reason for refusal given the overwhelming policy support for the scheme. Whilst it is open to the Council to set aside aspects of its adopted policy where other material planning

reasons dictate, the analysis contained in the Committee Report under the heading “Planning Policy and Housing Land Supply” makes it clear that the IPP is being given considerable weight in outweighing the general presumption against new residential development within the open countryside as set out in the saved policies of the Local Plan. This belies the fact that in two recent appeal decisions (Hind Heath Road, Sandbach and Elworth Farm, Sandbach) Inspectors found that the IPP should only be afforded limited weight. These decisions are material considerations to which the Council must take into account and although this does not undermine the Council’s determination to pursue the strategy advanced in the IPP, just as it doesn’t prevent proposals not in accordance with the IPP from coming forward elsewhere in Cheshire East, it is clearly wrong to seek to misapply the policy where it is being relied upon to grant planning permission. In this respect, the Committee Report is wrong and misleading where it concludes on Planning Policy by stating that “The proposal also accords in principle with all of the criteria..... as laid down by the IPP.” This is patently incorrect and hence the Committee should be made fully aware that firstly the IPP should only be afforded limited weight in decision making and that secondly the officers, in recommending approval be granted, are advising the Committee that it is entirely acceptable to set aside one or more of the criteria listed in the IPP when applying that policy, given that this is precisely what is being recommended.

#### Highway Safety and Traffic Generation

There is a concern relating to the junction between Maw Green Road and Groby Road and to the improvements proposed by Taylor Wimpey. The Committee report refers to the need to allow for contributions to be secured by means of a legal agreement with Taylor Wimpey to contribute towards the forecasted cost of the necessary junction improvements at Maw Green Road/Groby Road, but it fails to identify that the required improvements to that junction cannot be implemented without the acquisition of land that is controlled by a private landowner.

The land in question is owned by a landowner with whom Richborough Estates has an agreement with respect to the promotion of land that is identified in the Council’s SHLAA as site 2891. Unlike the Taylor Wimpey site, the development being proposed will be fully consistent with the IPP but in common with the site at Coppenhall East the development will impact upon the junction between Maw Green Road and Groby Road. As such we are anxious to make sure that the requirements that are to be placed on Taylor Wimpey to contribute towards the improvement of that junction, should planning permission be granted, will not frustrate the deliverability of SHLAA site 2891 given that Taylor Wimpey do not control the land required to implement the necessary off-site junction improvements. For illustration, I am attaching a plan that has been prepared by our highway consultants which shows the provision of a new roundabout at the junction and the associated land take involving the 3<sup>rd</sup> party land.

If, as implicit in the Committee Report, the Highways Department is satisfied that the impact the additional traffic created by Taylor Wimpey’s proposal on this junction can be mitigated through a financial contribution that will not in itself deliver the required improvements, there needs to be a mechanism placed within the required legal agreement to ensure that the financial contribution can be triggered at the time the works to improve the junction are needed. To this end, our agreement with the

landowner of SHLAA site 2891 will enable us to deliver the junction improvements that have been discussed and agreed in principle with the Highways Department. The scale of any financial contribution from the development of site 2891 will of course reflect the land contribution and the results of the Traffic Assessment, but it will be critical to the delivery of the development that the financial contributions to the junction improvements from the Taylor Wimpey scheme (as well as any other subsequent schemes that may impact upon this junction) are released so as not to frustrate the delivery of site 2891.

## **Local Residents**

Additional letters of objection have been received from the following addresses: Lanola, 64, 74, 68A, 33A, 123, 66, 18, 72A, 49, 35, Stoneley Road; 1 Foxes Hollow; 16A, 112, Groby Road; 1, 11, 57, 14, 15, 54, Stoneley Avenue; 90, 8, 24, 174, 158, 160, 34, 176, 49, 24, 26 Remer Street; 3 Somerlay Close and 15 Holland Street raising the same points which have been previously reported in the main report.

## **ADDITIONAL CONSULTATION RESPONSES**

### **Environmental Health**

Officers have now had chance to review the additional information that they requested in their original comments and have the following recommendations:

- Reserved Matters shall include noise mitigation measures for the proposed new dwellings, including the gardens. This is to protect the amenity of the occupants from noise arising from the biggest noise sources, namely the road, school playground and distant railway.
- In terms of construction mitigation, prior to commencement of construction activities, the Construction Environmental Management Plan (CEMP) should be agreed and implemented to ensure any potential adverse environmental effects are avoided, in addition to ensuring noise and dust related complaints are kept to a minimum.
- A detailed lighting plan for the whole of the site in the Reserved Matters application, in order to protect neighbouring individuals from light overspill and nuisance.
- There also needs to be adequate storage space for the three domestic refuse bins (general waste, recycling and garden waste) for each property in the Reserved Matters.

### **Education**

#### **Primary School Requirement**

This proposal needs to consider all schools within walking distance of the development. This is based on primary schools within a 2 mile walking distance and high schools within a 3 mile walking distance (Schools within a say 2 mile radius could be in excess of a 4 mile walk).

The attached spreadsheet shows all of the relevant primary and secondary schools within these walking distances. It includes data on net capacities, present numbers on roll and current projected roll numbers.

The current projections based on the current 3 year intake trends illustrates that the local primary schools will be oversubscribed in the very near future. This does not take into account any of the current planning applications (including this one), currently being considered. The site at Coppenhall East will see some 627 2+ bedroom dwellings being constructed which will generate 102 primary school pupils ( $0.162 \times 627$ ). Therefore Cheshire East Council will be seeking a contribution for the full 102 additional places.

The local schools do not have the spare capacity nor in some cases, the grounds/infrastructure to be extended to accommodate the new pupils which will be generated as a direct result of this development. Therefore, in our opinion, a new school will be required.

Cheshire East Council recognises the value that a small school can contribute to its local community. However, it is also recognised that small schools can easily become fragile in terms of both viability and performance. There is no nationally accepted definition of what level of pupil numbers defines a small school. However, as a benchmark, Ofsted regards a school of 100 pupils as small. This Authority's school place planning priority will be to provide single aged classes wherever possible (i.e. 1 FE with seven classes, 2 FE with fourteen classes) and in all cases to aid compliance with Infant Class Size Legislation. This includes any planning for new schools.

An important part of the context and helping form our consideration is that there is another sizable proposal in the area (application 11/1879N), which affects the same schools and which, if approved, will generate a further 65 places.

The Children and Families Department requests a fair and proportionate contribution towards the provision of a new 1 from entry (210 place) primary school.

A new 1FE Primary School will cost in the region of £3,539,250 to build so  $102 / 210 \times 3,539,250 = £1,719,064$  would be a fair proportionate contribution towards the cost of the new build. In addition to this the developer would also be expected to identify a site suitable for a primary school, and then transfer this site fully serviced to the Council at zero cost to the Council.

### Secondary School Requirement

The Council seeks to maintain a moderate element of surplus places across its schools in the Borough, in order to satisfy Government policy to facilitate parental preference, the managed mid-term admissions and contingency planning. Consequently, Cheshire East council considers local schools to be at "Full" capacity when there is 8% or less unfilled places. The spreadsheet shows that the local schools are currently operating at a little over 6% unfilled places and the Council would therefore consider these schools to be full.

As a matter of fact, the catchment Secondary School to this development is Sir William Stanier Community School and the projected figures have this school operating at 100% capacity in the near future. These projections do not take into account any submitted planning applications.

Therefore the Council will require the sum of  $(627 \times 0.13 \times 17857 \times 0.91)$  £1,332,489 which will be spent extending the local high school.

#### Total Requirement

£1,719,064 + £1,332,415 = £3,051,479 + level and fully serviced site which meets the Council's requirement. "

### **ADDITIONAL OFFICER COMMENTS**

#### **Principle of Development**

It is acknowledged that the whole of the site could not be delivered in 5 years and that in this respect the scheme does not comply with the provisions of the Council's Interim Policy. However, it is also acknowledged that the Inspector in previous appeal cases at Hind Heath Road has indicated that whilst it is a material consideration, only "limited weight" should be afforded to the interim policy.

However, lack of compliance with this aspect of the policy is considered to be outweighed by the benefits arising from the scheme in terms of contribution of in excess of 300 units towards the Council's housing land supply figures. Furthermore, the Interim Policy is only one of a number of material considerations in this application which indicate that favourable consideration should be given to the scheme and which outweigh the provisions of Policy NE.2 of the local plan. In particular PPS3 which states that where authorities cannot demonstrate a five year housing land supply, favourable consideration should be given to suitable applications for housing. Also the government's planning for growth agenda and the emerging National Planning Framework, set out a presumption in favour of sustainable development. The default answer should be "yes" unless the proposal conflicts with key sustainability objectives.

#### **Affordable Housing**

The current affordable housing need where this site is located identified in the SHMA 2010 shows that there is an annual requirement for 256 new affordable homes in Crewe. This is made up of 127x 1-beds, 20x 2-beds, 47x 3-beds, 40x 4/5-beds and 26x older persons 1/2-beds.

In addition to this information taken from the SHMA 2010, Cheshire Homechoice is used as the choice based lettings method of allocating social rented accommodation across Cheshire East, there are currently 1130 applicants for housing in Crewe the majority of which require 1, 2 and 3 bed accommodation but there are also 54 applicants who require 4 bed or larger accommodation.

The planning application indicates that if approved it is proposed that the development of the site will take place in 4 phases over a 5-10 year period and the



Affordable Housing statement submitted with the outline planning application indicates that the 35% of the total units in phase 1 will be delivered as affordable housing, with the mix being 10% 1 beds, 60% 2 beds and 30% 3 beds, with 40% of these being flats and 60% being houses. It has been agreed that this is acceptable for the delivery of the affordable housing on phase 1 of the development. The tenure split of the units on phase 1 should be 65% social rent and 35% intermediate tenure as per the Affordable Housing Interim Planning Statement.

As the project is to be delivered in phases over a 5-10 year period officers have agreed the affordable housing requirements for subsequent phases will be looked at to establish appropriate requirements at that time.

The Affordable Housing IPS also requires that the affordable units should also 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.

Affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency and should achieve at least Level 3 of the Code for Sustainable Homes (2007). The design and construction of affordable housing should also take into account forthcoming changes to the Building Regulations which will result in higher build standards particularly in respect of ventilation and the conservation of fuel and power.

The Affordable Housing Interim Planning Statement states that “the Council will require any provision of affordable housing and/or any control of occupancy in accordance with this statement to be secured by means of planning obligations pursuant to S106 of the Town and County Planning Act 1990 (as amended)

It also goes on to state “in all cases where a Registered Social Landlord is to be involved in the provision of any element of affordable housing, then the Council will require that the Agreement contains an obligation that such housing is transferred to and managed by an RSL as set out in the Housing Act 1996.

It is therefore the Housing Section’s preferred option that the developer undertakes to provide the social rented affordable units through a Registered Provider who are registered with the Tenant Services Authority to provide social housing.

Taylor Wimpey have submitted draft Heads of Terms for the S106 agreement, which include provisions with regards to the affordable housing that would not be acceptable as they would not guarantee delivery of the affordable housing as per the requirements of the Affordable Housing Interim Planning Statement. The first issue with the proposed Heads of Terms is the tenure split of 50% social rent, 50% intermediate tenure. The tenure should be split on a 65% social rent, 35% intermediate tenure basis as per the Affordable Housing IPS. The second issue is that under the Draft Heads of Terms, in the event that Taylor Wimpey have been unable to find an Affordable Housing Provider to take the affordable housing or a qualifying person for the affordable housing after offering it 6 months, the affordable housing should be sold on the open market. Again this would not meet the IPS requirements as it does not guarantee the required provision of 35% affordable housing at the site.

It is therefore recommended that Head of Legal Services be instructed to modify the agreement accordingly. This has been reflected in the amended recommendation below.

### **Residential Amenity**

In response to previous comments from the Environmental Health Officer, the developer has submitted additional information in respect of noise. Environmental Health have examined this information and are satisfied with its conclusions although they have recommended additional conditions which have been incorporated into the revised recommendation below.

### **Hedgerows**

An assessment of the hedgerows has been undertaken with reference to the Hedgerow Regulations (1997) in relation to protected species. The assessment has determined that no hedgerows at the site are 'important' according to The Hedgerows Regulations 1997 assessment criteria in respect of ecology.

The applicant has submitted additional information in respect of the historic importance of the hedgerows within the site boundary, in accordance with the Hedgerow Regulations (1997). It has been determined that all the hedgerows except those marked H20, H21 and H22 on the site plan formed an integral part of a field system pre-dating the Enclosure Acts. In accordance with Criterion 5a of the Regulations the hedgerows are classified as important. It is considered, therefore, that a condition should be imposed to secure the retention of historically important hedgerows within the final layout.

### **Public Consultation**

In support of the application, the developer has submitted a Consultation Statement. The Borough Council's Adopted Statement of Community Involvement, which provides guidance on the production of such statements says, at Paragraph 8.3, that such documents should show how applicants have involved the local community and where the proposals have been amended, as a consequence of involving the local community.

The statement, submitted as part of this planning application, outlines the public consultation that has taken place and the type of issues that residents raised, during the consultation process.

It also explains how the developers propose to mitigate against many of the adviser impacts that were highlighted and how local residents have been able to shape the proposals. However, it does acknowledge that some local residents are opposed to any new homes in the local area and that explanation of the reasons behind Coppenhall East and the proposed mitigation that has been put forward will be sufficient to mitigate concerns in some cases. The information provided within the statement demonstrates that the consultation that has taken place conforms to the procedure set out in the Borough Council's adopted Statement of Community Involvement (SCI).

## **Open Space**

The developers have objected to the Greenspaces Officer's request that provision be made for allotments within the site, stating that there is no proven demand for such facilities and it was not raised as a requirement during their public consultation. However, evidence from the Greenspaces Officer contradicts this view with reports of high demand and waiting lists for allotments. Given the need to provide a range of outdoor amenity facilities for all sections of the community, the provision of allotments is considered to be entirely reasonable. The proposal it will not involve the designation of any additional open space, merely a change in the way the open space which has already been designated is utilised.

## **Conservation and Listed Building Issues**

The developer argues that the proposal does not affect the setting of Foden's Farm and that the buildings, setting has no relevance to its listing which was for reasons of architectural interest. Officers disagree with this view but due to the presence of the proposed landscape buffer, it is not considered that there will be any adverse impact on its setting.

## **Sustainability**

The developer has expressed concern that some aspects of the site's development may not meet Code for Sustainable Homes Level 4. However, Condition 9, as recommended only requires a Code Level 4 assessment to be submitted with the reserved matters. This may conclude that not all aspects of Code Level 4 can be achieved within this development. If that is the case it allows sufficient flexibility to allow for further negotiation on this point.

With regard to the 10% renewable energy requirement, the developer has requested that condition 10 is amended to place a requirement on the developer to submit an update to the Energy Strategy which will specifically demonstrate how the development will include sustainable energy technology to reduce energy demand, increase energy efficiency and reduce carbon emissions. Policy EM18 (Decentralised Energy Supply) of the North West of England Plan: Regional Spatial Strategy to 2021. This policy states that all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable. It is therefore recommended that the wording of condition 10 be amended to reflect these requirements.

## **Flood Risk**

Based on the comments of the Environment Agency a condition has been recommended stating that there shall be no discharge into Fowle Brook. The developer has requested that this condition is removed because the Flood Risk Assessment prepared for the site has identified two options for discharging surface water from the site. The condition was recommended on the advice of Natural England due to the fact that the Brook discharges into Sandbach Flashes SSSI.

However, Natural England have not objected to the use of the Brook but have stated that it should not be permitted unless further information is provided to prove that the SSSI will not be adversely affected and it is recommended that this is reflected in the wording of the condition.

## **Education**

Initially the Education Department were requesting a total contribution of £3,051,479 (£4694 per unit) towards the construction of a new school plus a level and fully serviced site which meets the Councils requirement. This would be approximately £6500 per household in total.

A planning obligation must comply with the following three tests as set out in the Community Infrastructure Regulations 2010:

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

It is considered that, given the scale of the development proposed, a contribution of £3m plus a school site would not meet these requirements. On this basis it is considered that the offer put forward by the developer, as set out in the main report, which is based on a recognised formula for calculating such contributions is fairly and reasonably related in scale and kind to the development. The Education Department have now acknowledged that this is a reasonable approach.

## **Highways**

As stated in the main report, the transport assessment has identified adverse effects at 3 junctions in the locality. These are Crewe Green Roundabout, the Groby Road / Remer Street / Elm Drive/ Sydney Road / Maw Green Lane junction and the Sydney Road Bridge. As stated in the report there is currently no solution available for the Sydney Road bridge and on this basis officers have been concentrating on negotiating an appropriate contribution to improvements at the other 2 junctions. A figure of £1.475m towards improvements at Crewe Green Roundabout, a new roundabout at Maw Green and public transport improvement has now been agreed and this is reflected in the amended recommendation.

## **AMENDED RECOMMENDATION**

**APPROVE subject to completion of Section 106 legal agreement to secure the following:-**

- 1. Provision of 35% of the total units as affordable housing in perpetuity, with the mix being 10% 1 beds, 60% 2 beds and 30% 3 beds, with 40% of these being flats and 60% being houses. The tenure split of the units on phase 1 to be 65% social rent and 35% intermediate tenure. The mix of house types and tenure for subsequent phases to be agreed as part of subsequent reserved matters applications.**

2. Provision of education contribution of £161,752 (subject to further update)
3. Provision of highways contribution of £1.475m towards improvements at Crewe Green Roundabout, a new roundabout at Maw Green and public transport improvements.
4. Travel Plan contribution
5. Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children's play areas and amenity greenspace. Submitted details must include the location, grading, drainage, layout, landscape, fencing, seeding and planting of the proposed public open space, transfer to and future maintenance by a private management company.

**And the following conditions**

1. Standard Outline
2. Submission of reserved matters
3. Plans
4. Air Quality assessment updates to be submitted with each reserved matters
5. Submission, approval and implementation of Construction Environmental Management Plan (CEMP)
6. Submission, approval and implementation of Travel Plan
7. Submission, approval and implementation of contaminated land preliminary risk assessment (PRA)
8. Submission, approval and implementation of contaminated land site investigation (SI)
9. Code for Sustainable Homes Level 4 assessment with reserved matters
10. Provision of 10% renewable energy on site unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable..
11. Provision of detailed scheme of drainage
12. Reserved matters to make provision for allotment site (30 plots) within the development.
13. Breeding bird survey to be carried out prior to commencement of any works during nesting season
14. Provision of replacement hedgerows
15. Provision of detailed design and layout of the GCN mitigation area
16. retention of visually important trees
17. A scheme for the provision and implementation of a surface water regulation system
18. Management of overland flow
19. Provision and management of habitat creation
20. No discharge to Fowle Brook unless further information is provided to prove that the SSSI will not be adversely affected
21. Retention of important hedges
22. Notwithstanding detail shown – no approval of indicative residential masterplan.
23. Landscape design principles to be incorporated into final layout

- 24. Submission of landscape and ecological management plan**
- 25. Submission of Arboricultural Impact Assessment**
- 26. Submission of Arboricultural Method Statement**
- 27. Submission of Comprehensive tree protection measures**
- 28. A scheme for the provision and management of compensatory habitat creation**
- 29. Each reserved matters application for commercial activities to be accompanied by a noise impact assessment**
- 30. Submission of Noise Mitigation Measures with each reserved matters application.**
- 31. Submission of details of detailed lighting plan with each reserved matters application.**
- 32. Submission of details of bin storage with each reserved matters application.**