

## CHESHIRE EAST COUNCIL

### STRATEGIC PLANNING BOARD

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

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#### **1.0 Purpose of Report**

- 1.1 To consider proposed amendments to the resolution passed by Strategic Planning Board in respect of applications 11/1643N.
- 1.2 The report has been presented to Strategic Planning Board because the original application was approved by the Board in October 2011.

#### **2.0 Decision Required**

- 2.1 To agree to the amendments to the previous resolutions as stated in this report.
- 2.2 The principle of the residential development has already been established by the previous resolution. Consequently, this report does not provide an opportunity to revisit that issue. This item relates solely to the proposed amendment to the requirements of the Section 106 Agreement.

#### **3.0 Background**

- 3.1 The application relates to approximately 24.2 hectares of land, situated to the north of Remer Street, Coppenhall, Crewe. The site is generally flat and currently comprises predominantly undeveloped agricultural land. Field boundaries are marked by hedgerows and hedgerow trees. The Cross Keys public house, which is a locally listed building, is located on the south western corner of the site. A public right of way dissects the central part of the site.
- 3.2 The site is bounded to the south by the residential properties fronting Remer Street and the Monks Coppenhall Primary School and Nursery: to the west is Stoneley Farm and the residential properties fronting Stoneley

Road. To the north and east is more sporadic residential development fronting Stoneley Road and Groby Road, including the Grade II Listed Foden's Farm.

- 3.3 Beyond Remer Street and Stoneley Road to the south and west of the site are the established older residential areas of Crewe, whilst beyond Stoneley Road and Groby Road to the North and East lies primarily agricultural land, including farms known as Groby Farm, Race Farm and Shandon House Farm and the Maw Green Landfill site To the south east lies Maw Green farm
- 3.4 Members may recall that in October 2011, Strategic Planning Board resolved to grant Outline planning permission for up to 650 new homes of various types and sizes including 35% affordable housing spread throughout the site. The Cross Keys public house would be demolished to make way for a new roundabout giving access to the site and improving traffic management at the existing junction. A new public house is proposed along with a local convenience store to replace the existing Cross Keys public house. The development would include substantial areas of new public open space including a new equipped childrens' play area, sports pitch and informal recreational areas. Two habitat areas would be created for Great Crested Newts and Barn Owls that currently inhabit the site.
- 3.5 The resolution to approve was subject to completion of Section 106 Agreement making a number of provisions, including:
  - Provision of 35% of the total units as affordable housing in perpetuity, with the mix on Phase 1 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 all phases to be 65% social rent and 35% intermediate tenure. The mix of house types for phase 2 and subsequent phases to be agreed as part of subsequent reserved matters applications. Social Rented and Shared Ownership dwellings to be transferred to a Registered Provider.
  - Provision of education contribution of £161,752.
  - Provision of highways contribution of £1,183,426 towards Remer Street/ Middlewich Street, Sydney Road Bridge Widening, Crewe Green Roundabout and public transport improvements.
  - Travel Plan contribution of £5000
  - Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children's play areas and amenity greenspace. Submitted details must include the location, grading, drainage, layout, landscape, fencing,

seeding and planting of the proposed public open space, transfer to and future maintenance by a private management company.

- 3.6 The developer is seeking to amend this working to make provision for:
- 1 Reducing the overall amount of affordable housing to 10%;
  - 2 Amending the tenure split of the affordable housing to 25% Rented & 75% Intermediate
  - 3 Amending the affordable housing mix on Phase 1 of the development.
  - 4 Amending the Code for Sustainable Homes provision to mandatory requirements of Level 3 (Condition 9) and;
  - 5 Deleting Condition 10, removing the requirement to deliver 10% renewable energy provision;
- 3.7 The resulting improvement to viability will increase the deliverability of the site and allow an additional £500,000 to be released for highways improvements.

#### **4 Developer's Supporting Information**

- 4.1 A letter has been submitted in support of the application, which makes the following case for the proposed amendments.

##### ***Planning Policy Context***

- 4.2 An individual development can be said to be viable if, after taking account of all costs including central and local government policy and regulatory costs and the cost and availability of finance, the scheme provides a competitive return to the developer to ensure that development takes place and generates an acceptable land value to the landowner. If these conditions are not met, a scheme will not be delivered. This is a central thread running through National Planning Policy Framework (the Framework) [¶173] which specifies that when pursuing sustainable development, careful attention should be paid to viability and costs in decision taking. Sites should also be deliverable. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner.
- 4.3 In particular one of the key driving forces on the deliverability of the Coppenhall East scheme is the willingness of the land owner to sell. In Eric Pickles recent proposals for Planning Reform (9 September, 2012) he stated:

*"It is vital that the affordable housing element of Section 106 agreements negotiated during different economic conditions is not allowed to undermine the viability of sites and prevent any construction of new houses. This results in no development, no regeneration and no community benefits at all when agreements are no longer economically viable....."*

*"What looked like a reasonable request three or four years ago may no longer look quite so reasonable today, especially if it stops necessary development happening altogether. ... I am calling on them to review agreements to get development moving again, and quickly".*

4.4 Steve Quartermain in his letter to LPAs (March 2011) stated:

*"Understanding the impact of planning obligations on the viability of development will be an important consideration when obligations are reviewed, particularly where they were reached in different economic circumstances."*

4.5 The Framework [¶50] states that where affordable housing is needed policies should be flexible to take account of changing market conditions over time. Indeed, The Cheshire East Council Revised Interim Planning Statement: Affordable Housing states the viability of schemes will be a material consideration in deciding planning applications. It specifies that Developer's who are suggesting that exceptional financial circumstances exist to the extent that the Council's requirements for affordable housing cannot be achieved, should provide a development appraisal and appropriate supporting evidence.

4.6 In addition, under the CIL Regulations, planning obligations must be:

- 1 Necessary to make the development acceptable in planning terms;
- 2 Directly related to the development; and
- 3 Fairly and reasonably related in scale and kind to the development

#### ***Coppenhall East Viability***

4.7 On the basis of the approved Section 106 contributions, Section 278 works and planning conditions set out above, the Coppenhall East Site is not viable. A financial appraisal has been provided, which shows that, after finance costs, the scheme makes a loss (-3.39%) As such the development will not come forward. This is therefore contrary to national policy guidance contained in the Framework and other ministerial statements.

- 4.8 Discussions have taken place with Cheshire East Council Asset Management Service who have indicated that within Crewe in the past 6-8 months, land values achieved on residential sites were between £300,000 and £400,000 per acre.
- 4.9 It is considered that these figures represent what a fair and reasonable land value should comprise for Coppenhall East having regard to the sites characteristics and the sites importance to the Crewe housing market. It is also understood that these values align with those agreed within the Coppenhall East area.
- 4.10 The viability appraisals have been prepared in October 2012 by Taylor Wimpey using the latest costs obtained for the development of the site. Taylor Wimpey have also referred to guidance issued on submitting appraisals to Local Planning Authorities with regards to scheme viability. Taylor Wimpey notes that the sales revenue for the open market housing is £162 sq ft, which is line with the sale prices accepted as part of the Maw Green proposals [LPA ref: 12/0831N] . The Affordable Housing prices have been provided by Muir Housing. Therefore, the assumptions used in this appraisal follow what has previously been accepted by CEC.

#### ***Level of affordable housing provision***

- 4.11 Taylor Wimpey is proposing to reduce the overall affordable housing provision at the site as they are unable to deliver the 35% requirement approved at Committee. However, the reduction in the overall affordable housing provision allows for the inclusion of an additional commuted sum for highways improvements. This scenario was accepted at the Maw Green Site [LPA ref: 12/0831N]

#### ***Tenure***

- 4.12 The planning resolution for land at Maw Green, Coppenhall [LPA ref: 12/0831N], agreed the affordable housing tenure split 75% intermediate tenure and 25% rented tenure. This tenure split was accepted on the basis that property prices are relatively low in the area compared to other parts of Crewe and there is already an abundance of affordable housing. Additionally, it was considered that increasing the market housing element would help to provide a mixed community in this part of Crewe, having regards to the appeal decision at Bath Vale Works, Congleton.
- 4.13 It is therefore considered that Maw Green decision establishes a precedent for the consideration of the tenure of housing on the Coppenhall site. An affordable housing tenure split of 75% intermediate tenure and 25% rented (social or affordable) tenure is considered to be appropriate

for Coppenhall East.

- 4.14 However, an alternative option could be made for the 10% affordable units to be 100% intermediate tenure, with the provision of no rented properties. This option could provide an additional £150,000 highway commuted sum, should the Members wish to maximise this element of the package.

### ***Revised Housing Mix Phase 1***

- 4.15 Taylor Wimpey seeks to amend the mix of affordable units on Phase 1 as follows:

- 1 1 bed flat - 7%
- 2 2 bed house - 40%
- 3 3 bed house - 53%

- 4.16 The reasoning for this split is that market research and discussions with Registered Providers has identified a high demand for houses, with 2 & 3 bed properties of interest to first time buyers and 3 & 4 attracting families. The interest in properties within Crewe is driven by the lower prices when compared to surrounding areas, but also the accessibility offered by Crewe. There is a shortfall in the supply of these property types within Crewe.

- 4.17 In addition, it is proposed that Phase 1 would deliver a minimum of 33 affordable units (50% of the affordable housing offer) to provide the Council with certainty on the creation of mixed and balanced communities, and that Taylor Wimpey were committed to the provision of affordable housing as part of this development. The Section 106 Agreement will therefore be drafted to include this amendment.

### ***Proposed Amendment to Condition 9***

- 4.18 Taylor Wimpey requests that Condition 9 is amended to state the delivery of the mandatory requirements of Level 3 of the Code rather than Level 4. It should now therefore state:-

- 4.19 *“A Code for Sustainable Homes (meaning the document issued by the Department for Communities and Local Government dated December 2006), or equivalent sustainability code which may replace the same and be in force at the time, Pre Assessment shall be submitted with each reserved matters application in order to:*

- a) *determine whether it is viable for the dwellings within that phase to meet the mandatory requirements of Level 3 of the Code for Sustainable Homes, or the equivalent sustainability rating that may be in force at that time; and*
- b) *if it is viable, set out how, and to what extent, the mandatory requirements of Level 3 of the Code for Sustainable Homes, or the equivalent sustainability rating that may be in force at that time, will be satisfied through the design and construction of the proposed dwellings within that phase.*

*No development on that phase shall commence until the Pre Assessment has been approved, in writing, by the LPA and the development of that phase shall be implemented in full accordance with the measures set out in the approved Pre Assessment”.*

### ***Proposed Deletion of Condition 10***

- 4.20 The current draft planning condition [# 10] requires the ‘scheme shall make provision for 10% of the predicted energy requirements to be sourced from decentralised and renewable or low carbon sources on the relevant phase of the site unless it can be demonstrated by the applicant and agreed, in writing, by the Local Planning Authority that it is not feasible or viable, having regard to the type of development involved and its design’. As set out above, the scheme is not viable with this requirement. As a consequence, Condition #10 is recommended to be deleted.

### ***Phasing***

- 4.21 It is proposed that the phasing of the development should facilitate the temporary retention of the Cross Keys Public House , for a short term use, if a suitable and viable use was identified, although this would not be delivered or run directly by Taylor Wimpey . This would mean that the 1st Phase of the development would be accessed from the Stoneley Road approved junction for the first 150 dwellings to be constructed. It is then envisaged the next phase would be from that the Groby Road access. This would then enable a further 100 units to be constructed.
- 4.22 A new planning condition would be required to cover this matter, especially in relation to the 1<sup>st</sup> Phase . Taylor Wimpey suggest the following wording:

*“The first phase of development for the occupation of 150 dwellings should be accessed from the Stoneley Road Access, in accordance with the approved drawing (Drg No: CH004 03)”*

- 4.23 In relation to subsequent phasing, Taylor Wimpey have suggested that this is already adequately covered by the current planning condition 30, albeit with a slight amendment :

*" No development of subsequent phases shall commence until a Phasing Plan for the proposed development has been submitted to and approved in writing by the Local Planning Authority which shall include inter alia details of the phasing of the proposed development and the triggers for the construction of: -*

- (a) Groby Rd Secondary Site Access;*
- (b) ~~Stoneley Rd Secondary Site Access;~~*
- (c) Remer St / Broad St / North St / Stoneley Rd Roundabout Improvement and site access;*
- (d) Remer St / Groby Rd / Maw Green Rd / Sydney Rd / Elm Drive Roundabout; and,*
- (e) Sydney Road Bridge MOVA.*

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

### **Conclusion**

- 4.24 Taylor Wimpey considers that, in the context of the viability of the scheme, the revised offer is fairly and reasonably related in scale and kind to the proposed development. The amendments to the housing mix for Phase 1 are also considered appropriate in accordance with the Framework [§7].
- 4.25 Overall, Taylor Wimpey considers that the Coppenhall East development will facilitate and deliver a number of key benefits:
- i It will make a significant step towards solving the highways problems, which would prevent other applications facing the same problems, as other schemes could more easily fund the remaining shortfall.
  - ii The delivery of housing to meet the Crewe Vision and shortfall in housing land supply.



4.26 It is considered that the benefits of providing an additional highway financial contribution towards Sydney Road Bridge from the development outweigh the negatives of not providing the normal required percentage of affordable housing. The Sydney Road Bridge commuted sum would increase from £643,320 to £1,143,320.

4.27 In conclusion, Taylor Wimpey considers that, in accordance with the Framework, the benefits of the proposals are considered to outweigh any adverse impacts. The proposals will result in significant benefits by:

- increasing housing in Crewe,
- creating substantial private sector investment
- delivering significant highways benefits.

In addition, benefits of ensuring the provision the highway financial improvements from the development outweigh the negatives of not providing the normal required percentage of affordable housing. Indeed this was accepted by the Strategic Planning Board in approving the Maw Green Road, Coppenhall application [LPA ref: 12/0831N].

## **5 Officer Comment**

5.1 Section 6 of the Interim Planning Statement (IPS): Affordable Housing relates to Viability of Affordable Housing Provision. Paragraph 6.6 states:

*Where it is accepted by the Council that a development is not sufficiently viable to provide the requisite level of affordable housing, and where the development is in all other respects acceptable, it may consider requiring the applicant to enter into a legal agreement which effectively defers developer contributions during the period of development. More detail on this approach is contained in the Home and Communities Agency Good Practice Note on Investment and Planning Obligations (July 2009), however the broad principles are explained below.*

5.2 The NPPF stresses the importance of housing delivery and viability as a material planning consideration. Paragraph 173 states:

*Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed*

*viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable*

5.3 The applicant has provided evidence to demonstrate that the current Section 106 obligations and conditions in respect of renewable energy and Code for Sustainable Homes would render the scheme unviable. The Council's Housing Officer has assessed the Viability Appraisal and commented that the figures and assumptions used within in appear to be realistic.

5.4 The NPPF also stresses the importance of housing delivery. One of the 12 Core Planning Principles at paragraph 17 states that planning should:

*proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.*

5.5 The applicant has demonstrated that the viability issues would delay delivery of the scheme and that this would have a negative impact on resolving the problem of housing land supply within Cheshire East.

5.6 Therefore, whilst the reduction in the overall percentage of affordable housing is regrettable, the revised Section 106 package, as proposed by the applicant does, have the benefit of an additional and much needed contribution towards the proposed improvement works at Sydney Road Bridge, which the Strategic Highways Manager has supported.

5.7 Members may recall that at its meeting on 22<sup>nd</sup> August 2012, Strategic Planning Board resolved to approve an application for residential development at the neighbouring Maw Green site, with an overall affordable housing provision of 10% on the basis that it would enable an greater highways commuted sum to be released from the development. This approach was also considered to have the following additional benefits:

- Unlocking the site which will help improve the housing supply situation.
- Making a significant step forward in solving the Sydney Road highway problems, which prevents other subsequent applications facing the

same problem (as other scheme could more easily make up the remaining shortfall in the funds required to carry out the work).

- Assisting with the achievability of the “Crewe Vision” by taking a significant step towards solving the highway issues in the northern part of Crewe
- Reducing the pressure for the release of sites elsewhere in the Borough which do not accord with the interim policy or the spatial vision for the Borough.
- The reduction of affordable housing on this site increases the likelihood of affordable housing being increased elsewhere, as it frees up highway capacity to enable other developments to come forward.

5.8 These arguments apply equally to the Coppenhall East site. Furthermore, development site is in a part of Crewe where property prices are relatively low compared to other parts of the town and the Borough as a whole. It is also where there is already an abundance of affordable housing, as set out in the Housing Market Assessment which accompanied the application. Consequently, it could be argued that increasing the market housing element would help to provide a mixed community in this part of Crewe. This was the view taken by the Inspector at the Appeal relating to the Bath Vale Works site in Congleton where, due to the Bromley Farm Council Estate near to the site, he agreed to omit the social rented tenure in order to achieve a mixed community.

5.9 In summary it is considered, in the light of the NPPF, that the viability and housing delivery case which has been advanced by the developer is an important and material consideration, which should outweigh the policy requirement in respect of affordable housing provision.

5.10 However, the IPS states at paragraph 7.7 that, in circumstances where are reduced affordable housing provision is accepted on viability grounds:

*“subject to the developer agreeing to initially provide the proportion (if any) of the affordable housing that the development appraisal indicated was viable, a further payment in lieu of the remaining affordable housing would become payable if and when there was an increase in the achieved sale values of the dwellings compared to the values assumed in the development appraisal. The calculation of further payments would be at agreed periods during the life of the development. This mechanism would only apply once development had commenced.”*

5.11 As this is a large development, which is likely to come forward in phases over a development period of 5 – 10 years the Housing Officer is of the view that an overage agreement should be required in case there is an increase in sales values of the dwellings compared to the values assumed

- by Taylor Wimpey, with any overage payments to be invested back into affordable housing in Cheshire East. Such clauses have been used on recent permission issued elsewhere within the Borough and whilst it is acknowledged that they were not used on the neighbouring Maw Green site, given the much larger scale of the development, this would seem to be a reasonable request.
- 5.12 With regard to the amendments to the proposed tenure split and phase 1 housing mix, the Council's Housing Officer has commented that he is happy to see 50% of the affordable housing provided in Phase 1, which would equate to 33 dwellings. He is also willing to accept the 75/25 split between intermediate and rent, provided as 2 x 1 bed flats, 13 x 2 bed houses and 18 x 3 bed houses. This would go towards meeting some of the identified affordable housing need for Crewe.
- 5.13 With regard to the proposal to eliminate the social rented housing, in favour of a 100% intermediate tenure scheme, whilst the provision of no rented properties could be deemed acceptable in this part of Crewe, based on the character of the surrounding area, and this option would deliver an additional £150,000 of highway improvements, it could be argued that this option would not help to create a mixed and balanced, community. At 10% overall provision, the number of social rented units would be only 16 dwellings, out of a 650 unit scheme. However, it is an alternative option which Members may wish to consider based on the individual circumstances and merits of this case.
- 5.14 The remaining affordable housing should be provided over the various phases of the development, as these phases are going to be delivered over a 5-10 year period. The Housing Officer would wish to agree the affordable housing dwelling type on each subsequent phase in order for the provision to be appropriate to meet the affordable housing requirements at that time. In line with the IPS: Affordable Housing all the required affordable housing should be provided no later than occupation of 80% of the open market dwellings.
- 5.15 Condition 9 which related to the obligation to assess the feasibility of achieving Code for Sustainable Homes Level 4 across the site, is an aspirational requirement which does not have any support in adopted planning policy. It is referred to in the Council's Interim Policy on the Release of Housing land. However, recent Appeal decisions have determined that this can be afforded only limited weight as a material consideration in decision taking. It is acknowledged that the Code Level 4 requirements would increase the sustainability of the scheme, which must be considered in the light of the presumption in favour of sustainable development under the NPPF. However, this must be balanced against

the advice contained within the NPPF in respect of viability and housing delivery as set out above.

- 5.16 Furthermore, the condition only required a feasibility study into the feasibility and viability of meeting Code Level 4, across the site and therefore, even if the condition were retained, a viability case could be presented to negate the requirement to comply with this condition. It is considered that such a case has already been presented as part of the developer's request to amend the committee's previous resolution in respect of the Section 106 Agreement. Therefore, there is no objection to the removal of this condition.
- 5.17 Similarly Condition 10, which was imposed to comply with the requirements of Policy EM18 of the RSS, required the provision of 10% of predicted energy requirements to be sourced from decentralised and renewable or low carbon sources only if it could be demonstrated that it was "feasible or viable" to do so.
- 5.18 In the absence of any objection from the Strategic Highways Manager, the proposed amendments to phasing are considered to be acceptable in highway safety terms and would enable the retention of the Locally Listed Cross Keys pub in the short term, to enable the potential for a long-term viable use to be investigated.

## **6 Conclusion**

- 6.1 On the basis of the above, the proposed amendment to the wording of the resolution is considered to be acceptable.

## **7 Recommendation**

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

**APPROVE subject to Section 106 Legal Agreement securing:**

- **Provision of 10% of the total units as affordable housing in perpetuity, with the mix on Phase 1 being 10% 1 bed flat, 30% 2 bed flat, 30% 2 bed house, 30% 3 bed house. The tenure split of the units on all phases to be 25% social / affordable rent and 75% intermediate tenure. The mix of house types for phase 2 and subsequent phases to be agreed as part of subsequent reserved matters applications. Social Rented and Shared Ownership dwellings to be transferred to a Registered Provider.**
- **Overage clause**
- **Provision of education contribution of £161,752.**

- **Provision of highways contribution of £1,683,426 towards Remer Street / Middlewich Street, Sydney Road Bridge Widening, Crewe Green Roundabout and public transport improvements.**
- **Travel Plan contribution of £5000**
- **Provision for public open space to serve the whole of the development to be agreed with the Council when details of layout are submitted for approval. This must secure the provision and future management of children's play areas and amenity greenspace. Submitted details must include the location, grading, drainage, layout, landscape, fencing, seeding and planting of the proposed public open space, transfer to and future maintenance by a 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 3 assessment with reserved matters**
- 10. Provision of detailed scheme of drainage**
- 11. Reserved matters to make provision for allotment site (30 plots) within the development.**
- 12. Breeding bird survey to be carried out prior to commencement of any works during nesting season**
- 13. Provision of replacement hedgerows**
- 14. Provision of detailed design and layout of the GCN mitigation area**
- 15. retention of visually important trees**
- 16. A scheme for the provision and implementation of a surface water regulation system**
- 17. Management of overland flow**
- 18. Provision and management of habitat creation**
- 19. No discharge to Fowle Brook unless further information is provided to prove that the SSSI will not be adversely affected**
- 20. Retention of important hedges**
- 21. Notwithstanding detail shown – no approval of indicative residential masterplan.**

22. Landscape design principles to be incorporated into final layout
23. Submission of landscape and ecological management plan
24. Submission of Arboricultural Impact Assessment
25. Submission of Arboricultural Method Statement
26. Submission of Comprehensive tree protection measures
27. A scheme for the provision and management of compensatory habitat creation
28. Each reserved matters application for commercial activities to be accompanied by a noise impact assessment
29. Submission of Noise Mitigation Measures with each reserved matters application.
30. Submission of details of detailed lighting plan with each reserved matters application.
31. Submission of details of bin storage with each reserved matters application.
32. The first phase of development for the occupation of 150 dwellings shall be accessed from the Stoneley Road Access, in accordance with the approved drawing (Drg No: CH004 03)”
33. No development of subsequent phases shall commence until a Phasing Plan for the proposed development has been submitted to and approved in writing by the Local Planning Authority which shall include inter alia details of the phasing of the proposed development and the triggers for the construction of: -
  - (a) Groby Rd Secondary Site Access;
  - (b) Remer St / Broad St / North St / Stoneley Rd Roundabout Improvement and site access;
  - (c) Remer St / Groby Rd / Maw Green Rd / Sydney Rd / Elm Drive Roundabout; and,
  - (d) Sydney Road Bridge MOVA.

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

## **8 Financial Implications**

- 8.1 There are no financial implications.

## **9 Legal Implications**

- 9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

## **10 Risk Assessment**

10.1 There are no risks associated with this decision.

## **11 Reasons for Recommendation**

11.1 To allow negotiations in respect of the Section 106 to progress to signing, to enable the development works to commence in a timely fashion to assist in delivering the 5 year housing land supply for the Borough.

### ***For further information:***

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### ***Background Documents:***

- *Application 11/1643N.*