

Application No: 14/2457N

Location: LAND AT CREWE ROAD, SHAVINGTON CUM GREYSTY, CREWE, CW2 5AD

Proposal: Application for reserved matters approval pursuant to outline planning permission 11/3010N for the construction of 40 dwellings and associated works

Applicant: Mr Gareth Bancroft, Taylor Wimpey UK Ltd

Expiry Date: 20-Aug-2014

SUMMARY RECOMMENDATION

APPROVE subject to conditions

MAIN ISSUES

Impact of the development on:-

Principle of the Development
Appearance, Layout and Scale
Landscape
Trees and Hedgerows
Affordable Housing
Highways & Parking
Residential Amenity
Ecology
Public Open Space
Education
Flood Risk and Drainage
Flood Risk and Drainage

REASON FOR REFERRAL

This application is referred to the Sothern Planning Committee as it is a small scale major development.

1. DESCRIPTION OF SITE AND CONTEXT

The site is located to the southern side of Crewe Road, beyond the settlement boundary of Crewe, and to the north-west of the Basford West employment allocation within the

open countryside as designated in the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The site is also allocated as an area of new woodland planting and landscaping under Policy NE.10 (New woodland planting and landscaping). The proposed development of the Basford Employment Areas in Crewe was identified as affecting the appearance of a main approach to Crewe and, in respect of Basford West, the NE10 designation wraps around its north-western, western and southern boundaries,

The application site is split into 2 separate parcels of land which are located to either side of 344 and 346 Crewe Road. Both plots of land are currently undeveloped and are bound by traditional hedgerows and a number of large trees. Adjacent to 344 Crewe Road is a haulage and plant hire depot (Frizells).

1. DETAILS OF PROPOSAL

This is a Reserved Matters application for the construction of 40 dwellings. The outline application ref; 11/3010N was recently allowed at appeal and included details of access. The access points would be taken from Crewe Road.

The Reserved Matters to be determined as part of this application relate to appearance, landscaping, layout and scale.

2. RELEVANT HISTORY

11/3010N - Outline Application for Residential Development with Associated Infrastructure and Open Space Provision – Allowed at Appeal on 29th January 2014

The above application was refused on the grounds that the proposal would have an unsatisfactory relationship with the surrounding existing and proposed business and industrial uses and was therefore not compatible with surrounding land uses. However, in determining an appeal against the refusal, an Inspector appointed by the Secretary of State concluded that with appropriate mitigation (which was supplied at the appeal), the proposal *“should ensure a good standard of amenity for future residents”*. As such, the appeal was allowed and it is the detail which now must be considered.

3. POLICIES

National Policy

National Planning Policy Framework

Local Plan policy

BE.1 – Amenity

BE.2 – Design Standards

BE.3 – Access and Parking

BE.4 – Drainage, Utilities and Resources

BE.5 – Infrastructure

BE.6 – Development on Potentially Contaminated Land

NE.2 – Open Countryside

NE.5 – Nature Conservation and Habitats
NE.9 – Protected Species
NE.10 - New Woodland Planting and Landscaping
NE.12 – Agricultural Land Quality
NE.17 – Pollution Control
NE.20 – Flood Prevention
RES.7 – Affordable Housing
RES.3 – Housing Densities
RT.3 – Provision of Recreational Open Space and Children’s Playspace in New Housing Developments

Cheshire East Local Plan Strategy – Submission Version

PG2 – Settlement Hierarchy
PG5 - Open Countryside
PG6 – Spatial Distribution of Development
SC4 – Residential Mix
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE5 – Trees, Hedgerows and Woodland
SE 1 - Design
SE 2 - Efficient Use of Land
SE 4 - The Landscape
SE 5 - Trees, Hedgerows and Woodland
SE 3 - Biodiversity and Geodiversity
SE 13 - Flood Risk and Water Management
SE 6 – Green Infrastructure
IN1 – Infrastructure
IN2 – Developer Contributions

Other Considerations

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

4. CONSULTATIONS (External to Planning)

Environment Agency: No objection

United Utilities: No objection subject to the site being drained on separate system, with only foul water connected to the main sewer and the use of permeable surfaces to assist with surface water drainage.

Strategic Highways Manager: No comments received at the time of report preparation.

Environmental Health: Conditions suggested in relation to noise mitigation, hours of construction, piling works, air quality, contaminated land and submission of an environmental management plan.

Public Open Space: No comments received at the time of writing this report. As part of the outline application they stated that:

'An equipped children's play area, conforming to LEAP Standard is required. Equipment to be inclusive, conform to BS EN 1176, and constructed predominantly of metal. Safer surfacing to be wetpour, conforming to BS EN 1177 is required. The play area to be surrounded by 1.4 metre high, 16mm diameter steel bowtop railings, hot dip galvanised and polyester powder coated in green. Two single leaf self-closing pedestrian access gates in yellow, plus one double leaf vehicular access gate in green to be provided within the railings. A private management company to be responsible for the maintenance of the play area/open spaces.'

Education: No comments received at the time of writing this report. As part of the outline application they stated that:

'There is sufficient available provision within the local schools not to require a contribution from application 11/3010N'.

PROW: No objection.

5. VIEWS OF THE SHAVINGTON PARISH COUNCIL

The Parish Council have raised the following concern:

*'Both proposed entrances to the sites are onto a narrow and busy stretch of Crewe Road and the Parish Council would require a condition of any approval to be that **no** access be permitted from Crewe Road until such time as the new spine road onto the Basford West site is completed and opened.'*

6. OTHER REPRESENTATIONS

Letters have been received from 3 addresses objecting to this proposal on the following grounds:

- Overlooking and loss of privacy
- Loss of wildlife and ecological mitigation for business parks
- Headlamps from vehicles coming out of the access would shine into neighbouring properties
- Access is not safe and will lead to further congestion
- Without further noise mitigation will result in further problems between residents and locals businesses
- The submitted noise surveys are not up to date and do not account for noise generated by local businesses / uses (Frizells, Network Rail, Mornflake)
- Loss of amenity by reason of noise, vibration, dust, smells
- The existing pavements are too narrow

7. APPLICANT'S SUPPORTING INFORMATION

To support this application the application includes the following documents;

- Planning Statement
- Design & Access Statement
- Noise Assessment / Mitigation
- Tree Protection and Arboricultural Impact Assessment
- Building for Life Document
- Travel Plan Framework
- Biodiversity Statement
- Great Crested Newt Method Statement

These documents are available to view on the application file.

9. OFFICER APPRAISAL

Principle of Development

The principle of 40 residential units on the site has already been established following the approval of outline application 11/3010N, which was recently allowed at appeal. The points of access were also considered at outline stage and have therefore already been approved. This application does not provide an opportunity to re-examine the principle of development or the points of access. The purpose of this application is to consider the appearance, landscaping, layout and scale of the scheme (the reserved matters).

Appearance, Layout and Scale

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.”

The surrounding development comprises of a mixture of ages and architectural styles, ranging from modern suburban development to larger inter-war properties, within substantial curtilages. There is a ribbon development along Crewe Road but more modern housing has recently been accepted at Gresty Green Farm. Notwithstanding this, there is consistency in terms of materials with most dwellings being finished in simple red brick, and grey / brown slates / concrete / clay tiles with some rendered examples.

This proposal would introduce a mixture of 2-4 bed properties across both parcels that make up the site. The dwellings would be two-storey and would be commensurate with the size and scale of properties within the vicinity. The general design and style of the

properties is considered to be acceptable and the materials would not deviate from those which characterise the local area.

With respect to layout, the properties on the western portion would be arranged around a rectangular form with the access road circulating the perimeter of the plot. The layout would enable properties to front out over the Crewe Road boundary and the internal roads within the site. The main corner plots would have dual-frontage house types so as to avoid long stretches of blank elevations and to improve surveillance provide an improved street scene. This would also be the case for the eastern parcel of the site.

The eastern parcel of the site would be laid out in a more linear pattern in order in order to account for shape of the plot where it tapers off. Properties would be arranged around the main spinal road and the nearest properties fronting the access to Crewe Road would be well designed and would provide frontage. The detailed design, scale and layout is considered to be appropriate in this location and would comply with Policy BE.2 of the Local Plan, the NPPF and the relevant design policies of the Cheshire East Local Plan Strategy – Submission Version.

Landscape

The site is subject to Policy NE.10 (New Woodland Planting and Landscaping). This Policy states that tree planting, landscaping and subsequent management arrangements will be secured through conditions or S106 Agreements for the Basford Employment Areas.

Although Policy NE.10 does promote tree planting/landscaping, it does not state that development within this area is precluded. In this case, it is considered that the proposed level of housing development could be brought forward on these sites together with appropriate tree planting and landscaping which would still meet the aims of Policy NE.10. The principle of residential development on this site has already been accepted and the majority of the existing boundary trees and hedgerows would be retained and respected as part of the proposals.

Trees and Hedgerows

Existing protected trees are respected and shown for retention within the proposed layout. Proposed tree losses are negligible, principally 'U or 'C' category (BS5837:2012) trees in decline or of poor quality with little contribution to the wider amenity. The application proposes the removal/partial removal of three hedgerows. Hedgerow 9H3) to the southern boundary comprising of Hawthorn and Hazel which is not deemed 'Important' under the Hedgerow Regulations 1997. A section of Hedgerow (H4) and (H10) fronting Crewe Road will require removal to accommodate access into the two sites. Both are not deemed to be Important Hedgerows and as such the scheme is acceptable in this regard.

Affordable Housing

The proposed development will provide 14 affordable units in accordance with the requirements of the Unilateral Undertaking that was agreed at outline stage. However, the Housing Strategy and Needs Manager has sought clarification regarding the tenure splits

proposed and a discrepancy with the Unilateral Undertaking. As such, whilst the proposal does provide a sufficient quantity of affordable housing, negotiations are underway to agree the detail and type of affordable housing to ensure that it meets the terms of the Unilateral Undertaking and the Council's Interim Affordable Housing Statement. The outcome of these discussions will be reported to Members by way of an update.

Highways & Parking

Access was determined at outline stage with the 2 plots each benefitting from their own independent access points directly off Crewe Road. As such, this application does not provide the opportunity to revisit the merits of the access proposals. proposed residential units being served via a new access onto the A54 Marsh Lane.

In terms of the internal road layouts, these has been designed to meet adoption standards and are considered to be acceptable. In terms of the proposed parking, the development will include a minimum of 200% parking which is considered to be acceptable in this location.

With respect to traffic generation, which has been mentioned by an objector, this issue was discussed as part of the outline application. As the principle of 40 dwellings at the site has already been accepted, it is not possible to revisit this issue. However, it should be noted that in terms of increased traffic movements from the site, the original Transport Assessment stated that there will be approximately 27-29 vehicle movements from the site (in and out) per hour between the weekday AM peak hour and the weekday PM peak hour.

It was determined that subject to a contribution towards securing capacity improvements at nearby junctions, which was secured as part of the outline consent. Overall given the scale of the development and its impact, it was considered that the development would not have a detrimental impact upon the wider highway network.

Residential Amenity

The main properties affected by the proposed development are 344 & 346 Crewe Road, which are pair of semi-detached dwellings located between the two parcels of land. The proposed layout shows that adequate separation distance would be achieved between primary elevations and the relationship would be such that no instances of direct overlooking, loss of light or visual intrusion would result.

With respect to the properties on the opposite side of Crewe Road, the nearest proposed dwellings would exceed the separation distance of 21.3 metres that is expected between primary elevations. As such, there would be no be no detrimental impact upon these properties in terms of direct overlooking, loss of light or visual intrusion.

As the Council's main concern leading to the refusal of the outline application was the incompatibility of the proposals with neighbouring business uses, the impact on the amenity afforded to the future residents of the proposal was discussed at length during the Public Inquiry. This was mainly in respect of noise and vibration from the nearby land uses such as the Frizell Haulage and Plant Hire Depot at Greenbank Farm but did also

include other neighbouring uses such as Morning Foods. However, in reaching his decision, the inspector found that with mitigation, the proposal would not give rise to unacceptable levels of residential amenity and in doing so, allowed the appeal.

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 nearby industrial activities. The recommended mitigation comprises of acoustic fencing and enhanced glazing with a 'whole house mechanical ventilation' system. The submitted noise assessment and mitigation is accepted by the Environmental Protection and is in accordance with the details which were agreed by the Inspector. As such, the proposal is found to be acceptable in this regard and a refusal could not be sustained as it was considered previously.

Ecology

As was considered during the determination of the outline application at this site, the proposed development is located to the north of the Basford West ecological mitigation area which is known to support a medium sized meta-population of great crested newts.

In the absence of mitigation the proposed development would result in the loss an area of terrestrial habitat likely to be utilised by great crested newts and pose the risk of killing or injuring any great crested newts present on site when the proposed works were undertaken.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- the development is of overriding public interest,
- there are no suitable alternatives and
- the favourable conservation status of the species will be maintained.

The Council's Nature Conservation Officer has advised that the mitigation strategy submitted in support of this reserved matters application is in accordance with what was agreed at the time of the determination of the outline application. If planning consent is granted the proposed mitigation and compensation is likely to maintain the favourable conservation status of the local great crested newt metapopulation. And therefore does not undermine the Habitat Regulations.

To avoid any adverse impacts on the adjacent ecological mitigation area from occurring it is imperative that public access from the development site into the mitigation area be limited. Whilst a boundary treatment plan has been submitted in support of the application it is not currently clear how this would be achieved. As such, it is advised that a condition be attached requiring the submission of a detailed plan demonstrating how public access into the adjacent mitigation area would be prevented. Subject to this, the favourable conservation status of species in the vicinity of the site would be maintained.

Public Open Space

In accordance with the outline application, a green corridor has been incorporated into the proposed design of the western parcel of land as well as peripheral open space in key locations. A new LEAP (Local Equipped Area of Play) is proposed on site within the Public Open Space and will contain at least five different fixed items of play equipment (including one multi-play unit) which accords with the requirement of the Open Space Officer. Whilst this accords with the Unilateral Undertaking, there are no details of future management and maintenance and as such a request has been made for this information. This information will be reported to members by way of an update.

Education

At the time that the outline application was considered, the Education Department were in receipt of revised school capacity figures and considered that there was sufficient capacity in local schools to serve this development. As the principle of the development has already been established without such, it is considered that no contribution is required.

Flood Risk and Drainage

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. Consequently, the Environment Agency has offered no objection to the proposed development and in the absence of any objection from United Utilities, the development is considered to be acceptable in terms of its flood risk/drainage implications.

10. CONCLUSIONS

The principle of residential development on this site has already been accepted following the approval of outline planning application 11/3010N at appeal.

The general layout and design is found to be acceptable with suitable Public Open Space. The impact on the local landscape would change as a result of the proposal, however, the proposed density and scale of development would not be significant and the proposal would be respectful of existing hedgerows and boundary trees. Accordingly, the visual impact would be minimised.

With regard to the highways safety and traffic generation from this site, such impacts were considered and dealt with at outline stage and this proposal does not result in any change to these considerations. Sufficient off road parking provision would be provided.

The scheme complies with the relevant local plan policies in terms of residential amenity and in all cases the proposed dwellings would exceed the separation distances set out in the Councils SPD. The impact upon residential amenity is therefore acceptable.

With regard to ecological impacts, the Council's ecologist is satisfied with the proposed development subject to conditions and policy requirements in respect of public open space provision have been met within the site, and provision for children's play space has

been secured. Subject to the submission of details of management, the POS is deemed to be acceptable and subject to clarification on the type of affordable housing to be delivered, the quantum to be provided is acceptable.

The proposal is acceptable in all other matters relating to flooding and drainage and education.

It is therefore considered that the proposal would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy. Consequently there is a presumption in favour of the development. Accordingly the application is recommended for approval.

11. RECOMMENDATIONS

APPROVE subject to issues relating to the future management / maintenance of the POS and tenure split of the affordable housing being addressed and the following conditions:-

1. Time Limit
1. Accordance with approved plans
2. The development shall be carried out in accordance with the noise assessment and mitigation and condition 8 of the outline approval
3. Landscaping accordance with submitted details
4. Implementation of Landscaping scheme ref 4770.01 REV A and 4770.02 REV A
5. Accordance with submitted Arboricultural Assessment / Method Statement
6. Removal of Permitted Development Rights Classes A+E
7. Materials in accordance with submitted detail
8. The proposed development to proceed in accordance with the submitted badger survey and mitigation statement
9. Submission of Environmental Management Plan
10. Submission of existing and proposed levels survey
11. Notwithstanding submitted detail, details of boundary treatment to be provided
12. Drainage - foul water connected to main sewer etc
13. The Parking areas to be provided prior to occupation of respective plot

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 Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, 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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