

Application No: 14/4242N

Location: Gresty Green Farm, GRESTY GREEN ROAD, SHAVINGTON CUM GRESTY, CREWE, CW2 5AE

Proposal: Variation of condition 12 of 11/2212N - Minor amendments to house types and layout

Applicant: Jane Aspinall, Bellway Homes NW

Expiry Date: 08-Dec-2014

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- **Main Issues**
- **Design and Layout**
- **Amenity**
- **Ecology**
- **Access**
- **Affordable Housing**
- **Public Open Space**

REFERRAL

The application has been referred to Southern Planning Committee because it relates to the variation of a planning condition attached to application 11/2212N which was determined by the Strategic Planning Board.

SITE DESCRIPTION

The application site is located to the west of Gresty Green Road and to the north of Gresty Lane within the Open Countryside as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The site includes Gresty Green Farm which comprises a traditional farmhouse and a range of modern and traditional farm buildings. The majority of the site is a relatively flat field which is bound by traditional hedgerows and a number of large trees. To the north of the site is a railway line with a depot beyond. To the opposite side of Gresty Green Road is a mix of

residential properties which vary in height from single-storey to two-storey. To the east of the site are storage buildings which are occupied by Crewe Cold Stores.

DETAILS OF PROPOSAL

This application seeks to vary condition 12 attached to application 11/2212N. Application 11/2212N is a full planning permission for the erection of 51 dwellings. Access to the site would be taken from Gresty Green Road. The approved development consists of 28 four bedroom dwellings, 15 three bedroom dwellings and 8 two bedroom dwellings. All of the properties on the site would be two-storeys in height. Public Open Space would be provided in three separate parcels, the largest would be located alongside the railway with two smaller parcels located onto the frontage with Gresty Lane.

This application seeks to vary the approved plans condition attached to application 11/2212N to secure amendments to the house types on the site and minor changes to the layout.

RELEVANT PLANNING HISTORY

13/2135N - Demolition of Buildings. Residential Development with Associated Access & Landscaping – Refused 15th August 2013

11/2212N - Demolition of Buildings. Residential Development with Associated Access & Landscaping – Refused 3rd October 2012 – Appeal Lodged – Appeal Allowed.

PLANNING 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.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

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
Cheshire East Development Strategy
Cheshire East SHLAA
SHMA Update 2013

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

OBSERVATIONS OF CONSULTEES

Environment Agency: No further comments to make.

Strategic Highways Manager: The application is recommended for approval by the Strategic Highways Manager.

Environmental Health: An informative to be attached in relation to contaminated land. No other comments.

Network Rail: No further comments to make.

VIEWS OF THE PARISH / TOWN COUNCIL

Shavington Parish Council: No comments received

OTHER REPRESENTATIONS

One letter of objection has been received raising the following points:

- This development should never have been allowed in the first place as it is too far from Crewe. The planning permission should be revoked.
- Members of the public were not allowed to speak at the planning meeting
- The play area should not be allowed so close to the railway line.
- The access should not be from Gresty Green Road but should be from Gresty Lane.
- The development will result in disruption caused by the construction phase of the development.
- Increased traffic from the development.

One letter of representation received raising the following points:

- The four trees shown on the submitted plans opposite Bridge Villa would cause shading and leaf accumulation. The trees should not be allowed to grow greater than 3 metres in height.
- Traffic to the railway depot has to use the narrow lane and this causes a number of traffic problems and congestion along Gresty Green Road.
- Consideration should be given to pedestrians who use Gresty Green Road as there is a lack of public footpaths.
- There are drainage issues in the vicinity of the site and Gresty Green Lane suffers flooding problems under the bridge. The existing drain should discharge into rainwater disposal system for the site.

APPLICANT'S SUPPORTING INFORMATION:

Landscape Specification

Landscape Layout

Sustainability Statement

These documents are available for view on the application file.

OFFICER APPRAISAL

Main Issues

Given that the principle of development has been established by the granting of full planning permission at appeal this application does not represent an opportunity to re-examine the appropriateness of the site for residential development. This application relates to a minor changes to the house types and layout of the site.

Design and Layout

The layout would be very similar to the approved scheme with the position of the access point, internal access roads, location of the POS/LEAP and pump station all remaining unchanged.

The changes relate to the house types and position of the units (excluding those closest to Gresty Green Road which are unchanged). The approved housing mix is as follows:

HOUSETYPE MIX					
K	KEATS	4BED/2STOREY DETACHED	1329	SQFT	10
L	LARCH	4BED/2STOREY DETACHED	1272	SQFT	10
F	FAIRHAVEN	4BED/2STOREY DETACHED	1232	SQFT	3
O	OAKWOOD	4BED/2STOREY DETACHED	1134	SQFT	5
LA	LANSDOWN	3BED/2STOREY DETACHED	943	SQFT	5
C	CHATSWORTH	3BED/2STOREY SEM/MEWS	733	SQFT	10
S	STUDLEY	2BED/2STOREY MEWS	609	SQFT	8
TOTAL			52293	SQFT	51

The scheme would be amended to the following mix:

HOUSETYPE MIX					
4KE133	KEATS ALT / BAY	4BED/2STOREY DETACHED	1327	SQFT	2
4KE131	KEATS	4BED/2STOREY DETACHED	1311	SQFT	2
4LA129	LARCH	4BED/2STOREY DETACHED	1293	SQFT	4
4FA124	FAIRHAVEN	4BED/2STOREY DETACHED	1232	SQFT	3
4OA115	OAKWOOD	4BED/2STOREY DETACHED	1151	SQFT	5
3WE103	WESTON	4BED/2STOREY DETACHED	1025	SQFT	19
3LA094	LANSDOWN	3BED/2STOREY DETACHED	943	SQFT	7
3GO098	GORDON	3BED/2STOREY DETACHED	978	SQFT	2
AU	AUSTEN	2BED/2STOREY SEM/MEWS	822	SQFT	5
3BY085	BYRON	3BED/2STOREY SEM/MEWS	850	SQFT	2
TOTAL			53741	SQFT	51

This minor amendment would still respect the character and appearance of the area and would comply with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan.

Amenity

The main properties affected by this development are located to the east of the site fronting Gresty Green Road. In this case the required separation distances would be exceeded and there would be no changes to the closest proposed dwellings to Gresty Green Road and as such there would be no greater impact upon residential amenity.

The impact upon residential amenity of the future occupiers through noise and disturbance caused by the adjacent railway and nearby industrial units was considered as part of the original application and mitigation will be secured through the use of a planning condition.

Therefore the proposal is considered to comply with the requirement of policy BE1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan

Ecology

Article 12 (1) of the EC Habitats Directive requires Member states to take requisite measures to establish a system of strict protection of certain animal species prohibiting the deterioration or destruction of breeding sites and resting places. Art. 16 of the Directive provides that if

there is no satisfactory alternative and the derogation is not detrimental to the maintenance of the populations of the species at a favourable conservation status in their natural range, then Member States may derogate *"in the interests of public health and public safety or for other imperative reasons of overriding public interest, including those of a social and economic nature and beneficial consequences of primary importance for the environment"* among other reasons.

The Directive is then implemented in England and Wales: The Conservation of Habitats and Species Regulations 2010. ("The Regulations"). The Regulations set up a licensing regime dealing with the requirements for derogation under Art. 16 and this function is carried out by Natural England.

The Regulations provide that the Local Planning Authority must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of their functions.

This variation to the approved plans condition would raise no additional ecological impacts.

Access

The changes to the house types are considered to be minor and they would not raise any greater amenity issues than the approved plans. This view is supported by the Strategic Highways Manager.

In terms of parking provision all plots would have at least 200% car-parking provision. This parking provision is considered to be acceptable and would comply with Policy TRAN.9 of the Crewe and Nantwich Replacement Local Plan.

The development would comply with Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan.

Affordable Housing

The development would still provide the same level of affordable housing apart from compliance with the rainwater harvesting of the Code for Sustainable Homes Level 3 which is no longer national requirement.

Public Open Space

The amendments would result in a slightly greater level of POS being provided on this site. As such this is considered to be acceptable.

CONCLUSIONS

Full planning permission has already been given for residential development on this site.

The proposed amendments to the house types and housing layout would not raise and amenity, design, highways or ecology issues and the development is considered to be acceptable.

The conditions attached by the Inspector at the appeal for application 11/2212N are included within the recommendation.

RECOMMENDATIONS

That the application be approved subject to completion of Section 106 Deed of Variation securing the same obligations as 11/2212N:

- 1. Provision of 7 affordable housing units – 3 to be provided as social rent with 4 as intermediate tenure (apart from the removal of the requirement for the compliance with the rainwater harvesting element of CFSH Level 3)**
- 2. Provision of education contribution of £86,268**
- 3. The provision of a LEAP and Public Open Space to be maintained by a private management company**
- 4. A commuted payment of £51,000 towards highway improvements (to be put towards the construction of the Crewe Green Link Road or capacity improvements at the junction of Gresty Road and South Street with Nantwich Road)**

And subject to the following conditions:-

- 1. Standard time limit 3 years from the date of the appeal decision**
- 2. Materials to be submitted for approval**
- 3. Landscaping submission**
- 4. Landscaping implementation**
- 5. Submission and approval of an Arboricultural Method Statement**
- 6. No removal of trees without the prior written consent of the LPA**
- 7. Boundary Treatment to be submitted for approval**
- 8. Removal of Permitted Development Rights for Plots 30-38 and 41**
- 9. Breeding Birds timing of works**
- 10. Features for use by nesting birds to be submitted to the LPA for approval in writing**
- 11. Mitigation for Bats and Barn Owls to be submitted to the LPA for approval in writing**
- 12. Approved Plans**
- 13. Surface Water Regulation System to be submitted for approval**
- 14. Management of Overland Flow to be submitted for approval**
- 15. Contaminated Land**
- 16. Submission of noise mitigation measures for approval**
- 17. External Lighting details to be submitted for approval**
- 18. Prior to the commencement of development, detailed drawings of the junction design at Crewe Road/Gresty Lane/Gresty Green Road, which shall include the provision of a pedestrianised island and a right turn lane, shall be submitted to and approved in writing by the Local Planning Authority.**
- 19. Bin Storage Details to be submitted and approved.**

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of 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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