

Application No: 15/1198N

Location: Former Sir William Stanier Community School, LUDFORD STREET, CREWE

Proposal: Variation of Conditions 11 on application 14/3853N

Applicant: Chris Bent, MCI Developments

Expiry Date: 05-May-2015

SUMMARY RECOMMENDATION

Approve subject to conditions.

MAIN ISSUES

**Principle of Development
Contaminated Land
Section 106 Matters**

REFERRAL

This application is referred to Southern Planning Committee because it relates to the variation of the approved plans condition attached to application 14/3853N which was determined by the Southern Planning Committee.

DETAILS OF PROPOSAL

This application seeks to vary condition 11 attached to application 14/3853N.

Application 13/43853N relates to a full planning consent to develop 107 dwellings comprising a mix of apartments, mews and semi-detached housing. This is a 100% affordable housing development, all for rent, to be developed for Wulvern Housing.

Condition 11 of 14/3853N states as follows:

The development hereby permitted shall not be occupied until the remedial/protection measures included in the approved contaminated land report (REC Report Reference 02c45022, 28 November 2013) have been fully implemented and completed.

This application seeks to amend the condition as follows:

The development hereby permitted shall not be occupied until the remedial/protection measures included in the approved contaminated land report (REC Report Reference 02c45022rl, 5 March 2015) have been fully implemented and completed.

SITE DESCRIPTION

The site itself is located approximately 0.6 kilometres north of the Crewe town centre within a predominantly residential area on the fringes of the town centre. It measures approximately 1.52 hectares being roughly rectangular in shape, measuring 120m in length and 170 m across the width at its widest point.

The site is a former school premises but is currently vacant and has recently been demolished. It is overlooked from the north by Crewe cemetery on the opposite side of Badger Avenue. Residential properties border the site to the south and east. Beechwood Primary School is also located to the south and Cypress Care Centre abuts the western site boundary.

At the time of the case officers site visit work had commenced to implement the development approved as part of application 14/3853N.

RELEVANT PLANNING HISTORY

14/3853N - Variation of Conditions 23 (in order for the Affordable Housing Statement to read in conjunction with the site layout) attached to planning permission 14/1708N Variation of Conditions 2 (to facilitate existing electrical easement shown on site master plan) and Condition 6 (to substitute brick type Ibstock Ravenshead to Hollington Blend) on application 13/4382N – Approved 23rd October 2014

14/1708N - Variation of Conditions 2 (to facilitate existing electrical easement shown on site master plan) and Condition 6 (to substitute brick type Ibstock Ravenshead to Hollington Blend) on application 13/4382N – Approved 6th June 2014

14/0887N - Non Material Amendments to approved application 13/4382N – Refused 31st March 2014

13/4382N - 100% Affordable Housing Development comprising 60no. one and two bed flats, 47no. two and three bed semi detached and mews houses and ancillary work – Approved 29th January 2014

13/2322N - Outline planning consent for residential development – resolution to approve subject to Section 106 Agreement

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)
RES.2 (Unallocated Housing Sites)
RES.3 (Housing Densities)
RES.7 (Affordable Housing within the Settlement Boundaries of Crewe, Nantwich and the Villages Listed in Policy RES.4)
TRAN.3 (Pedestrians)
TRAN.5 (Provision for Cyclists)

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
PG6 – Spatial Distribution of Development
SC4 – Residential Mix
CO1 Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SC5 – Affordable Homes
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE3 – Biodiversity and Geodiversity
SE 1 Design
SE 2 Efficient Use of Land
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 6 – Green Infrastructure
SE 9 – Energy Efficient Development
SE 13 Flood Risk and Water Management
IN1 – Infrastructure

OBSERVATIONS OF CONSULTEES

Environmental Health: No objection to this minor change to the site remediation.

VIEWS OF THE PARISH / TOWN COUNCIL

No comments received

OTHER REPRESENTATIONS

No representations received

OFFICER APPRAISAL

Principle of Development

The principle of development has been established by the granting of planning permission 13/4382N (with a subsequent variation of planning conditions under approved applications 14/1708N and 14/3853N). This application does not represent an opportunity to re-examine the appropriateness of the site for residential development.

Contaminated Land

This application seeks to vary the approved remediation strategy which is referred to within condition 11.

As part of this development the developer has removed an area of contamination off-site rather than importing clean material for a cover system. A revised remedial strategy has been received detailing these works as requested by the Councils Environmental Health Officer. Validation of these remedial works has also been received and this is considered to be acceptable.

Section 106 Matters

The S106 commuted sums have been paid and as a result there is no need to vary the S106 Agreement.

CONCLUSIONS

The site lies within the settlement boundary for Crewe, where there is a presumption in favour of new development, subject to compliance with other local plan policies. The principle of this development has already been accepted as part of application 13/4382N.

The alteration to the condition would update the contaminated land remediation report which is considered to be acceptable by the Councils Contaminated Land Officer.

RECOMMENDATION

RECO

APPROVE subject to the following conditions:

- 1. Approved plans**
- 2. Construction of Access**
- 3. Provision of parking**
- 4. Implementation of Materials – No approval for buff bricks**
- 5. All piling operations shall be restricted to: Monday – Friday 09:00 – 17:30 hrs Saturday 09:00 – 13:00 hrs Sunday and Public Holidays Nil**
- 6. Construction works taking place during the development (and associated deliveries to the site) restricted to: Monday – Friday 08:00 to 18:00 hrs Saturday 09:00 to 14:00 hrs Sundays and Public Holidays Nil**
- 7. External lighting details as shown on plan reference SL/0214/01/001/A**

8. The mitigation recommended in Noise Mitigation report number 90291r0 shall be implemented prior to the use of the development / first occupation.
9. Implementation of submitted Travel Plan
10. Implementation of submitted dust control measures
11. The development hereby permitted shall not be occupied until the remedial/protection measures included in the approved contaminated land report (REC Report Reference 02c45022rl, 5 March 2015) have been fully implemented and completed.
12. Once the development is complete, a Site Completion Statement detailing the remedial/protective measures incorporated into the development hereby approved shall be submitted to and approved in writing by the LPA in full prior to the first occupation and use of this development.
13. Bird and bat box details as shown on plan reference LUD1310_L001 Rev B and detailed within the e-mail from Chris Bent dated 9th March 2015
14. Implementation of boundary treatment
15. Implementation of drainage scheme approved as part of application 14/0869D
16. Implementation of cycle parking within scheme
17. Implementation of landscaping
18. Arboricultural Method Statement in accordance with the report reference SE467/J/01/DH
19. Retention of the railings and for them to be made good where necessary to enclose the front garden areas of the proposed dwellings
20. To be maintained as affordable housing in perpetuity in accordance with approved affordable housing statement

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 her 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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