

Application No: 15/1867N

Location: Land At Former Stapeley Water Gardens, LONDON ROAD, STAPELEY

Proposal: Amendment to approval notice 14/2155N for replan and plot substitution of Plots 18-21, 56, 57, 58, 60, 61, 63-67, 77, 79-85, 87, 88, 91, 93, 94, 96-98, 111-119, 121-123, 125-136, 139-142, 145-151, 158, 159 & 164-168.

Applicant: Mrs Jacquelyn Colquhoun, David Wilson Homes North West

Expiry Date: 23-Jul-2015

SUMMARY

The proposed development is a minor change to the approved scheme. The proposal is considered to be of an acceptable design and would have minimal impact upon residential amenity, highway safety, protected species or the trees surrounding the site. The proposed development is therefore considered to be sustainable development.

RECOMMENDATION

Approve subject to conditions and a deed of variation

PROPOSAL

Planning permission 14/2155N gave approval for the erection of 171 dwellings. The site would be accessed via a single access point which would be located onto London Road.

The dwellings include a mix of detached, semi-detached, terraced dwellings and apartments. The site would include the provision of 30% affordable housing.

This application seeks to make minor changes to the approved layout and house types which have been approved as part of application 14/2155N.

SITE DESCRIPTION

The application site measures approximately 6.91 ha and is predominately flat. The site is accessed via the existing access arrangements off London Road which served the former garden centre. Phase 1 of the development is located immediately to the east of the application site and is currently under construction. A Public Right of Way (Stapeley No.1) crosses the site along the existing driveway from London Road before turning north at the western part of the site towards Peter Destaplegh Way.

The application site forms part of the wider former Stapeley Water Gardens which is located within the Settlement Boundary for Nantwich as defined by the Borough of Crewe and Nantwich Replacement Local Plan Proposals Map. The site is also allocated as a Mixed Use Regeneration Area which is covered by Policy S.12.5 of the Local Plan. The land to the north of the access road forms the former Stapeley Manor curtilage and grounds and contains a large number of number of trees covered by TPONo.200.

RELEVANT HISTORY

14/2155N - Full planning permission for the erection of 171 dwellings, public open space, alterations to existing access off London Road, and plot substitutions for two dwellings (Plot 49 and 50, approved under planning permission ref: 12/1381N) – Approved 19th February 2015

12/1381N - Erection of 146 Dwellings, Public Open Space, Access and Associated Works – Approved – 8th November 2012

09/4017N – Planning permission approved for The Construction of Two Newt Mitigation Areas and Associated Connection Corridors on 23rd April 2010.

P06/1001 – Outline Planning Permission was approved for the redevelopment and relocation of the existing garden centre facilities, A1 and A3 retail units, construction of Class C3 residential development, B1 office development, car parking, and ancillary facilities and infrastructure on 21st May 2010.

NATIONAL AND LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development

56-68. Requiring good design

Development Plan

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

NE.5 (Nature Conservation)

NE.9 (Protected Species)

NE.17 (Pollution Control)

NE.20 (Flood Prevention)

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)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)
TRAN.9 (Car Parking Standards)
RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)
RES.5 (Housing in the Open Countryside)
RES.7 (Affordable Housing)
RT.9 (Footpaths and Bridleways)
S.12.5 (Mixed Use Regeneration Areas - Stapeley Water Gardens)

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

PG6 – Spatial Distribution of Development
CO1 Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
SE 1 Design
SE 2 Efficient Use of Land
SE 3 Biodiversity and Geodiversity
SE 4 The Landscape
SE 5 Trees, Hedgerows and Woodland
SE 6 – Green Infrastructure
SE 8 – Renewable and Low Carbon Energy
SE 9 – Energy Efficient Development
SE 13 Flood Risk and Water Management

CONSULTATIONS

CEC Highways: No objection

CEC Strategic Housing Manager: No objection

CEC Flood Risk Manager: Do not have any objections in principle on flood risk grounds.

CEC Environmental Health: Conditions suggested in relation to noise mitigation, construction management plan, external lighting, travel plan, electric vehicle infrastructure, dust control and contaminated land.

CEC PROW: It appears unlikely that the application will affect the Public Right of Way (Stapeley No 1). An informative should be attached to any approval.

Natural England: Advise that the proposal is unlikely to affect and statutorily protected sites or landscapes. For advice on protected species refer to Natural England standing advice.

PARISH/TOWN COUNCIL

No comments received.

REPRESENTATIONS

No representations received

APPRAISAL

The key issues are:

- Design and impact upon character of the area
- Amenity of neighbouring property
- Highway safety

Principle of Development

Given that the principle of development has been established by the granting of full planning permission as part of application 14/2155N this application does not represent an opportunity to re-examine the appropriateness of the site for residential development. This application relates to minor changes to the house types on this site.

Design

The layout would be very similar to the approved scheme with the position of the access point, location of the public open space, internal access roads and location of the affordable housing all remaining unchanged.

The changes relate to the house types on plots 18-21, 56, 57, 58, 60, 61, 63-67, 77, 79-85, 87, 88, 91, 93, 94, 96-98, 111-119, 121-123, 125-136, 139-142, 145-151, 158, 159 & 164-168. These changes relate to amendments to the design of the approved house types with changes to the elevational design and the position of fenestration. The changes in house types would be consistent with those which have been approved on this site and on Phase 1.

These minor changes 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 within Phase 1 of the Stapeley Water Gardens development. In this case the required separation distances would be met and as such there would be no greater impact upon residential amenity.

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

Trees

The amendments which form part of this application do not raise any additional arboricultural issues.

Highways

The changes to the house types are considered to be minor and would not raise any greater issues than the approved plans.

The access to serve the development would not change as part of this application. The Strategic Highways Manager has raised no objection to this development and the proposal 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. The Strategic Housing Manager has raised no objection to this application.

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.

RECOMMENDATIONS

That the application be approved subject to completion of Section 106 Deed of Variation securing:

- 1. A scheme for the provision of 30% affordable housing– 50% to be provided as social rent/affordable rent with 50% intermediate tenure. The scheme shall include:**
 - The numbers, type, tenure and location on the site of the affordable housing provision
 - The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing
 - The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved
 - The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
 - The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.
- 2. A financial contribution of £314,542 towards improved primary school provision.**
- 3. A scheme for provision of a Public Open Space to be maintained by a private management company in perpetuity. The scheme shall include:**
 - Timing and delivery of POS and its phasing into the development

- Long term maintenance and management

Approve subject to the following conditions;

1. Standard Time Limit (3 years)
2. Approved Plans
3. Submission of Materials
4. Full details of all surfacing materials
5. Full Landscaping scheme to be submitted, including details of replacement trees/hedgerows and aftercare
6. Landscaping Implementation
7. Full details of all boundary treatment. Boundary treatment onto newt mitigation land shall not be close board fence
8. Details of Pump Station to be submitted
9. Submission of 10 year habitat management plan including proposals for monitoring
10. Implementation of recommendation made by the submitted Protected Species Survey undertaken by CES Ecology.
11. Survey for breeding birds
12. Features for Breeding Birds to be submitted and approved in writing by the LPA
13. Details of newt tunnels to be submitted and agreed in writing by the LPA
14. Parking to be provided prior to first occupation of the dwelling
15. Method Statement for pile driving to be submitted. 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
16. Noise mitigation measures to be carried out in accordance with Acoustic Statement including provisions for ventilation
17. Submission of an Environmental Management Plan (EMP) with respect to the construction phase of the development. The EMP shall identify all potential dust sources and outline suitable mitigation.
18. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
19. Removal of permitted development rights
20. The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water run-off generated by the proposed development, has been submitted to and approved in writing by, the Local Planning Authority.
21. The development hereby permitted shall not be commenced until such time as; a scheme to manage the risk of flooding from overland flow of surface water, has been submitted to, and approved in writing by, the Local Planning Authority.
22. Details and location of the contractors compound together with details of management of the site to be submitted to the LPA and approved in writing
23. Details of phasing of development to be submitted and approved
24. Tree and hedgerow retention and protection scheme to be submitted and agreed in writing
25. A single Electric Vehicle Charging Point shall be provided in each property with designated parking spaces (including garages). Charge points to be suitable for overnight charging of electric vehicles.
26. A robust Travel Plan shall be developed for with the aim of promoting alternative /low carbon transport options. The plan shall be agreed with the LPA prior to the first occupation / use coming into effect and shall include suitable and measurable targets with the aim to reduce transport related emissions. The plan shall be implemented and

enforced throughout the use, reviewed every 5 years, with a report provided to the LPA annually on achievements against the agreed targets.

27. Details of external lighting to be submitted and agreed in writing with the LPA

28. Full details of the footpaths/cycleways to be submitted and agreed in writing

29. The developer will provide a suite of detailed design and construction drawings for the revised site access junction and the off-site junction improvement at the A51 Newcastle Road/A51 Elwood Way junction, prior to first development.

30. Upon completion of the 25th dwelling the developer will provide MOVA control at the A5301 Peter DestapleighWay / A51 London Road and A51 Newcastle Road / A51 Elwood Way junctions.

31. Upon completion of the 25th dwelling the developer will provide a UTC system at the A5301 Peter DestapleighWay / A51 London Road and A51 Newcastle Road / A51 Elwood Way junctions in order to link the signal operation together.

32. Upon completion of the 25th dwelling the developer will provide the identified junction improvement at the A51 Newcastle Road/A51 Elwood Way junction.

33. Drainage Scheme to be submitted and agreed in writing

34. Features for Hedgehogs to be incorporated into the scheme

35. Prior to the commencement of development detailed proposals for the incorporation of a suitable access to be provided to the adjacent great crested newt mitigation area.

36. Prior to the commencement of development details for a scheme for rainwater harvesting from the proposed residential properties to provide an additional source of water for ponds A2,A3 and A4 to be submitted to the LPA prior to the commencement of development.

37. Bin Storage

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 Principal Planning Manager, in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

