

Application No: 15/0586N

Location: Land Off, UNIVERSITY WAY, CREWE

Proposal: An outline planning application for the erection of up to 106 dwellings, landscaping and associated works. All matters are reserved except access on to University Way. The application is not seeking approval of details for the internal highway / cycle / pedestrian network.

Applicant: Hawkstone Properties (Crewe Green) LLP

Expiry Date: 11-May-2015

SUMMARY

The application site is allocated for employment purposes within the Local Plan and because the proposal seeks residential development, the proposal would be contrary to Policy E.1 of the Local Plan and be unacceptable in principle unless other material considerations indicate otherwise.

Paragraph 22 of the NPPF states that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits.

Policy EG3 from the emerging Local Plan Strategy – Submission Version, which is a material consideration, advises that existing employment sites will be protected for employment use unless the site is no longer suitable or viable for employment use; and there is no potential for modernisation or alternate employment uses; and no other occupiers can be found.

The applicant has submitted a viability study in an attempt to address these policy considerations. However, the Council considers that the site does remain suitable and viable for employment use and there is potential for alternative employment uses. The development is therefore also considered to be contrary to Policy EG3 from the emerging Local Plan Strategy – Submission Version and the NPPF in this regard.

Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and where this is the case housing, applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide benefits such as; the provision of market housing, the provision of affordable housing, local economic benefits to nearby public facilities, an over provision of Public Open Space and education contributions.

Balanced against these benefits must be the dis-benefits which in this case, relate to the loss of this site for employment purposes.

On the basis of the above, it is considered that the economic dis-benefit resulting in the loss of this employment site outweighs the social and economic benefits of the residential development. Therefore, the proposal is considered to represent unsustainable development and paragraph 14 is not engaged and therefore the proposal should be determined in accordance with the development plan.

Notwithstanding this point, even if it were engaged, it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits.

As such, the application is recommended for refusal.

RECOMMENDATION

REFUSE

PROPOSAL

Outline planning permission is sought for the erection up to 106 dwellings. Matters of Access are also sought for approval. Matters of; Layout, Scale, Appearance and Landscaping are all reserved for later approval.

As such, the application seeks permission for the principle of erecting up to 106 dwellings and access only on this site.

SITE DESCRIPTION

The application site is 31.7 hectares in size and lies within the Crewe settlement boundary as defined on the adopted Crewe and Nantwich Replacement Local Plan 2011.

It forms part of a larger site, the second half of which is subject to an associated planning application for Public Open Space (Ref: 15/0587N).

The site is bound to the north by the site subject to the associated second application, by Englesea Brook to the east, industrial development to the south off Orion Way and University Way to the west.

The site comprises of a combination of an unused tarmac access road and unmanaged land and scrub. There is an existing hedgerow fronting onto University Way and mature trees and vegetation along its Englesea Brook boundary. Within the north east corner of the site is a further group of trees, situated on an existing mounded area.

The application site is located within Flood Zones 2 and 3 on the Environment Agency's indicative floodplain map.

There are a number of level changes within the site.

RELEVANT HISTORY

15/0587N - An outline planning application for the provision of shared recreational open space, children's play space, landscaping and associated works – Under consideration

13/2159N - Extension of time limit for the outline application for the erection of five office buildings with associated car parking and landscaping – Approved 15th August 2015

10/1146N - Extension of Time Limit for the Outline Application for the Erection of Five Office Buildings with Associated Car Parking and Landscaping – Approved 16th July 2010

P07/0017 - Outline Application for the Erection of Five Office Buildings with Associated Car Parking and Landscaping – Approved 4th April 2007

P06/0990 - Outline Application for Five B1 Office Buildings – Withdrawn 1st December 2006

P04/0478 - New Access Road Off Crewe Green Link Road – Approved 25th May 2004

P04/0226 - EIA Screening Opinion - Proposed Development of Land for Employment Uses – EIA not required 17th March 2004

P00/0953 - Construction of Crewe Green Link Road (Northern Section) – Approved 4th January 2001

P00/0620 - Request for screening opinion – EIA not required 2nd August 2000

P98/0238 - Outline application for regional distribution depot and Crewe Green Link Road – Finally disposed of 17th April 2000

7/13981 - New access road and sewers including new junction with improvement of A534 Crewe Road – Approved 19th March 1987

7/11951 - Development of a high technology site – Approved 2nd August 1985

NATIONAL & 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

17 – Core planning principles

18-22 – Building a strong, competitive economy

29 – 41 Sustainable transport

47-50 - Wide choice of quality homes

56-68 - Requiring good design

109-125 - Conserving the Natural Environment

Development Plan

The Development Plan for this area is the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

The relevant Saved Policies are:

- E.1 (Existing Employment Allocations)
- E.1.1 (Crewe Business Park / Crewe Green)
- NE.5 (Nature Conservation and Habitats)
- NE.9 (Protected Species)
- 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)
- RES.2 (Unallocated Housing Sites)
- RES.3 (Housing Densities)
- RES.7 (Affordable Housing)
- TRAN.1 (Public Transport)
- TRAN.3 (Pedestrians)
- TRAN.5 (Provision for Cyclists)
- TRAN.6 (Cycle Routes)
- TRAN.9 (Car Parking Standards)
- RT.3 (Provision of Recreational Open Space and Children's Play space in new housing developments)
- RT.9 (Footpaths and Bridleways).

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

The following local policies within the emerging Cheshire East Local Plan Strategy – Submission Version shall be a material consideration;

- PG1 (Overall Development Strategy)
- PG2 (Settlement Hierarchy)
- PG6 (Spatial Distribution of Development)
- EG3 (Existing and Allocated Employment Sites)
- SC4 (Residential mix)
- SC5 (Affordable Homes)
- SD1 (Sustainable Development in Cheshire East)
- SD2 (Sustainable Development Principles)
- SE1 (Design)
- SE2 (Efficient Use of Land)
- SE3 (Biodiversity and Geodiversity)
- SE4 (The Landscape)
- SE5 (Trees, Hedgerows and Woodland)
- SE6 (Green Infrastructure)
- SE9 (Renewable Energy)
- IN1 (Infrastructure)
- IN2 (Developer Contributions)
- C01 (Sustainable Travel and Transport)
- C02 (Enabling Business Growth Through Transport Infrastructure).

Supplementary Planning Documents:

Interim Planning Statement: Affordable Housing (Feb 2011)
Development on Backland and Gardens SPD (2008)

CONSULTATIONS

Head of Strategic Infrastructure (HSI) (Cheshire East Council) – No objections, subject to a condition seeking the provision of a Travel Plan pack for occupiers of each dwelling. In addition, 1 public transport voucher per new dwelling is sought to be provided on demand for each original householder to the value of £185. Also, a Travel Plan monitoring report should be submitted annually for 3 years (with the first report to be provided after occupation of the 40th dwelling). In association with this, the developer shall pay the total sum of £3,000 to the Council to monitor the reports (£1,000 for each report).

Environmental Protection (Cheshire East Council) – No objections, subject to a number of conditions including; a restriction of the hours of piling, the prior submission of a piling method statement, the prior submission of a construction phase Environmental Management Plan, Acoustic screening on the properties adjacent to University Way, submission of an updated Acoustic assessment at reserved matters stage, the prior submission of a travel plan, the prior submission of Electric Vehicle charging points, the prior submission of a dust mitigation scheme and a contaminated land condition.

In addition, informatives relating to hours of construction and contaminated land are also sought.

Housing (Cheshire East Council) – No objections, subject to the provision of 30% affordable housing which, for a scheme of 106 dwellings, would equate to 32 dwellings. 65% social or affordable rent (up to 21 units) and 35% intermediate tenure (up to 11 units), the affordable housing should be provided on site.

ANSA (Cheshire East Council) – No objections to the applications combined, subject to the footpaths being tarmac and the provision of a NEAP.

Flood Risk Manager (Cheshire East Council) – No objections, subject to a number of conditions including; that the finished floor levels of habitable dwellings shall be set 600 mm above the modelled 1 in 100 annual probability (plus a 30% allowance for climate change) flood level; the prior submission of a surface water drainage scheme (including a scheme for the on-site storage and regulated discharge) and a condition seeking the prior submission of a scheme for the management of overland flow from surcharging of the site's surface water drainage system during extreme rainfall events within that phase.

Education (Cheshire East Council) – No objections, subject to a financial contribution of £216,926 to account for the Primary School places need.

United Utilities – No objections, subject to a condition requiring the prior submission of a surface and foul water drainage plan and a number of informatives.

Canal and River Trust – ‘No comment’

Environment Agency – No objections, subject to a number of conditions including; That the development shall be implemented in accordance with the details within the submitted Flood Risk Assessment (FRA) in terms that the finished floor levels of the proposed buildings shall be no lower than 49.83 m above Ordnance Datum (AOD); that details of a large undeveloped 'buffer zone' alongside Englesea Brook shall be submitted to the LPA for prior approval; the prior submission of a method statement for the removal or management of the 'Himalayan Balsam'.

NHS England - No comments received at time of report

Crewe Town Council – Object to the proposal on the following grounds;

- Proposal is contrary to Policy E1 of the Local Plan.
- A high level of employment growth is predicted by Cheshire East Council (65,000 jobs) for which a supply of high quality employment sites is required;
- A number of consents have been granted for residential development in the vicinity of Crewe and for them to be sustainable it will be necessary to provide additional employment; and
- The economic appraisal submitted does not consider the current demand for university related uses, referring only to a conversation in 2008, and limits its consideration of B1 uses to office development. It is therefore not considered that the case is made that the land is not required for the purposes for which it is currently allocated.

Crewe Green Parish Council – Object to the proposal on the following grounds;

- The Application site is a safeguarded commercial site with an extant Planning Approval for such a use within an established and developing business park.
- If Crewe is going to develop as a sub-regional centre and with the advent of HS2 as a new hub Station, it is imperative that employment land opportunities are retained. There remains plenty of brownfield sites within Crewe that can be developed for both affordable and market housing which should be considered before this site.

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants and a site notice was erected. 1 neighbouring letter has been received. The main areas of concern raised relate to;

- Highway safety – Opportunity to create another access of the Crewe Business Park onto University Way to relieve congestion concerns.

APPRAISAL

The key issues are:

- The principle of the development
- Housing Land Supply
- Sustainability – Including; the proposals economic, social and environmental roles
- CIL regulations
- Planning balance

Principle of development

Local Plan

Policy E.1 of the Borough of Crewe and Nantwich Local Plan refers to existing employment allocations. Policy E.1 advises that in addition to land held by businesses and other organisations for future expansion, a number of sites have been allocated for business and industrial uses. Amongst these sites is 'Crewe Business Park / Crewe Green'. The site in question falls within this allocation.

Policy E.1.1 of the Local Plan advises that within this allocation, B1 development and any uses required by and associated with Manchester Metropolitan University are specifically detailed as being acceptable.

Policy E.1.1 states that for the avoidance of doubt, such uses include; classroom/teaching facilities, residential accommodation for students, indoor and outdoor sport and recreational facilities.

As the proposed development seeks residential development and not development for the employment purposes detailed by Policy E.1.1, the proposal would be contrary to this Local Plan policy and would be unacceptable in principle unless other material considerations indicate otherwise.

NPPF

Paragraph 17 of the NPPF 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 a country needs.'

Paragraph 22 of the NPPF states that;

'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.... Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for the different land uses to support sustainable local communities.'

Although this statement refers to planning policies and not how planning applications should be considered, it provides a steer as to how the government want Local Planning Authorities to consider sites allocated for employment use and as such, this is a material consideration.

Emerging Local Plan

Policy EG3 (Existing and Allocated Employment Sites) from the emerging Cheshire East Local Plan Strategy – Submission Version (CELP), which is a material consideration, advises that;

'Existing employment sites will be protected for employment use unless;

- i. Premises are causing significant nuisance or environmental problems that could not be mitigated; or*
- ii. The site is no longer suitable or viable for employment use; and*

- a) *There is no potential for modernisation or alternate employment uses; and*
- b) *No other occupiers can be found.'*

As the site is currently vacant scrubland, point *i* (above) does not apply. However, point *ii* does apply.

In response, the applicant has produced a study in an attempt to address these issues. In summary, the report concludes that;

Crewe Office market

- The site has had the benefit of planning permission for office's (B1 use in accordance with Policy E.1) for almost 8 years
- In 2007 approval was granted for 5 large office buildings. For marketing purposes, this layout was revised for the construction of 7 detached units. The site has been up for sale or let with this planning permission since February 2008.
In 2008, contact was made with Manchester Metropolitan University (Which Policy E.1 also permits development of this site for) who made clear that there was no requirement for any further facilities.
- The Crewe Business Park, after being established approximately 30 years – is still not full
- The demand for office accommodation in Crewe has been driven from either the Public Sector or the SME sector.
The demand for office accommodation from the Public Sector has reached an 'unprecedented low' due to budget cuts.
The public sector is adding surplus floor space to the market e.g. Midpoint 18 (Middlewich), Wellington House (Crewe) and Oak House (Crewe).
SME demand for offices in Crewe tends to be 'small scale'
- The 2012 Cheshire East Employment Land Review advised that although Crewe is a good office location '*it is not envisaged that there will be any major increase in take up in years to come.*'
- Rental demand for office space has decreased further since the introduction of 'empty property rates' by the government.
Have been falling rents and shorter lease terms affecting the viability on new office accommodation.
- Short-term demand is unlikely to improve.
- Healthy existing supply of office accommodation in the Crewe area – 170,000 square feet, 62,000 square feet on Crewe Business Park.
- Are also other sites on Crewe Business Park offering new office development - Pochin's and The Gateway site.
- Are also other sites within the area offering the same – Basford East and Basford West.
- Therefore there is a healthy supply of existing office accommodation and employment land which the application site needs to compete against.

Commercial viability

- Value of new office development in the past 6-7 years has fallen significantly.
- Value of completed development is significantly less than the cost of the land and the construction costs.
- Speculative development is high risk

- Design and build demand – low
- Dummy appraisal estimates that if the scheme was built out on a speculative basis, it would make a loss of over £3.7 million

Marketing

- Began in February 2008
- Since that time, a number of activities have taken place including; Erection of a marketing board; Brochure of the site; CGI images; Public Sector liaison; Advertisement on websites; Inclusion within Office directory; been subject to agent mailing.
- Above has failed to generate any ‘...serious interest in the development of bespoke office buildings...’

Alternative employment uses

- Consideration given to B2 or B8 uses on the site
- Due to the levels differences within the site and its irregular shape, it would be difficult to configure for the effective operation of manufacturing or distribution companies.
- Basford East and Basford West are more appealing given their superior road links and proximity to the M6.

In summary, and to address the policy requirements of the emerging Local Plan, the submitted statement concludes that the site is no longer suitable of viable for employment use, that there is no potential for alternative employment uses and that no other occupiers can be found.

In response, Council's Planning Policy Officer has been consulted on the proposal and they have provided the following comments;

‘Essentially, the Local Plan Strategy examination Inspector has indicated, via his interim views letter published last November, that the Council needs to be more ambitious in terms of jobs growth. The Council commissioned Ekosgen to look at what would be realistic job targets and they have indicated that it should be 0.7% instead of the 0.4% shown in the LPS. This means planning for an increase in jobs from around 13,900 to 31,400 over the Plan period. Crewe is our main employment centre and the Inspector has indicated that he is happy with our settlement hierarchy and general distribution in PG6 [Policy], albeit that he would like to see some more employment / housing development in the north. So to meet this significant up lift in job targets we will need good employment sites like this.

The site is needed to provide for the emerging employment strategy in the Local Plan which looks to a 2030 horizon and, while setting the scene for HS2, it this does not take account of it. Hs2 will mean an even greater requirement for suitable employment land and we will take account of this in the next Local Plan once the current LPS is approved i.e. the policy direction is clearly to maintain a supply of good employment sites and this is in line with the NPPF idea of creating sustainable communities / need for sustainable development.’

In addition to the above, the Council's Regeneration Team have commented on the proposal to advise;

- *‘There is strong current demand for land and units with employment uses in Crewe both from existing expanding businesses and from inward investors. It is anticipated that demand will also be strong in the future.*

- *This site is adjacent to a successful business park and in a prominent location which will be further enhanced and benefit from the completion of Crewe Green Link Rd South later in 2015.*
- *University Way accommodates a range of businesses and uses and Bentley Motors occupy a unit adjacent to the site of the Planning Application 15/0587N.*
- *A range of employment uses for the site, in addition to the B1 use allocation, should be considered for the site.*

In specific relation to the Legat Owen report we would like to comment that –

- *7.2 – It should be noted that the largest administrative centre for Cheshire East Council, in terms of number of employees, is Crewe where circa 1000 employees are based. This is larger than the number of employees based in the administrative centres in Sandbach and Macclesfield combined.*
- *7.3 – The Crewe office market has many commercial drivers including for example Assurant Solutions who are based at Crewe Business Park and currently employ over 1000 employees and are seeking to expand in Crewe. Mahle have also recently taken space at Crewe Business Park*
- *7.8 – Crewe is an excellent location for business. This view is reflected in more recent publications than the Employment Land Review. Notably 'All Change for Crewe : High Growth City'. The aspiration of All Change for Crewe includes the need to ensure development of accompanying short to medium term employment sites to compliment the strategic sites at Basford and Leighton in Crewe.*
- *Sir David Higgins report 'HS2 Plus' emphasized that 'An interchange at Crewe would be a real agent of change in the region'. A new regional transport hub at Crewe could bring structural change to the business offer in the area. Lord Paul Deighton, who is chairman of the HS2 Growth Taskforce, has also stated that Crewe is ideally placed to act as a hub station to connect HS2 into the surrounding regions.'*

Conclusion

As a result of the above, it is considered that the site remains suitable and viable for employment use and there is potential for alternative employment uses. The development is therefore considered to be contrary to Policy E.1 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011, Policy EG3 from the emerging Local Plan Strategy – Submission Version, and the NPPF. Therefore, the principle of the proposed development would not be acceptable.

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council's identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

The calculation of Five Year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

Following the suspension of the Examination into the Local Plan Strategy and the Inspectors interim views that the previous objectively assessed need (OAN) was 'too low' further evidential work has now taken place and a fresh calculation made.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account 'persistent under delivery' of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

This is therefore a material consideration to be considered as part of the planning balance.

Sustainability

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

Accessibility is a key factor of sustainability that can be measured. A methodology for the assessment of walking distance is that of the North West Sustainability Checklist, backed by the Department for Communities and Local Government (DCLG) and World Wide Fund for Nature (WWF). The Checklist has been specifically designed for this region and can be used by both developers and architects to review good practice and demonstrate the sustainability performance of their proposed developments. Planners can also use it to assess a planning application and, through forward planning, compare the sustainability of different development site options.

To aid this assessment, there is a toolkit which was developed by the former North West Development Agency. With respect to locational accessibility, the toolkit advises on the desired distances to local amenities which developments should aspire to achieve. The performance against these measures is used as a “Rule of Thumb” as to whether the development is addressing sustainability issues pertinent to a particular type of site and issue. It is NOT expected that this will be interrogated in order to provide the answer to all questions.

Adherence with the recommendation

Children's Play Space (500m) – To be provided on-site under application 15/0587N
Amenity Open Space (500m) – To be provided on-site under application 15/0587N
Leisure facilities (1000m) – 625m
Public House (1000m) – 350m
Bus Stop (500m) – 400m
Railway station (2000m where geographically possible) – 1700m
Any transport node (as above) – 1700m
Bank or cash machine (1000m) – just over 400m
Convenience Store (500m) - 400m
Local meeting place (1000m) – less than 350m

Failure by 50% or less

Public Right of Way (500m) – 700m

Failure

Secondary School (1000m) – 3000m
Supermarket (1000m) – 2500m
Primary School (1000m) – 1575m
Post box (500m) – 795m
Pharmacy (1000m) – 1575m
Medical Centre (1000m) – 1575m
Post Office (500m) – 1500m
Outdoor Sports Facility (500m) – 880m

Unknown

Child Care Facility (nursery or crèche) (1000m)

As such, the site falls within the recommended distances of or would provide the facilities on site for 10 of the public facilities considered out of the 19 considered.

As such, the site adheres to just more than half of the facilities detailed. Therefore, it is considered that the site can be considered to be locationally sustainable especially given the presence of a public footpath linking the site to many of the closet facilities and the strong road linkages to Crewe.

Notwithstanding the above, Inspectors have determined that locational accessibility is but one element of sustainable development and it is not synonymous with it. The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built

environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

These roles should not be undertaken in isolation, because they are mutually dependent.

Economic Role

It is accepted that the construction of a housing proposal of this size would bring the usual economic benefit to the closest shops in Crewe and Haslington for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would also be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

Notwithstanding the above, the loss of a site allocate for employment purposes is a significant economic dis-benefit.

Social Role

Affordable Housing

The Interim Planning Statement (IPS) for affordable housing states that the general minimum proportion of affordable housing for any site would normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment Update (SHMA). The IPS states that the tenure mix split the Council would expect is 65% rented affordable units (these can be provided as either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rent) and 35% intermediate affordable units. The affordable housing tenure split that is required has been established as a result of the findings of the SHMA.

The 2013 SHMA Update shows that for the sub-area of Crewe there is a need for 217 new affordable homes per year, made up of a need for 50 x 1 beds, 149 x 3 beds, 37 x 4+ beds, 12 x 1 bed older persons units and 20 x 2 bed older persons units. (There is an oversupply of 2-bed general needs accommodation).

There are currently 1816 applicants on our housing register applying for social rented housing who have selected one of the sub-areas of Crewe as their first choice, these applicants require 607 x 1 beds, 734 x 2 beds, 371 x 3 beds and 54 x 4+ beds (50 applicants haven't specified how many bedrooms they need).

Therefore as there is affordable housing need in Crewe there is a requirement for affordable housing to be provided at this site, 30% of the total dwellings on site should be provided as affordable, this equates to up to 32 affordable homes and the tenure split of the affordable dwellings should be 65% social or affordable rent (up to 21 units) and 35% intermediate tenure (up to 11 units), the affordable housing should be provided on site.

According to the Planning Statement submitted with the application, the applicant is offering 30% affordable housing at this site with a tenure split to be agreed at Reserved Matters. The Council's Housing Officer has advised that the tenure split highlighted above will be required.

This provision would offer a significant social benefit.

Residential Amenity

Policy BE.1 of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance. Furthermore, the level of private amenity space provided is a material consideration as detailed within the Supplementary Planning Document on Development on Backland and Gardens.

There are no neighbouring residential properties within close proximity of the application site, given that it is located in a commercial part of the town. As such, the principal amenity considerations are in relation to the future occupiers of the proposed dwellings themselves.

As the application is for outline permission with access only, the submitted layout of the arrangement of the dwellings is only indicative at this stage. However, the indicative layout plan does demonstrate that 106 dwellings could be accommodated within the site whilst largely adhering with the requisite separation standards detailed within the Backland SPD.

Furthermore, it is considered that sufficient private amenity space for this number of dwellings could also be accommodated.

With regards to Environmental disturbance, the Council's Environmental Protection Team have advised that they have no objections, subject to a number of conditions including; a restriction of the hours of piling, the prior submission of a piling method statement, the prior submission of a construction phase Environmental Management Plan, Acoustic screening on the properties adjacent to University Way, submission of an updated Acoustic assessment at reserved matters stage, the prior submission of a travel plan, the prior submission of Electric Vehicle charging points, the prior submission of a dust mitigation scheme and a contaminated land condition.

In addition, informatives relating to hours of construction and contaminated land are also sought.

As such, subject to the above recommendations, it is considered that the proposed development would adhere with Policy BE.1 of the Local Plan and not create any significant amenity concerns.

Public Open Space (POS)

Policy RT.3 of the Local Plan details that new housing development comprising of 20 units shall seek the provision of 15 square metres of shared recreational open space per dwelling. Where family dwellings are proposed, an additional 20 metres of children's play space would be required per family dwelling as a minimum.

As such, based on 108 dwellings, there would be an overall requirement of 1,590 square metres of shared recreational open space and 2,120 square metres of shared children's play space.

The proposed development has been split over 2 planning applications. This application includes the housing, whereas the other application, ref: 15/0587N includes the POS.

The Council's Public Open Space Officer has advised that overall, on consideration of both applications combined, he is satisfied with the provision, subject to the footpaths being tarmacked and the provision of a NEAP.

As such, subject to the above and a legal agreement to ensure that both applications are linked, it is considered that the provision of POS provided under the associated planning application 15/0587N would be acceptable and offer a social benefit.

Education

The Council's Education Officer has reviewed the proposal and advised that the service would expect a development of 106 dwellings to generate 20 primary aged pupils and 16 secondary.

It is advised that Primary schools within a 2 mile radius and secondary schools within a 3 mile radius have been considered for capacity and this research has identified a need for primary places but not for secondary. On this basis a sum of £216,926 is sought to provide these places (20 x £11,919 x 0.91) and offset the impact.

Conclusion

Social benefits in the form of; the provision of affordable housing and Public Open Space provision shall be provided as part of the development. In addition, no significant neighbouring amenity concerns or education impacts would be created.

As such, notwithstanding the principle acceptability of the proposal, it is considered that the development would be socially sustainable.

Environmental role

Landscape Impact

The Council's Landscape Officer has advised that the indicative proposals appear generally to respect existing landscape features and provide opportunities for enhancement.

It is advised that at Reserved Matters stage, it may be necessary to secure greater separation between development, SUDS provision and the watercourse in this vicinity.

Development to the south of the site would be dominated by the adjacent large employment building although existing immature planting will provide a level of screening as it matures. It is advised that full details of hard and soft landscape proposals would need to be addressed in a reserved matters application, together with levels.

As such, the impact upon the landscape is not considered to be significant.

Trees and Hedgerows

The application is supported by an arboricultural survey, impact assessment and draft tree protection plan which covers this site and an adjoining parcel to the north where an area of POS is proposed. The

Council's Tree Officer has advised that the submitted arboricultural information appears to follow the guidance contained within British Standard 5837:2012 Trees in relation to design, demolition and construction.

As the application proposal is an outline application with only access included, limited weight can be given to the submitted proposed indicative master plan, and the arboricultural impact assessment thereof. Nevertheless, the Council's Tree Officer states that the identified potential arboricultural impacts do not appear to present any insurmountable issues and in principle it should be possible to secure a suitable reserved matters layout plan.

At reserved matters stage, the Council's Tree Officer would seek to secure greater separation from a mature tree shown retained to the south east of the site which may have an impact on the number of dwellings sought.

It is recommended that at reserved matters stage, the application should be informed and supported by a comprehensive package of arboricultural data in accordance with BS 5837:2012.

Ecology

The application is supported by an extended phase 1 habitat survey, a protected species report and mitigation survey, a tree bat survey.

'Other' Protected Species

A well established main 'protected species' sett is present on site. The Council's Nature Conservation Officer has advised that the application is supported by an acceptable impact assessment and outline mitigation method statement.

As the current application is outline only and the status of the 'protected species' on site may change prior to the commencement of works, the Council's Nature Conservation Officer recommends that if outline consent is granted, a condition must be attached requiring the submission of an updated 'protected species' survey, impact assessment and mitigation proposals in support of any future reserved matters application.

Great Crested Newts (GCN)

There is an historic record of a single GCN being found on this site over ten years ago. This animal is believed to have been associated with the ponds within Crewe Business Park. This population of GCN is known to have died out a number of years ago. The large balancing pond relatively recently constructed adjacent to the site has been assessed as having 'Below Average' potential to support GCN.

The Council's Nature Conservation Officer has advised that GCN are not reasonable likely to be present or affected by the proposed development and so no further action is required in respect of this species.

Bats and trees

Numerous trees occur on site which have the potential to support roosting bats and a roost was confirmed within one of these trees during surveys undertaken in 2014.

Based on the submitted illustrative master plan and tree report it appears that all the mature trees will be retained, the Council's Nature Conservation Officer therefore advises that the proposed development is therefore unlikely to have an adverse impact upon roosting bats.

Safeguarding Englesea Brook

Englesea Brook is located on the eastern boundary of the application site. In order to ensure that the brook is safeguarded during the construction process the Council's Nature Conservation Officer recommends that if outline consent is granted a condition should be attached requiring the submission of a method statement for the safeguarding of an undeveloped 8m buffer zone adjacent to the brook. It is also recommended that details of this buffer zone are submitted as part of any future reserved matters application.

Design Standards

Policy BE.2 of the Local Plan advises that new development will only be permitted so long as; it would achieve a high standard of design, would respect the pattern, character and form of the surroundings and would not adversely affect the streetscene in terms of scale, height, proportions and materials used.

As the application is for outline planning permission with access only. Matters of layout, scale and appearance from a design perspective cannot be considered as part of this scheme.

This application shall consider whether the number of dwellings sought could be accommodated within the site in an acceptable layout of any configuration, not necessarily the indicative layout submitted.

The application seeks the erection of up to 106 residential units on this 3.17 hectare plot.

The indicative layout suggests that this would be achieved via construction of a mixture of detached, semi-detached and terraced units. It also appears that residential blocks are sought.

It is considered that the site is large enough to accommodate this number of dwellings. As such in principle, the design of the scheme is considered to be acceptable.

Access

This application seeks approval of the access arrangements for the proposed development.

Access to the site is currently taken from University Way via a Major / Minor Priority junction with a Ghost Island. This site access junction was implemented as part of the extant B1 Office planning consent.

The development proposals will utilise the existing priority ghost island access to the site, which has visibility splays of 2.4m x 120m in accordance with highway design standards for roads, such as University Way, with a speed limit of 40mph. All dwellings will be served from internal access roads.

The application is supported by a Transport Statement. This statement considers road safety, sustainability and highway Impacts which are considered below.

Road Safety

Other than one incident, which is not as a result of the highway layout, the Head of Strategic Infrastructure (HSI) advises that University Way has a good road safety record.

Sustainability - Walking

A number of public facilities are considered to be within walking distance of the site when compared to the distance thresholds set out in the Chartered Institution of Highways and Transportation (CIHT) document 'Guidelines for Providing for Journeys on Foot'.

Footway provision on University Way in the vicinity of the site is good; the footways are shared use footway/cycleways which run along the entire length of University Way between the Weston Road roundabout to the south of the site and the Crewe Green roundabout to the north of the site. Additionally, to assist both pedestrians and cyclist whilst negotiating the Crewe Green roundabout, Toucan crossings are provided on the approaches to the roundabout. The footway/cycleways running along University Way are separated from the edge of the carriageway by a grass verge to provide better separation between traffic and pedestrians; there is also a pedestrian crossing on University Way located immediately to the north of the site access, the crossing has dropped kerbs and tactile pavours, to assist wheel chair users and the visually impaired, and a pedestrian refuge in the centre of the carriageway to allow users to safely cross one lane of the carriageway at a time. The crossing provides access to the shared use footway/cycle link from University Way to Crewe Business Park, located around 80m to the north of the site access, providing sustainable access to a range of local employment opportunities. University Way also has street lighting.

Cycling

Cycling is considered to provide a good alternative to the private car for journeys of up to 5km as a whole journey or as part of a longer journey. Nearly all of Crewe is within a 5km cycle distance of the site, providing sustainable access to a range facilities commonly associated with large towns such as retail and leisure use; and opportunities for local employment.

In terms of infrastructure, there are shared use footway/cycleways running along both sides of University Way and there is a shared use footway/cycleway link to Crewe Business Park located around 80m to the north of the site access. Furthermore, National Cycle Network Route 451 lies to the north of the site at Crewe Green roundabout, the route runs between Crewe, past Crewe Railway Station to Sandbach.

Public Transport

The CIHT document, 'Guidelines for Planning for Public Transport in Developments', recommends a maximum walking distance of 400m to a bus stop.

There are two bus stops in the vicinity of the site that can be considered in relation to the above distance threshold. The bus stops are located to the west of the site on Electra Way, the west-bound

bus stop is located around 370m from the centre of the site and the east-bound bus stop is located just beyond the threshold at around and 470m from the centre of the site.

The bus stops provide access to the One1ink bus service operated by D&G Bus which provides a 15 minute week day and Saturday daytime service between Crewe Business Park and Bentley Motors via Industrial Estate (Fourth Avenue), Macon Way, Crewe Town Centre and Ashbank. However, according to the D&G Bus website, as of April 2015 the service is to be considerably scaled back. When considering the Crewe Business Park bus stops, there will be just four services between 0700 and 0900 hours, four services between 1700 and 1900 hours and just two services during the rest of the day.

Access to further services are available, beyond the preferred maximum walking distance, from bus stops located on Crewe Road around 780m to the north of the centre of the site. Three bus services are available numbers 3, 36 and 37. The services provide reasonably frequent access to a range of destinations including but not limited to Newcastle-under-Lyme, Stoke, Sandbach, Middleswich and Northwich.

The HSI therefore considers that there are options for travel by public transport but that access to bus stops may constrain usage.

Rail

The IHT document, 'Planning for Public Transport in Developments', recommends a maximum walking distance of 800m to a major fixed public transport node.

The nearest railway station to the site is Crewe located on Nantwich Road approximately 1.7km to the west of the site. The station is more than twice the recommended maximum walking distance, it is, therefore, considered unlikely that there will be a large demand for journeys of this type. However, the HSI advises that it is within the 5km cycle catchment referred to earlier, thus, a multi-mode rail / cycling journey may attract some users.

The railway station provides frequent access to a number of local and regional destinations including Manchester, Birmingham and London.

The HSI concludes by advising that the site is not considered to be ideally located to encourage travel by train.

Internal site layout

As the application is in outline the HSI has not commented in the site layout.

Traffic Impact

The morning and evening peak hour traffic impact of the development proposals has been compared in the TS with that expected from the implementation of the extant planning consent for 18,500 sqm GFA of B1 Office development. The HSI has reviewed the analysis and finds it to be satisfactory.

The comparison demonstrates it is expected that:

- During the morning peak hour there will be 302 fewer arrivals to the site and just six additional departure i.e. 45 rather than 39; and
- During the evening peak hour there will be 232 fewer departures from the site and just 16 additional arrivals i.e. 43 rather than 27.

The HSI concludes that there are no grounds for refusal based on traffic impact, that the already implemented site access junction is an acceptable solution to serve a development of 106 dwellings and that the impact on the wider highway network, associated with the development proposals, will be much reduced when compared to that associated with the existing planning consent.

Conclusions and Recommendation

The HSI is satisfied that the development proposals can be safely accommodated on the adjacent highway network; accordingly, the HSI has no objection to the planning application subject to the following condition.

To encourage the use of alternative, sustainable modes of travel to the private car by future residents of the development, the developer will be required to provide the following for each original householder:

- A Travel Plan pack to include; details of the local cycle network and cycle equipment suppliers identifying those offering discounts, detailed information packs including timetable/routeing information for both Bus and Rail travel and links to relevant websites, and to promote sustainable transport choice to/from the site on the development website.

Furthermore it is advised that the developer/applicant enter into a S106 Agreement to provide:

- One public transport voucher per new dwelling to be provided on demand for each original householder to the value of £185; and
- To submit a Travel Plan monitoring report annually for three years with the first report to be provided after occupation of the 40th dwelling and to pay the total sum of £3,000 to the Council to monitor the reports (£1,000 for each report).

The acceptability of this request is considered in the CIL section of this report.

Flood Risk and Drainage

Flooding

The application was supported by a Flood Risk Assessment.

The Environment Agency have reviewed this assessment and concluded that they have no objections to the proposed development, subject to a number of conditions including; That the development shall be implemented in accordance with the details within the submitted Flood Risk Assessment (FRA) in terms that the finished floor levels of the proposed buildings shall be no lower than 49.83 m above Ordnance Datum (AOD); that details of a large undeveloped 'buffer zone' alongside Englesea Brook shall be submitted to the LPA for prior approval; the prior submission of a method statement for the removal or management of the 'Himalayan Balsam'.

In addition to the above, the Council's Flood Risk Manager has reviewed the submission. The Flood Risk Manager has advised that he has no objections, subject to conditions including; that the finished floor levels of habitable dwellings shall be set 600 mm above the modelled 1 in 100 annual probability (plus a 30% allowance for climate change) flood level; the prior submission of a surface water drainage scheme (including a scheme for the on-site storage and regulated discharge) and a condition seeking the prior submission of a scheme for the management of overland flow from surcharging of the site's surface water drainage system during extreme rainfall events within that phase.

Following subsequent discussions with the Council's Flood Risk Manager, it has been agreed that their proposed condition regarding finished floor levels is effectively the same as the condition proposed by the Environment Agency. As such, they have agreed that the Environment Agency's condition wording will be sufficient.

As such, subject to these conditions, it is considered that the proposed development would adhere with Policy NE.20 of the Local Plan.

Drainage

United Utilities have reviewed the application and advised that they have no objections, subject to a condition requiring the prior submission of a surface and foul water drainage plan and a number of informatives.

As such, subject to these conditions, it is considered that the proposed development would adhere with Policy BE.4 of the Local Plan.

Conclusion

The proposed development would not create any significant landscape, tree or hedgerow issues, nature conservation, access, design, flooding or drainage concerns subject to conditions.

As such, it is considered that the proposed development can be considered to be environmentally sustainable.

Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of on-site POS under application reference: 15/0587N needs to be linked to this application via a S016 Agreement to ensure the relevant provision. This is considered to be necessary, fair and reasonable in relation to the development.

The HSI has sought one public transport voucher per new dwelling to be provided on demand for each original householder to the value of £185; and the requirement for the developer/applicant to submit a

Travel Plan monitoring report annually for three years with the first report to be provided after occupation of the 40th dwelling and to pay the total sum of £3,000 to the Council to monitor the reports (£1,000 for each report).

It is not considered that these highway contributions are necessary and can be sought as part of planning conditions, not S106 Agreements. As such, the highway requirements are not considered to be necessary, fair and reasonable in relation to the development.

On this basis, the S106 recommendation, with the exception of the highway requirements, are compliant with the CIL Regulations 2010.

Planning Balance

The application site lies within the Crewe settlement boundary where Policy RES.2 of the Local Plan advises that new housing will be permitted in accordance with Policies BE.1 to BE.5 of the Local Plan.

However, as the application site is allocated for employment purposes within the Local Plan, the loss of this employment site is the principle consideration.

As the proposal seeks residential development on an allocated employment site, the proposal would be contrary to Policy E.1 of the Local Plan and be unacceptable in principle unless other material considerations indicate otherwise.

Paragraph 22 of the NPPF states that where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits.

Policy EG3 from the emerging Local Plan Strategy – Submission Version, which is a material consideration, advises that existing employment sites will be protected for employment use unless the site is no longer suitable or viable for employment use; and there is no potential for modernisation or alternate employment uses; and no other occupiers can be found.

The applicant has submitted a viability study in an attempt to address these policy considerations. However, the Council considers that the site does remain suitable and viable for employment use and there is potential for alternative employment uses. The development is therefore also considered to be contrary to Policy EG3 from the emerging Local Plan Strategy – Submission Version and the NPPF in this regard.

Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and where this is the case housing, applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

In this case, the development would provide benefits such as; the provision of market housing, the provision of affordable housing, local economic benefits to nearby public facilities, an over provision of Public Open Space and education contributions.

Balanced against these benefits must be the dis-benefits which relate to the loss of this site for employment purposes.

On the basis of the above, it is considered that the economic dis-benefit resulting in the loss of this employment site outweighs the social and economic benefits of the residential development. Therefore, the proposal is considered to represent unsustainable development and paragraph 14 is not engaged and therefore the proposal should be determined in accordance with the development plan.

Notwithstanding this point, even if it were engaged, it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits.

As such, the application is recommended for refusal.

RECOMMENDATION

REFUSE

1. The proposed development would be for residential development on land allocated for employment purposes by Policy E.1 of the Borough of Crewe and Nantwich Adopted Local Plan First Review 2011. It is considered that the site remains suitable and viable for employment use and there is potential for alternative employment uses. The development is therefore considered to be contrary to Policy E.1 (Existing Employment Allocations) of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011, Policy EG3 (Existing and Allocated Employment Sites) from the Cheshire East Local Plan Strategy – Submission Version (CELP). The proposal is also considered to be contrary to the NPPF.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation), 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.

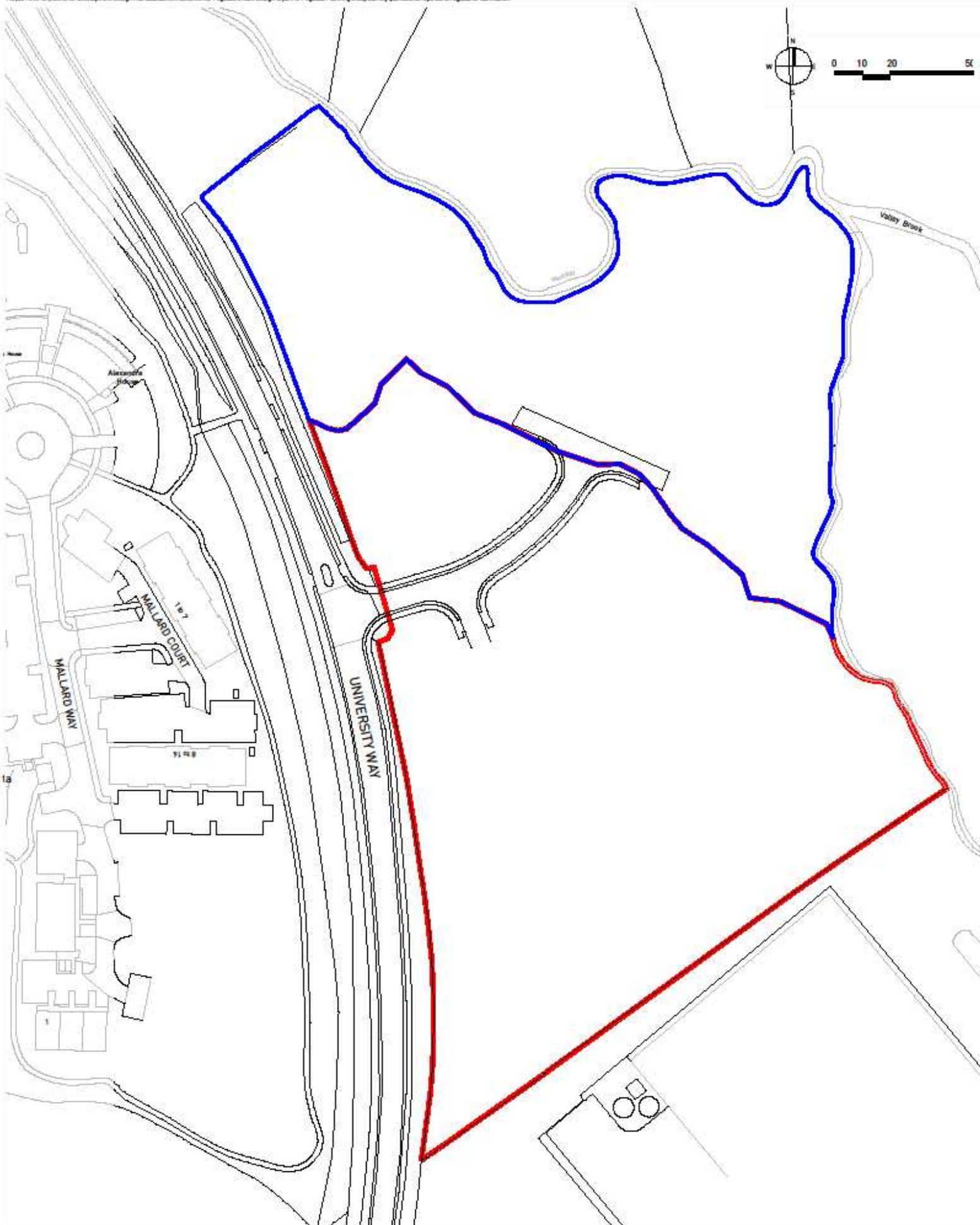
Should the application be subject to an appeal. Approval is given to enter into a S106 Agreement to secure the following Heads of terms;

1. A 30% affordable housing provision to include;
 - 32 affordable homes and the tenure split of the affordable dwellings should be 65% social or affordable rent (up to 21 units) and 35% intermediate tenure (up to 11 units), the affordable housing should be provided on site.
 - The IPS requires that the affordable homes should be provided no later than occupation of 50% of the open market units, unless the development is phased and there is a high degree of pepper-potting in which case the maximum proportion of open market homes that may be provided before the provision of all the affordable units may be increased to 80%.
 - Requires developer/applicant to transfer any rented affordable units to a Registered Provider

- Requires developer/applicant to provide details of when the affordable housing is required
- Includes provisions that require the affordable homes to be let or sold to people who are in housing need and have a local connection. The local connection criteria used in the agreement should match the Councils allocations policy.
- Includes the requirement for an affordable housing scheme to be submitted prior to commencement of the development that includes full details of the affordable housing on site

2. A contribution of £216,926 to account for the Primary School provision

3. A link between this application and planning application ref:15/0587N to ensure the provision of adequate POS provision



LEGEND

- Site location
0.84 acres/
3.17 hectares
- Other land in
applicants
ownership