

Application No: 15/4046N

Location: Land Off, CREWE ROAD, SHAVINGTON CUM GRESTDY, CREWE

Proposal: The approval of reserved matters in respect of appearance, landscaping, layout, and scale for the construction of 275 dwellings including landscaping, recreation and amenity open space on land at Crewe Road, Shavington.

Applicant: Taylor Wimpey UK Limited

Expiry Date: 08-Dec-2015

#### **SUMMARY:**

The site already has outline planning permission for residential development which has established the acceptability in principle of this proposal. The scheme is contained within the existing site boundaries and will not result in further encroachment into open countryside. The proposal is acceptable in terms of design, amenity, access and parking and greenspace etc. The proposal is therefore economically, environmentally and socially sustainable.

**RECOMMENDATION: APPROVE Subject to conditions**

#### **SITE DESCRIPTION:**

The East Shavington site extends to approximately 12.02 ha, the majority of which being existing agricultural land. The application also includes the existing residential property, no. 28 Crewe Road which will be demolished to provide the vehicular/pedestrian/cycle access to the site, and the southern side single storey structure to no. 56 Crewe Road, which will be taken down to provide for pedestrian/cycle access (the rest of 56 Crewe Road will remain insitu). The site is generally level and there are a number of field trees and hedgerows within it.

A public footpath crosses the site from south to north between Crewe Road and Weston Lane passing over Swill Brook and is joined from the east by two other public rights of way, which give access to the wider countryside to the east.

#### **PROPOSAL:**

Members may recall that Outline planning permission was sought for up to 275 new family homes, in a mix comprising 2-5 bedroom unit including mews, semi-detached and detached dwelling, of 2 and 2½ storeys in height in a variety of styles. Vehicular access was to be provided directly from Crewe Road following the demolition of the existing residential

property, no. 28 Crewe Road. A second pedestrian / cycle link was also to be provided from the development to the west onto Crewe Road which would provide a link directly to the village centre. It also made provision for a pedestrian controlled crossing point.

The application was submitted in outline, but south approval for the access, with matters of appearance, landscaping, layout and scale reserved for subsequent applications.

The application was subject to an appeal against non-determination. Initially Strategic Planning Board resolved to contest the appeal on highways grounds but following negotiations which resulted in a satisfactory Section 106 package to secure off-site improvement works, the objection was withdrawn and the Council resolved not to contest the appeal and it was duly allowed.

## **RELEVANT HISTORY:**

**13/2069N** - Outline planning permission is sought for up to 275 new family homes, in a mix comprising 2-5 bedroom unit including mews, semi-detached and detached dwelling, of 2 and 2½ storeys in height in a variety of styles. All matters reserved apart from access. – Allowed on Appeal.

## **NATIONAL & LOCAL POLICY**

### **National Policy**

National Planning Policy Framework

### **Local Plan Policy**

NE.2 (Open countryside)  
NE.5 (Nature Conservation and Habitats)  
NE.9: (Protected Species)  
NE.20 (Flood Prevention)  
NE.21 (Land Fill Sites)  
BE.1 (Amenity)  
BE.2 (Design Standards)  
BE.3 (Access and Parking)  
BE.4 (Drainage, Utilities and Resources)  
RES.5 (Housing In The Open Countryside)  
RT.6 (Recreational Uses on the Open Countryside)  
TRAN.3 (Pedestrians)  
TRAN.5 (Cycling)

## **CONSULTATIONS:**

### **Highways**

In regard to highways, the proposal is related to the internal road layout of the site only, all other matters have been determined in the outline application that was approved.

There has been discussion about the technical details of the road layout with the applicant prior to the application submission. The layout submitted in the application provides an acceptable standard of access and accords with the technical design requirements for adoption. The materials proposed to be used in the carriageways and shared surface areas are suitable for adoption by the Council.

In regard to car parking and garaging, the proposed units provides acceptable levels of car parking across the site.

In summary, the road layout submitted is acceptable in regard to design and meets technical requirements, no objections are raised.

### **United Utilities**

UU will have no objection to this application on the proviso that the drainage strategy submitted is fully complied with.

There is a 6m easement (Z1523), that being 3m either side of the pipe protecting a sewer crossing the development site near Brook Avenue and The Orchards. Under no circumstances should anything be erected, stored or planted over the easement width, nor should anything occur that may affect the integrity of the pipe or United Utilities legal right to 24hr access.

### **Environment Agency**

No objection subject to the following conditions:

- The development hereby permitted shall not be commenced until such time as; a scheme demonstrating that finished floor levels of the residential dwellings adjacent to Wells Green Brook are to be set at a minimum of 54.50 m AOD as recommended within the Flood Risk Assessment prepared by Lees Roxburgh (dated May 2013, ref 5104/R3), has been submitted to and approved in writing by the local planning authority.
- The development hereby permitted shall not be commenced until such time as; a scheme to demonstrate no alteration of existing ground levels within the 1 in 100 year (1% AEP) flood outline, has been submitted to and approved in writing by the local planning authority.
- The development hereby permitted shall not be commenced until such time as; a scheme to limit the surface water runoff generated by the proposed development, has been submitted to and approved in writing by the local planning authority.
- 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.

Having reviewed the submission we note that the land does not have a history of industrial land use and therefore did not anticipate any adverse concentrations of land contamination which may pose a risk to controlled waters.

The site investigation which has been undertaken to date confirms this consideration. Therefore we agree that no site specific remediation is required to safeguard the environment.

## **Public Rights of Way**

After inspection of the documents available in regard to the above development which directly affects Public Footpaths nos. 4,5 & 6, Shavington; we are unable to give a full response to the consultation due to the lack of clarity regarding many issues including alignment/ diversion proposals/ status.

On this basis we object to the application.

## **Parish Council**

The Parish Council objects to planning application No. 15/4060N (Land off Crewe Road, Shavington. Reserved Matters application in respect of appearance, landscaping, layout and scale for the construction of 275 dwellings including landscaping, recreation and amenity open space) on the following grounds:

- ☐ There is a potential for flooding at Swill Brook as the proposed development is on a flood plane.
- ☐ The development proposes houses which are 2½ storeys and this would adversely affect the character of the parish.

## **OTHER REPRESENTATIONS**

### **Local Residents**

4 representations have been received making the following points:

Strongly opposed for a number of reasons

- the number of cars and vehicles the impact of hundreds of new houses would make.
- the development has now been altered and now will include 2 1/2 storey high houses and also the new plans show the houses are in opposite directions.
- The houses in the Orchards cul-de-sac, are considerably lower than the proposed housing application.
- It will be a gross invasion of privacy, and day light would be totally blocked out
- With all the new houses development being built around Shavington we feel that this housing application should be refused on a number of issues
- concerned about the water flow after these houses are built and the adverse results to our houses on lower ground,
- where are the children in the new houses going to go to school, Shavington school is full with larger intakes than there should be for the last two years .
- there are four new sites in and around Shavington more than doubling the size its no longer a village but a town without more schools and medical centres

- lots of cars going to fast past my gate with no footpath
- The village of Shavington is being destroyed by housing developers being given the rights to build on green fields, there is not one access road into Shavington that's not having a housing estates built that they either enter or exit or both onto

## **OFFICER APPRAISAL**

### **Main Issues**

The site lies in the Open Countryside as designated in the Crewe and Nantwich Local Plan First Review, where policies NE2 and RES5 state that only development which is essential for the purposes of, agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted.

However, the granting of the outline planning permission established the acceptability in principle of residential development on this site and this application does not present an opportunity to re-examine those issues.

The proposal is therefore acceptable in principle and the main issues in the consideration of this application are sustainability of detailed design, layout, appearance, scale and landscaping of the proposal (the reserved matters) in terms of economic, social and environmental factors.

## **SOCIAL SUSTAINABILITY**

### **Affordable Housing**

The overall level of affordable housing provision was established through the Section 106 Agreement attached to the outline planning permission. Although, formal comments were awaited at the time of report preparation from the Council's housing officer in respect of the detail of the on site provision, she has confirmed verbally that the affordable housing provision complies with the requirements of the Section 106 Agreement.

The affordable housing is pepper-potted throughout the site in 12 clusters and reflects the phasing and pepper-potting requirements of the Section 106 Agreement.

The affordable housing provision is therefore considered to be acceptable.

### **Amenity**

The nearest neighbouring properties are those fronting on to Crewe Road, The Orchards and Brook Avenue. The recommended 21.3m between principal windows and 13.7m between principal elevations and flank elevations will be achieved between the proposed dwellings and these existing properties. Therefore, it is considered that an adequate level of privacy and light will be maintained to existing properties.

Although, the separation distances meet the required standard, concern has been raised by the occupants of "The Orchards" regarding overlooking of their properties by windows in the

rear elevations of plots 172 – 181. At the request of the Parish Council, the developer has agreed to re-orientate these dwellings so that the gable elevations of the properties face on to The Orchards, and additional landscaping is provided at the head of the proposed cul-de-sac. This will provide an improved standard of amenity to these dwellings.

A landscape buffer zone is to be provided to the rear of the existing properties fronting on to Crewe Road.

The applicant has confirmed that their intention is that it will be transferred to the property owners on the new development. They will be subject to a covenant requiring them to maintain it. It must be retained as a landscape buffer and not incorporated into gardens.

A 2m closed boarded fence will be erected to the rear of the existing boundary treatments on Crewe Road. To the rear of this there will be the buffer planted with trees and shrubs. The developer will provide a post and rail fence on the other side of the buffer to separate it from the gardens of the new dwellings. An access gate will be provided in this fence for each of the new property owners to maintain it.

To turn to the standard of amenity within the site, the scheme also achieves the recommended 21.3m between principal windows and 13.7m between principal and flank elevations, as set out in the Supplementary Planning Guidance.

The Council's SPG advocates the provision of 50sq.m of private amenity space for all new family dwellings. A number of plots fail to achieve this standard and the minimum garden areas are now approximately 31sq.m.

Whilst the proposal fails to meet all the requirements of the Council's SPG of the adopted Local Plan,, the provision of an adequate standard of amenity for future residents must be balanced against the need to make the best use of land and the proposed increase in the number of properties to be built on this site will contribute to the Council's housing land supply and will ease pressure to develop other Greenfield and open countryside sites within the Borough.

Environmental Protection have recommended conditions relating to restricting hours of piling and requiring the submission and approval of a Construction Environmental Management Plan. These were imposed on the outline consent and as a result there is no need for them to be replicated on this reserved matters approval.

## **Open space**

The layout approved at the outline stage included provision for a large central formal open space, incorporating a children's play area and a further areas of informal open space, around the periphery of the site. The Section 106 agreement also included provision for a private management company to be set up by the developer to maintain the open spaces within the development.

The detail of the proposed on-site open space, including the play area has been considered by the Greenspaces Officer who has raised no objections and it is therefore considered to be acceptable.

## **Infrastructure**

Infrastructure requirements such as education and highways contributions were dealt with at the outline stage.

## **ENVIRONMENTAL SUSTAINABILITY**

### **Public Rights of Way**

The site is bisected by 2 public rights of way. The Greenspaces team lodged an objection to the application on the basis that the rights of way are shown on the submitted layout to be diverted onto highways. This, in effect, results in extinguishment of those rights of way and would be contrary to Council Policy. Therefore the rights of way should be redirected through green space.

However, Rights of Way officers have discussed with the developer the Public Rights of Way implications of this development proposal. They can confirm that they would be in a position to withdraw their objection to application 15/4046N on receipt of revised layout plans which:

- Indicate the correct alignment, as shown on the Definitive Map, of the Public Rights of Way; and,
- Indicate the proposed diversion of parts of Public Footpaths Nos. 4 & 6 as discussed:
  - onto an alignment within the eastern public open space of the site
  - connecting with the unaffected part of Footpath No. 4 where it leaves the red line boundary at the north of the site
  - connecting with the unaffected part of Footpath No. 6 where it leaves the red line boundary at the south-east of the site; and,
  - Connecting with the unaffected part of Footpath No. 4 where it leaves the red line boundary at the south of the site.

The developer has agreed to provide these amended plans prior to the committee meeting and an update will be providing in due course.

It was agreed that a suitable specification for the diverted Public Footpaths would be a 2m width of compacted stone, which would be maintained under arrangements for the management of the public open space of the site. This can be secured by condition.

### **Ecology**

Ecological issues relating to the principle of development of this site were addressed at the outline stage and through appropriate conditions attached to that consent. The main ecological issue in the determination of this reserved matters application relate to the design of the layout in relation to wildlife mitigation areas. The Council's Ecologist has been consulted and a response was awaited at the time of report preparation. A further update in this regard will be provided prior to the committee meeting.

### **Landscape**

The Landscape Officer is satisfied with the overall design of the scheme, the public space design for the separate areas and the tree planting strategy, however there is concern whether the submitted material provides the level of detail that the Planning Statement indicates.

With reference to the Play Area layout; the concerns relate to the proximity of the play equipment to areas of herbaceous planting, grasses and bamboo and shrubs, many of which would not thrive in such close proximity, and so he has doubts on both the success and longevity of the design for this area.

These issues have been raised by the developer and will be addressed as part of the forthcoming amended plans. Consequently, a further update will be provided to Members.

## **Forestry**

The Appeal Decision dated 25<sup>th</sup> July 2014 grants outline planning permission with a schedule of conditions. The submitted documents and statements are considered satisfactory to discharge those conditions.

A Picus Sonic Tomograph decay report has also been included as part of the submission and refers to Oak T20. The report recommends that the Oak (which is located within proposed POS) is to be crown reduced by 20-25%, by shortening the length of the branches by 1- 1.5 metres, back to suitable lateral growth points. This recommendation has not been included in the Tree Removal and Pruning drawing and therefore the Council's Arboricultural Officer has asked the applicant if this could be clarified. An updated will be provided on this point.

As described in the Ecological Assessment the hedgerow located along the north eastern boundary of the site is classified as 'Important' under the Hedgerow Regulations 1997 for cultural and heritage reasons. This hedgerow is shown to be retained and therefore satisfies Condition 31 of the Inspectors Appeal Decision.

The Council's Arboricultural Officer has also considered the layout of the site, particularly in respect of the proximity of proposed buildings and hardstandings to trees and the social relationship of trees to houses (overshadowing of windows / gardens etc.) and has raised no objections.

The proposal is therefore considered to be acceptable in arboricultural terms.

## **Drainage and Flooding**

United Utilities and the Environment Agency have raised no objection subject to drainage conditions. These were, however, attached to the outline consent and do not need to be repeated here.

## **Design**

The Council's Design Officer has commented that a fair amount of work has gone into this at pre-application and to a large extent that shows; there is much to be positive about. But,



there are still some areas though where the scheme could be further strengthened to create a genuinely high quality development.

In general the scheme performs well and reflects in principle the approach set out at outline. After a fair amount of pre-app discussion the village street has been retained as a shared surface street linking between the village centre and the village green at the heart of the development. The details are generally acceptable but the materiality and landscaping should be driven by the palette set out in the Draft Design Guide, as discussed at pre-application. The street design has also been refined as part of the pre-application process. It may not be as informal as the design of some of the schemes we are seeing but there is a clear hierarchy and the pre-app process has further improved the design originally tabled.

There is room for potential further improvement though, in particular, the deformalising of the road junctions (especially in respect of the highway design in front of plots 39-41) inclusion of additional landscape into areas where shared court/frontage parking could be problematic in eroding street scenes, and provision of focal buildings at key points. There are also localised areas where additional trees may be of benefit. Discussions have taken place with the developer and highways officers and amendments have been agreed and revised plans are to be submitted. An update on this matter will be provided in due course. Other concerns relating to surface treatments for highways, footways and cycleways, and in particular distinct surfacing to define the cycle route, can be addressed through conditions.

There is a vision underpinning the scheme which has moved it forward from the outline, founded principally on the heritage of Shavington as the former home of the founder of Chester Zoo, John Mordershead. However, the final approach to this place making could still include some community engagement (as we have previously discussed with the applicant perhaps involving the local school) and further bedding this development within the local community. It could be translated in a more sophisticated way and more widely than just the central play facility. This theme could be used to animate the entrances into the scheme and to help create elements of townscape surprise within the layout. That is where a public artist could further enrich the scheme. This place theme could also extend to naming of streets perhaps. These “placemaking features” could be secured by condition.

The scheme is well connected to both the existing village and the hinterland with footpath running through the site positively incorporated, although some minor improvements could still be further achieved. To the west and south of the site are existing dwellings and the scheme seeks to create a positive response to the interface between existing and new along the western boundary through extending back garden length and a landscape buffer. Where the site is constrained by the easement, an inset line of trees is proposed. The scale of development generally reflects that of the settlement and the immediate surroundings with limited and selective use of 2 and a half storey buildings. There is a general gradation of density from the higher density in the west of the site to the rural fringe on the northern and eastern boundaries.

Key trees at the centre of the site form the centrepiece for the scheme, acting as a key focal point terminating the village street and a natural heart for the scheme, whilst the scheme seeks to positively address the Sill Brook valley, reinforcing the naturalised edge, and hedgerow along the eastern boundary of the site, the hedgerow is retained and supplemented, with housing addressing the rural edge.

One area where there is more serious concern is the quality of the house types, particularly for the Village Heart character area. Whilst it was discussed at pre-app that simplicity of the house designs would be a positive attribute, there is good and bad simplicity and that is not a reason to simply provide a standard house type. This character area is the focus of the key link from the village into the scheme and yet the house types feel quite estate like and an “off the peg” solution rather than being characteristic of the village centre with more of an urban characteristic in the detailing. The Design Officer is also concerned about the gateway building at the start of the village street. These need to be really attractive, buildings for pedestrians entering the scheme. The house types do not have to be the same to achieve this, they could be different types with different approaches to detailing. The one directly in view from the pathway is the most crucial as a focal building.

There are also concerns more generally about getting the architecture right, including proportions of fenestration and balance of solid and void on some of the house types (in all character area house types). Details such as bays, which are characteristics that would be expected on houses within all 3 character areas but which are largely absent (the benefit to the scheme on Hind Heath Road, for example, is a case in point in creating more varied street scenes), the quantity and distribution of chimneys, which is really important in creating varied rooflines, quality of porches and canopies, reveal depth for windows to create shadow lines on elevations and also, creating attractive corner turning designs, that provide lots of architectural interest on both elevations (again bays could be employed more effectively to achieve this).

In general terms there needs to be some limited gradation, otherwise the character areas could start to look a little over contrived and distinct – they need to subtly blend rather than have wholly distinct edges. Also, in creating the focal plots the Design Officer suggested bringing in detailing such as whole frontage render, potentially with different shades, and limited use of brick and tile detailing within facades (or even more ornate, decorative roofing). This would be one way of making key plots stand out in the townscape without re-designing the house types themselves (in other words employing a form of re-elevation to create distinct one offs in key places).

However, again, productive discussions have taken place with the applicant with a view to resolving this and amended plans are anticipated. Further updates will be provided in due course.

In terms of materials the facings should predominantly be red to reflect the general character of the area. There is some concern about the orange indicated for the village street and other localised areas, and whilst these colours may be acceptable in principle, precise brick selection needs to be carefully vetted. In terms of roofing dark grey should be the predominant material with very selective use of red, the use of which seems widespread in the Rural Edge character area. Any red tiles should be brindled or antique red rather than a bright red. The unit size of roofing can also play a part in the feel of the development and therefore an imitation plain roof tile such as 20:20 or similar is suggested. These details can be secured by condition, however.

The scheme could be enriched even further through use of bespoke railings along the village street. This could also be secured through a boundary treatment condition.

Overall, in Building for Life terms the scheme as is would fair reasonably well, with the enhancements that would only improve.

## **ECONOMIC SUSTAINABILITY**

### **Highway Safety and Traffic Generation**

The proposal site benefits from outline permission. Access was not a reserved matter in that application and therefore the means of access and off-site transport impacts and mitigation were addressed at that time and were addressed through Section 106 contributions towards off-site junction improvement works. .

The internal layout of the site was not addressed in details at that time. This application, therefore, deals only with the proposed internal layout of the site.

The Strategic Highways Manager has considered the internal layout of the site and raised no objections and on this basis it is not considered that a refusal on highways grounds could be sustained.

## **CONCLUSION**

Subject to the receipt of the amended plans to address the design and public rights of way issues and outstanding consultation responses referred to above, for the reasons given above, and having due regard to all other material considerations it is considered that the proposed development complies with the relevant local plan policies. The proposal is therefore economically, environmentally and socially sustainable and accordingly it is recommended for approval subject to the standard conditions relating to approved plans, materials, boundary treatment and landscaping.

## **RECOMMENDATIONS**

**APPROVE** Subject to receipt of amended plans amended plans to address the to address the design and public rights of way issues and the following Conditions:

- 1. Approved plans**
- 2. Materials**
- 3. Boundary treatment**
- 4. Landscape implementation**
- 5. Scheme of Placemaking Features**
- 6. Surfacing materials for rights of way / cycle tracks**
- 7. Removal of permitted development rights for buffer area.**

