

STRATEGIC PLANNING BOARD COMMITTEE – 18th November 2015

APPLICATION NO: 15/3868N

PROPOSAL: Residential development for up to 104 dwellings (Use Class C3) and land for expansion of Brine Leas School (Use Class D1)

ADDRESS: Land to rear of 144 Audlem Road, Nantwich, CW5 7EB.

APPLICANT: Wainhomes (North West) Ltd

CONSULTATIONS

Environmental Health: No objection subject to additional conditions to include the submission of a Travel Plan and provision of electric vehicle infrastructure. The Travel Plan shall include provision for low carbon transport options.

CEC Education: The applicant has confirmed that they would be willing to provide the sum requested by CEC Education. CEC Education raises no objection.

Highway Authority: No objection subject to the upgrade of 2 no. bus stops to shelters and provision of zebra crossing to be secured by a S.278 Agreement. Condition to secure the submission of a Travel Plan, which shall include provision of Public Transport vouchers to the value of a 6 month season ticket from a local operator.

Ecology: No objection based on the submitted revised Illustrative Masterplan. Additional conditions required in regards to protection of great crested newts.

ASSESSMENT

Air Quality

The applicant submitted an Air Quality Assessment on 29th October.

Environmental Health advise that although the accessibility of low or zero emission transport options has the potential to mitigate the impacts of transport related emissions, it is considered appropriate to ensure that uptake of these options is maximised through the development and implementation of a Travel Plan.

In addition, modern Ultra Low Emission Vehicle technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission).

It is therefore considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern properties.

Conditions to secure the submission of a Travel Plan (also requested by Highway Authority) and provision of electric vehicle infrastructure are considered appropriate.

Public Open Space

The applicant has confirmed that provision of 0.364 ha of public open space would be provided on site as part of the application and this has been demonstrated on the submitted, revised Site Layout Plan. This amount would meet the provision required for up to 104 no. dwellings and would be in accordance with the provisions set out in Policy RT.3 of the Borough of Crewe and Nantwich Local Plan 2011.

In this respect, provision of public open space would be secured in the S.106 Agreement, along with the provision of a LEAP (as per the Committee Report). The POS and LEAP shall be maintained by a private management company in perpetuity.

CEC Education

Following discussion with CEC Education, it was advised that the full contribution requested would still be required and any land transfer between the applicant and the school would be a separate matter involving both parties. The applicant has subsequently agreed to pay the financial mitigation of £478,408.84 and CEC Education withdraws their objection.

The contribution would be secured in the S.106 Agreement.

Highways

Further to ongoing discussion, the Highway Authority has provided an updated response to the application.

The applicant has agreed to provide a zebra crossing on Audlem Road between the site access and traffic signal junction to the north. Given the crossing was not required for the original outline application for up to 40 no. dwellings, it is considered reasonable that the crossing would be provided prior to occupation of the 41st dwelling. This would be secured via a S.278 Agreement.

The upgrade of 2 no. nearby bus stops is also required by the Highway Authority and has been conditioned to be included in the submission of the Travel Plan. The upgrade of the bus stops would be secured via a S.278 Agreement.

The applicant would also be required to enter into a S.278 Agreement for the provision of off-site highway works as indicated by the Inspector at Inquiry for

the outline application for up to 40 no. dwellings. These works would include the provision of the footway and subsequent narrowing of the carriageway and the proposed works at Batherton Lane junction.

Ecology

Great Crested Newts

Further to the submission of the revised Illustrative Masterplan (Dwg No 1257/AREx-SK01), the Councils Ecologist has confirmed that proposals to mitigate the risk of newts being killed or injured during the construction phase are considered to be acceptable.

The provision of a further additional pond is considered would reduce any potential adverse impacts on any newts present which may arise as a result of the development.

Any reserved matters application should include the submission of a detailed great crested newt mitigation strategy. The strategy should include provision of additional ponds as shown on the revised Masterplan stated above as well as an area of terrestrial habitat along the sites western boundary which shall link the existing and proposed ponds.

Other Matters

In the appeal decision relating to application 13/1223N, the Inspector attached additional conditions to the decision notice to those which were originally recommended by the consultees and these are a material consideration to this application.

In this respect, the conditions considered to be relevant to this application have been added to the list below.

These additional conditions include the submission and implementation of a Habitat and Landscape Management Plan to address any impact the proposal would have on the character and appearance of the countryside.

Conditions relating to features suitable for use by roosting bats and breeding birds and a survey for nesting birds have also been added to address protection and mitigation of biodiversity impacts.

A condition requiring the submission of an Acoustic Assessment is also considered to be relevant given the land at the north of the site would be gifted to Brine Leas School and may therefore result in undue noise impacts to the development.

Delivery of the proposed access and the provision of parking spaces is considered a reasonable condition in the interest of highway safety.

To protect the existing public sewer, it is also considered reasonable to attach a condition restricting development 5m either side of the existing public sewer running through the site.

RECOMMENDATION

APPROVE subject to the following Heads of Terms to be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing in perpetuity – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- transfer of any rented affordable units to a Registered Provider
- provision of details of when the affordable housing is required
- 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 at reserved matters stage that includes full details of the affordable housing on site including location by reference to a plan, type, size and tenure.
- requires the affordable units which will be transferred to a Registered Provider to be constructed to the Governments Technical standards October 2015

2. Provision of Public Open Space and LEAP (5 pieces of equipment) to be maintained by a private management company

3. Provision of £30,000 towards off-site improvements to Public Footpath No. 28 Nantwich

4. Primary and Secondary School Education Contributions of £478,408.84

5. Provision of zebra crossing on Audlem Road between the site access and traffic signal junction to the north, to be provided prior to occupation of the 41st dwelling.

6. Upgrade of two local bus stops to bus shelters, to be provided prior to 1st occupation of the dwellings.

7. Provision of off-site highway works to include footway provision/carriageway narrowing along Audlem Road and the proposed works at Batherton Lane junction, as indicated by the Inspector at Inquiry under application 13/1223N

And the following conditions:-

1. Submission of Reserved Matters

2. Application for Approval of Reserved Matters

3. Plans

4. Submission / Approval and Implementation of a Public Rights of Way scheme of management having regard to Public Footpath No. 1 Batherton

- 5. Submission / Approval and Implementation of Environmental Management Plan**
- 6. Submission / Approval of Information regarding Contaminated Land**
- 7. Submission / Approval and Implementation for a Hedgehog Protection Scheme**
- 8. Submission / Approval and Implementation of a Travel Plan to include Public Transport Vouchers**
- 9) Sustainable Drainage Scheme**
- 10) Surface Water Disposal Scheme**
- 11) Foul Water Disposal Scheme**
- 12) Submission / Approval of an Arboricultural Impact Assessment**
- 13) Submission / Approval and Implementation of a Habitat and Landscape Management Plan**
- 14) Construction of Access Road and Additional Parking Spaces**
- 15) Submission / Approval and Implementation of Great Crested Newt Mitigation Strategy**
- 16) Provision of electric vehicle infrastructure**
- 17) Submission / Approval and Implementation of Acoustic Assessment**
- 18) Submission / Approval and Implementation for protection of Roosting Bats and Breeding Birds**
- 19) Survey for Nesting Birds**
- 20) Public Sewer and Site Layout**

In order to give proper effect to the Board`s/Committee`s intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in her 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.