

Application No: 15/5683N

Location: LAND NORTH OF PARKERS ROAD, LEIGHTON

Proposal: Application to vary condition 3 (approved plans) to vary the approved house types of permission 11/1879N; hybrid planning application seeking residential development for up to 400 new dwellings with open space; comprising a full planning application for Phase A of 131 dwellings and Phase B which seeks outline planning permission for up to 269 dwellings with access and associated infrastructure. In respect of the outline element (Phase B), only access is sought for approval and all other matters are reserved for determination at a later date.

Applicant: Mr Jordan Clarke, Bloor Homes North West

Expiry Date: 21-Mar-2016

## **SUMMARY**

The principle of development has already been accepted as part of the approvals on this site.

The amendments to the house types would not raise any amenity, design or highway issues and comply with the local plan.

In terms of affordable housing, wider traffic generation, landscape, trees/hedgerows, ecology, POS, education, sustainability and flood/risk drainage, there would be no greater impact and the mitigation will be secured through the use of planning conditions and a deed of variation to the S106 Agreement.

## **RECOMMENDATION**

**Approve subject to the completion of a Deed of Variation S106 Agreement and conditions**

## **REASON FOR DEFERRAL**

This application was deferred at the Southern Planning Committee meeting on 2<sup>nd</sup> March 2016 for the following reason:

*That the application be DEFERRED for further information regarding the relationship/overlooking of 2.5 storey plots at plots 111-113 in respect of the adjoining scheme at the Gables (ref 15/2910N).*

The applicant has now provided an amended plan which shows that there is an intervening parcel of land between plots 111-113 and the nearest point of the approved extension at The Gables with a separation distance of 66 metres.

## **PROPOSAL**

11/1879N is a “hybrid” application (i.e. part outline and part full planning permission). Full planning permission was granted for 131 dwellings in Phase A to the south of the site close to Parkers Road and outline planning permission was granted for up to an additional 269 dwellings of the remainder of the site (Phase B).

Phase A was subsequently revised as part of approved application 14/3389N which varied the approved house types on the development and reduce the number of units on Phase A from 131 to 126.

This application seeks to vary the approved house types on plots 61-65, 71-85, 111-114, 118, 119, 353, 354, 356 and 357 on 14/3389N. The approved highways layout and location of the open space would remain the same as that approved as part of application 14/3389N. There would be no change to the approved access point.

## **SITE DESCRIPTION**

The site comprises 15.1ha of agricultural land (plus highway land – Parker’s Road) located on the north western edge of Crewe. The site is defined by Parkers Road to the south, Moss Lane to the east existing development to the west and a public footpath along part of its northern boundary. It is bisected by a network of existing hedgerows, some of which contain trees. In addition, there are a small number of free standing trees within fields.

Existing residential development lies to the east, south and south west of the site. Leighton Hospital lies to the west of the site. The wider site context includes Crewe Town Centre and railway station to the south west, Bentley Cars to the south on Pym’s Lane and the village of Bradfield Green to the North West.

Work has commenced on the approved development and a number of the approved dwellings are now occupied.

## **RELEVANT HISTORY**

15/2756N - Variation of condition 34 on approved 11/1879N - A hybrid planning application seeking residential development for up to 400 new dwellings with open space; comprising a full planning application for Phase A of 131 dwellings and Phase B which seeks outline planning permission for up to 269 dwellings with access and associated infrastructure. In respect of the outline element (Phase B), only access is sought for approval and all other matters are reserved for determination at a later date – Application undetermined

14/4950N - Reserved matters approval for Phase 2B - residential development of 223 dwellings, following outline element of application 11/1879N – Approved 6<sup>th</sup> October 2015

14/3389N - Application to vary condition 4 to vary the approved house types of permission 11/1879N; hybrid planning application seeking residential development for up to 400 new dwellings with open space; comprising a full planning application for Phase A of 131 dwellings and Phase B which seeks outline planning permission for up to 269 dwellings with access and associated infrastructure. In respect of the outline element (Phase B), only access is sought for approval and all other matters are reserved for determination at a later date – Approved 11<sup>th</sup> December 2014

11/1879N - A Hybrid Planning Application Seeking Residential Development for up to 400 New Dwellings with Open Space; Comprising a Full Planning Application for Phase A of 131 Dwellings and Phase B which Seeks Outline Planning Permission for up to 269 Dwellings with Access and Associated Infrastructure. In Respect of the Outline Element (Phase B), Only Access is Sought for Approval and All Other Matters are Reserved for Determination at a Later Date – Approved 1<sup>st</sup> May 2014

## **POLICIES**

### **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.

50. Wide choice of quality homes

56 – 68. Requiring good design

### **Local Plan Policy**

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011, which allocates the site, under policy NE.2, as open countryside.

The relevant Saved Policies are:

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)

## **Other Considerations**

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System

Interim Planning Statement Affordable Housing

Interim Planning Statement Release of Housing Land

Nantwich Town Strategy

## **Cheshire East Local Plan Strategy – Submission Version**

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

PG2 – Settlement Hierarchy

PG5 - Open Countryside

PG6 – Spatial Distribution of Development

SC4 – Residential Mix

SC5 – Affordable Homes

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE3 – Biodiversity and Geodiversity

SE5 – Trees, Hedgerows and Woodland

SE 1 - Design

SE 2 - Efficient Use of Land

SE 4 - The Landscape

SE 5 - Trees, Hedgerows and Woodland

SE 3 - Biodiversity and Geodiversity

SE 13 - Flood Risk and Water Management

SE 6 – Green Infrastructure

IN1 – Infrastructure

IN2 – Developer Contributions

## **CONSULTATIONS (External to Planning)**

**CEC Head of Strategic Infrastructure:** Does not affect the highway. No objection.

**Environmental Health:** No objection.

**Natural England:** No comments to make.

**Sustrans:** No comments received.

## **VIEWS OF THE PARISH/TOWN COUNCIL**

**Minshull Vernon and District Parish Council:** No comments received.

## **OTHER REPRESENTATIONS**

One letter of general observation received raising the following points:

- Why have the council, allowed hundreds of houses to be built, but have not stipulated that there should be provision for detached bungalows.
- The last bungalows built in Coppenhall, were in Beconsall drive, and are highly sought after.

## **OFFICER APPRAISAL**

### **Principle of Development**

The principle of residential development has already been accepted following the approval of the hybrid application 11/1879N (which was then revised under application 14/3389N). This application will only consider the impacts of the alterations to the house types on Phase A.

In this case it should be noted that this scheme would result in the replacement of some of the larger house types with smaller units which increases the number of dwellings by 4 from approved application 14/3389N (Plots 353, 354, 356 and 357).

However it should be noted that the number of dwellings proposed on Phase A is still below the number approved as part of the original approval 11/1879N which was for 131 dwellings (14/3389N reduced the number of units on Phase A from 131 to 126). Ultimately, this application would result in the development of 130 units.

### **Sustainability**

The site was considered to be a sustainable site as part of the earlier application and this conclusion remains unchanged.

### **Affordable Housing**

None of the affordable housing units are affected by this application.

### **Highways Implications**

The point of access and internal highways layout would not be altered as part of this application and the wider traffic impact was considered as part of the original application with contributions secured to mitigate the traffic impact. This view is supported by the consultation response from the Head of Strategic infrastructure which raises no objection to this development.

### **Amenity**

Following the deferral the applicant has now provided an amended plan which shows that there is an intervening parcel of land between plots 111-113 and the nearest point of the approved extension at The Gables with a separation distance of 66 metres. This comfortably exceeds the required separation distance and is considered to be acceptable.

There would be no change in the separation distances which were provided on the approved development. As a result the development would accord with Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan.

## **Landscape**

The landscape impact was considered as part of the original application and there would be no change in the landscape impact from the original approval.

## **Trees and Hedgerows**

There would be no greater tree or hedgerow loss as part of this application to alter the house types on this site. As a result the impact upon the trees/hedgerows is considered to be acceptable and would comply with Policy NE.5 (Nature Conservation and Habitats) of the Local Plan.

## **Design**

Phase A of the development would still be laid out with 4 blocks of properties along the southern boundary facing on to Parkers Road, and a further 3 blocks of dwellings to the rear. The change in house types would be internally within the site not effect the frontage of the development from Parkers Road. The development still creates an active frontage to the internal access roads within the development. The main gateway to the development is from a T-junction access mid-way along the Parkers Road frontage with a main spine road running due north from this junction and bisecting the site. This provides a welcoming and interesting gateway to the development.

Moving though the development the site has been subdivided into a number of blocks of houses by a series of streets and squares, in accordance with current urban design and Manual for Streets thinking. The squares are overlooked by the properties, which ensures natural surveillance and creates a sense of place. It also helps to create a sense of anticipation as the visitor moves through the site from one square to the next and each space is gradually revealed. Shared surfaces have been utilised in accordance with Manual for Streets best practice, to slow vehicle speeds, reduce the visual impact of highway over-engineering and to give pedestrians natural priority.

At the heart of the development, is a large central formal open space, incorporating a children's play area. This is overlooked by properties, and will benefit from natural surveillance as a result, as well as contributing to a pleasant residential environment.

In terms of the house types this application will result in a marginal increase in the number of two and a half storey units on the development (increased from 21 to 30). This is considered to be acceptable and would not appear out of character in this location. The detailed design of the proposed dwellings is consistent with that which was approved as part of the earlier applications on this site and is considered to be acceptable.

The proposal is therefore considered to be acceptable in design terms and compliant with the requirements of Policy BE2 (design) of the adopted Local Plan.

## **Ecology**

The approved development is currently under construction and was considered to be acceptable in terms of the ecological impacts. Given the advanced nature of the approved development there are no ecological concerns associated with this development subject to the imposition of planning conditions to secure the necessary mitigation.

## **Public Open Space**

As per the original approval the proposed layout makes provision for a large central formal open space, incorporating a children's play area within Phase A. Other peripheral areas of informal open spaces are also proposed.

The Deed of Variation to the existing S106 will secure the same amount of public open space provision and an equipped children's play area conforming to a NEAP standard with a minimum of 8 pieces of equipment and future management of the POS and NEAP.

## **Education**

This issue was dealt with as part of the application and as there is a capacity issue at the local primary schools. The mitigating contribution (£398,990) will be secured as part of a Deed of Variation to the S106 Agreement.

## **Flood Risk and Drainage**

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. This defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. The Environment Agency and United Utilities raised no objection to the earlier applications and the change in house types would not raise any flood risk/drainage issues.

## **Public Rights of Way**

This application would have no greater impact upon the PROW within the vicinity of the site.

## **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.

In this case the S106 was considered to satisfy this CIL tests as part of the last application and a deed of variation will be required to secure the same obligations.

## **CONCLUSIONS**

The principle of development has already been accepted as part of the approvals on this site.

The amendments to the house types would not raise any amenity, design or highway issues and comply with the local plan.

In terms of affordable housing, wider traffic generation, landscape, trees/hedgerows, ecology, POS, education, sustainability and flood/risk drainage, there would be no greater impact and the mitigation will be secured through the use of planning conditions and a S106 Agreement.

## **RECOMMENDATIONS**

**That the application be approved subject to completion of Section 106 Deed of Variation securing the same obligations as 14/3389N:**

- 1. Provision of education contribution of £398,990**
- 2. Provision of £300,000 towards highway improvements to the Remer Street corridor and the provision of a drop-off lay-by at Leighton Primary School. (To include the provision for £200K for the layby to be requested after commencement)**
- 3. Provision of public open space including amenity greenspace and an equipped children's play area conforming to NEAP Standard, to include:**
  - a. A minimum of 8 pieces of equipment,**
  - b. 1.4 metre high bowtop railing surround with two pedestrian access gates and a double leaf vehicular access gate.**
  - c. Railings to be painted green and pedestrian gates to be yellow.**
  - d. Equipment to be predominantly metal, inclusive, and conforming to BS EN 1176.**
  - e. Equipment to have wetpour safer surfacing underneath it, conforming to BS EN 1177.**
  - f. Surfacing between the wetpour to be tarmacadam with precast concrete edging surround.**
  - g. Access paths to gates to be tarmacadam**
- 4. Provision for future management of children's play areas and amenity greenspace to include transfer to and future maintenance by a private management company.**
- 5. Provision of 10% of the 400 units proposed across the whole site as affordable housing in perpetuity. The tenure split to be on a 25% social/affordable rent, 75% intermediate tenure basis. Phase B to include key worker housing to be agreed as part of subsequent reserved matters applications.**
- 6. Overage clause**
- 7. Travel Plan Monitoring Fee £5000**
- 8. Contribution of £25,000 for the provision of Green Infrastructure within Crewe and the environs of the site.**

**And subject to the following conditions:-**

- 1. Standard outline time limit (Phase B)**
- 2. Plans**
- 3. Materials**



4. Boundary Treatment
5. Landscaping submission
6. Landscaping implementation
7. Features for use by birds and bats
8. Habitat creation and management plan in accordance with details submitted as part of application 14/4882D
9. Design of proposed pond in accordance with plan reference G3333.04a
10. Design and layout of the proposed newt mitigation area including proposals to ensure no public access in accordance with details submitted as part of application 14/4882D
11. Bin Storage to be provided to the rear garden of each plot
12. Compliance with flood Risk Assessment
13. Restrict surface water run-off
14. Surface water attenuation
15. Minimum Floor Levels
16. Surface Water Regulation Scheme
17. Site to be drained on a separate system
18. Phase II contaminated land – validation report
19. Compliance with submitted Travel Plan submitted as part of application 14/3414D
20. Electric Vehicle charging points in accordance with details submitted as part of application 14/4882D
21. Limit hours of construction to 08:00 – 1800 Monday to Friday and 0900 – 1400 on Saturday with no working on Sunday or Bank Holiday
22. External lighting in accordance with plan reference SECTION\_38\_STREET\_LIGHTING\_DESIGN Rev A
23. Construction of access and highway improvements in accordance with plan reference SCP/11531/D100 Rev E
24. Provision of Parking
25. Highway Construction details as specified on plans reference 5309 1A/05-02 Rev B and 5309 1A/05-01 Rev B approved as part of application 15/4826D
26. Replacement hedge and tree planting
27. Tree / hedge protection measures in accordance with details submitted as part of application 14/4882D
28. Implementation of Tree / hedge Protection
29. Arboricultural Method Statement in accordance with details submitted as part of application 14/4882D
30. Code for Sustainable Homes Level 3
31. Noise Impact Assessment
32. Compliance with apprenticeship scheme

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 Southern Planning Committee in consultation with the Chair (or in her absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

