

Application No: 14/5671N

Location: Former Gorstyhill Golf Club, Abbey Park Way, Weston, CW2 5TD

Proposal: Proposed housing development (approximately 900 new dwellings), together with associated new employment development, a new primary school, indoor and outdoor recreation facilities, supporting retail development and the layout of significant areas of new landscaped open space to complement both the new development and the existing Gorstyhill Country Park.

Applicant: Haddon Property Developments Limited

Expiry Date: 17-Mar-2015

SUMMARY:

The proposal is contrary to development plan policies NE2 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise. The site is also not an allocated site within the Emerging Local Plan Strategy

The most important material consideration in this case is the NPPF which states at paragraph 49 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 that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development.

Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites and the presumption in favour of sustainable development applies at paragraph 14 of the Framework, however, given the large scale nature of this development, it is not considered that it would contribute significantly to the 5 year housing land supply and that the adverse impacts of granting permission in this case would demonstrably and significantly outweigh the benefits when assessed against the Framework as a whole.

Whilst the site does not meet the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit, there are 3 strands of sustainability to be considered and there are other components of the proposal which contribute to sustainable development. Whilst a residential led scheme, it also provides 1.2 ha employment land, 2.1ha for a primary school, on site leisure provision and a local centre comprising retail and community uses.

There are considerable Section 106 contributions offered by the Developer towards road improvements and the funding of a bus service for 5 years, together with the on site provision of affordable housing, land and funding for a primary school, community and local centre provision and employment, which could be required to be provided as part of a phased development. The proposal therefore provides social and economic benefits and contributes to the social and economic arms of sustainability should these facilities come forward.

Balanced against these potential economic and social benefits must be the detrimental impact of the proposal on the environment by virtue of its scale, inappropriate density, indicative distribution of uses and the design quality of the layout leading to a cramped form of development that fails to connect or respect its semi rural environment. The proposal will create a considerable urbanising and dense form of development within a countryside setting and that the scale of development sought can be adequately provided for within this site without being an overly dense, cramped layout that fails to respect or take adequate influence from its rural environment, together with the inadequate provision of appropriate open space and amenity space which mitigates for the loss of the open space and fails to adequately mitigate for the impact of the development of a barn owl roost within the site.

It is therefore concluded that the harm caused to the environmental arm of sustainability outweighs the social and economic benefits of the scheme.

On the basis of the above, it is considered that the proposal represents unsustainable development and paragraph 14 is not engaged. Notwithstanding this, even applying the tests within paragraph 14 it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits.

The proposal is also considered to be an unplanned form of development that is premature that would undermine the delivery of the spatial distribution of dwellings as envisaged by the emerging Local Plan Strategy and be contrary to the primacy of the development plan process as envisaged by the NPPF.

The application is subject to an Appeal against Non-determination. Accordingly it is recommended that Members resolve that they would have been minded to refuse the application and to contest the Appeal on the above grounds.

SUMMARY RECOMMENDATION:

MINDED to REFUSE

REFERRAL

The application has been referred to Strategic Planning Board because it is a large scale major development with an EIA and a departure from the Development Plan.

This application was submitted on 16th December 2014 and the 16 week target date for determination was 1 April 2015. After this date, numerous extensions of time were agreed to enable an assessment of the suitability of the site for inclusion as an allocation within the emerging Local Plan Strategy. Ultimately the site has not been allocated within the emerging Local Plan and the applicants have now appealed against non-determination of the application.

The Secretary of State has called in the application for his own decision. In such cases the matter is taken out of the hands of the Local Planning Authority and the determination is made by the Secretary of State

Therefore the purpose of this report is merely to seek the committee's resolution as to what its decision would have been had it been able to determine the application, and this will form part of the Authority's Statement of Case on the appeal. It is generally accepted that failure to do this, with the case for the Authority relying on officer level views, will result in less weight being given to the Authority's case, and there may be possible costs implications.

DESCRIPTION OF DEVELOPMENT

The proposal is for a housing development (approximately 900 new dwellings), together with associated new employment development, a new primary school, indoor and outdoor recreation facilities, supporting retail development and the layout of significant areas of new landscaped open space to complement both the new development and the existing Gorstyhill Country Park. The proposal is submitted in outline form with means of access provided for at this stage.

Indicative plans have been provided with 11 residential areas on the site of the now closed Gorsty Hill golf club, with individual zones for a primary school, village centre, leisure facilities and an employment area. Access is formally applied for via the existing A531/Abbey Park Way roundabout.

The indicative Masterplan also identifies areas for retail uses and associated services (0.9 hectare), education (1.7 hectares), recreation and leisure (0.8 hectare) and commercial uses (1.1 hectares). It is proposed that the retail area should comprise of a convenience store, a group of smaller units shops and the provision of facilities to be occupied for health services such as by a doctor and/or dentist.

The commercial area is located in the south western corner of the site, alongside its frontage adjacent to the roundabout junction of the A531, Newcastle Road and Main Road. This element is proposed to provide employment units (5,500 sq. m) for small offices/businesses within Use Classes B1, B2 and/or B8.

A primary school is proposed to be sited alongside the site frontage of Newcastle Road adjacent to its junction with Abbey Park Way and of a size and design which will cater for up to 400 pupils.

Gorstyhill Country Park is proposed to be increased in size. The new recreational facilities to be provided as part of the commercial supporting development will provide for a range of organised recreational activities, both indoor and outdoor.

It is also proposed to extend the existing Country Park, by adding additional publicly-accessible open space and landscaped areas serviced by footpath and cycle routes which wrap around and enclose proposed clusters of new development. The additional areas of Country Park will link to existing wildlife corridors, and the proposal makes provision of new wildlife habitat as indicated on the masterplan including ponds, woodland and wild flower meadows.

A new circulatory road system leaves Abbey Wood Way from a new compact roundabout junction in a westerly direction to the east of Wychwood Village, crossing a short section of the Country Park, after which the new loop/link road returns in a southerly and westerly direction to re-join Abbeywood Way.

The application details that the site will be broadly developed within four phases over a **five year** period as follows:

Phase 1 - 150 dwellings;

Completion of the extended County Park

Partial provision of employment units, retail area and leisure facilities

Construction of southern section of the loop road to serve first phase

Phase 2 - 300 dwellings;

Provision of primary school

Completion of employment units

Partial provision of retail area and leisure facilities

Construction of northern section of loop road.

Phase 3 - 325 dwellings;

Completion of retail and leisure facilities

Phase 4 - 125 dwellings;

Site completion

The timings appear to be optimistic and would necessitate a considerable number of house builders to be involved on the site at the same time to be achievable.

SITE DESCRIPTION:

The application site is located to the south east of Crewe and covers an area of approximately 64.74 hectares. The site features an 18 hole golf course with a pitching range; use of the golf course ceased in March 2013. The golf course surrounds Wychwood Village, a development of 300 dwellings.

The application site is located circa 6km to the south east of Crewe, and south of the village of Weston. The site is bounded to the south and west by the A531, Newcastle Road, to the north by Snape Lane and to the east the application site borders the edges of Bitterley Heath and Englesea Brook.

The Wychwood Village development, a 20th century development is located towards the central part of the application site and is surrounded by approximately 14 hectares Country Park and is identified as being protected from development by the Section 106 agreement which forms a part of the original development

The site is a former golf course located about 6km to the south-east of Crewe and south of the village of Weston. It lies within the Open Countryside as identified in the Borough of Crewe and Nantwich Replacement Local Plan 2011. The golf course was first established as part of an overall development scheme for Wychwood Village and its use is limited by s106 legal agreement.

RELEVANT HISTORY:

7/16321 Outline application for golf course and associated buildings hotel, shops, leisure facilities, school and housing.

This Permission covered both the northern and southern Wychwood sites and was granted subject to S106 Agreement on 21/9/1990. The S106 agreement limited the number of dwellings on both the south and north course developments to 500 in total.

P02/1079 Application for Outline Permission for a Maximum of 315 Dwellings and the Formation of a Country Park, Golf Course and Means of Access. Permission was granted to S106 Agreement on 8/10/2002.

The S106 Agreement allowed the increase the in number of dwelling on the north course from 110 to 315 with an increase in the total number of dwellings on both developments from 500 to not more than 725 in total.

P03/1351 Reserved matters for landscaping country park north course – Approved 5/02/2004

Bryant Homes obtained reserved matters permission for 146 dwellings and Bovis Homes obtained reserved matters permissions for a total of 169 dwellings on the north course, now known as Wychwood Village.

09/4076N Permission granted for 11 dwellings. Approved subject to S106 Agreement 10 May 2010

This permission took the total of dwellings to 716. The overall numbers of units does not exceed the upper limit (725) allowed under the S106 Agreement.

16/3092N Application for the Release from Legal Obligation (S106 Agreement) – undetermined

NATIONAL & LOCAL POLICY

National Policy

National Planning Policy Framework

Local Plan policy

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for Cheshire East currently comprises the saved policies from the Congleton Borough (January 2005), Crewe and Nantwich (February 2005) and Macclesfield Local Plans (January 2004).

Policies in the Crewe & Nantwich Local Plan

NE.2 (Open countryside)

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)
CF.2 (Community Facilities)
E.6 (Employment in the Countryside)
RES.5 (Housing In The Open Countryside)
RT.6 (Recreational Uses on the Open Countryside)
S.10 (Major Shopping)
TRAN.3 (Pedestrians)
TRAN.5 (Cycling)

Other Material Policy Considerations

Interim Planning Statement: Affordable Housing (Feb 2011)
Strategic Market Housing Assessment (SHMA)
Strategic Housing Land Availability Assessment (SHLAA)
North West Sustainability Checklist
Article 12 (1) of the EC Habitats Directive
The Conservation of Habitats and Species Regulations 2010.
Manual for Streets MfS1 & 2
Draft Cheshire East Borough Design Guide

Cheshire East Local Plan Strategy – Submission Version

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

PG2 – Settlement Hierarchy
PG3 – Proposed Green Belt
PG5 - Open Countryside
EG1 – Economic Prosperity
EG2 – Rural Economy
EG5 - Town Centre First Approach to Retailing and Commerce
PG6 – Spatial Distribution of Development
SC3 – Health and Wellbeing
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
SE9 –Energy Efficient Development

CO1 – Sustainable Travel and Transport
CO4 – Travel Plans and Assessments
IN1 - Infrastructure
IN2 – Developer Contributions

CONSULTATIONS:

Sport England

No objection to the loss of the golf course subject to a condition requiring the submission of a Sports Strategy prior to any reserved matters application being made.

Public Open Space

The site represents a loss of open space which is not satisfactorily mitigated for in the enhancement of retained green spaces and cannot meaningfully accommodate the needs of the new community in terms of POS provision in terms of quantity, quality or cohesiveness alongside the requirements for ecology, forestry and sporting provision.

Education

The development of 900 dwellings is expected to generate:

171 primary children (900 x 0.19) of which 8 SEN (see below)

135 secondary children (900 x 0.15) of which 6 SEN (see below)

14 SEN children (900 x 0.51 x 0.03) Proportionately 8 primary and 6 secondary these will be taken into account in the sums below

The development is expected to impact on primary, secondary and SEN educational provision in the locality. The local primary school is forecast to be oversubscribed, the local secondary schools forecasts indicate that there are 93 surplus places and so 42 pupils cannot be accommodated and the Boroughs SEN schools are all full

To alleviate forecast pressures, the following contributions would be required:

Potential need for new primary school – proportionate share of build cost for 1FE school with grounds large enough to grow to 2FE (20,000sqm).

In the event that the proposed new school is not required then the site will be returned to the land owner and the financial contribution used to expand existing accommodation =

$63 / 210 = 78\% \times £3,200,000 = \textbf{£2,496,000}$ (primary)

$40 \times £17,959 \times 0.91 = \textbf{£653,708}$ (secondary taking into account proportionate share of SEN pupils)

$14 \times £50,000 \times 0.91 = \textbf{£637,000}$ (SEN)

No objection is raised by the Education Manager subject to a total education contribution of **£3,786,708** (Plus a level, fully serviced, accessible and uncontaminated site suitable for a 2 form entry primary school in accordance with the Department for Education Area guidelines for mainstream schools document Building Bulletin 103)

United Utilities:

No objection subject to the following conditions:

- Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters for the entire site has been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

There are three easements affecting the development site that have not been accounted for in the submitted plans.

- Easement Z4268 runs from the south west corner of the site, adjacent to the A531 then cuts across the development site running to Pastures Drive. This easement has a 6m width, that being 3m either side of the pipe. Under no circumstances should anything be erected over the easement width nor should anything occur that would affect the integrity of the pipe or UUs legal right to 24hr access.
- The second easement effecting the site is S337 which runs along the western side of the existing development and has an easement width of 18ft. The same applies as per the above.
- The third easement is a continuation of the first and runs from St Augustines Drive to land near Snape Bank Farm and has a 6m easement width.

Archaeology

The site is of limited archaeological interest. No objection subject to condition

Strategic Highways Manager

No objection subject a range of conditions and S106 contributions to secure the following contributions:

- A revised travel plan to include the provision of cycle and bus vouchers together with a monitoring fee of £10,000 payable on first occupation of any part of the development.
- A financial contribution of £1,850,000 towards the widening of the A500 link road between junction 16 of the M6 and the A500/A5020/A531 roundabout. Payment will be required as follows: £620,000 on first occupation of any part of the development; £620,000 on the occupation of the 400th residential unit and £610,000 on the occupation of the 700th residential unit.
- The direct provision of an hourly bus service entering the site and linking the site with Crewe town centre on Mondays to Saturdays between the hours of 0800 and 1800 for a period of 5 years commencing operation on the occupation of the 200th residential unit in accordance with an agreed scheme.

Environmental Health

No objection subject to the following conditions:

- Submission / approval and implementation of a Construction Environmental Management Plan
- Limit on hours of construction.

- Details of Lighting to be submitted and agreed
- The detail of the glazing, ventilation and roof design for the final proposed layout should be submitted and agreed in the reserved matters application.
- Implementation of Noise Mitigation Measures.
- Travel Plan
- Electric Vehicle Charging Points
- Dust Control Measures
- Contaminated Land

Rights of Way

The development is to affect **Public Footpath No.'s 4 & 5 Weston**, as recorded on the Definitive Map of Public Rights. No objection subject to the PROW's remaining open and if to be closed a suitable diversion.

Audley Rural Parish Council : Object on following grounds:

The development does not allow for sufficient upgrade of road networks around the area leading up to the new development from neighbouring Parishes and in particular will put an enormous strain on what is already a heavily used road (Nantwich Road through Audley to Newcastle/A500/M6 Junction 16) by HGVs and other traffic, who are often found queuing at the mini roundabout back for at least one mile to Barthomley Road. It will also put additional strain on the surrounding infrastructure of the road network in other areas of the Parish such as Halmer End, which is often used as a rat run to shortcut M6/A500 congestion. The development is considered to be catastrophic to the parish along with Weston and Betley, as it will have a negative impact and a major development of this size must be considered in the context of the emerging Joint Local Plan with Newcastle Borough Council and Stoke on Trent City Council. There are protected tree species on the site or near to - thought to be Black Firs. There is also a listed building neighbouring to the site and the development will have a negative impact by providing an unsympathetic development next to it. Due consideration has not been given to the creation of additional sustainable transport links to and from Crewe and between Newcastle, Stoke on Trent - to avoid unnecessary car journeys through the Parish of Audley. There is no obvious provision for play for either the younger children or older children, and certainly none in the immediate area ---- this goes against the FIT Six Acre Standard. Overall this development is considered to be unsustainable development - due to the negative impact on the environment due to loss of amenity and visual appearance of the landscape, and social impact due to volumes of traffic being directed through neighbouring villages to access the M6 and A500 to avoid congestion on the current routes, the lack of adequate play provision, and the impact on the emerging NBC Local plan all of which should be considered equally alongside the economic benefit that may be derived from this development.

Weston & Basford Parish Council : objection on the following grounds

- The site does not form one of the Strategic Locations for development in the emerging Local Plan.
- From its inception Cheshire East has identified Crewe as its biggest 'Spatial Priority' and has developed the 'All Change for Crewe' high growth strategy in response to this. The Parish Council does not consider that this proposal contributes in any way to the regeneration of Crewe. There are much more sustainable strategic locations identified in

the Local Plan closer to Crewe which have ready access to the primary road and rail network, employment opportunities, health, education, sports and retail facilities. Wychwood Village forms an isolated bubble in the open countryside, in the order of 4 miles from Crewe – no more, no less.

- **In the Parish Council's view this proposal cannot be regarded as sustainable.** Most of the residents of Wychwood Village (present and future) are likely to be footloose and highly mobile with ready access to employment, education, shopping and medical facilities away from the village. This pattern has already been firmly established.
- **The applicants have failed to demonstrate a convincing case that the golf course is a totally unviable proposition.** The Parish Council can find no evidence that this use has been actively and openly marketed as such.
- **The proposal will have a crippling effect on the existing local road network both within and off the site.** Local observation and experience indicates that much of this is already operating up to and beyond capacity – this is without any further development. Traffic issues were a major area of concern in our Parish Plan back in 2011. Whilst it is appreciated that this is an outline application with all matters reserved, a development of the scale proposed will have severe safety and inconvenience implications for existing Wychwood Village residents accessing and exiting the site from the single access on to the A531. Similar problems will be created for the residents of Wychwood Park. It is also considered to be totally unacceptable to have any form of access on to Snape Lane (even as an emergency access), or to use this lane as a bus route - this is a single track, tortuous country lane serving the existing villages of Englesea Brook and Barthomley. Traffic is already gridlocked through Weston Village at peak times in trying to access Weston Road (A5020) – this will be greatly exacerbated. In the opinion of the Parish Council there is very little scope to improve the local highway network without incurring vast expense and disruption.
- **Wychwood Village was designed and marketed as a quality housing development within a rural setting integrated into an affordable Golf Course designed to have the widest user appeal, along with a Country Park.** This design concept was marketed heavily on this basis and tied together through a Section 106 Agreement which gave prospective purchasers the confidence to invest in the Village. The current proposal would totally negate this concept, be a major blow to existing residents and doubtless devalue many of the existing properties.
- **The amenities and quality of life of the existing residents will be severely prejudiced by this proposal.** The applicants state that the Country Park will be increased from 14 to 44 hectares. In practice much of this additional open space will be green swathes separating clusters of housing. A proposed bus route, which seems to be fundamental to making the scheme operate, cuts across part of the existing Country Park and this will greatly reduce its attractiveness. Existing wildlife habitats which have developed and matured over the years are likely to be disturbed and will be adversely affected by the addition of 900 dwellings. Many existing residents have effectively been living on a building site for the last 10 years – the building of 350 houses not yet completed. The addition of 900 dwellings will increase this most unsatisfactory state of affairs for a further indeterminate period.

- **A development of this scale will have a prejudicial effect on the amenities enjoyed by the residents in the established settlements in the immediate vicinity of the site, by introducing much more traffic, disturbance and general comings and goings.** Weston Village and Englesea Brook contain two Conservation Areas which would undoubtedly be put at risk in this context.

Properties in Englesea Brook Lane already experience flooding problems within their curtilage. Parts of the hamlet of Englesea Brook is classed as flood risk area. A significant amount of drainage from the proposal is indicated to run in this direction.

- Consider that there are factual inaccuracies and conflicting statements in the application and some of the data used is out of date. For example the retail data appears to be between 5 and 8 years old and only seems to relate to shopping in Cheshire: this site is right on the Staffordshire border and shopping trends have changed since then.

Newcastle Under Lyme Borough Council : No objection but ask that no construction traffic uses the A531 Newcastle Road to the south of the access point and that consideration is had on the potential wider highway impact in the Newcastle Under Lyme and Staffordshire County Council area

REPRESENTATIONS:

Cllr Clowes objects to the proposal on the following grounds –

- Premature in context of Emerging Cheshire East Local Plan and contrary to conclusions of Inspectors Interim Report
- The site has already been identified as unsuitable for development by the Emerging Local Plan. To proceed with a large development in the South of the Borough on a site in open countryside that has major sustainability issues would be perverse in the context of the emerging Local Plan.
- The Local Plan Inspector highlighted that too little development was identified for the North of the Borough. The Development will further compound the imbalance of housing across the Borough as “Lion’s share” of development is around Crewe and the South of the Borough
- Proposals fail to address the three key objectives of Sport England’s Land Use Planning Policy Statement “Planning for Sports Aims and Objectives” and demonstrate that the Gorsty Hill Golf Course was surplus to requirements in conflict with the NPPF (Para 74)
- The application fails to address requirements of NPPF (paragraph 74) to provide equivalent or better sports and recreation provision in a suitable location. The development proposed is not for alternative sport or recreational provision.
- The proposed sport facilities do not outweigh the harmful impact on Country Park and the loss of the Golf Course

- Gorsty Hill Golf Course and Country Park is registered on The Cheshire East Public Open Space Register. Development on land that is registered as Public Open Space in the Open Countryside is in conflict with policies of Adopted and Emerging local plan, and the objectives of the NPPF to protect public open space.
- Adverse impact of a further 15 – 20 years of construction activity to residents of Wychwood Village and Wychwood Park communities
- The Country Park is protected from any development by a Restrictive Covenant. However a proposed loop-road linking the housing elements of the application runs through the Country Park
- The Country Park Covenant was an important feature of house sales of the current Wychwood Village development. Appropriate mitigation/ reparation is required for Wychwood Village residents
- Potential alternative access points off Snape Lane and the A500 are prohibited on safety grounds by planning conditions relating to original development
- Site is unsustainable and does not meet the sustainability criteria in the RSS checklist

Neighbour Consultation

Circa 1200 individual representations have been received making the following objections:

Principle

- Principle of development contrary to the NPPF in respect of adverse impact on Country Park, loss of open spaces and unjustified loss of recreational facility.
- Gorsty Hill was a fantastic golf course which was improving every year. i believe that the present owner acquired it with the sole intention of turning it into a housing estate and the only reason he says it was losing money is because he has no experience in the running of a golf course.
- The application and supplementary report has failed to demonstrate that the golf course is surplus to requirements, or provides justification for its closure and loss, given that it was a growing business prior to the purchase of the site by the applicant in May 2011
- Development contrary to Emerging Local Plan. Unsustainable rural location and priority should d be for wider regeneration of Crewe by identifying edge of centre sites with existing infrastructure and connectivity
- Development does not form part or is not included within the emerging Weston and Basford Neighbourhood Plan.
- Scale and density of development detrimental to the character of area and original design concept for Wychwood Village

Site Specific Issues

- Loss of Countryside and creation of Urban Sprawl.

- Provision and siting of proposed retail facilities, employment units and leisure facilities not appropriate for this rural site. Commercial elements are prominently located adjacent to Newcastle Road on the approach to Wychwood Park and Village.
- Speculative nature of employment development which will not meet needs of new residents and no guarantee it will be provided
- Adverse impact of retail proposals on local shops and vitality and viability nearby centres contrary to the provisions of NPPF. Submitted justification for village centre/retail proposals is inaccurate and inadequate.
- Proposed provision of 270 affordable units is unrealistic and unsuitable in this rural location
- Potential effects on archaeological remains/sites.
- Adverse impact on setting and character of Conservation Area and Listed Buildings
- Capacity of utility services will not be able to cope with scale of new development
- Exacerbate surface water drainage problems through loss of ponds
- Increase in flash flooding issues from heavy rain fall. Noted this is an existing problem for Englesea Brook.
- Exacerbate existing problems of low water pressure
- Impacts on school capacity
- Development would put strain on already stretched NHS facilities.
- Health effects on existing residents from additional development and traffic; mental health, eczema, asthma, COPD, Chronic Bronchitis.
- Adverse impact on residential amenity and quality of life
- Cumulative effect on community and cohesion
- Potential increase in antisocial behaviour.
- Intrusive impact from Floodlighting of sports pitches
- Broadband capacity provision insitu is poor and the site is currently served by an interchange in Staffordshire. Additional houses, schools, retail and other associated elements of the scheme may cripple the floundering supply.
- Timescale for delivery of development overestimated and adverse impact of construction work due to noise, dust and airborne pollution on the health and quality of life

Highways/access Issues

- Increase in vehicle movements and cumulative impact of additional traffic on local highway network.
- Updated Transport Statement does not include all accident /incident data, confirmation of traffic flows at time of assessment and junction capacities.
- Lack of public transport and regular local bus services
- No suitable or safe cycling facilities and pedestrian links are provided or proposed between the development and local villages/ Crewe
- Development will be difficult for disabled or wheelchair users to navigate.
- Development unsustainable as residents will need to travel by private motor vehicle to access services and facilities elsewhere
- Construction of the proposed link /loop road and bus service through the country park cannot be delivered as land subject to restrictive covenant and S106 Agreement preventing development.
- Proposed internal link/ Loop road crosses pipeline easements
- The proposed "compact roundabout" located at the junction of the new link/loop road with Abbey Park Way is of inadequate siting and design which will result in highway safety problems and cause congestion.

- Exacerbate existing parking problems
- The proposed access points onto Snape Lane from A531 at Balterely Heath are unacceptable due increased highway safety risks and land ownership issues. The S106 agreement only permits access to Wychwood Village from the existing junction of Abbey Park Way with A531 Newcastle Road.

Green Issues

- Proposed extension to Country Park is exaggerated, being located within area with pylons and a gas pipeline and no account is taken for provision of infrastructure including new loop/link road
- Changes of Revised Master Plan not incorporated into written reports and details are required in respect of levels, treatment of excavated material, hydrology, surface water drainage and flood risk
- Adverse ecological and drainage impacts from provision of 17 new ponds proposed by revised master plan.
- Development would destroy areas of natural beauty, wildlife corridors, thriving habitats and natural landscape
- The application does not contain perspective views of the development from key points
- Loss of established tree planting
- Adverse ecological impact on various protected species and their habitat including unmanaged grasslands, hedgerows and ponds
- Loss of habitat for the following; barn owl, newt, toads, frogs, falcons, bats, herons, buzzard, pole cat, sparrow hawks, badgers, water voles, wildflowers, ducks (all varieties), kestrels, foxes, rabbits, swans, sea gull, snakes, wet land environment.
- Failure of application and supporting ecological reports to identify and take account of wildlife habitat and provide satisfactory mitigation measures for protected species including Barn Owls, Bats, Great Nested Newts and badgers
- Loss of agricultural land (grade 2 & 3)

Other matters

- Proposals are contrary to the S106 Agreements and Restrictive Covenant which do not allow further development within Wychwood Park. The total number of dwellings is limited to a maximum of 725 dwelling (315 for Wychwood Village) and development is not permitted within the Country Park and golf course.
- Purchasers of existing properties relied on legal documentation which prohibits future development.
- Properties at Wychwood Village and Wychwood Park) are covered by the same legal documents including the S106 Agreement and title deeds as signatories or third parties. Therefore, any variation top the S106 Agreement requires agreement from the individual property owners, the Council and any land owner.
- No demand for houses as the housing provider/developer cannot sell the homes that have been built as the original phase of works at reduced prices. Unoccupied homes have been on the market for long periods.
- Proposals would lead to decline in house prices and an unstable housing market, which could lead to negative equity for many.
- Lack of skilled labour to develop the area in time.

In addition one representation has been received supporting the proposal on grounds that the Council has not got a 5 year housing land supply

APPLICANT'S SUPPORTING INFORMATION

The application is supported by an Environmental Impact Assessment incorporating the following documents:

- Design and Access Statement
- Planning Statement
- Golf Provision Report
- Statement of Community Involvement
- Air Quality Assessment
- Transport Statement
- Flood Risk and drainage Assessment
- Ecology Survey and Assessment
- Noise Assessment
- Energy Report
- Utilities report
- Ground Investigations report

These documents are available to view on the application file.

APPRAISAL:

Main Issues

Given that the application is submitted in outline, the main issues in the consideration of this application are the suitability of the site for a residential led development having regard to matters of principle of development, the implications for the spatial distribution of development and issues of prematurity to the emerging Local Plan Strategy, the sustainability of the site and of the proposals in general, the loss of the golf course as an area of open space, provision of affordable housing, drainage and flooding, site planning/layout and design issues and indicative distribution of development within the site, open space, rights of way, amenity, landscape impact, trees and forestry, ecology, education, highway safety and traffic generation.

The Development Plan – Crewe & Nantwich Local Plan 2005

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise”

The application site lies within an area of open countryside covered by Policy NE2. This policy seeks to limit development within the open countryside and confine it to certain specified activities that must take place in a rural area. The justification to the policy explains that “development in the open countryside should be kept to a minimum in order to protect its character and amenity”

Paragraph 215 of the NPPF explains that due weight can be afforded to policies in existing plans which pre-date the framework according to their degree of consistency with that document. Policy NE2 with its emphasis on character and amenity aligns closely to the need to recognise the intrinsic character and beauty of the countryside within paragraph 17 of the

NPPF. Several appeal decisions have confirmed the consistency of Policy NE2 with NPPF advice.

Development of the scale proposed in the application very clearly conflicts with Policy NE2 and its objectives. This is no mere technical objection; the development of 'approximately' 900 homes with associated facilities, retailing and employment, extending over some 65ha will fundamentally change and erode the rural character of this part of south Cheshire.

Other Material Considerations – The Emerging Development Plan

The emerging development plan is the Cheshire East Local Plan Strategy. This Plan is currently under Examination – with the third set of hearings due to be commenced in September 2016. Previous hearings in the autumn of 2014 and 2015 resulted in Interim and Further Interim Views from the Inspector. Consequently, whilst the Examination is yet to conclude, certain policies have already been subject to scrutiny and the Inspector's views.

In particular the Settlement Hierarchy (Policy PG2) was considered in the Autumn of 2014 and the Interim Views of November 2014 concluded that "the settlement hierarchy seems to be justified, effective and soundly based". The application site lies within the lowest tier of settlement (rural areas and other settlements) within the emerging plan. As such it is clearly contrary to the strategy of the Plan to see such a large scale of development located within the rural area.

Policy PG6 of the Local Plan Strategy sets out the spatial distribution of development. This proposes that 'Other Settlements and Rural Areas' should accommodate 2950 homes. This distribution was considered by the Inspector in October 2015. He concluded that "the additional evidence supporting the revised spatial distribution of development seems to represent a realistic, rational and soundly-based starting point for the spatial distribution of development." Without having examined the strategic sites the Inspector wasn't able to unconditionally endorse the distribution, but he has provided a very clear indication of his views.

The provision of approximately 900 homes in one location within the rural area is clearly disproportionate. At 1 April 2016 some 733 homes had been completed in the rural area, 1120 were committed – and 275 homes are assigned to Alderley Park (which now have consent).

Consequently 2128 out of the 2950 homes are now either completed or committed. To provide 900 homes in a single settlement would not only exceed the stated distribution, but also reduce the opportunity for smaller scale sustainable development in other locations. As such the application is in serious conflict with emerging Policy PG6.

Paragraph 216 enables weight to be attributed to emerging policies according to:

- The stage that the plan has reached
- The extent of unresolved objections
- The degree of consistency with the framework

In this case Policy PG2 has been broadly endorsed by the Local Plan Inspector, the plan is entering its final stages and the remaining issues to be considered at the hearings relate to some detailed wording within part of the policy.

Accordingly, it is considered that emerging policy PG2 can be afforded considerable weight in the consideration of this case. Policy PG6 is still subject to some unresolved objections and so should be afforded moderate weight.

Local Plan Strategy - Site Selection Methodology

Representations have been made to seek the inclusion of this site within the Local Plan Strategy.

The site has been subjected to the Site Selection Methodology (SSM), which is a formalisation of the site selection process used in the Local Plan Strategy (LPS). The SSM has been used to consider sites allocated in the Submitted LPS and potential new sites to meet the identified uplift in housing and employment requirements.

The SSM is comprised of a series of stages; the Urban Potential Assessment (UPA) and Edge of Settlement Assessment (ESA) [PSE039] form Stages 1 and 2 of the SSM and provide part of the evidence of how much of the required development can potentially be met within and adjacent to the Principal Towns, Key Service Centres, and Local Service Centres. The detailed methodology for each assessment that feeds into the site selection process is provided in the individual documents (e.g., the UPA and ESA [PSE039a]).

The site was considered as it is a large freestanding proposal being actively promoted in the Local Plan process. Therefore it was deemed appropriate to consider it in the site selection process, to ensure a comprehensive picture was produced of all 'reasonable alternative' development proposals. As part of the SSM the site was subject to a 'Traffic Light' assessment, 'Vision and Strategic Priorities' assessment, Habitats Regulations Assessment (HRA), and Sustainability Appraisal (including an Accessibility Assessment).

The 'Traffic Light' assessment of the site shows that it performs fairly well in relation to most of the criteria; the site is considered to be available, achievable, and viable. However, the site is in a remote location, and does not adjoin any built up frontages. Locationally the site is not considered to be sustainable as it fails to meet the minimum standard for a number of the services and facilities in the Accessibility Assessment. However, there is potential for mitigation with the provision of services and facilities on site as part of the proposal, considered elsewhere in this report.

The 'Vision and Strategic Priorities' assessment of this site shows that it performs fairly well in terms of delivering the vision and priorities of the LPS. In particular, it could provide employment land, and could provide a sustainable development.

The HRA identifies that development of the site could result in adverse impacts on Black Firs and Cranberry Moss SSSI; however, policies in the LPS can help to mitigate these impacts. Overall, whilst this site performs fairly well in the SSM; it is not a sustainably located site, but it is available, deliverable, and achievable. It could deliver a development of 900 dwellings and mixed use, which could provide a development that, is sustainable in itself. However, the site is considered to be in a remote location, where there is limited opportunity for walking, or cycling links to Crewe.

It was found that when comparing this site with another site (PSS107 South Cheshire Growth Village) that could potentially be included in the LPS, it was considered that Gorsthill did not perform as well. Therefore, taking into account and balancing the range of factors considered in the SSM and summarised above, it was recommended that Gorsthill was not included as an allocated site in the LPS.

The Examination timetable published by the Inspector does not propose any hearing sessions on 'omission' sites such as this. It is anticipated that such hearings would only arise if the inspector considered there was a serious problem with one of the allocated sites.

Emerging Development Plan – Neighbourhood Plan

A Neighbourhood Plan for the parish of Basford & Weston is being prepared – and a neighbourhood area has been designated. However at present, no formal draft plan has been prepared.

The Impact of the lack of a 5 year supply of Housing

It is acknowledged that the Council cannot currently demonstrate a 5 year supply of deliverable housing land and therefore the presumption in favour of sustainable development applies. This is primarily because 100% of the Borough currently contributes to housing need but at least 40% of the Borough is subject to significant planning constraints (see footnote 9 of NPPF) – and awaits the conclusion of the Local Plan before the necessary housing sites in these areas can be confirmed. Accordingly, for the time being there is no 5 year supply in place and hence paragraph 14 of the NPPF is engaged.

The Recent Court of Appeal Case [Suffolk Coastal DC and Hopkins Homes Ltd and SSCLG Richborough Estates and Cheshire East BC and SSCLG [2016] EWCA Civ 168] – referred to hereafter as the “Richborough Case” looked comprehensively at the process of applying NPPF advice at paragraphs 14 and 49.

In summary the judges conclude that the proper construction of para 49 is that the phrase 'policies for the supply of housing' refers to policies 'affecting' housing land supply in its widest context and that this is the only interpretation that is also consistent with the core principle of the NPPF to deliver housing land.[see paragraph 32 of the Judgement]

The judges accept the 'wide' interpretation and conclude that any policy which limits the potential development of land is a relevant policy - this includes Green Belt, AONB, National Parks, Wildlife conservation and “various policies whose purpose is to protect the local environment in one way or another”.

They then set out how para 49 should be applied.

Step1:

Are the relevant policies up to date because the Local Planning Authority cannot demonstrate a 5 year supply of deliverable housing sites? Which policies are 'relevant' is a matter of judgement by the decision maker, but the judges are clear that this should be a wide interpretation.

Step2:

If they are not up to date, apply the presumption in favour of sustainable development (paragraph 14) which also involves a planning judgement.

The judgement reinforces once again the primacy of the development plan:

The NPPF is a policy document. It ought not to be treated as if it had the force of statute. It does not, and could not, displace the statutory “presumption in favour of the development plan” [paragraph 42]

The judges are clear that Paragraphs 49 & 14 do not make these 'relevant' policies irrelevant, it is a matter of the weight for Decision maker:

We must emphasize here that the policies in paragraphs 14 and 49 of the NPPF do not make “out-of-date” policies for the supply of housing irrelevant in the determination of a planning application or appeal. Nor do they prescribe how much weight should be given to such policies in the decision..... Neither of those paragraphs of the NPPF says that a development plan policy for the supply of housing that is “out-of-date” should be given no weight, or minimal weight, or, indeed, any specific amount of weight. They do not say that such a policy should simply be ignored or disapplied. That idea appears to have found favour in some of the first instance judgments where this question has arisen. It is incorrect. [paragraph 46]

The factors in determining weight include the extent of the shortfall in housing supply; what the Council is doing to address it; and the particular purpose of the relevant policy. In terms of the weight to be given to any policy, the judgement indicates that this will ;

‘...vary according to the circumstances, including, for example, the extent to which relevant policies fall short of providing for the five-year supply of housing land, the action being taken by the local planning authority to address it, or the particular purpose of a restrictive policy – such as the protection of a “green wedge” or of a gap between settlements...’

These are matters of planning judgement that will need to be made in each case. Furthermore it is emphasised that:

‘There will be many cases, no doubt, in which restrictive policies, whether general or specific in nature, are given sufficient weight to justify the refusal of planning permission despite their not being up-to-date under the policy in paragraph 49 in the absence of a five-year supply of housing land. Such an outcome is clearly contemplated by government policy in the NPPF. It will always be for the decision-maker to judge, in the particular circumstances of the case in hand, how much weight should be given to conflict with policies for the supply of housing that are out-of-date.’

Therefore just because a policy is ‘out of date’ it does not mean that it is set aside. On the contrary an exercise must be undertaken to assess its purpose, value and weight. This takes place in the context of the presumption in favour of sustainable development.

In terms of the Council’s present position, the Local Plan will deliver a 5 year supply of deliverable housing land – with a 20% buffer. The details are set out in the recently published Housing Supply & Delivery Topic Paper.

Consequently a remedy is in train – and it is available to be implemented within a few short months.

Accordingly this proposal for ‘approximately’ 900 homes is of very limited assistance to the Council’s housing supply position. The most beneficial types of development are those that

can deliver quickly and efficiently. Generally these are sites that are smaller in nature – and not large sites that have longer lead in times or require additional infrastructure.

The applicant states a very optimistic delivery schedule of 5 years but this is not supported by any clear evidence within the application as to how such a large number of dwellings would be delivered in 5 years. Given normal build rates the 900 homes proposed only 76 would normally contribute to 5 year supply and (at best) 130 homes could be added to the 5 year supply if more than one builder is engaged (employing the Council's standard methodology)

In the meantime, the purpose and function of the Countryside policies remains relevant and important to the good planning of the Borough. The Policy is designed to preserve the character and amenity of the countryside which is an enduring principle.

Consequently, taking all of these various factors into account it is considered that the absence of a 5 year supply, whilst rendering policies 'out of date' should not to any significant degree diminish their application in this case.

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.

The criteria contained within the North West Sustainability Checklist are also being used during the Sustainability Appraisal of the Cheshire East Local Plan. With respect to accessibility, the toolkit advises on the desired distances to local facilities 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. The results of an accessibility assessment using this methodology are set out below.

Category	Facility	GorstyHill Site
Open Space:	Amenity Open Space (500m)	0m
	Children's Play Space (500m)	0m
	Outdoor Sports Facility (500m)	0m
Local Amenities:	Convenience Store - Weston village store at post office (500m)	3200m
	Supermarket – Co-op Shavington (1000m)	4000m
	Post box - community centre (500m)	200m
	Playground / amenity area (500m)	0m
	Post office - Weston (1000m)	3200m
	Bank or cash machine - Eurogarages Shavington (1000m)	3400m
	Pharmacy = Rope Lane Medical Centre (1000m)	7800m
	Primary school – either on site or Weston Primary School (1000m)	Either on site or 2400m
	Secondary School Shavington Academy (1000m)	5800m
	Medical Centre (Shavington)(1000m)	7800m
	Leisure facilities (Shavington leisure centre) (1000m)	5800m
	Local meeting place / community centre – Wychwood Community centre (1000m)	500m
	Public house - White Lion Inn Weston (1000m) or on site	2500m
	Public park or village green (larger, publicly accessible open space) (1000m)	Part of proposals
	Child care facility (nursery or creche) (1000m) – Starting Point Main rd Weston or part of the primary school proposal	3300m
Transport Facilities:	Bus stop (500m) – to be provided as part of proposals	0m
	Railway station – Crewe (2000m where geographically possible)	6900m
	Public Right of Way (500m)	0m
Disclaimers:		
<i>The accessibility of the site other than where stated, is based on current conditions, any on-site provision of services/facilities or alterations to service/facility provision resulting from the development have not been taken into account.</i>		
<i>* Additional parameter to the North West Sustainability Checklist</i>		
<i>Measurements are taken from the centre of the site</i>		
Rating	Description	
	Meets minimum standard	
	Fails to meet minimum standard (Less than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).	
	Significant failure to meet minimum standard (Greater than 60% failure for amenities with a specified maximum distance of 300m, 400m or 500m and 50% failure for amenities with a maximum distance of 1000m or 2000m).	

The site fails against most criteria in North West Sustainability checklist, and all are 'significant' failures. However, it should be remembered that this proposal involves a considerable package of facilities offered by the Applicant, e.g. a bus service provided and funded for 5 years by the Developer, recreational facilities on site, a local centre incorporating a pub, convenience store and shops and potentially the siting of a primary school on site which will aid the locational sustainability of the proposals (subject to the requirements of the Education audit being undertaken by the Education Department).

However, these facilities are not in situ and the application provides no robust financial appraisal that items such as the convenience store in this location are financially viable in this location. Whilst phasing conditions could be imposed, no future occupiers are known, so no guarantees of the delivery of facilities can be assumed. The worst case scenario has therefore been assumed for the purposes of the checklist.

The Strategic Highways Manager has commented that it is possible to improve the non-car mode accessibility through suitable Section 106 contributions and the Developer is required to fund the entire delivery of a bus service to the site from Crewe for 5 years, which will add significantly to the non car accessibility of the site for that 5 years, which would have the added benefit to service the needs of the existing Wychwood Village.

However, this would only be guaranteed for 5 years, after which it would need to be self financing to be continued by the bus company, and no evidence has been forwarded that would suggest that this would be the case.

Given these concerns, it is concluded that the proposal in an isolated location that has limited access to day to day facilities and is not locationally sustainable.

Turning now to the three dimensions of sustainable development within the NPPF - economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

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

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; and

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

Social Sustainability

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.

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.

However, this site is of such a significant scale that it will take so long to be delivered that it has very little benefit to housing land supply within this Borough.

Affordable Housing

The Council's Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size. The desired target percentage for affordable housing for all allocated sites will be a minimum of 30%, in accordance with the recommendations of the Strategic Housing Market Assessment carried out in 2013. This percentage relates to the provision of both social rented and/or intermediate housing, as appropriate. Normally the Council would expect a ratio of 65/35 between social/affordable rented and intermediate housing.

This is a proposed development of approx. 900 dwellings therefore in order to meet the Council's Policy on Affordable Housing (based on 900 dwelling) there is a requirement for 270 dwellings to be provided as affordable dwellings. The SHMA 2013 shows the majority of the demand in Haslington, Wybunbury and Shavington for the next 5 years is for 9x 1 bedroom, 31x 2 bedroom, 26x 3 bedroom and 22x 4 bedroom dwellings for General Needs plus 2x 1 bedroom and 8x 2 bedroom for Older Persons, PER YEAR.

The majority of the demand on Cheshire Homechoice is for 28x 1 bedroom, 34x 2 bedroom, 17x 3 bedroom and 5x 4 bedroom dwellings.

Given the evidence above, therefore 1, 2, 3 and 4 bedroom affordable dwellings on this site would meet a need within Shavington And Weston area.

The Tenure split for the affordable housing (for 900 units) would be 176 units as Affordable rent and 94 units as Intermediate tenure (65% rented and 35% intermediate). This is acceptable.

The Vulnerable and Older Peoples Housing Strategy 2014 advises the below:

Cheshire East is due to experience a disproportionately acute accommodation demand for older people. The existing proportion of older people in Cheshire East is already above the national average and is set to rise at a heightened rate compared with the rest of England. The projected increase in the population over 65 by 2030 is 43% for England and 46% for Cheshire East whilst the population aged 75 and over is expected to increase by 70% in the same period.

Older person's accommodation is shown to be included in area R7 shown on the revised Indicative Masterplan.

With specific regard to such specialist provision, the Housing Manager has concerns over the site's isolated location. Given the existing population demographic in the existing Wychwood village area, Older Persons may migrate into the site then only to then be left isolated without sufficient transport links and local amenities required should the facilities and 5 year bus services not be financially self sustaining and therefore stop. Older Persons and Affordable Housing residents would be very isolated if they did not have a car in these circumstances.

Another concern is the management of the retirement properties. No evidence is given to show that a Registered Provider or commercial provider such as McCarthy & Stone is interested to take these retirement properties or build this type accommodation in this location.

It should be noted that due to the welfare impact of the Spare Room Subsidy or 'Bedroom Tax' any of 1 bedroom and 2 bedroom units should be provided as Affordable Rent up to the 65% split as above. The remaining 2, 3 and 4 bedroom units should be for intermediate tenure unless evidenced that a Registered Provider wants to take any of the remaining 2, 3 and 4 affordable bedroom units for Affordable Rent. Overall, a mix of sizes and types of affordable could be negotiated to address the IPS.

Public Open Space (POS)

Policy RT.3 of the Borough of Crewe and Nantwich Replacement Local Plan requires that on sites of 20 dwellings or more, a minimum of 15sqm of shared recreational open space per dwelling is provided and where family dwellings are proposed 20sqm of shared children's play space per dwelling is provided. This equates to 4125sqm of shared recreational open space and 5500sqm of shared children's play space. This totals 29,750 sq.m or 2.9 ha based on up to 850 family homes (2-4 bed units), whilst accepting that a proportion of any housing will also be 1 bed roomed and therefore not counted as family accommodation. The amount of open space provided is considerably in excess of this and also includes expansion of the Country Park.

The Indicative Masterplan shows three LEAPS and a NEAP situated within a network of greenways and new Village Leisure Facilities, connected via a network of footpath / cycleways. The applicant states the Masterplan and proposals also take into account Ecology and Forestry constraints and seek to retain all ponds and the majority of trees / hedges as well as introducing wildflower meadows and new ponds.

However, the resulting layout, albeit indicative, is disjointed in open space terms and doesn't take advantage of some of the sites opportunities. There are clear areas of potential conflict

between for example providing LEAPS within retained woodland or placing key community facilities on opposite sides of main access roads which creates what have the potential to be 'dead' areas of landscaping that ultimately have little if any benefit in open space or recreation terms.

For the loss of the existing POS to be acceptable the retained or 'replacement' POS, its access, facilities, quality, sustainability and maintenance must offer both existing and new communities an appropriate level of provision, flexibility to adapt to the developing community as it matures, without conflict as well as seek to bring the two communities together sustainably. That is in addition to area requirements for ecology, forestry, PROW, Suds and not overlaid onto those areas. The Leisure Services Manager considers that the Indicative Masterplan does not accomplish this adequately and not allow sufficient space so that all these elements can be satisfactorily accommodated.

POS that provides for play and amenity recreation for all ages and abilities needs to be available for use at all times, therefore areas requiring sensitive habitat management for example cannot accommodate POS use, nor can areas subject to flooding as part of a suds scheme. Whilst retained and enhanced woodland, important habitats and varied landscapes will only enrich the environment for users and there will be areas where they overlap, each element needs to fulfil its potential and key aim without possible conflict and for the foreseeable future. This is in many areas just a series of greenways, although desirable they are often narrow and lack flexibility or are of sufficient scale to be meaningful.

The Indicative Masterplan does not suggest any amenity space or Local Area Play (LAP) within the residential areas. This may be the limitations of the scale of the Masterplan but amenity space and LAP'S need to be provided within the larger parcels of development or where access to proposed LEAPS etc is outside recognised best practice, especially for younger children.

Key issues

- The 'extended country park' is in most areas is merely a series of narrow greenways, there is not an extension to the main body of existing country park
- The indicatively proposed primary school, leisure facility and village centre are all separated from one another by main access roads
- There are no play facilities proposed as part of the Village facilities with what should be the main neighbourhood park [NEAP] situated on the other side of the road
- The proposed NEAP is not within or adjacent to any of the main bodies of housing or forms a cohesive community facility with village facilities etc
- There seems to be little if potential for any natural surveillance of open spaces and greenways from the proposed parcels of housing which is not nationally recognised best practice
- Where some natural features are retained to, as the applicant states, 'enhance' the extended country park they are not given enough space to be sustainable
- R2 is a large parcel of housing yet contains no amenity space or facility for younger children and this is also an issue within a number of parcels which is unacceptable
- There is a LEAP proposed in retained woodland / trees between parcels R2 and R1 and is unlikely to be achievable, sits close to the access road rather than within the proposed housing. There does not appear to be any footpath links into the residential parcels.

- The pedestrian link between R2 and R1 is too narrow and within retained woodland / trees and is unacceptable
- The pedestrian link between R2 and R3 is too narrow and is unacceptable
- The residents of R3 are some considerable walking distance from a play / amenity facility which is unacceptable
- The LEAP adjacent to R4 is in a very poor location, outside of housing and behind a retained hedge and retained woodland / trees
- The area between R5 and R4 is narrow and cant realistically offer an extension to the country park
- The area between R5 and R6 is too narrow
- The residents of R5 and especially R6 are a distance away from the proposed LEAPs / facilities
- R9 and R8 prevent a real/actual extension to the existing country park being formed and instead a very narrow green link is proposed between R8 and R9 in a key location
- The proposed LEAP within the cluster of R8,9,10, and R11 does sit within a spacious area of open space but this could be relocated to form a real extension to the country park and take advantage of the distinctiveness that could offer to the scheme
- The green link between R9 and R10 is very narrow and its difficult to see what benefits this will provide
- The facilities proposed appear to be accessed from the network of proposed paths with few links into the main bodies of housing which are likely in the most part to be unlit

POS conclusion

Whilst the application represents a loss of existing Protected Open Space (the golf course), there is an opportunity to provide areas of new POS with great potential and which could significantly contribute to the health and wellbeing of the community. However, the Leisure Services Manager is unconvinced the proposal provides the mitigation for loss or the required level/standard of new POS is provided. On this basis, the Leisure Services Manager objects to the proposal.

This concern ties in to the other concerns related to the detailed design and layout of the site, considered below in the Urban Design section of this report;

Infrastructure

The Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. Such provision may include on site facilities, off site facilities or the payment of a commuted sum.

Policy IN1 of the emerging Cheshire East Local Plan Strategy – Submission Version, advises that the Local Planning Authority should work in a co-ordinated manner to secure funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration.

The Council's Education Officer, in response to a consultation to ascertain the impact of the proposed development on nearby schools has advised that it is unknown whether the allocation of the 2.1 he part of the site for a primary school is in fact required. Capacity studies

of local primary schools are currently on going and at the time of writing this report it is not known whether Weston Primary School will be capable of being extended to cater for a development of this scale.

However, subject to a secured total education contribution of £3,786,708 (Plus a level, fully serviced, accessible and uncontaminated site suitable for a 2 form entry primary school in accordance with the Department for Education Area guidelines for mainstream schools document Building Bulletin 103) the Education

Social Sustainability - Conclusion

The first dimension to sustainable development is its social role. In this regard, the proposal will provide 'approx' 900 new family homes, including 30% affordable homes, on site community facilities, public open space and leisure facilities are proposed as part of the scheme. In these circumstances it is reasonable to include phasing of such provision to ensure future residents would have access to the social facilities being offered by the Applicant as part of this mixed use scheme.

Potentially a primary school will be provided on site. However, the Education Department have yet to conclude that a new school is required, given that Weston Primary School may be expanded. An audit is likely to take place in the next few months which will consider the capacity of the existing primary school at Weston.

The distance to the closest secondary school in Shavington will necessitate a journey of over 5 kms for future school children from the site. Affordable housing and housing for the elderly are proposed as part of the scheme community and recreational facilities are all elements that positively contribute to the social arm of sustainability in this case. Such contribution to social sustainability, however, in isolation does not justify development.

Environmental Sustainability **Landscape Impact**

This landscape of the site has been entirely manufactured and is a highly engineered golf course which is encompassed by a country park that itself has been created as part of the original Wychwood proposals from the early 2000's.

The Landscape and Visual Impact Assessment (LVIA) indicates that the assessment has been undertaken in accordance with the Guidelines for Landscape and Visual Impact Assessment, Third Edition, 2013. The assessment refers to the National Character Area, Area 61 – Shropshire, Cheshire and Staffordshire Plain/Cheshire Sandstone Ridge, and also to the Cheshire Landscape Character Assessment 2009, which identifies the application as being located within Type 10 Lower Farms and Woods, specifically LFW7 Barthomley Character Area. The most recent changes to the landscape by virtue of the formation of the golf course mean that it is not representative of the LFW7 Barthomley character area.

The application site is located to the south east of Crewe and covers an area of approximately 64.74 hectares. The LVIA notes that the application site features an 18 hole golf course with a pitching range; use of the golf course ceased in March 2013. The golf course surrounds Wychwood Village, a development of circa 300 dwellings.

The application site is located to the south east of Crewe, and is bound to the south and west by the A531, Newcastle Road, to the north by Snape Lane and to the east the application site borders the edges of Bitterley Heath and Englesea Brook. The Wychwood Village development, a 20th century development is located towards the central part of the application site and is surrounded by approximately 14 hectares of what is described in the LVIA as a country park, this is identified as being protected from development by a Section106 agreement.

The landscape and visual impact assessment identifies a Zone of Visual Influence and identifies 8 viewpoints as well as a number of residential viewpoints. The existing landscape is that of a former golf course

The Landscape and Visual Impact assessment states that approximately 30 hectares will be retained as soft landscape in the form of ecological corridors, ponds and meres, wildflower meadows and the retention of boundary hedges and features. The submitted Masterplan indicates that many of the existing mature former hedgerow trees within the site will also be retained, since much of the landscape features within the site are relatively immature, the Landscape Architect considers it important that these mature trees are retained wherever possible.

Overall, bearing in mind the manufactured nature of the application site itself the Council's Landscape Architect advises that the landscape and visual impacts of the proposed can be mitigated with appropriate design details and landscape proposals. This could be ensured through the reserved matters, appropriate conditions and the S106 agreement.

Amenity

In order to protect the amenity of neighbouring occupiers during the construction period Environmental Health have recommended conditions requiring the submission, approval and implementation of a Construction Environmental Management Plan as well as limits on the hours of construction.

Air Quality

An air quality assessment has been included in the planning application documents. Computer modelling techniques have been used to estimate the ambient nitrogen dioxide and particulates impacts at sensitive receptors due to the proposal.

The cumulative impact of a number of developments in the area around Crewe and the Air Quality Management Areas (regardless of their individual scale) has the potential to significantly increase traffic emissions and as such adversely affect local air quality for existing residents by virtue of additional road traffic emissions. For the protection of human health, it is the significance of these cumulative impacts that must be taken into to consideration when recommending mitigation measures and not the impacts of each individual proposal.

The guidance associated with assessing the significance of impacts of the developments has been revised since the air quality assessment was completed. There is greater emphasis on the cumulative impacts of developments in an area and best practice of mitigation measures.

Using the updated methodology the cumulative impacts of this development and others in the area in the worst case receptors could be classified as 'moderate'. It is therefore considered essential that air quality mitigation measures are incorporated as part of any permission.

The accessibility of low or zero emission transport options has the potential to mitigate the impacts of transport related emissions, however it is felt appropriate to ensure that uptake of these options is maximised through the development and implementation of a suitable 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). As such it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern properties.

It is therefore recommended that conditions are attached to any approval requiring submission, approval and implementation of travel plans and electric vehicle infrastructure.

Noise

The Environmental Health Officer has advised that insufficient information has been submitted with the application relating to the levels of noise from road traffic where the proposed residential housing is to be located, however, given that this application is in outline form, with general zones of residential development, it is considered that planning conditions could address this issue.

Ecology

Black Firs and Cranberry Bog

The proposed development is located within 1km of Black Firs and Cranberry Bog which forms part of the Midland Meres and Mosses Phase 2 Ramsar. The moss is also designated as a SSSI.

Natural England advise that the proposed development is not likely to have an adverse impact upon the features for which the site was designated and they advise that an Appropriate Assessment under the Habitat Regulations is not required.

Under regulation 61 of the Habitat Regulations the Council is required to undertake an 'Assessment of Likely Significant effects' prior to the determination of the application to determine whether an Appropriate Assessment under the Regs is required. This assessment has been undertaken. The assessment concludes that the proposed development is not likely to have a significant effect upon the features for which the statutory site was designated. Consequently, a more detailed Appropriate Assessment is not required.

The proposed development includes provision of open space which will reduce the desire amongst residents to visit the Ramsar. The Ramsar can only be reached from the development site on foot via a pavement along the A531 or a network of road and field paths. There is no public access to Cranberry bog and no access for cyclists or horse riders to Black

Firs. The proposed development consequently not likely to result in a significant increase in recreational pressure on the Ramsar.

Botany

A small number of uncommon plant species have been recorded on site. These include: southern marsh orchid, common cudweed, lesser spearwort and lesser reedmace. With the exception of Common Cudweed it appears that the habitat for all of these species could be retained as part of the development proposed under the current illustrative layout.

Common Cudweed which is considered to be near threatened was recorded adjacent to a footpath near the south western corner of the site. Under the current layout this species would be lost as a result of the proposed development. The illustrative masterplan could be amended slightly to allow the retention of this species, which could be a planning condition.

Great Crested Newts

Great Crested newts have been recorded at a number of ponds (Ponds: 7,12, 19, 21, 27). In the absence of mitigation the proposed development has the potential to result in a significant adverse impact upon this species as a result of the loss of terrestrial habitats and the risk of animals being killed or injured during the construction phase.

It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected the proposed development the planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected species license under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- **the development is of overriding public interest,**
- **there are no suitable alternatives and**
- **the favourable conservation status of the species will be maintained.**

The submitted ES states that the existing ponds would be retained within an area of suitable terrestrial habitat.

Outline mitigation proposals have been submitted with the application which includes additional ponds and areas of allotted great crested newt terrestrial habitat as shown on the submitted illustrative masterplan. The risk of newts being killed or injured during the construction phase would be mitigated by removing and excluding GCN from the footprint of the proposed development under the terms of a Natural England licence.

In the event that planning consent is granted it is likely that the proposed mitigation would be adequate to maintain the favourable conservation status of the local great crested newt population.

For the purposes of the appeal a detailed great crested newt mitigation strategy will be required in support of any future reserved matters application. This matter may be dealt with by means of a planning condition.

In order to enhance the resilience of the existing great crested newt population the mitigation strategy, including the final location of the proposed additional ponds should be designed to

ensure that they function as stepping stones between the existing ponds. In this way it may be possible to link ponds 19 & 21 and ponds 7 & 12. The access roads associated with the development that fall between the ponds should also be designed so that they do not function as barriers to the movement of amphibians.

Water Voles

No evidence of this protected species was recorded on site and I advise that this species is not reasonable likely to be present or affected by the proposed development.

Badgers

Three badger setts recorded on site. Based on the submitted illustrative layout plan it appears likely that all three of these setts would be lost as a result of the proposed development the development would also result in the loss of foraging habitat utilised by this species. The setts would need to be closed under the terms of a Natural England license to avoid any potential risk of badgers being disturbed by the works. The careful design of the county park area would assist with mitigating for the loss of foraging habitat.

Any future reserved matters application should be supported by an updated badger survey and mitigation proposals.

Bats

As a result of the bat activity surveys undertaken on the application site the supplementary ecological assessment has evaluated the application site as being of Local value for bats.

No active roosts were recorded during the more detailed bat surveys undertaken on site in 2015. Whilst the potential presence of bat roosts within the mature trees on site cannot be entirely ruled out the ES states that no mature trees would be lost as a result of the development of the site. There will however be some loss and fragmentation of habitats identified as being of High value for foraging bats. If outline planning consent is granted it must be ensured that suitable replacement habitat for foraging bats is provided at the detailed design stage.

Reptiles

A detailed reptile survey has been undertaken on site. The results of the survey were constrained due to the survey mats being given insufficient time to 'bed in' prior to the commencement of the survey. The survey was however undertaken at the optimal time of the year and the later site visits were well spaced out which would increase the effectiveness of the survey. No evidence of reptiles was recorded during the survey and I advise that on balance reptiles are unlikely to be present or affected by the proposed development.

Common Toad

This priority species has been recorded on site during the reptile surveys. A robust great crested newt strategy which includes the provision of larger deeper pond would be likely to mitigate the potential impacts of the proposed development upon this species.

Barn owls

An active barn owl roost within a tree on site has been had been reported to the Council by the local barn owl group. This tree was subject to an assessment by the applicant's ecologist which recorded evidence of past usage of the tree by barn owls but no recent activity was observed. The tree was however inspected again on the 4th September 2015 by the Councils ecologist, representatives of the local barn owl group and the applicants ecological consultant. During this last survey two barn owls were present. It is therefore established that this tree supports an active roost that appears to have been used over and extended time period. The results of this latest survey have not been reported in the submitted supplementary ecological report.

In this case, the identified tree supports an established barn owl roost that may be of significant importance for the local barn owl population. Whilst the tree supporting the roost is proposed for retention the roost is likely to suffer significant disturbance during both the construction and occupational phase of the proposed development. This level of disturbance is likely to result in the roost being deserted. Likewise the indicative plan shows housing development surrounding the tree (R11 zone). The indicative proposal therefore is likely to adversely roost, which is a environmental dis-benefit of the proposal which is not considered to be capable of being conditioned.

Pole Cat

This priority species has been recorded in the broad locality of the application site and may occur on the application site. The ecologist is of the opinion that the provision of suitable great crested newt and barn owl habitat and the country park are likely to provide sufficient habitat to support this species.

Lepidoptera

White letter hairstreak, a priority butterfly species, has been recorded in the locality of this site. The incorporation of Wych Elm into the landscaping scheme for the site would provide suitable habitat for this species. This matter may be covered by a condition/section 106 clause requiring a Landscape and Ecology Management Plan to be submitted as part of any future reserved matters application.

The small heath butterfly has also been recorded within the locality of the application site. The provision of open managed grassy areas as part of the development would also potentially provide habitat for this species.

Birds

The application site is likely to support a number of species of breeding birds including priority species such as house sparrow, linnet and reed bunting. The supplementary ecological appraisal identifies the application site as being of District value for breeding birds.

The loss of scrub habitats and plantation woodland associated with the development proposals will have an adverse impact upon breeding birds. The extension of the county part if undertaken appropriately may potentially benefit birds, but a detailed habitat management, creation and enhancement strategy would be required to ensure the site retains its District value for birds status. If outline planning consent is granted this mater could be dealt with by the submission of a Landscape and Ecological Management Plan as specified by the submitted ecological report.

Habitats

Semi-improved grassland

The semi-improved grassland habitats on site do not appear to be of sufficient nature conservation value to be considered Priority habitat. The submitted Supplementary Ecology Report however states that the grassland habitats are of Local value. A significant area of this habitat will be lost as a result of the proposed development. It must therefore be ensured at the detailed design stage that suitable replacement habitat is provided as part of the proposed country park area in order to compensate for this loss.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. There are likely to be some losses of hedgerow associated with the development of this site. In the event that outline planning consent is granted it must be ensured that suitable replacement hedgerows are provided at the detailed design stage.

Swamp

The areas of swamp habitat present on site however supports sufficient botanical interest (particularly the presence of Fools Water Cress and Brooklime) to be designated as a Local Wildlife Sites. The ES states that habitats of this type would be retained under the current master plan

Ponds

Based upon the revised illustrative masterplan it appears feasible for all the existing ponds on site to be retained. Two ponds (ponds 20 and 6) are however retained in close proximity to proposed housing and in fact have housing proposed on three sides of them. I advise that the illustrative master plan should be amended to show these ponds being retained within a suitable buffer of open space.

To maintain their nature conservation value the existing ponds must not be utilised as part of a SUDS scheme for the site. This matter should be dealt with by means of a condition if outline planning consent is granted.

Extended Country Park

The submitted proposals include the extension of the existing County park to a total of 44.5ha. The provision of the extended County Park forms part of the mitigation in respect of the nearby Ramsar site. For ecological reasons, for the purposes of the appeal, the provision of the extended County Park should be subject to a planning condition.

Flood Risk and Drainage

United Utilities and the Flood Risk Manager have been consulted as part of this application and have both raised no objection to the proposed development subject to various conditions. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

Urban Design

There are 3 main issues, these are the overall number of houses proposed, the disposition of uses within the site and ensuring that the mixed uses do come forward in a timely manner and lastly, the degree of connectivity and interconnection between the existing Wychwood Village and the proposed development.

Whilst the masterplan is indicative, both it, and the indicative parameters plans form the basis upon which the overall quantum of development is being proposed and illustrated.

The overall developable area (for housing) according to the indicative masterplan is circa 29.5 hectares. This means that to achieve this number a net density slightly in excess of 30 dwellings per hectare would have to be achieved across the whole site. The land proposed to be developed is a former golf course, but it is still set in open countryside. There are 2 footpaths that bisect the site. The land to be developed will be visible from a number of rural vantage points. And the eastern part of the site extends far into open countryside toward the dispersed settlement of Balterley Heath. Irrespective of the issue of the acceptability of the general principle of development, this site is located in open countryside and therefore densities and building heights need to reflect this context in order to deliver a successful development in urban design terms.

The indicative scheme seems to reflect or exceed the net density of the adjoining area that characterises Wychwood Village, which in design terms is considered as a rather unfortunate intrusion within open countryside. The same applies to building scale, with extensive areas identified on the indicative parameters drawing as 2.5 storey, with pockets of 3 storey, some in very sensitive and visible locations. The cumulative impact of this will be quite an urban character radiating further within the countryside setting, notwithstanding the extensive areas of open space being proposed.

Based upon the density parameters, the plan and table attached illustrates, parcel by parcel, the estimated number of dwellings within each. This has been calculated for both the lower and upper density figures set out on the density parameters plan. Using the maximum density for all parcels arrives at a figure just below the 'approximately 900' figure being applied for, however, by doing the same for the minimum density, the overall figure for the site reduces significantly to 735, some 165 dwellings less than the figure being applied for.

The fact that densities have been expressed as a range implies that the urban design intention is to not apply either the maximum or minimum density 'across the board' but to selectively use it to help arrive at an acceptable scheme at the detailed stage.

Therefore it is reasonable to assume, given the rural location and the concerns about the character of the existing Wychwood Village in its rural setting and because this development will be at the interface with countryside, that the density will err towards the lower end of the density spectrum, save in locations where it more closely relates to the established development, such as on approaching the village from the main entrance into the site.

This leads to the conclusion that the 'approximately' 900 being applied for, based purely on the densities presently proposed in the indicative parameters, is somewhat optimistic and a yield more towards the lower figure is necessary in order to achieve a scheme that is more sympathetic to its rural setting in design terms.

Furthermore, there is some concern about the density ranges set out in the indicative parameters and how these are being applied (albeit indicatively) given the rural location.

This is especially the case for the area of the site to the east, situated between Wychwood village and Balterley Heath. The lowest density being applied to this and other fringe areas is 20-25/hectare. In this location principally but also in other sensitive locations it could be argued that this density range is too high and should be reduced further. In general the density within this part of the site is too high given its distinct character and separation from the proposed location of the main amenities.

There are other areas around the periphery particularly where a lower density should be applied, whilst the area R7 on the indicative plans would be preferable if it were contained within a larger development parcel to help reinforce the local centre. Whilst the plan is indicative, this is the distribution which will be considered by the Inspector and the concerns expressed here are legitimate concerns about how this proposal would work in practice.

It could also be argued that in certain locations the extent of the developable area should be pulled back to allow greater scope for open space and landscape at the site edges and to allow more generous areas of open space between development parcels and in relation to ecological features, such as ponds, hedgerows and trees. There is also the need to consider the provision of some open space within the developable areas/parcels to help reinforce a sense of place and prevent those parcels feeling like housing estates.

In essence then, it is considered that the 'approximately 900 dwellings' being applied for would lead to a form of development which is inappropriate in this rural setting and that if development is to take place then the number should be reduced considerably to achieve a satisfactory form of development.

Circa 900 dwellings in this location would adversely impact on the wider rural environment within which the site is located, and would be an environmentally unsustainable form of development.

Distribution of uses

Aspects of the distribution of uses are also a concern, not least the location of the local centre and the higher density housing to the south of the site (parcel R7). It is understood that the local centre would be there to serve both residents of Wychwood Park and Wychwood Village but in the location presently indicated, it would not benefit from direct passing traffic, relying on access off the main loop around the site. In effect this will mean the building at detailed design stage would in all likelihood address the loop and not the main frontage. Hence this would be an inward looking form of development.

In masterplanning terms a better location of the village centre would be opposite the village hall and bus drop off, where community uses would oppose one another and the village centre could act as a focal point into the site, sitting north of the mini roundabout. The higher density housing presently proposed in R7 would also be better located in the R1 block. Both these uses could potentially take advantage of the extensive parking already situated at the former course club house to create a new village square. The school building position could also be adjusted to better relate to this cluster of uses.

The employment area is situated out on a limb in the south western corner of the site. The office employment would be better located within the village centre to help create further vitality. It may be appropriate for other employment activity to be located as shown.

Whilst the masterplan is indicative, in conjunction with the issue of density/scale, it is imperative that for a development of this size rigorous masterplanning and design coding are undertaken prior to submission of any reserved matters, should it be deemed that the overall principle of development is acceptable and permission granted.

Connectivity

As presently indicatively proposed, Wychwood village and proposed new development are entirely divorced from one another. This will not create sustainable movement patterns and will not enable integration between the existing and proposed developments, undermining its sustainability significantly. As a minimum there will need to be a number of strong pedestrian connections linking the existing and proposed development and running through that area to help create shorter and more direct journeys on foot and to link the outlying areas to the local centre and other community facilities, including areas of employment. Again this requires inclusion within detailed masterplanning and coding to deliver this requirement.

Renewable Energy

Paragraphs 96 and 97 of the Framework deal with decentralised and renewable energy supply. The aim is to secure a proportion of predicted energy requirements for new developments from decentralised and renewable or low carbon sources. For the purposes of the appeal, this could be dealt with by condition in the interests of sustainable development.

Impacts upon Highways

The Strategic Highways Manager has assessed the Transport Assessment submitted as part of the proposals. This has included liaising with the Highways Authorities at Newcastle Under Lyme and Staffordshire County Council, given the cross boundary issues a development of this size and location would entail.

Access

An assessment of the sites sustainable credentials has been undertaken with particular attention given to connecting the site to existing facilities via sustainable modes such as walking/cycling and public transport. The SHM considers that the development proposal is the different land uses proposed such as retail/commercial/educational/community as well as residential as this will provide the opportunity for internal journeys to be undertaken hence reducing the impact on the external highway network.

Walking & Cycling

Links to ensure good internal connectivity could be assessed as part of the reserved matters application when the layout will be considered in detail however proposed links to the existing Wychwood Village would need to be improved to ensure linked connectivity though this development. This is a significant criticism.

As a minimum there will need to be a number of strong pedestrian connections linking the existing and proposed development running through that area to help create shorter and more direct journeys on foot and link the outlying areas to the local centre and other community

facilities, including areas of employment; this requires detailed masterplanning to deliver this requirement. The indicative masterplan does not provide for such strong linkages.

Links to destinations outside of the development have also been considered including links to bus stop infrastructure and surrounding settlements including Weston and Gorstyhill/Balterley Heath in Staffordshire.

The SHM considers that a footway/cycleway link to Weston via Snape Lane, which is part of the National Cycle Network should be provided as part of the access works improved links to bus stops along the A531 Newcastle Road as well as improved sustainable links to the existing Wychwood Village development through the submission of a future masterplan. For the purposes of the appeal this needs to be a condition.

Public Transport

An hourly bus service running Monday to Saturday currently passes the site entrance and connects to Crewe rail station and town centre with Betley, Madeley, Keele University and Newcastle town centre. The proposal includes for access to this bus service to be enhanced through access related highway works including bringing the bus service into the development. To provide bus access within the development for future (and current) occupiers of Wychwood Village an hourly bus service could be provided as part of S106 requirements linking the site with Crewe town centre from the occupation of the 200th unit and be provided for a period of 5 years thereafter running hourly Monday to Saturday 0800-1800. After 5 years, the Bus service provider would have no further funding and would then have to consider whether the service is self sustaining.

Travel plan

A travel plan framework has been submitted which proposes single car occupancy reductions over the first 5 years of the development assisted by the appointment of a Travel Plan Co-ordinator who will promote and implement the measures described in the framework plan. The proposed householder travel plan information pack proposed to be issued to all new first occupation residents must include a cycle voucher that can be redeemed in exchange for a bike worth up to £150.00 and a travel voucher that can be redeemed in exchange for a 3 month bus pass valid on services connecting the development to surrounding destinations. The amended Travel Plan is a Section 106 requirement for the purposes of the appeal.

To ensure effective implementation of the travel plan measures and subsequent submission of travel plans by future occupiers a travel plan monitoring fee of £10,000 will be required to be secured via Section 106 agreement.

Safe and suitable access

A key component of a development proposal is to provide a safe and suitable access for all highway users both vehicular and pedestrian. The proposals have been audited against this requirement and subject to the mitigation described under the next section meet this requirement.

Network Capacity (trip rates/distribution/jn modelling etc)

The traffic impact of the proposed development has been quantified in the supporting Transport Assessment which has been subject to audit by Cheshire East Council highway officers. The Highways Authority has considered key junctions in the Transport Assessment

that demonstrate that development traffic would result in them operating over their theoretical capacity have been tested using the above model and this has resulted in revised mitigations being submitted and which are deemed to be acceptable by the Highways Authority.

Accordingly, subject to planning conditions and S106 requirements for £1,850,000 as a contribution to the duelling of A500 link road between M6 junction 16 and the A500/A531/A5020 roundabout, bus service provision for 5 years, Travel Plan monitoring fee of £10,000, the Strategic Highways Manager does not object to the proposal.

Public Rights of Way

The Rights of Way team have also requested a number of conditions to protect the footpaths during and after development .

In addition they have recommended conditions relating to the design and construction of cycle routes signposting of key routes and provision of cycle storage facilities all of which are considered to be acceptable. They have also provision of new residents with information about local walking and cycling routes for both leisure and travel purposes. This could be secured through the condition.

Trees & Hedges

Various reports have been submitted as part of the ES which detail the trees on site.

Trees within the site comprise principally of mature and fully mature Oak and occasional Ash which form part of existing and former field hedgerow boundaries. More recently large groups of young Hawthorn and Hazel with occasional standard Oak, Lime, Silver Birch and Balsam Poplar have been planted as part of the landscaping of the former golf course.

Trees within the site are visible from Newcastle Road, Abbey Park Way, Wychwood Village and a number of public footpaths that bisect the site which confer significant visual amenity and therefore would be considered worthy of formal protection.

The Indicative Masterplan (Drawing CL.207612.101 Revision D dated April 2013 identifies the areas of existing and proposed residential development, existing tree and hedge cover, ponds, amenity grassland and open space provision. It should be noted that this plan appears to show additional existing trees that are not present on site (south of R3) and appears to omit others (western boundary with R5).

However, the Arborist considers that some retained mature trees are indicated within residential rear gardens and adjacent to access roads. This would have issues for social proximity in the future.

The site has distinct changes in levels across the site which will require modification to accommodate the built form. The distribution of mature trees through the site should not pose a significant constraint however it is not entirely clear with the imposition of constraints required by the British Standard how the successful retention of all mature trees as illustrated on the submitted masterplan will be achieved without modifications to the design and road

layout. However, as this is an indicative layout, it is considered that this could be overcome by planning condition.

Economic Sustainability

Supporting Jobs and Enterprise

The Framework includes a strong presumption in favour of economic growth.

Paragraph 19 states that:

‘The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth’

Given the countryside location of the site, consideration must also be given to one of the core principles of the Framework, which identifies that planning should recognise:

‘the intrinsic character and beauty of the countryside and supporting thriving rural communities within it’.

Specifically, in relation to the rural economy the Framework identifies that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

‘support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings’

The economic benefits of the development include, maintaining a flexible and responsive supply of land for housing, business and community uses as well as bringing direct and indirect economic benefits to the area including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain, jobs within the proposed school/nursery and within the local centre.

Similarly, the NPPF makes it clear that:

“the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.”

According to paragraphs 19 to 21:

“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and

support an economy fit for the 21st century. Investment in business should not be overburdened by the combined requirements of planning policy expectations.”

The application sets out that the scheme will include 1.2 hectares of employment space which will equate to a floor space of 5,500 sq. m and is estimated to generate around 452 long term jobs.

The application justifies the provision of employment accommodation on the basis that it would provide employment opportunities within a sustainable urban village, represents a moderate overall benefit to the local economy and its location with new housing promotes a more sustainable pattern of living and encourages sustainable travel movements.

Retail/Neighbourhood Centre

A Retail Planning Technical Note prepared in support of the proposals provides an overview of shopping patterns in the wider area and an analysis of local population growth and expenditure. It considers that the application site can meet a gap in local shopping provision and address unsustainable shopping patterns. To this end, a neighbourhood centre would need to include as an anchor unit, a food store of 2151 sq. m as well as 5 retails units (75 sq. m - 100 sq. m gross floorspace) and a public house/family restaurant.

The technical note states that whilst the proposed neighbourhood centre would meet the needs of residents of the development and Wychwood Park, it is the case that it would be of a scale proposed to also meet shopping needs over a much wider catchment area.

All these elements would contribute to the economic sustainability of the proposals on paper, whether the proposed employment related development of the site, given its relative scale and isolation is debatable, however, at face value the proposals, by virtue of the sheer scale and the building project for approximately 900 houses and the jobs that would create, does contribute to the economic arm of the 3 strands of sustainability.

Sustainability Conclusion

There are considerable social and economic benefits in the form of the affordable and general housing, the potential school and the community facilities and employment facilities being put forward as part of this mixed use scheme which are acknowledged, however, all 3 strands of sustainability must be complied with to engage Para 14 of the NPPF and this scheme is not considered to comprise an environmentally sustainable form of development.

Other Matters

Much representation has been made concerning S106 and covenant issues by existing residents in Wychwood Park concerning the limitations imposed upon the land with regard to the overall limit to the numbers of dwellings originally and (inter alia) secured the provision of this site as a golf course. An application has been submitted by the Applicant to Release themselves from those Obligations which has yet to be determined.

These issues are not directly relevant to the determination of the planning merits in this case.

Section 106 Agreement / Community Infrastructure 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 in Appeals 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.

For the purposes of the appeal therefore, the developer has put forward Heads of Terms that seek to address points a-c above, these are the financial contribution negotiation with Highways for a the duelling of the A500, the direct provision of a bus service for 5 years, travel plan monitoring, other items include the education mitigation, either with or without the provision of land within the site for a primary school, the delivery of 30% affordable housing in a mix appropriate further to the introduction of the Bedroom Tax POS and children's play space is a requirement of the Local Plan Policy. It necessary to secure these works and a scheme of management for the open space and children's play space is needed to maintain these areas in perpetuity. Similarly the affordable housing is a policy requirement.

The highway and education contributions referred to above are also necessary to mitigate the impacts. On this basis the highways, education, open space and affordable housing contributions are compliant with the CIL Regulations 2010.

Planning Balance and Conclusion

The proposal is contrary to development plan policies NE2 (Open Countryside) and therefore the statutory presumption is against the proposal unless material considerations indicate otherwise.

The most important material consideration in this case is the NPPF which states at paragraph 49 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 that 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 an 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 market and affordable housing to meet an acknowledged shortfall. The proposal would also have some economic benefits in terms of jobs in construction, spending within the construction industry supply chain and potential jobs within the indicatively indicated employment area and the local centre and potential school.

Turning to access issues this will be mitigated through significant Section 106 contributions. Conditions could be imposed to improve linkages at reserved matters stage

Subject to a suitable Section 106 package, the proposed development would provide public open space however, the quality of that provision within the context of the overall site is not

proven. The scheme could the necessary affordable housing requirements, and the requirement for the future maintenance of the open space and playspace on site.

The site does not meet all the minimum distances to local amenities and facilities advised in the North West Sustainability toolkit. Section 106 contributions can be secured towards a bus service for 5 years, however, the sustainability credentials of this scheme are considered to be over –stated, and notwithstanding the substantial package of S106 items put forward, it is considered that the site and its scale of development is not locationally sustainable.

It is also necessary to consider the negative effects of this incursion into Open Countryside. Effects that would be all the more marked in the locality given the concerns over urban design and density of development.

These negative impacts, coupled with the concerns about the cramped in nature and duality of the Open Spaces in terms of the environment harm created would significantly outweigh the social and economic benefits of the proposal's contribution to housing land supply, employment and community prvsion.

On the basis of the above, it is considered that the proposal represents unsustainable development and paragraph 14 is not engaged. Notwithstanding this, even applying the tests within paragraph 14 it is considered that the adverse effects of the scheme significantly and demonstrably outweigh the benefits.

It is also considered that the proposal would considerable undermine the emerging Local Plan Strategy and constitute an unplanned from of development contrary to the NPPF.

The application is subject to an Appeal against Non-determination. Accordingly it is recommended that Members resolve that they would have been minded to refuse the application and to contest the Appeal on the following grounds -:

RECOMMENDATION

MINDED to REFUSE for the following reasons

- 1. The proposed residential development is unacceptable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.**
- 2. In the opinion of the Local Planning Authority, the proposed development, by virtue of the proposed density, layout, distrubution of uses and lack of connectivity would be detrimental to the charcter and appearance of the countryside and achieveable an appropriate form of development, thereby failing to deliver an envionmentally sustainable scheme which would significantly and demonstrably outweigh the economic and social benefits of the scheme notwithstanding the shortfall in housing land supply. The development is**

therefore contrary to Policy BE2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 Policy MP1 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and guidance contained within the NPPF The Cheshire East Borough Design Guide (Consultation Draft) January 2016.

3. Insufficient information has been provided to demonstrate that the proposal provides adequate levels of useable open space and appropriately located childrens play space for a future residential development of this scale, with an inadequate amount of useable play and open space which mitigates for the loss of the existing Protected Open Space and barn owl roost on site contrary to BE2, BE5 and RT3 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF
4. The proposal constitutes a premature development which would compromise the Spatial Vision for the future development of the rural areas within the Borough, contrary to Policies PG2 and PG6 of the Cheshire East Local Plan Strategy – Consultation Draft March 2016 and guidance within the NPPF.

For the purposes of the appeal, RESOLVE to enter into a Section 106 to secure the following:

- Affordable housing:
 - 30% of the total dwellings to be provided as affordable housing
 - 65% of the affordable dwellings to be provided as either social rent or affordable rent
 - 35% of the affordable dwellings to be provided as intermediate tenure
 - Affordable housing to be provided on site
 - 1-5 bed units to be provided
 - Affordable rented or Social rented dwellings to be transferred to a Registered Provider
 - The affordable dwellings to be provided as a range of property types to be agreed with Housing
 - Affordable housing to be pepper-potted in small groups, with clusters of no more than 10 dwellings.
 - The affordable housing to be provided no later than occupation of 50% of the open market dwellings, or if the development is phased and there is a high degree of pepper-potting the affordable housing to be provided no later than occupation of 80% of the open market dwellings.
 - Affordable dwellings transferred to an RP and to comprise a mix of 1-4 bedroomed properties
- Provision of minimum 29,750 sq m of shared recreational open space and children's play space to include -
- MUGA x2 located with the NEAP
- Children's formal play provision
 - NEAP – located to provide a focus for the new community and alongside other new and existing community facilities

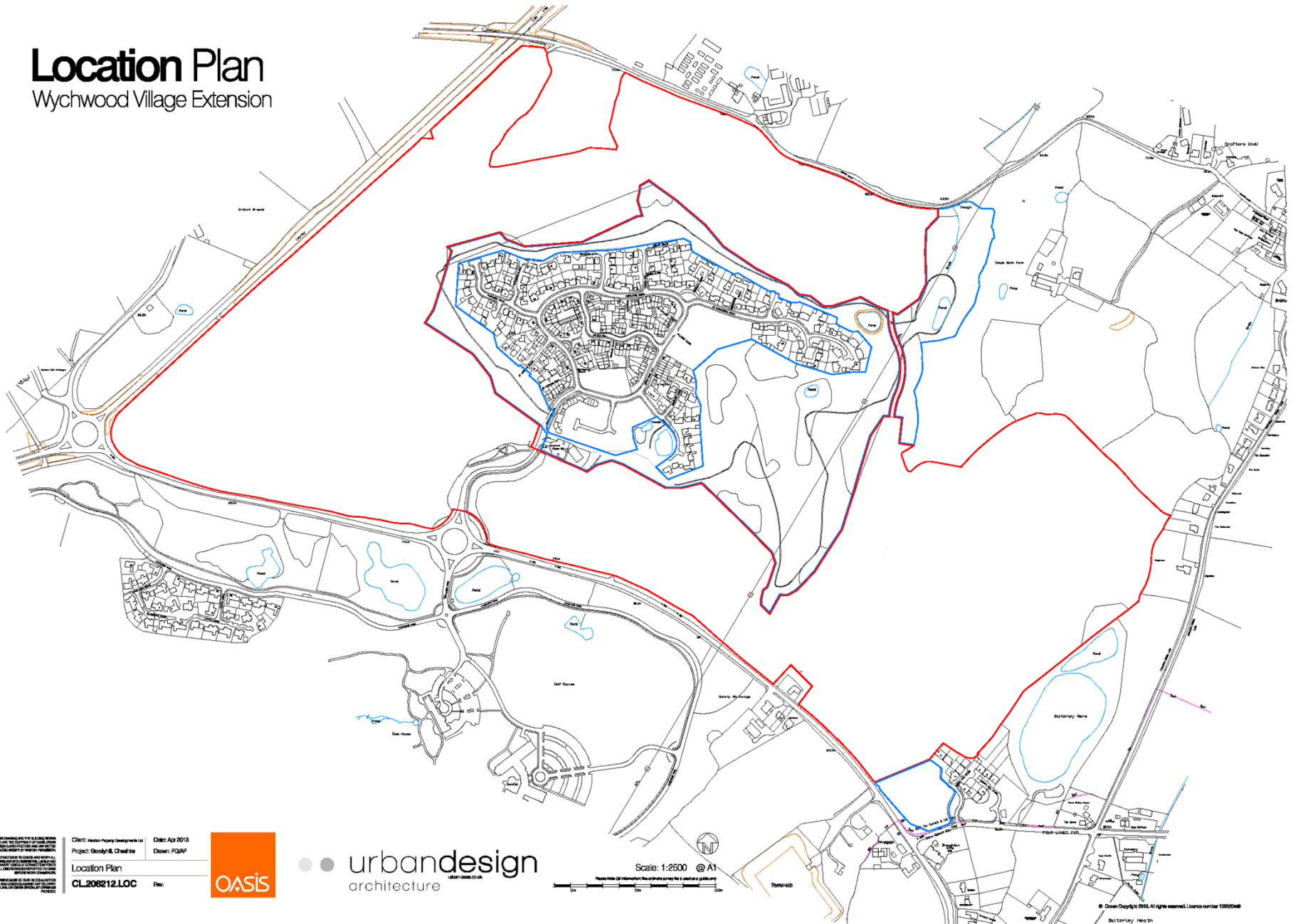
- **LEAPS and LAPS – a minimum of 2 LEAPS and 4 LAPS, final numbers, contents and location to be agreed at submission of reserved matters but to ensure formal play provision is easily accessible and within FiT recommended guidelines**
- **Teen skate / BMX**
- **Areas for social play and informal recreation**
- **Playing Fields**
- **Changing facilities**
- **Accessible hard surfaced routes across the site with consideration to lighting key routes**
- **An area for allotments or community gardens**
- **Seating and activity / event areas**
- **Interpretation and public art**
- **Future management and maintenance opportunities**
- **Reflect the adopted Green Space Strategy and national best practice on POS provision**
- **All to be in accordance with an Open Space and Green Infrastructure strategy to be agreed prior to the submission of any reserved matters and to identify all maintenance and management options to all green infrastructure**
- **Private residents management company to maintain all on-site open space, including footpaths and habitat creation areas in perpetuity**
- **Education Contribution:**
 - £2,496,000 (primary)**
 - £653,708 (secondary taking into account proportionate share of SEN pupils)**
 - £637,000 (SEN)**

And a level, fully serviced, accessible and uncontaminated site suitable for a 2 form entry primary school in accordance with the Department for Education Area guidelines for mainstream schools document Building Bulletin 103)

- **Highways Contribution of £1,850,000 as a contribution to the dualling of A500 link road**
- **The direct provision of an hourly bus service Monday to Saturday (08.00 to 18.00 hrs) for 5 years from 1st occupation of the 200th unit on site**
- **Travel Plan monitoring fee of £10000 (£1000 per annum for 10 years)**

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to Head of Planning (Regulation), in consultation with the Chair of SPB, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Wychwood Village Extension



THE DRAWING AND THE BILLING STATEMENTS
 REFLECT ARE THE PROPERTY OF CASH, IRVING
 DESIGN AND CONSTRUCTION AND MAY NOT BE
 REPRODUCED WITHOUT THE WRITTEN PERMISSION.
 THE CONTRACTOR IS TO CHECK AND VERIFY ALL
 BILLING AND SITE CONDITIONS, LAMBS AND
 OTHER PARTS OF THE CONTRACT DOCUMENTS
 AND ALL DISCREPANCIES REPORTED TO CASH
 BEFORE WORK COMMENCES.
 THE DRAWING MUST BE KEPT IN CONFORMANCE
 WITH THE CASH CONTRACT AND ALL THE
 CONTRACT DOCUMENTS AND OTHER SPECIAL INSTRUCTIONS
 PROVIDED.

Client: Hexion Property Developments Ltd
Project: Gornally Hill, Cheshire
Location Plan
CL206212.LOC

Date:

Dow:

Page:

Date: Apr 2013
Down: PD&AP

File:




urbandesign
 architecture

Scale: 1:2500 @ A1

Please Note: Cell Information: The estimate survey is used as a guide only

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