

Application No: 16/4601N

Location: Kingsley Fields Land to the North of, Waterlode, Nantwich

Proposal: Reserved matters application for residential development for 1000 dwellings with associated landscaping, open space, roads, cycle ways, footways and infrastructure

Applicant: Mr Ian Harrison, Taylor Wimpey UK Limited, Redrow Homes & David Wilson Homes

Expiry Date: 29-Dec-2016

## **SUMMARY**

The principle of the development has already been approved.

Matters of drainage and flooding have been considered to be acceptable, subject to conditions. Whilst there are some matters to address relating to the separation distances between some of the proposed dwellings it is considered that the development would not have a detrimental impact upon the living conditions of existing residents, ecology, highway safety and the local highway network. The consultation response from Environmental Protection is awaited, however it is anticipated that no further issues to those highlighted at the outline stage will be raised.

Following much discussion and negotiation with the applicants, the proposed scheme broadly provides an acceptable design and layout, the dwellings are adequately appropriate to the character of the area, and appropriate landscaping and sufficient open space can be provided. However further details are required relating to landscaping, impact of attenuation ponds on trees, and affordable housing scheme and public open space details.

Subject to the above points being satisfactorily addressed, and the receipt of outstanding consultee responses raising no objections, the proposal will represents a sustainable form of development, and a recommendation of approval can be made.

## **RECOMMENDATION**

Approve subject to conditions, subject to receipt of outstanding information and consultee responses

## **PROPOSAL**

The application seeks approval for all reserved matters for 1000 dwellings following the outline planning permission 13/2471N, which granted consent for a

*“residential development of up to 1,100 dwellings, up to 1.82ha of Class B1 Business Use, a potential Primary School, community facilities and local centre (Use Classes A1, A2, A3, B1 and D1), allotments, recreational open space and associated landscaping, highways, access roads, cycleways, footways and drainage infrastructure”.* The outline application was accompanied by an Environmental Statement.

## **SITE DESCRIPTION**

The application site comprises approximately 58 hectares of open farmland, which is bound to the north by the A51, to the west by Welshman’s Lane, to the south by Malbank School playing fields, allotments, Nantwich Town Football Club Stadium and to the east by the River Weaver. The site can be divided into four different character areas, namely; Riverside, Equine Centre and Paddocks, Rough Grassland with Hedgerows and Managed Farmland. The site is located within Open Countryside outside Settlement Boundaries as identified in the Crewe & Nantwich Local Plan.

## **RELEVANT HISTORY**

13/2471N - Outline application for residential development of up to 1,100 dwellings, up to 1.82ha of Class B1 Business Use, a potential Primary School, community facilities and local centre (Use Classes A1, A2, A3, B1 and D1), allotments, recreational open space and associated landscaping, highways, access roads, cycleways, footways and drainage infrastructure – Approved 20.01.2016

## **NATIONAL & LOCAL POLICY**

### **National Policy**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

69-78. Promoting healthy communities

### **Development Plan**

#### **Crewe & Nantwich Replacement Local Plan 2011**

NE2 (Open Countryside)

NE5 (Nature Conservation and Habitats)

NE9 (Protected Species)

NE11 (River and Canal Corridors)

NE12 (Agricultural Land Quality)

NE17 (Pollution Control)

NE20 (Flood Prevention)

BE1 (Amenity)

BE2 (Design Standards)

BE3 (Access and Parking)

BE4 (Drainage, Utilities and Resources)

BE5 (Infrastructure)

BE6 (Development on Potentially Contaminated Land)  
BE7 (Conservation Areas)  
BE17 (Historic Battlefields)  
E6 (Employment Development within Open Countryside)  
RES3 (Housing Densities)  
RES5 (Housing in the Open Countryside)  
RES7 (Affordable Housing within the Settlement Boundaries of Nantwich and the Villages)  
TRAN1 (Public Transport)  
TRAN3 (Pedestrians)  
TRAN4 (Access for the Disabled)  
TRAN5 (Provision for Cyclists)  
TRAN6 (Cycle Routes)  
TRAN9 (Car Parking Standards)  
RT3 (Provision of recreational Open Space and Children's Playspace in New Housing Developments)  
RT9 (Footpaths and Bridleways)  
RT12 (Nantwich Riverside)  
RT17 (Increasing Opportunities for Sport)

### **Neighbourhood Plan**

The Acton, Edleston and Henhull Neighbourhood Plan has reached the Regulation 7 Stage, which has designated the neighbourhood area as applied for by Acton, Edleston and Henhull Parish Council. The whole of the application site falls within this neighbourhood area.

### **Other Material Planning Considerations:**

National Planning Practice Guidance (NPPG)  
Nantwich Riverside Masterplan Strategic Framework 2007  
Interim Planning Statement: Affordable Housing  
Strategic Housing Market Assessment (SHMA)  
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994  
Draft Cheshire East Design Guide (2016)

### Cheshire East Local Plan Strategy – Proposed Changes Version (CELP)

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

MP1 Presumption in favour of sustainable development  
PG1 Overall Development Strategy  
PG2 Settlement hierarchy  
PG6 Spatial Distribution of Development  
SD1 Sustainable Development in Cheshire East  
SD2 Sustainable Development Principles  
IN1 Infrastructure  
IN2 Developer contributions  
SC4 Residential Mix  
SC5 Affordable Homes  
SE1 Design  
SE2 Efficient use of land

SE3 Biodiversity and geodiversity  
SE4 The Landscape  
SE5 Trees, Hedgerows and Woodland  
SE6 Green Infrastructure  
SE9 Energy Efficient Development  
SE12 Pollution, Land contamination and land instability  
SE13 Flood risk and water management  
CO1 Sustainable Travel and Transport  
CO4 Travel plans and transport assessments

#### Site CS 21: Kingsley Fields, Nantwich

The emerging local plan states that the development of Kingsley Fields over the Local Plan Strategy period will be achieved through:

1. The delivery of up to 1,100 new homes (with varying actual densities around the site);
2. A new mixed-use local centre for local needs including:
  - i. Convenience retail unit of not more than 400 square metres;
- ii. A further 3 retail units of not more than 100 square metres each and not more than 300 square metres in total;
- iii. B1 Office uses;
- iv. Public House; and
- v. Community hall;
3. The provision of a site for a new Primary School within the development or a financial contribution towards providing educational facilities;
4. The delivery of a new highway link to Waterlode and the re-alignment of the A51 through the site;
5. The delivery of up to 2 hectares of B1 uses (Business);
6. Incorporation of Green Infrastructure, including:
  - i. An extension of the riverside park between Reaseheath College and the town centre, including both the floodplain and the valley shoulder, with substantial native woodland tree planting on the higher land, above the floodplain; the area adjacent to the river should be treated as a wetland landscape buffer zone, with public access, including formal footpaths and cycle ways;
- ii. Allotments;
- iii. Open space provision, including sports pitches; Multi-Use Games Area; children's equipped play space; outdoor gym and facilities for teenagers;

## **CONSULTATIONS**

**Historic England** – No objections.

**Environment Agency** – No objections subject to conditions relating to unidentified contamination and the development being carried out in accordance with the submitted Flood Risk Assessment.

**Canal & River Trust** – No comments to make.

**Natural England** – No further comments to those made at the outline stage.

**Archaeology Planning Advisory Service** (Cheshire Shared Services) – No further comments to those made at outline stage.

**Flood Risk Manager** – No objections subject to conditions relating to Flood Zones, surface water management and the development being carried out in accordance with the submitted Flood Risk Assessment.

**United Utilities** – No comments received

**Environmental Health** – Comments not received at time of report preparation

**Public Rights of Way** – Holding objection until matters raised are addressed

**Head of Strategic Infrastructure** – No objection subject to conditions

**Housing Strategy & Needs Manager** – Object due to lack of older persons accommodation and pepper potting.

**ANSA** – Set out open space requirements for proposal

**Nantwich Civic Society** – Object on the following grounds:

- Local Plan policies have “a sense of place” at their core - but is insufficiently developed here.
- end result does not produce a strong, or even enough of, a Sense of Place and Community to be an interesting or stimulating environment
- little in the way of a change in densities or pattern of layout and
- materials to signify any centre or focus of this new “potential village”
- Where the local character is reflected in house design or materials is hard to discern
- The Gateways - north and south - are too weak
- Reaseheath Cross, although given some spotlighting in the proposal documents is similarly very weak feature with little logic to it.
- Spine road is too narrow
- Too few trees are proposed
- Riverside space should be given some new features, planting and especially pathways to facilitate better pedestrian access to the town
- need to ensure good short connectivity to and from the town centre by cross-river paths and existing bridges

- Question the provision of enough parking spaces because experiences of on street or on-verge parking elsewhere in similar residential areas
- LPA should consult the Beam Heath Trust to seek to maximise and shorten the footpath connections
- Timing of building the spine road is too late
- MUGA should be closer to football ground
- Many of the comments raised by Places Matter at the Design Review have been ignored or under developed.

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

**Worlestone & District Parish Council** – Object on the following grounds:

- Fully supports the objections made by Nantwich Town Council and Acton PC
- Concerns re. the lack of primary school facilities until the 600 trigger level, due to interim impact upon other schools and associated highways impact.
- Lack of any definitive time frame for the A51 relief road.
- Intention for Reaseheath College to develop Site 6 off the A51 needs careful consideration and WDPC cannot understand why, if it is not to be developed until the relief road is constructed, why this cannot be accessed from the relief road.
- WDPC will be pursuing traffic calming measures for the B5074 and weight limits and restrictions for Wettenhall Road and associated side lanes.
- Definitive timescales for the closure of Welshmans Lane and designs for the junction with the A51 are also critical.

**Nantwich Town Council** – Raise the following concerns:

- Disappointed at the lack of consultation from the developers prior to this application.
- Very little information on the timing of proposals, the development of employment land in the north and the provision of improvements to the riverside network.
- Spine road too narrow.
- Little information on when the completion of the road through to the A51 is required.
- Layout takes no account of the possibility of closing Welshman's Lane at the junction with the A51. Access to Welshman's Lane should come through the allocated site from the roundabout on the re-aligned A51.

- Layout is unimaginative and lacks features which will make it different to other speculative development.
- Layout does not appear to deal with variations in density and house type that were promised at the outline stage.
- No focal point for community uses.
- Does not accord with the emerging policy on design in the CELP which seeks to ensure that new development takes influences from the locality and contributes to a sense of place.
- The plan does not show any detail about the provision of the riverside open space on the western bank of the River Weaver and how this will be linked to the existing network of riverside footpaths.
- School should be located within the site, however children from first phases will have to be schooled off site.
- MUGA should be closer to the football club. This will be more likely to ensure maximum community use (out of school hours) and will minimise light pollution from the floodlights to nearby residents.

**Acton, Edleston & Henhull Parish Council** – Object on the following grounds:

- Spine road has the character of a residential distributor rather than that of a strategic link seeking to redistribute traffic away from the congested Waterlode / Welsh Row junction.
- No appropriate link to Welshmans Lane to allow its eventual closure with A51.
- Design of the residential areas can, at best, only be described as mundane, lacking variety and sense of place.

## **REPRESENTATIONS**

Neighbour notification letters were sent to all adjoining occupants, site notices erected and a press advert was placed in the Crewe & Nantwich Guardian.

8 letters of representation have been received objecting to the proposal on the following grounds:

- Loss of view
- More cars, more pollution
- Nantwich completely over developed

- Surprised that building is being allowed on Green Belt around Nantwich
- Spine road through the development should be designed as a through route to take traffic into and out of Nantwich town centre directly to the A51. This is not what is proposed.
- Spine road should be completed as early as possible.
- School should be provided as soon as possible.
- MUGA should be next to football club, away from houses.
- Adverse impact upon Hospital Street air quality (AQMA declared in 2006).
- Full implementation of the Hospital Street 2011 Cheshire East Local Air Quality Final Action Plan, and other measures to mitigate the potential polluting effects of any further Nantwich town traffic are fundamental requirements prior to the consideration of new plans for residential and commercial development.
- Without action the situation will inevitably worsen in time, the outcome from the creation of a southern gateway to the proposed Kingsley Fields development will be potentially overwhelming for Nantwich.
- A possible solution to help alleviate Nantwich's traffic problems would be to insist that all the house builders fund a proper southern bypass as a development condition.
- Central government has said that it will not allow plans to proceed unless legal air quality limits are met. With the precedent established it is reasonable to expect that CEC will apply the same planning principle in Nantwich.
- A51 diversion needs to be in place before the houses are built and not after.
- Logical to consider a plan to close Welshman's Lane at the A51 and give cycle access from the estate.
- Construction traffic needs to all come onto site from the A51 and there needs to be an undertaking that the town will not suffer the blight of parked delivery vehicles as residents of Queens Drive are still being forced to endure.
- As a basic principle, no town should be blighted by construction and every effort should be made to ensure while it is being built, this development is as invisible to current residents and visitors as possible.
- Urgent need for a new school to be open as soon as Kingsley Fields' residents arrive.
- The designs of the houses aren't in any way Nantwich specific and could be located anywhere. Do not reflect the historic character of the town.
- Impact on local infrastructure.



- Before allowing the Kingsley Fields 2 development to proceed the Cheshire East Council must finally ensure that the Kingsley Fields 1 development has been completed satisfactorily – restoration of Grade II listed walls and provision of adequate car parking.
- A51 diversion is unnecessary and a waste of resources.
- Increased risk of flooding.
- Impact on wildlife
- Impact on highway network
- Nantwich will change from the small market town we all like
- Lack of parking in the town already

One letter makes the following general observations:

- Cycleways and footways should be built to current best practice - cycle dismount signs should not be used at junctions and design should ensure the continuity of the routes.
- Please sign the cycleways/footways to the standard installed on the Crewe/Nantwich Greenways. In particular we would like to see National Cycle Network route 551 completed through the site to Wettenhall Road at the earliest opportunity.
- We would like to see a direct surfaced cycleway/footway from the new development to the Malbank School underpass on Waterlode.
- Please ensure that the developers build the new spine road, and do not walk away from the site once 400 houses are complete.

## **APPRAISAL**

### **ENVIRONMENTAL SUSTAINABILITY**

#### **Character & Appearance**

Condition 30 of the outline planning permission required the submission of a document setting out the Design Principles for the entire development approved under the outline consent. Each and every reserved matters application shall then be in accordance with the approved Design Principles. The Design Principles include the principles for determining the design, form, heights and general arrangement of external architectural features of buildings including the roofs, chimneys, porches and fenestration; the hierarchy for roads and public spaces; the colour, texture and quality of external materials and facings for the walls and roofing of buildings and structures; the design of the public realm; the design and layout of street furniture and the level of illumination; and the principles for the laying out of the green infrastructure.

The submitted Design Principle Document (DPD) identifies a number of site features that create a strong base for the proposed development. These features, which are to be retained and enhanced in the development include:

- River Weaver corridor landscape
- Watercourses
- Hedgerows and trees
- Local connections

- Historic context (Battle of Nantwich)

As a scheme of 1,000 houses of paramount importance that the proposed development creates a good place to live which is contextually responsive and sustainably located. The Cheshire East Borough Design Guide (Draft 6) states that the Building for Life 12 (BfL12) approach and process will be applied to all residential schemes above 10 units in order to achieve such developments.

The following appraisal is structured under the headings of the BfL12 assessment.

### Integrating into the neighbourhood

#### *Connections*

The scheme's main vehicular access points are located to the north (A51 Relief Road) and to the south via Waterlode (B5341), with a connecting boulevard between them. Additional streets and lanes run from the boulevard out to the east and west.

A key structuring element of the site is the proposed spine road, which runs through the centre of the site, and will link the diverted A51 in the north with Waterlode to the south. This road will form the main route through the site for vehicles, including buses. However, despite being this main link road for vehicles an important concept is that it does not act as a barrier between the eastern and western parts of the site. The road will have a tree lined character, with sufficient verge space for boulevard tree planting, as well as safe and convenient crossing points for pedestrians.

Nantwich town centre is located to the south east, just across the River Weaver corridor and proposed pedestrian bridge link, or can be reached via public transport from the site itself.

Various pedestrian and cycle links connect the site to the surrounding area including the River Weaver corridor (to the east), Reaseheath (to the north) and Welshman's Lane (to the west). In addition, there are cycleways along some of the more major proposed routes through the site which connect to these dedicated footpath/cycleways.

The original constraints and opportunity plans indicated a strong east west green link through the site following a hedgerow boundary, which was lost at the western end in the original proposals, however this has now been reinstated.

#### *Facilities and services*

The site is close to Nantwich Town Centre with the railway station also within walking distance. The site also has areas allocated for employment and retail uses and is adjacent to extensive sports facilities, the River Weaver, Reaseheath College and formal and informal recreation facilities will be provided on-site. A potential school on site also formed part of the outline permission, and a site has been set aside for the school should it be required.

#### *Public transport*

The main boulevard will be used as a bus route and so the site will be well served by extended / new bus routes which will also assist in linking the northern, western and southern areas of the town. The nearest railway station is in the town centre, less than a mile away.

### *Meeting local housing requirements*

The housing mix comprises a broad mix of 1 and 2 bed apartments, 2, 3, 4 and 5 bed homes, 20% of which are affordable. The house types range from apartments, mews, through semi-detached to detached properties, offering choice in terms of house types, sizes.

It is unfortunate that some of the affordable, higher density homes are located in large groups off to the edges of the development, in areas where lower density would be expected. In particular, in the most northern parcel adjoining the A51, close to the Conservation Area and Reaseheath Village and to the south eastern edge of Henhull Hall Farm.

However, the developers have addressed the density of the built form around Reaseheath Cross in the heart of the development by fronting the public realm in this area with apartments and mews properties which enclose the spaces better than the detached homes previously proposed.

### Urban Design

#### *Character*

Use of the existing site features to influence the development of character areas is important to create a unique proposal. The proposed residential scheme does include a number of character areas, which have been distinguished by their natural and physical features / influences.

These areas include:

- Rural Estate North
  - Provide broken views to Battlefield site.
  - Influenced by open landscape setting to the west/ battlefields.
  - Surroundings open and rural with the odd farmstead and scattered buildings.
  - Looser urban grain with formal pedestrian / cycle access to Welshmans Lane.
  - Provide ecological / wildlife corridors to western boundary and around existing watercourse.
  - Density to be increased adjacent to A51.
- Rural Estate South
  - Provide footpath link to allotments / Welshmans Lane and connect to existing PROW.
  - Provide buffer to playing fields to the south.
  - Continuous building frontage to boulevard routes.
  - Influenced by the open landscape to the west with a looser grain to this edge, but also the more formal influences of the allotments and playing pitches to the south. Urban edge influences also apparent here.
  - Tighter urban grain acceptable here.
- Urban Village
  - Tighter urban grain. Urban core focussed around central formal park.
  - Continuous frontages.
  - Open views / pedestrian links to Green Spine and footpath / cyclepath network.
  - Positively address Boulevard routes with continuous frontage line.
  - Provide distinct entrance at northern gateway/ arrival.

- Riverside North
  - Provide views to Reaseheath / open space, and beyond to river corridor open area.
  - Riverside setting, but influenced by the more formal setting of the equestrian centre/ paddocks and open space.
  - Softer, informal frontages to open space with acoustic buffer to A51/ link road.
  - Continuous building frontage to boulevard routes, with increase in density towards Reaseheath Cross.
- Riverside South
  - Provide distinct entrance at southern gateway / arrival point.
  - Create/ provide views to river corridor.
  - Riverside setting, influence by more naturalistic / informal riverside area.
  - Softer, informal frontages to open space.
  - Continuous building frontage to boulevard routes.
- Reaseheath Cross
  - Increase in density of form with active ground floor frontages.
  - Provide MUGA and dual-use playing fields, primary school with entrance from public open space / green corridor and local centre with active frontage addressing boulevard route.
  - Opportunity for mixed-use including residential up to three storeys in height, with continuous frontage to Reaseheath Cross central public space utilising innovative parking arrangements to maintain building line. Opportunities for external seating areas associated with complementary uses.
  - Commercial units to be flexible and adaptive to accommodate the needs of different uses / sizes of unit. Servicing to retail / school to be considered and well integrated.

The applicants are three national housebuilders that do have “standard” products, which is apparent with the house types proposed. Clearly these standard house types are tried and tested, and are adequately in keeping, but it is a little disappointing that there is not more bespoke design and more variation in elevational treatments within each character area to add to the identity created by landscape treatments.

#### *Working with the site and its context*

Key views were identified at the outline stage and now appear to have partially been retained in the current proposals. The development does also in the main respond to its location in terms of being outward looking, except in a few locations.

A number of hedgerows and trees that were to be retained at the outline stage have now been lost in the current proposals. These may have been difficult to accommodate, but would have added uniqueness to the layout and landscape / townscape setting / character if they had been retained and worked creatively into the proposals. In addition some shared drives ‘Lanes’ are very close to the foot of some of the hedgerow features and therefore care will need to be taken not to damage them during construction.

The open spaces will be naturalistic in form and this is evident in the proposals in terms of the various retained landscape zones, as well as proposed new spaces.

#### *Creating well defined streets and spaces*

The Street Hierarchy as set-out in the DPD has not been fully translated into the proposed layouts. Streets appear to be hierarchical in terms of widths, but not in terms of materials, landscape, how the built form can pinch down the street, enclose / help to create spaces (squares / mews), form header buildings and create landmarks. There are also a variety of corner turning house types so corner turning is adequately addressed.

Buildings need to front spaces, enclose them, respond to the shape and be part of the space they overlook. This was an issue at both gateways to the development, the two spaces on the central east west green link and around the key public realm adjoining the retail zone at Reaseheath Cross. This has been addressed further, but still the higher density areas have been pushed out to edge locations, whereas they should really be concentrated in the heart of the site near to the local centre.

#### *Easy to find your way around*

The street hierarchy in terms of landscape approach looks to create quite a strong hierarchy which would be legible. This needs to be translated into the layout and the built form needs to reflect the landscape treatments and intimacy/use/vibrancy of the various movement routes within that hierarchy. The materials for the various surfacing options within the street hierarchy needs a uniform approach across the site.

### Street & Home

#### *Streets for all*

As stated above the landscape strategy sets out a strong hierarchy with the local access roads / lanes indicated as shared spaces / using street trees to calm traffic / changes in horizontal alignment etc.

#### *Car parking*

Overall the scheme has a mix of in-curtilage frontage and behind the building line parking solutions.

#### *Public and private spaces*

The layout illustrates the definition of boundaries between public realm and gardens. The public realm, in the main, looks to be well viewed from the surrounding homes. There are a variety of open spaces in the green infrastructure network which provides informal and formal recreation and play opportunities linking into the Riverside corridor and wider landscape.

The issue and treatment of urban space i.e. the public realm at Reaseheath Cross has improved since the original submission to create the dense form of development this area requires.

#### *External storage and amenity space*

This has not been addressed in the DPD or layout. Indeed the applicant's BfL12 response in Appendix 1 of the DPD and it refers to pages in the main document relating to public open

spaces. The BfL12 question focuses on the storage and amenity space of individual dwellings and has nothing to do with public open space.

The DPD does not appear to address this issue at all and whilst the planning layouts illustrate gardens of a reasonable size, with access provided to all rear gardens, the issue of external storage is not easily identifiable. Whether storage is separate to dwellings in the form of sheds, incorporated into oversized garages or accommodated in some other form needs to be clarified.

## **Landscape**

### Soft Landscape Proposals

The soft landscaping proposals have been revised during the course of the application, and as a result have greatly improved. More trees are now proposed along the spine road boulevard and throughout the public open space (POS) areas. Ornamental shrub and bulb planting have been added to enhance the POS areas and create seasonal interest.

The planting proposals on each of the housebuilder's layouts are generally acceptable but there are a few issues to be addressed:

- The Redrow plans do not include planting plans for proposed shrub beds and some tree locations adjacent to the main spine road conflict with the boulevard trees.
- There may be scope on the David Wilson Homes proposals for some tree planting in rear gardens to form a greener corridor between paved squares/nodes.
- Taylor Wimpey submitted twenty five revised planting proposals drawings 29 November. These plans are still being considered in detail, but the proposals do appear to be generally acceptable. Further details will be provided as an update if required. However, it is noted that the proposals for the northern parcel are not based on the latest layout and will need to be updated.

The planting proposals drawings should be revised where necessary to ensure they are based on the current layout and to include any outstanding information i.e. fully detailed planting plans, written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment), schedules of plants noting species, sizes, numbers and densities, protection from grazing stock and rabbits etc. Such detail could be secured by condition.

Landscape details for the allotment area are also awaited.

### Hard Landscape Proposals

A number of issues also need to be addressed relating to hard landscaping. A range of block types and colours, coloured chippings within tarmac and gravel surfacing have been specified. However, the use of surfacing materials across the development appears quite random in certain areas and should be rationalised. Materials and colours should emphasise the hierarchy of spaces to make the development more legible.

The design for the Reaseheath Cross area of the site has moved forward, but more detailed proposals for this busy shared space are required to create a safe, attractive and distinctive area. The surfacing types, colours, patterns, tree grilles and edgings should be carefully considered. Street furniture including seats, bollards and signage should be specified. Soft

landscape details should be considered in conjunction with the detailed hardworks design for this area.

Full details of surfacing types, colours, patterns, tree grilles and edgings for all focal points/nodes within the developer layouts and also for all POS vehicular crossings should be submitted. There should be more consistency in block types/colours for POS crossings.

Details for a riverside footpath route should be submitted in accordance with the details that were proposed at the outline stage. There is also scope to incorporate battlefield themed public art within and along the footpath/cycleway routes (such as bespoke inset tiles, way markers etc.)

The watercourse culvert road crossing detail for the north west stream corridor is disappointing; a bridge would have been the preferred option, and consistent with the CEC flood risk approach of opening up culverts. Levels information for this area has only just been submitted with only two cross sections being provided, which are not at an appropriate scale.

The plans for Balancing Pond 2, show that Taylor Wimpey (south) plots 30 and 31 are located precariously close in relation to the balancing pond. All the balancing ponds will have an engineered appearance with uniform slopes etc. Marginal planting would help to soften the appearance of the ponds.

## **Ecology**

The nature conservation officer has provided the following comments on the application:

### Natural England Comments

In 2013 Natural England advised the Council that a further bat survey and a further otter survey be undertaken to inform the outline application.

A further bat survey was completed and submitted prior to the determination of the application. This report was accepted by the Council.

In respect of otters, Natural England suggested a full survey be undertaken to assess the presence of otters. The River Weaver in Nantwich is however well known to support otters. The Environmental Statement submitted in support of the application, acknowledged that otters occur on the River Weaver, but concluded that potential impacts on otters as a result of the proposed development were negligible. This was reflected in the nature conservation officer's comments on the outline. A detailed otter survey would therefore be unlikely to yield any further worthwhile information.

### Ecological Mitigation Strategy

As required by condition 27 of the outline consent, an updated ecological mitigation strategy has been submitted in support of the reserved matters application. This strategy includes proposals for the creation and enhancement of various habitats including water bodies, grassland, tree planting etc. The strategy is considered to be acceptable. Whilst it is noted that the strategy includes proposals for habitat creation outside the red line of the current application, this area of land was edged blue as part of the outline and therefore the mitigation strategy can be implemented.

### Badgers

As required by condition 26 of the outline consent, an updated badger survey and mitigation strategy have been submitted in support of this application. Patterns of badger activity have changed over the last three years, but the site is still thought to support two separate social groups of badgers.

As anticipated at the outline stage the proposed development will result in the loss of a number of badger setts including the two main setts on site together with an area of foraging habitat. In order to avoid badgers being disturbed during works the setts on site would be closed under the terms of a Natural England license and two artificial setts created to compensate for the loss of the main setts. Green infrastructure around the site has been designed in an attempt to limit the effects of habitat fragmentation for badgers. A condition is recommended to secure the implementation of the submitted badger mitigation strategy.

### Water voles

Water vole has been recorded as being present in the 'northern' brook on the application site. This protected species is also a local and national Biodiversity Action Plan priority species.

The current proposals will result in the culverting of a number of sections of the ditch with a corresponding loss and fragmentation of water vole habitat. The proposals have however, been revised since the outline application was consented and the length of individual sections of culvert are now reduced. The nature conservation officer advises that the impacts of the scheme on water voles, whilst still being significant, are less than originally anticipated.

Mitigation proposals have been submitted with the application that reflect current best practice which include the enhancement of the existing ditch on site and the creation of an additional flood pond habitat and a number of other ponds to act as receptors for any animals displaced by the works. Measures to safeguard individual animals during the construction process have also been provided. The proposed mitigation is considered to be acceptable, and a condition is recommended to secure the implementation of the submitted mitigation strategy.

### Reptiles

Grass snakes are likely to be present on the application site on at least a transitory basis. The submitted ecological mitigation strategy include proposals to minimise the risk of this species being killed or injured during the construction phase and the proposed habitat creation that would also potentially benefit this species.

### Long term monitoring and management

The proposed development, if consented, is expected to take 10 years to build out. Ecological mitigation works will be required at various points during the delivery of the scheme for this extended time period. Conditions will be required to ensure the agreed ecological mitigation strategy is implemented. The nature conservation officer also advises that the success of the agreed ecological mitigation scheme would also be dependent upon its effective monitoring and management being responsive to the results of the monitoring. It is therefore recommended that a condition be attached requiring the applicant to appoint an ecological clerk of works who is required to report to the LPA on an annual basis.

The management of scheme has also now been extended to cover a 10 year period post completion, rather than the five years originally proposed.



The management of newly created and retained wildlife habitats on the land adjacent to the river, would limit certain land uses particularly intensive agriculture and certain types of grazing. The applicants have confirmed that the Northerly field will be used for horse grazing as part of the College's Equine Unit. In the central field, from the new footbridge south to the edge of the application site, a regime of summer mowing and autumn/winter grazing is intended to be followed. For the southern field a similar regime is envisaged for that land as for the central field. The nature conservation officer has confirmed that the proposed uses are acceptable.

For the reasons outlined above, the proposal is considered to have an acceptable impact upon nature conservation interests in accordance with policies NE.5 and NE.9 of the Local Plan.

### **Trees**

The supporting Arboricultural Impact Assessment identifies a total of 93 individual trees, 48 Groups of trees and 26 Hedgerows within and immediately adjacent to the application site

#### Proposed Tree Losses

Proposed tree losses include a total of 17 trees and 0.48ha of groups in order to facilitate the development. Of these 2 High (A) category trees and 7 Moderate (B) category trees and 0.1 ha moderate (B) groups would be removed. A further 5 individual Moderate (B) trees and 0.08ha of A and B category groups, which are features that have been identified outside the application boundary are to be removed. The Assessment also identifies that an area reserved for a new school along the southern boundary would result in the loss of a further 3 Category A trees and 1 Category B tree.

The forestry officer does raise some concern over the loss of some of the higher value trees which are good examples of their species and confer significant importance within the landscape. In particular, the Grey poplar identified as T72 in the Taylor Wimpey northern parcel has been incorrectly identified and is actually a native Black Poplar. This tree has been recorded by Cheshire Wildlife Trust as part of the Black Poplar Project for the Cheshire Region (record number 58/79/120 – tagged 0120) in 1996. The tree is female which makes it more significant for conservation as according to the Black Poplar Project only two different female clones of the species have been found in Cheshire. The species is Britain's rarest native tree with an estimated 8000 remaining in the UK, and only 300 in Cheshire. Black Poplar is a Local Priority Species in Cheshire and must be retained within the development.

A revised site layout has been submitted that does retain the Category A Black Poplar within the Taylor Wimpey layout. Whilst the other trees identified for removal will still be lost, it is considered that additional planting proposed as part of the scheme will go some way towards mitigating for the loss of these trees.

#### Attenuation ponds

The forestry officer disagreed with the applicants' evaluation of the impact of attenuation ponds in relation to retained trees. One of the ponds was located well within RPAs. In addition the changing of levels and hydrology in these areas is not just restricted to the perceived RPA and, dependent upon the nature of the underlying soil characteristics will have potential to have a significant impact upon soil aeration and root growth. A revised plan has

been received to show the ponds outside of all RPAs. Further information has also been requested to address the forestry officer's comments regarding soil aeration and root growth.

#### Root Protection Areas/Social Proximity

The position of internal access roads where required to be to adoptable standard will impact upon the rooting environment and long term safe well being of a number of retained trees. This matter has been raised with the applicant, and further information is awaited regarding the construction methods.

#### Veteran trees

The Assessment identifies one Veteran tree, Crack Willow (T14), which is to be retained within public open space, but will require remedial pruning works to reduce the canopy, which is acceptable.

### **Highways**

#### Layout

The layout consists of a spine road that runs north/south through the site, connecting via a roundabout to the A51 to the north of the site and to Waterlode to the south through a priority junction.

This spine road is the main vehicle, pedestrian and cyclist through route. Residential street accesses are to be located at various points long this spine road, as is the local centre and a limited number of private driveways. The residential streets will provide access to all properties in the wider site area.

#### Residential Streets

The submitted layout reflects national guidelines as set out in Manual for Streets (MfS) and has been designed to CECs adoptable standards. The development also accords with CEC vehicle parking standards, and cycle parking standards for apartments.

#### Spine Road

The spine road has been the subject of several of the consultation responses and letters of representation. The spine road was originally laid out as a 6.1 metre wide carriageway, with footway / cycleway and grass verges to create a boulevard appearance. However taking account of the comments received in representation, the purpose of the road and the urban design standards the Council is seeking to achieve, a spine road width of 6.75 metres has been negotiated, with footways and grassed tree planted verges to enable the boulevard feel to be retained as has always been intended. This amendment means a reduction in width of the pavement on the northern section such that a shared pedestrian / cycle route will not be possible along the whole length of the road, but other cycle route options through the site in the northern half are available so cycle access is maintained across the site. In the southern half of the site where a 3 metre wide pavement can be achieved the shared footway cycleway will be provided alongside highway.

The spine road with a width of 6.75m reflects CEC standards for a road of this type. This width of carriageway will be compatible with development and background traffic flows anticipated for this route.

Private driveway access off the spine road for a limited number of properties will also be available. This provides some active frontage along this route in line with guidance set out in MfS, and sufficient on-site turning area and parking is provided.

Details of bus stop locations have not been provided which will need to be detailed on amended plans.

### Materials

The Strategic Infrastructure Manager has stated that the hard landscaping plans as submitted are not acceptable as there is a large amount of block paving illustrated on the main spine road. According to the Cheshire East Design Guide the appropriate materials for a road of this type and in this location would be predominately Bitmac with gulley detail and informal pedestrian crossing points incorporating the use of Tegular Setts.

Accordingly amended plans are required to be submitted detailing the revised materials on the spine road which will also incorporate the provision of bus stop facilities as requested above.

### **Public Rights of Way**

The proposed development would affect Public Footpaths Nos. 3 & 4 in the Parish of Henhull, and Nos. 3 & 4 in the Parish of Worleston, as recorded on the Definitive Map and Statement, the legal record of Public Rights of Way.

Public Rights of Way Officers have raised an objection to this application until the applicant can satisfy the issues listed below:

- Clarification on any proposed footpath diversions
- Worleston Footpath No. 4 is to be obstructed by the diverted A51. Whilst consent has already been granted for the road diversion, the footpath should be diverted and accommodated within the red line boundary of this reserved matters application, along the southern side of the A51, to retain its connection with the A51 roundabout at Beam Bridge.
- Henhull Footpath No. 4 is proposed to be crossed by the southern Boulevard. Details of the crossing point for pedestrians are required.
- The Design Principles Document (p71) describes the path within the 'Equestrian Area' as a 2m wide grass route for the use of pedestrians only. As this route would be used by horses from the equestrian centre, the proposed surface and width would be inadequate for such shared usage. A segregated width and surface treatment would be anticipated, particularly at the underpass. Further details of the underpass, including lighting, gradient, drainage and maintenance liabilities would be required.
- Further details are required on the legal status, alignment, maintenance and specification of the bridge to be provided over the River Weaver at the eastern end of the 'Green Corridor east-west'.
- The Design Principles Document (p71) describes the path within the 'Green Corridor east-west' as a 3m wide crushed gravel route for the use of pedestrians only. The intention of this route was to provide connectivity to the east bank of the River Weaver, Nantwich town and to the National Cycle Network, of which the Connect2 Crewe to

Nantwich Greenway is a part. Therefore, the design and specification of this route, and other shared use footway/cycleways on the site, needs to accommodate both pedestrians and cyclists and have a sealed surface suitable for year-round use.

- The Design Principles Document (p68) describes cycle paths as being incorporated into footways which have a width of 2-3m. Colleagues in Highways will specify the required widths for shared use footway/cycleways, which would normally not be less than 2.5m.
- The legal status, maintenance and specification of the proposed paths in the public open space of the site needs to be established.

In addition the provision of a riverside walk was shown on the outline plans, and a requirement for such does form part of existing (policy RT.12 of Crewe & Nantwich local plan) and emerging (strategic site CS 21 of CELP) local plan policies.

Until the above matters are resolved, the proposal does not satisfy conditions 23 and 30 of the outline permission in relation to the Public Rights of Way, footpaths and shared use footpath/cycleways on the site.

### **Amenity**

The Crewe & Nantwich SPD relating to *“Development on Backland and Gardens”* states that generally there should be a distance of 21m between principal elevations, 13.5 m between a principal elevation with windows to habitable rooms and blank elevation and in the case of flats there should be 30m between principal elevations with windows to first floor habitable rooms.

The Council's draft Design Guide adopts a less rigid approach to spacing standards, noting that they can lead to uniformity and limit the potential to create strong streetscenes and varied movement hierarchies and thus not create the interesting places Cheshire East aspire to delivering through the Design Guide. The Guide states that separation distances should be seen as a guide rather than a hard and fast rule.

There are a very small number of existing residential properties that share a boundary with any of the proposed dwellings. These are Henhull Hall to the west of the site and Fourways and Holly Farm at the northern point of the site. Numbers 1 and 2 Welshmans Lane are in close proximity of the site, but lie on the opposite side of Welshmans Lane. The relationships of the proposed dwellings with existing properties all meet the distances outlined in the SPD above.

There are some separation distances within the site that fall below the standards identified in the SPD, however, they are overall considered to achieve the right balance of density and spacing for future residents.

### **Air Quality**

Comments from Environmental Protection are awaited, however at the outline stage it was concluded that the costs of countering any adverse effects in the Hospital Street Air Quality Management Area (AQMA) could be offset with a financial contribution towards implementing the Nantwich Air Quality Action Plan. This was secured as part of the outline permission. However, this was alongside the implementation of the proposed travel plan and suitable

electric vehicle charging infrastructure. A travel plan was also a requirement of the outline permission, and an appropriate condition is recommended requiring the provision of electric vehicle infrastructure.

### **Noise**

The outline consent required noise mitigation details to be submitted as part of the reserved matters for each phase. Noise mitigation details have been submitted in the form of façade attenuation requirements such that sound levels meet the relevant guideline values for internal ambient noise levels. Comments from Environmental Protection are awaited on whether the mitigation is acceptable.

### **Contaminated land**

Whilst comments from the Environmental Protection (contaminated land) are awaited, it is noted that condition 13 of the outline consent required an updated contaminated land Phase I report to assess the actual/potential contamination risks in respect of that phase of the development at the site to be submitted and approved prior to the commencement of any phase of the development. This condition still applies; therefore no further requirements are anticipated from Environmental Protection.

The Environment Agency (EA) has requested a condition relating to the discovery of contamination not previously identified, and requiring works to cease in that event until appropriate remediation is agreed. Without this condition, the proposed development poses an unacceptable risk to the environment and the EA would object to the application.

### **Flood Risk**

Part of the application site (close to River Weaver) lies within flood zones 2 and 3. The Lead Local Flood Authority (LLFA) and the Environment Agency both state that they have no objections in principle subject to the development being carried out in accordance with the submitted Flood Risk Assessment.

In terms of the overall layout the LLFA note that the locations of some of the proposed balancing ponds appear to be within and / or very close to the modelled boundary of flood extents. They recommend that a suitable factor of safety should be applied to ensure that the storage provided in these SUDs is not compromised during periods of flooding, and an appropriate condition is recommended.

As noted in the FRA there are also a number of ordinary watercourses on site. The LLFA advises that Council policy is that new development improves drainage by opening up culverts wherever possible. In locations such as the proposed highway(s) that would require new culverts to be installed, the design details of such structures will need to be agreed in writing as a formal land drainage consent.

## **SOCIAL SUSTAINABILITY**

### **Affordable Housing**

The s106 agreement attached to the outline permission secured 20% affordable housing, with a tenure split of 35% / 65% between social / affordable rented and intermediate housing.

This is a proposed development of 1000 dwellings, therefore there is a requirement for 200 dwellings to be provided as affordable dwellings. 70 units should be provided as social / affordable rent and 130 units as intermediate tenure

The SHMA 2013 evidenced that there was a need for 78 new affordable dwellings per annum until 2017/18. Broken down this is 40 x 1 bed, 15 x 3 bed, 35 x 4+ bed and 16 x 1 bed older person dwellings. There was an evidenced oversupply of 2 bed dwellings.

There are currently 427 households on the Cheshire Homechoice waiting list who have selected Nantwich as their first choice area for rehousing. They require 147 x 1 bed, 189 x 2 bed, 78 x 3 bed and 13 x 4 bed dwellings.

The Housing Strategy & Needs Manager notes that in order to meet local housing need, this development, particularly given it's size, should provide some older persons dwellings. The need for older persons accommodation is confirmed in the Council's Vulnerable and Older People's Housing Strategy. In this regard 25% of the affordable rented properties were required to meet Lifetime Homes standards. The Lifetime Homes standard is a set of 16 design criteria that provide a model for building accessible and adaptable homes. Further details have been requested from the applicant to clarify which plots will meet this standard.

The Affordable Housing IPS requires that the affordable units should be tenure blind and pepper potted within the development, the external design, comprising elevation, detail and materials should be compatible with the open market homes on the development thus achieving full visual integration. The Housing Strategy & Needs Manager has raised some concern over the level of pepper potting proposed by Redrow on their section of the site, which effectively proposes two large clusters of 31 and 33 affordable dwellings.

Whilst these comments are noted, it is considered that as there are three separate housebuilders with their own parcels of land a degree of pepper potting is inherent in the layout.

It should also be noted that the s106 agreement also requires an Affordable Housing Scheme to be submitted to the Council no later than the reserved matters application. The Affordable Housing Scheme is defined in the s106 as:

*"a written scheme stating the size, tenure, distribution and location of Affordable Housing Units on the Site or on any particular Phase or part of a Phase and identifying any Lifetime Homes Units ensuring that the Affordable Housing Units are pepper-potted throughout the Site and not segregated from the Open Market Dwellings and it shall include details of how the proposed design of the Affordable Housing Units will be materially indistinguishable (in terms of outward design and appearance) from the Open Market Dwellings of similar size within the Development"*.

This document has not been submitted but has been requested from the applicant. Given the scale of the application this document is particularly important to ensure that the affordable provision complies with the outline planning permission and the Council's IPS on Affordable Housing. It is also anticipated that it will address some of the concerns of the Housing Strategy & Needs Manager.

## **Open Space**

The s106 agreement attached to the outline consent requires public open space details for any phase of development to accompany the reserved matters application for that phase. Public open space details are defined as:

*“a written scheme - setting out: (i) the details of the Public Open Space in respect of a Phase to be provided in relation to the Development; and (ii) a programme for the construction of the Public Open Space in respect of that Phase - which scheme shall accompany the Reserved Matters Application(s) in respect of that Phase.”*

This written scheme of details has not been provided.

The s106 requires the open space to comprise:

- (i) a riverside walk;
- (ii) a central circus and Neighbourhood Equipped Area of Play and adult outdoor gym, and east and west spurs therefrom;
- (iii) other linear green routes, play areas and general informal recreational areas; and
- (iv) allotments

The provision of a Multi Use Games Area (MUGA) is also required.

There are three main areas of formal open space provision identified on the plans – a MUGA and allotments to the south of the site, and a centrally located Neighbourhood Area of Play (NEAP).

Very limited details for these areas have been submitted, and concerns have been raised with the applicant relating to the proximity of the NEAP and the MUGA to the nearest residential properties. A minimum buffer zone of 30 metres separating the activity zone and the boundary of the nearest property containing a dwelling is the Fields In Trust standard that is used by the Council. The NEAP comes to within 24 metres of the nearest residential property and the MUGA is currently within 10 metres of the nearest dwelling. In response, the applicants have stated that they are aware of other MUGAs that breach the 30 metre separation distance, and have therefore not shown any willingness to relocate it. They are also “unable to agree” to a request for the MUGA to be floodlit. This is disappointing particularly as a MUGA specification including floodlights was provided to the applicant at the outline stage. Further discussions are taking place on this matter, as currently this would amount to a reason for refusal.

No details have also been provided for the riverside walk, the adult outdoor gym and other linear green routes, play areas and general informal recreational areas. The open space proposals are therefore currently considered to be unsatisfactory.

## **ECONOMIC SUSTAINABILITY**

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Nantwich town centre including additional trade for local shops and businesses (in closer proximity to the site than the town centre), jobs in construction and economic benefits to the construction industry supply chain.

## **PLANNING BALANCE**

The principle of the development has already been approved.

Matters of drainage and flooding have been considered to be acceptable, subject to conditions. Whilst some separation distances fall short of the standards it is considered that the development would not have a detrimental impact upon the living conditions of existing residents, ecology, highway safety and the local highway network. The consultation response from Environmental Protection is awaited, however it is anticipated that no further issues to those highlighted at the outline stage will be raised.

Following much discussion and negotiation with the applicants, the proposed scheme broadly provides an acceptable design and layout, the dwellings are adequately appropriate to the character of the area and appropriate landscaping and sufficient open space can be provided. However further details are required relating to: landscaping; landscaping, impact of attenuation ponds on trees, an affordable housing scheme and public open space details.

Subject to the above points being satisfactorily addressed, and the receipt of outstanding consultee responses raising no objections, the proposal will represents a sustainable form of development, and a recommendation of approval can be made.

#### **RECOMMENDATION**

**Approve subject to conditions, and subject to receipt of outstanding information and consultee responses.**

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*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.*

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#### Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. A02RM - To comply with outline permission
2. A05RM - Time limit following approval of reserved matters
3. A01AP - Development in accord with approved plans



4. A06EX - Materials as application
5. A25GR - Obscure glazing requirement
6. Provision of electric vehicle charging infrastructure
7. Habitat management plan is to be submitted
8. Development to be carried out in strict accordance with the submitted badger mitigation and water mitigation strategies
9. Updated badger survey to be submitted prior to the commencement of the A51 diversion and further phases
10. Appointment of ecological clerk of works and submission of an ecological monitoring and reporting strategy
11. Contamination not previously identified
12. No dwellings or building to be placed within the modelled flood zone 2 or 3 areas.
13. Surface water management strategy shall not be compromised by fluvial flooding up to a 1 in 100yr + climate change event.
14. Detailed plans to be submitted for all additional waterbodies to be provided or enhanced as part of the ecological mitigation strategy.

