

Application No: 17/3272N

Location: 41, MABLINS LANE, CREWE, CW1 3RF

Proposal: Proposed demolition of Sunnyside Farm & 41 Mablins Lane and erection of 20 dwellings (4 x 2 bedroom and 16 x 3 bedroom), new access road, car parking and landscaping

Applicant: Mrs Holly Leese, Adactus Housing Association Ltd

Expiry Date: 03-Nov-2017

SUMMARY

The application site lies within the Crewe settlement boundary where Policy RES.2 of the Local Plan advises that new housing within settlement boundaries will be permitted in accordance with Policies BE.1 to BE.5 of the Local Plan.

The scheme is also aligned with housing delivery policies; PG1, PG2 and PG7 of the CELPS.

The proposal would bring significant planning benefits through the provision of much needed affordable housing in the area.

The dis-benefits of the scheme would be the lack of a full financial contribution to offset the impact of the scheme upon education and open space.

The weight afforded to the provision of 20 affordable dwellings is considered to be significant. It is considered that the weight afforded to this provision is sufficient to outweigh the lack of provision in relation to open space and the impacts upon the local primary school capacity to which a policy triggered financial contribution has been demonstrated to not be fully viable in this instance.

It is considered that the development would be of an acceptable design that would not create any significant concerns with regards to loss of amenity, highway safety, landscape, trees and hedgerows, ecology, flooding and drainage, subject to conditions where deemed necessary.

For the above reasons, on balance, the application is recommended for approval.

RECOMMENDATION

APPROVE subject to a S106 agreement for £7,365 to be split equally between primary education and off-site open space upgrades, to secure 100% affordable housing provision and conditions

PROPOSAL

Full planning permission is sought for the erection of 20 affordable dwellings comprising of;

- X4 - 2 bed properties and;
- X16 - 3 bed properties

Revised plans were reived during the application process due to design and highway safety concerns with the original proposals. A re-consultation was undertaken to reflect the revised plans which expired on the 13th October 2017.

SITE DESCRIPTION

The site measures approximately 0.38 hectares in size and comprises of; Sunny Side Farm (No.35 Mabllins Lane) and its ancillary outbuildings and No.41 Mabllins Lane on the adjacent site, both of which are located on the western side of Mabllins Lane, Crewe within the Crewe Settlement Zone Line.

The site is enclosed by residential development to the north, south and west, Mabllins Lane to the east and further residential development on the opposite side of the road.

The site is relatively flat in nature.

RELEVANT HISTORY

15/0149N - Outline application for the demolition of existing properties 35 & 41 Mabllins Lane and Erect 17 Dwellings – Approved 25th July 2016

ADOPTED PLANNING POLICY

Development Plan

Cheshire East Local Plan Strategy (CELPS)

PG1 - Overall Development Strategy, PG2 – Settlement Hierarchy, PG7 - Spatial Distribution of Development, EG3 – Existing and Allocated Employment Sites, SD1 - Sustainable Development in Cheshire East, SD2 - Sustainable Development Principles, IN1 – Infrastructure, IN2 - Developer contributions, 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, CO2 – Enabling Business Growth Through Transport Infrastructure

It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plan that still apply and have not yet been replaced. These policies are set out below.

Borough of Crewe and Nantwich Replacement Local Plan 2011;

NE.5 - Nature Conservation and Habitats, NE.9 - Protected Species, NE.20 - Flood Prevention, BE.1 – Amenity, BE.3 - Access and Parking, BE.4 - Drainage, Utilities and Resources, BE.6 – Development on Potentially Contaminated Land, RES.2 – Unallocated Employment Sites and RT.3 – Provision of Recreational Open Space and Children’s Playspace in new Housing Developments

Other Material considerations

The National Planning Policy Framework (“The Framework”)

Of particular relevance are paragraphs:

17 – Core planning principles, 47-50 - Wide choice of quality homes and 56-68 - Requiring good design

CONSULTATIONS

Head of Strategic Infrastructure (HSI) – No objections

Environmental Protection – No objections, subject to a number of conditions including; a restriction over the hours of piling and the prior submission of a piling method statement, the prior submission of electric vehicle infrastructure, the prior submission/approval of a dust mitigation scheme, the prior submission/approval of a phase II contaminated land condition, the prior submission/approval of a soil verification report and that works should stop if contamination is identified. Informatives regarding hours of construction and contaminated land are also suggested.

Strategic Housing Officer (Cheshire East Council) – No objections, need is identified

ANSA (Cheshire East Council) – No objections, subject to the provision of £60,000 towards the upgrade of existing open space facilities

Flood Risk Manager (Cheshire East Council) – No objections, subject to conditions including; prior submission of a detailed drainage strategy detailing on and off site drainage works along with flood water exceedance routes and the prior submission/approval of detailed calculations showing the effects of a 1 in 100 year rainfall event plus 30% allowance for climate change to support the chosen method of surface water drainage

United Utilities - No objections subject to a number of conditions including; that foul and surface water be drained on separate systems; prior submission/approval of a surface water

drainage scheme and the prior submission/approval of a sustainable drainage management and maintenance plan

Education (Cheshire East Council) – Forecasts show that the development will have an impact upon Primary, but not Secondary school education. As such, should the application be approved, a contribution of £43,385.00 is required to offset the impact.

Minshull Vernon Parish Council – Are concerned that the number of dwellings sought represent an overdevelopment of the site

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants, a site notice was erected and the scheme was advertised in a local newspaper. In response, 4 letters of representation were received. The main concerns raised to date include;

- Principle of housing on the site
- No elderly people provision
- Amenity – noise during construction
- Highway safety – Increased traffic volume, insufficient parking, pedestrian safety
- Design – Too many dwellings (density) / overdevelopment, no front gardens (not in character), scale of dwellings (height), no bin storage details

Following a re-consultation exercise in response to the receipt of revised plans, no further letters of correspondence were received.

APPRAISAL

Principle of Development

Policy RES.2 of the Local Plan advises that new housing within settlement boundaries will be permitted in accordance with Policies BE.1 to BE.5 of the Local Plan. The scheme is also aligned with housing delivery policies; PG1, PG2 and PG7 of the CELPS. As such, the principle of erecting dwellings in this location is acceptable subject to the scheme's adherence with other relevant local plan policies. These are considered below.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

'Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.'

This scheme is considered to work well in context of the site and its surroundings and the design has taken its influences from these matters

The site is largely rectangular in shape and is enclosed by residential development to all sides other than to the east where it fronts Mabllins Lane, the other side of which is further residential development. As a result the development of this site for residential purposes would integrate into the existing settlement and land uses.

The proposed layout shows that the majority of the development would comprise of linear development fronting the highway. However, a small cul-de-sac is proposed to the rear with both highway and pedestrian access towards the middle of the site onto Mabllins Lane. Access to the highway and footpath would be available for all future residents. The site would utilise existing road and footpath connections to local public facilities.

With regards to form and scale, the plans indicate that the applicant seeks to erect 20 semi-detached 2-storey properties. The maximum height of these would be 7.9 metres and that is regular throughout the scheme, subject to them being constructed on the same ground floor levels. Should the application be approved, a levels of condition is recommended.

There are numerous examples of all of this form and scale within the area and as such should not appear incongruous within their setting. Planning history searches demonstrate that the approximate heights of the nearby properties are; 7.8 metres (No.43A Mabllins Lane), 7 metres (No.17 Mabllins Lane), 7.5 metres (No.36 Kestrel Drive).

The dwellings would comprise of standard rectangular footprints, would be two-storey and comprise of dual-pitched roofs. On the principal elevations, a front door with a canopy above is proposed to one side and a ground-floor window and 2 first-floor windows are sought. These appearances are handed on the adjoining units. On the rear elevations are further symmetrical openings.

The properties proposed on the site frontage would be in-set within their plots from the highway by approximately 6 to 7 metres. Within these 'front gardens' there would be a mixture of hard and soft landscaping. The majority would comprise of mostly hardstanding with a smaller element of soft landscaping. However, plot 15 would comprise of 100% soft landscaping.

In comparison to the surrounding prevailing character, the Mabllins Lane properties are characterised by linear development which is inset from the highway. The front gardens of these surrounding properties comprise of a mixture of hard and soft landscaping. The majority of these front gardens are clearly defined by boundary treatments between each plot. Should the application be approved, it is recommended a boundary treatment plan be conditioned so appropriate treatments between plots can be agreed.

There were originally concerns about the extent of hardstanding proposed within the cul-de-sac with little or no soft landscaping. An updated arrangement of the cul-de-sac has been received to largely rectify this concern and more soft landscaping has been now incorporated to an acceptable level. Furthermore, the proposed pedestrian footpath has been replaced with a shared surface in line with recommendations with the Cheshire East Design Guide.

Either side of the proposed new access road at the juncture with Mabllins Lane, the pedestrian footpath would turn into the new road. However, on the southern side, this will halt and a strip of soft landscaping is proposed along the side elevation of the dwelling proposed on plot 6. This feature helps to break up the hard landscaping.

The side elevations of plots 6 and 15 would flank the access to the rear of the site. These flank elevations comprise of two-storey gable with small openings at both ground and first-floor level. It was recommended that bays be added to the side elevations of these plots, however, the applicant was reluctant due to their creation possibly causing pedestrian obstruction.

Due to the presence of these openings and because the houses are set-back within the streetscene and because of the incorporation of further soft landscaping it is considered that the design turns corners effectively.

The revised plans updated the appearance of the dwellings fronting Mabllins Lane to include exposed brick at ground-floor and render at first-floor to reflect the character of other properties on Mabllins Lane.

Following amendments to the layout the majority of the development clearly defines public and private areas with the use of shared surfacing materials, walls and hedgerows.

As such, the proposal is considered to adhere to the Design Guide SPD and therefore Policy SE1 of the CELPS.

Highway Safety / Access / Parking

In regard to parking provision, CEC standards require 200% parking for both 2 bed and 3 bed units and this would total 40 car parking spaces in total, with the development proposal providing 40 spaces. As such, the proposal adheres with the Council's parking standards.

The small cul-de-sac proposed is to be designed to an adoptable standard and swept paths have been provided to indicate the turning capability within the site for refuse vehicles. The Council's Head of Strategic Infrastructure (HSI) has advised this is of an acceptable design.

The Head of Strategic Infrastructure has advised that in relation to traffic impact the peak generations will not result in capacity problems in the vicinity of the site as the 14 peak hour trips will be generated.

For the above reasons no objections in relation to highway safety is raised and the proposal is considered to adhere with Policy BE.3 of the Borough of Crewe and Nantwich Adopted Local Plan 2011.

Landscape

The application site is largely rectangular in shape and occupies an area of approximately 0.38 hectares in size and lies between No.17 Mabllins Lane to the south and No.43 Mabllins Lane to the north.

It is bound to the east by Mabllins Lane itself and to the west lay the rear gardens and elevations of the properties on Kestrel Drive.

The application site includes Sunnyside Farm, No.35 Mabllins Lane and its ancillary farm buildings. In addition, No.41 Mabllins Lane (and its associated outbuildings) also falls within the application site. The application seeks to demolish these units.

As the site falls within a residential area of Crewe, within the Crewe Settlement Boundary, and given that the application site is relatively flat in nature, it is not considered that the development would create any significant landscape concerns.

Furthermore, the Council's Landscape Officer has confirmed these conclusions. It is however, recommended that the detail of landscaping be conditioned for prior approval and subsequent implementation.

Trees and Hedgerows

The Council's Forestry Officer has reviewed the proposal and advised that there are no significant arboricultural implications associated with the application.

The site contains only two trees of limited amenity value; a heavily pruned Hawthorn and an early mature Cedar which the Forestry Officer advises is clearly inappropriate for its location, and will never be allowed to reach full maturity.

The application proposal is therefore considered to adhere with Policy SE5 of the CELPS.

Ecology

The application is supported by an ecology assessment.

Semi-improved, neutral grassland

The Council's Nature Conservation Officer has advised that having assessed the submitted information, the loss of the areas of semi-improved grassland do not require any conditions in relation to nature conservation.

Bats

The submitted bat surveys confirm that the buildings are not being used by roosting bats. As such, no further surveys are required. However, the Council's Nature Conservation Officer has advised that if works are delayed by over a year from the time of survey, an update may be required to confirm continued non-use. This matter can be dealt with by condition.

Breeding Birds

The Council's Nature Conservation Officer has advised that should the application be approved, a condition to protect nesting/breeding birds and a condition to provide features within the development for swallows, should be imposed.

Ecology conclusion

Subject to the above recommended conditions, it is considered that the proposal would adhere with Policy NE9 of the Borough of Crewe and Nantwich Adopted Local Plan 2011 and Policy SE3 of the CELPS.

Flood Risk and Drainage

The application site does not fall within a Flood Zone and is not of a scale which requires the submission of a Flood Risk Assessment.

The Council's Flood Risk Officer has reviewed the application and advised that whilst there are no objections subject to the following conditions; prior submission of a detailed drainage strategy detailing on and off site drainage works along with flood water exceedance routes and the prior submission/approval of detailed calculations showing the effects of a 1 in 100 year rainfall event plus 30% allowance for climate change to support the chosen method of surface water drainage.

United Utilities have also reviewed the application and advised that they have no objections subject to a number of conditions including; that foul and surface water be drained on separate systems; prior submission/approval of a surface water drainage scheme and the prior submission/approval of a sustainable drainage management and maintenance plan.

As such, subject to these conditions, it is considered that the proposed development would adhere with Policy BE4 of the Crewe and Nantwich Local Plan and Policy SE13 of the CELPS.

Affordable Housing

The SHMA 2013 shows that the demand in Crewe is for 50 x 1 bed, 149 x 3 beds, 37 x 4 beds, 12 x 1 bed older person and 20 x 2 bed older persons. The demand on Cheshire Homechoice is for 535 x 1 bed, 663 x 2 beds, 381 x 3 beds and 70 x 4 beds. Therefore, the Council's Housing Officer has advised that, on this site a mixture of 2 and 3 bed units would be acceptable. This demonstrates a high need for affordable housing in Crewe.

Normally the Council would expect a ratio of 65%/35% of the affordable dwellings split between social rented and intermediate housing. This development proposes that 100% of the dwellings are to be sold as shared ownership, an intermediate housing product – with no rented dwellings being provided on site.

The Council's Strategic Housing Officer supports this application on the basis that 100% affordable housing will be provided and supports the mix of 2 and 3 bedroom houses. In his opinion this meets the identified housing need in this area.

Residential Amenity

Policy BE.1 of the Local Plan advises that new development should not be permitted if it is deemed to have a detrimental impact upon neighbouring amenity in terms of overlooking, visual intrusion or noise and disturbance. Furthermore, the level of private amenity space provided is a material consideration as detailed within the Supplementary Planning Document on Development on Backland and Gardens.

The closest neighbouring properties to the application site include; No.43a Mablings Lane to the north of the site, the properties on the opposite site of Mablings Lane, No.17 Mabins Lane to the south and the properties which back onto the site from Kestrel and Falcon Drive.

Within the relevant side elevation of No.43a Mablings Lane to the north of the site, the only opening present is a first-floor bathroom window. As this is not a sole window to a principal

habitable room, it is not considered that the occupiers of the dwelling itself would be detrimentally impacted by the proposed development in terms of loss of privacy, light and visual intrusion.

With regards to overlooking into this neighbouring gardens private amenity space, the positioning of the proposed dwellings do not create any significant concerns as they would either be offset or sufficiently set back away from this neighbour. No side windows are proposed within the closest proposed dwelling to this side.

The properties on the opposite side of Mablins Lane would be over 25 metres away from the proposed development. It is considered that this distance is large enough to ensure that the scheme does not create any significant amenity concerns for these neighbours with regards to privacy, light or visual intrusion.

Within the relevant side elevation of No.17 Mablins Lane to the south of the application site, there are no openings, eliminating any issues relating to privacy, light or visual intrusion for this neighbour. No side windows are proposed within the side elevation of the dwelling closest to this neighbour.

To the south of the site the rear of the plot are the rear gardens and rear elevations of the properties which front onto Falcon Drive (No's 4, 6 and 8).

The distance between the proposed closest dwellings to these neighbouring dwellings on the layout plan largely adhere with the recommended minimum standards. Furthermore, the rear elevations of the proposed dwellings would be partially offset from the rear elevations of these properties. As such, it is considered that this offset and this distance is sufficient to offset any significant loss of amenity.

To the west of the site, the closest of the developments sought to the rear elevations of the properties on Kestrel Drive would be the side to the dwellings proposed on plots 10 and 11. The side elevation of the house type proposed on plot 10 (T2) is blank and as such, it is not considered that this dwelling would create any overlooking concerns onto the Kestrel Drive properties.

With the side elevation of the plot 11 house type (T3), 2 openings are proposed. These comprise of a ground-floor window to a lounge (secondary) and a first-floor window to a bathroom. Should the application be approved, it is recommended this first-floor windows be conditioned to be obscured and non-openings unless above 1.7 metres above ground-floor level to prevent any overlooking concerns.

The side elevation of the dwelling proposed on plot 10 would be approximately 17.5 metres from the main rear elevations of No's 32 and 34 Kestrel Drive. This would adhere to the 13.5 metre standard considered to be sufficient to overcome concerns with regards to loss of light and visual intrusion.

The side elevation of the dwelling proposed on plot 11 would be over approximately 14 metres from the rear elevations of No's 40 and 42 Kestrel Drive adhering to the minimum standard considered to be sufficient to overcome concerns with regards to loss of light and visual intrusion.

With regards to Environmental disturbance, the Council's Environmental Protection Team have advised that they have no objections, subject to a number of conditions including; a restriction over the hours of piling and the prior submission of a piling method statement, the prior submission of electric vehicle infrastructure, the prior submission/approval of a dust mitigation scheme, the prior submission/approval of a phase II contaminated land condition, the prior submission/approval of a soil verification report and that works should stop if contamination is identified. Informatives regarding hours of construction and contaminated land are also suggested.

In terms of the amenity of the future occupiers of the proposed dwellings, sufficient space would be available for each dwelling to have sufficient outdoor private amenity to perform normal tasks such as; hang out washing, sit outside etc.

However, given that the scale of these are limited, it is recommended that should the application be approved, permitted development rights should be removed.

With regards to the relationship between the proposed dwellings themselves, the relationship where they oppose each other comes between the rear elevations of plots 5 and 6 and the side elevation of plot 7. The recommended minimum standard is 13.5 metres whereas this relationship measures 13 metres. The relationship between the rear elevations of the dwellings on plots 17 and 18 and the side elevation of the dwelling proposed on plot 14 is 13.7 metres.

As such, where the minimum standard is breached, there is potential for the future occupiers of the dwellings on plots 5 and 6 to be detrimentally impacted in terms of loss of light and visual intrusion. However, as this breach is relatively minor, it is not considered that this impact would be significant and sufficient to warrant a refusal.

With regards to privacy, no openings are proposed within the relevant side elevation of plot 7. However, openings are proposed within the side elevation of plot 14 and as such, should permission be granted, it is recommended that this be subject to a condition that the first-floor side window to plot 14 be conditioned to be obscured and non-openings unless above 1.7 metres above ground-floor level to prevent any overlooking concerns.

The openings between plots 6 and 15 also need to be obscurely glazed if approved to avoid any loss of privacy.

As such, subject to the above recommendations, it is considered that the proposed development would adhere with Policy SE.1 of the Local Plan.

Education

The Council's Education Officer has reviewed the submission and advised that forecasts show that the development will have an impact upon Primary, but not Secondary school education. As such, should the application be approved, a contribution of £43,385.00 is required to offset the impact.

1	<u>Development</u>	41 Mabllins Lane				Number of Dwellings		20		
2	<u>Planning App Number</u>	17/3272N				Primary Yield		4		
3	<u>Date Prepared</u>	29.9.2107				Secondary Yield		3		
4						SEN Yield		0		
5		PUPIL FORECASTS based on October 2016 Sch								
6	Primary Schools	PAN Sep 17	PAN Sep 18	NET CAP May-17	any Known Changes	2017	2018	2019	2020	2021
7	Beechwood Primary School and Nursery	45	45	340	340	358	369	368	376	368
8	Brierley	30	30	210	210	205	205	205	208	208
9	Edleston Primary School	30	30	210	210	208	207	206	206	205
10	Gainsborough Primary and Nursery School	60	60	420	420	417	418	418	418	417
11	Hungerford Primary Academy	60	60	420	420	446	458	478	497	512
12	Leighton Academy	60	60	480	480	481	496	507	518	502
13	Mabllins Lane Community Primary School	90	90	525	630	552	568	583	603	611
14	Monks Coppenhall Academy	60	60	420	420	447	478	507	528	535
15	St Mary's Catholic Primary School	90	90	630	630	571	554	535	527	510
16	St Michael's Community Academy	60	60	420	420	415	418	417	419	420
17	Underwood West Academy	60	60	432	432	437	442	440	438	412
18	Vine Tree Primary School	30	30	210	210	202	205	206	205	205
19	Wistaston Academy	60	60	420	420	407	417	428	436	442
20	Total Schools Capacity				5,242					
21	Developments with S106 funded and pupil yield included in the forecasts				177					
22	Developments pupil yield not funded and not included in the forecasts									103
23	Pupil Yield expected from this development									4
24	OVERALL TOTAL	735	735	5,137	5,419	5,146	5,235	5,298	5,379	5,454
25	OVERALL SURPLUS PLACES PROJECTIONS based on Revised NET CAP					273	184	121	40	-35

Open Space

The proposed development does not offer any on-site public open space. The Cheshire East Local Plan Strategy (CELPS) Policy SE6 requires developments to require (4iii) adequate open space (Table 13.1) comprising of 20sqm Children's Play Space, Amenity Green Space (AGS), Green Infrastructure Connectivity, 5sqm Allotments and contributions towards indoor and outdoor Sports facilities. However, due to the size of the development the Council's Open Space Officer has advised that only 40sqm combined Children's Play and AGS would be expected giving a total area required on site of 800sqm. Paragraph 13.53 of CELPS states *"in some cases, commuted sums generally may be more appropriate for improvement of other open spaces and green infrastructure connectivity."* The Council's Open Space Officer has advised that It is considered a commuted sum is appropriate for this development due to the size of the site.

The Open Space Survey identifies accessibility issues with regards to AGS and a shortfall of 0.5ha per 1000 population giving an overall shortage for Crewe of 34.5ha for play facilities. So as not to add to this deficit there are several sites identified within a one mile radius that would benefit from upgrading to increase their capacity. This would absorb the impact this development would create. The Open Space Officer has calculated this figure to be £60,000.

There is no objection to the proposal if the commuted sum is provided.

Viability

The NPPF, when considering viability as a material planning issue, states as follows:

'To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation,

provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable'

In terms of the requests for S106 contributions, to date these have come from Education (£43,385.00) and Open Space (£60,000).

However, a submitted viability report from the applicant advises that because this site is a 100% affordable housing scheme, the development could not fully financially support the required contributions. The Council has undertaken an independent verification of the submitted viability report which concludes that there would only be £7,365 remaining in the budget that could be used for S106 contributions in this case.

Accordingly, whilst the provision of a contribution to education and open space to mitigate for the impact of the development upon existing provision would normally be required, it is not fully achievable in this instance due to viability reasons. This reduces the contribution this scheme makes to the social arm of sustainable development.

This will need to be assessed within the planning balance. However, if the application is recommended for approval, it is recommended that this sum be equally subdivided between education and open space in the interests of fairness.

Levy (CIL) Regulations

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The scheme, via planning policy triggers and identified need generates required financial contributions towards Education and Open Space.

The applicant has submitted a viability report to advise that any required financial contributions cannot be fully provided, only a sum of £7,365 is available for such provisions. It is recommended that this sum is split evenly between education and open space.

It is recommended that the affordable housing provision (100%) should be secured via a S106 Agreement.

As these provisions do indeed relate to either policy provision or identified need, it is considered that these requirements are necessary, fair and reasonable in relation to the development. The S106 recommendation is compliant with the CIL Regulations 2010.

Planning Balance

The scheme is aligned with housing delivery policies; PG1, PG2 and PG7 of the CELPS. The application site lies within the Crewe settlement boundary where saved Policy RES.2 of the Local Plan advises that new housing within settlement boundaries will be permitted in accordance with Policies BE.1 to BE.5 of the Local Plan.

The proposal would bring significant planning benefits through the provision of much needed affordable housing in the area.

The dis-benefits of the scheme would be the lack of a full financial contribution to offset the impact of the scheme upon education and open space.

The weight afforded to the provision of 20 affordable dwellings is considered to be significant. It is considered that the weight afforded to this provision is sufficient to outweigh the lack of provision in relation to open space and the impacts upon the local primary school capacity to which a policy triggered financial contribution has been demonstrated to not be fully viable in this instance.

It is considered that the development would be of an acceptable design that would not create any significant concerns with regards to loss of amenity, highway safety, landscape, trees and hedgerows, ecology, flooding and drainage, subject to conditions where deemed necessary.

For the above reasons, on balance, the application is recommended for approval.

RECOMMENDATION

APPROVE subject to a S106 to secure;

- **100% affordable housing provision**
- **Financial contribution of £3,682.50 towards primary school upgrades**
- **Financial contribution of £3,682.50 towards off-site Open Space upgrades**

And the following conditions;

- 1. Time Limit (3 years)**
- 2. Development in accordance with approved plans**
- 3. Prior submission/approval of facing, roofing and hard surfacing material details**
- 4. Prior submission/approval of landscaping plan**
- 5. Landscaping – Implementation**
- 6. Prior submission/approval of boundary treatment**
- 7. Prior submission/approval of levels details**
- 8. Prior submission/approval of updated bat survey if works not commenced within 12 months of the date of this decision**
- 9. Prior submission/approval of breeding bird features**
- 10. Prior submission/approval of a detailed drainage strategy and management plan**
- 11. Prior submission/approval of detailed calculations showing the effects of a 1 in 100 year rainfall event plus 30% allowance for climate change to support the chosen method of surface water drainage.**
- 12. Foul and surface water be drained on separate systems**

- 13. Obscure glazing and non-opening – side elevations of plots 11 and (first-floor only) and plots 6 and 15**
- 14. Removal of Permitted Development Rights (Classes A-E)**
- 15. Removal of Permitted Development Rights for boundaries forward of the building line**
- 16. Hours of Piling**
- 17. Prior submission of a piling method statement**
- 18. Prior submission of electric vehicle charging point details**
- 19. Prior submission of a dust mitigation scheme**
- 20. Prior submission/approval of land contamination report (Phase II)**
- 21. Prior submission/approval of a soil verification report**
- 22. Works to stop if contamination identified**

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

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Southern Planning Committee to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.

