
Appeal Decision

Inquiry held on 9 July 2014

Site visit made on 10 July 2014

by Elizabeth C Ord LLB(Hons) LLM MA DipTUS

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25 July 2014

Appeal Ref: APP/R0660/A/13/2210660

Land to the east of Crewe Road, Shavington, Crewe, Cheshire East, CW2 5JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for outline planning permission.
 - The appeal is made by Taylor Wimpey UK Limited and Need-Beecroft (Shavington) LLP against Cheshire East Council.
 - The application Ref 13/2069N, is dated 17 May 2013.
 - The development proposed is the construction of up to 275 dwellings, including access, landscaping, recreation and amenity open space, associated infrastructure, the demolition of no.28 Crewe Road and demolition of the single storey extension to no.56 Crewe Road. Permission is sought for means of access. Layout, scale, appearance and landscaping are reserved for subsequent approval.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of up to 275 dwellings, including access, landscaping, recreation and amenity open space, associated infrastructure, the demolition of no.28 Crewe Road and demolition of the single storey extension to no.56 Crewe Road, at Land to the east of Crewe Road, Shavington, Crewe, Cheshire East, CW2 5JB in accordance with the terms of the application, Ref 13/2069N, dated 17 May 2013, subject to the Schedule of conditions attached.

Procedural Matters

2. The Council's Inquiry notice referred to the wrong day of the week in that it stated that the Inquiry was to be at 10am on "Tuesday" 9 July 2014 rather than "Wednesday" 9 July 2014. There is no such date as Tuesday 9 July 2014. The Appellant's site notice correctly referred to "Wednesday" 9 July 2014.
3. An interested person, Mr Hall, had attended the venue on the Tuesday of that week and had been directed to the Town Hall where Council staff explained that the Inquiry was scheduled for the next day, being Wednesday. His wife subsequently attended the Inquiry on the Wednesday. I understand that the venue was manned all day on the Tuesday and no other persons attended for the Inquiry on that day. Had anybody else attended, I was told that they would have been similarly directed to the Town Hall and dealt with in a similar manner.

4. Both Counsel for the Appellant and Counsel for the Council made submissions to the effect that the error was trivial, and demonstrated that there had been no breach of the Inquiries Procedure Rules. Whilst anyone attending on the Tuesday would have regrettably been inconvenienced, they would, nonetheless, have still had the opportunity of attending the Inquiry the following day.
5. On that basis, I accepted Counsels' submissions and concluded that there was no breach of natural justice and no breach of the Inquiries Procedure Rules. Consequently, there was no need for an adjournment and I proceeded with the Inquiry on the day.
6. Although the Council failed to determine the application, had it done so, it would have refused it for the following reason:

The Local Planning Authority considers that the proposed development is unsustainable due to the traffic impact of the development, which would have a severe impact on the local road network when considered with the cumulative impact from the approved developments in the area. The proposed development is contrary to paragraph 32 of the National Planning Policy Framework and Policies BE.3 (Access) and BE.5 (Infrastructure) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policy CO4 (Travel Plans and Transport Assessments) of the Local Plan Strategy Submission Version.

7. However, on the basis of the imposition of a condition delaying construction of the dwellings pending highway improvements, and also on the basis of agreed financial contributions towards highway improvements, the Council withdrew its putative reason for refusal. It now requests that the appeal be allowed and planning permission be granted.
8. An executed unilateral undertaking (UU) made under section 106 of the Town and Country Planning Act 1990 has been submitted, which deals with these financial contributions, amongst other things. This is considered further under the "reasons" section of this decision.
9. The application is in outline with permission sought for access. Layout, scale, appearance and landscaping are reserved matters. This is the basis upon which I have determined the appeal.
10. During the course of the appeal, application drawing SCP/12287/F02 revision C (Proposed Crossing Facilities & Bus Stop Relocation) was amended to revision D, by moving the location of the crossing to allow the bus stop to remain in its existing position. Whilst revision D has not undergone formal public consultation, it has been in the public domain for some time.
11. Furthermore, the drawing relates to a proposed benefit and this proposal would not result in any harm. On my site visit I observed the proposed new location of the crossing, which seems to me to be an improvement on the earlier location and would, therefore, better benefit the local community. For these reasons the amendment does not cause any issues of natural justice and does not offend the *Wheatcroft* principles.

Main Issues

12. At the Pre-Inquiry Meeting main matters were identified upon which evidence was to be concentrated. Since then, the parties have signed a Statement of Common Ground (SoCG), indicating that all matters have been resolved by way of conditions and planning obligations. Having considered the evidence, including that from interested persons, and having seen the site and driven and walked along the road network, I am satisfied, for reasons given below, that there are no outstanding main issues.

Reasons

Unilateral Undertaking

13. The Council's single putative reason for refusal related to the cumulative traffic impact of the development on the road network, which appeared mainly to arise along South Street, Gresty Road and Nantwich Road. I am told that, to make the proposal acceptable, a financial contribution would be required towards improvement works to the Nantwich Road corridor to enhance traffic flow and maintain pedestrian security.
14. The Council has already secured part of the funding for these works, but a further £130,000 was required for a pedestrian crossing in front of the railway station (£80,000) and to part fund junction improvements on South Street (£50,000). The Appellants have now offered this £130,000 in their UU to enable these works to proceed and have agreed to pay this sum to the Council upon commencement of the development.
15. In terms of Community Infrastructure Levy (CIL) compliance, the £130,000 is necessary to increase capacity on the Nantwich Road corridor thereby facilitating traffic which is likely to be generated by the development. It is also proportionate to the scale and kind of development.
16. However, to avoid exacerbating highway problems in the short term, there needs to be a delay in the commencement of construction of the dwellings in order to provide time for the road works to be effected. To ensure that this occurs, the SoCG suggests imposing a condition, which prevents any house building until January 2017. This is reasonable and necessary to achieve the required time lag and, therefore, it will be imposed.
17. Another highway issue related to the likelihood of the development resulting in increased pedestrian movements on Crewe Road to the detriment of pedestrian safety. This was a particular concern of interested parties who spoke at the Inquiry about the winding, unsafe nature the road.
18. From my site visit and the submitted evidence, it seems to me that the proposed signal controlled Toucan crossing on this road would effectively mitigate the development's impact and make it acceptable in this respect. The UU includes a financial contribution of £50,000 to fund such works which, in terms of CIL compliance, appears a fair and reasonable sum to pay.
19. All of these highway contributions are in accordance with the current, adopted local plan, the Crewe and Nantwich Replacement Local Plan 2011 (CNRLP) and, in particular Policies BE.5 (Infrastructure), TRAN.3 (Pedestrians) and TRAN.5 (Cyclists). They also comply with paragraph 32 (sustainable transport – 3rd

- bullet) of the National Planning Policy Framework (Framework) and, in my view, overcome the highway objections.
20. Turning to other effects of the development, because many of the dwellings are likely to be occupied by families with children, this will place pressure on educational facilities. According to the agreed formulas used, the number of additional secondary school places could be accommodated by existing facilities, but primary schools in the vicinity would find it difficult to accommodate more children into what is already forecast to be an oversubscribed sector.
 21. Therefore, the UU provides for a financial contribution towards more primary school places, based on the agreed formula, which accords with CNRLP Policy BE.5 (Infrastructure) and Framework paragraph 72 (School places). This seems proportionate and CIL compliant, and sufficient to overcome the issue.
 22. Another issue related to Wybunbury Moss, which holds a number of national and international designations for its ecological value. Some occupants of the development are likely to use the Moss for recreational purposes to the detriment of its nature conservation value. However, it is proposed to mitigate this impact to acceptable levels by providing funding for additional board walks over the Moss.
 23. To this end, the UU provides for a contribution of £38,190, which seems fair and reasonable in CIL compliance terms. It also accords with CNRLP Policy NE.7 (Sites of national importance for nature conservation) and with Framework paragraph 118 (conserving and enhancing biodiversity) and, in my opinion, overcomes the issue.
 24. Finally, as set out in the SoCG, the housing needs assessments indicate that there is a significant need for affordable housing in the area, particularly for intermediate housing. Therefore, to make the development acceptable in planning terms and to accord with CNRLP Policy RES.7 (Affordable housing) the UU provides for 30% affordable housing with a tenure split of 35% rented and 65% intermediate housing. This provision also accords with Framework paragraph 50 (3rd bullet - affordable housing) and is CIL compliant.
 25. Overall, I am satisfied that the affordable housing and financial contributions comply with the CIL tests set out in paragraph 204 of the Framework and regulation 122 of the CIL Regulations 2010, and sufficiently address the stated issues.

Other matters

26. The SoCG confirms that the principle of housing development on the site is acceptable based on the overall spatial strategy of the adopted and emerging local plans. Whilst the development does not fully accord with CNRLP Policies NE.2 (Open countryside) and RES.5 (Housing in the countryside), these policies are out of date and the parties agree that they should be "flexed". The evidence suggests that this is a pragmatic position to take, particularly in view of the fact that the site is allocated for housing in the emerging local plan, which is currently undergoing examination.
27. The site is in a sustainable location on the edge of the built up area of Shavington, accessible by non-car modes of transport, and in proximity to a

range of local facilities. It clearly accords with the three dimensions of sustainable development set out in paragraph 7 of the Framework.

28. In terms of the social dimension, this is met by its significant housing provision, and as for the economic dimension, this is fulfilled by the creation of construction related jobs, amongst other economic benefits. The environmental dimension is satisfied by delivering improvements to ecological assets along Swill Brook, planting of hedges and an orchard, and the provision of open space and a new feature pond, amongst other things.
29. Although design is a reserved matter, the main parties agree that the site is capable of being developed without giving rise to unacceptable impacts on the amenity of surrounding residential properties. From my site visit and the evidence, particularly the illustrative master plan, I accept this position.
30. With respect to flood risk, appropriate mitigation measures can be taken as set out in the submitted Flood Risk Assessment and this can be secured by the imposition of suitable conditions. Similarly, to ensure the safeguarding of wildlife and protected species, conditions can be imposed to ensure that mitigation measures are taken as set out in the Ecological Assessment.
31. Although part of the site is best and most versatile agricultural land, I am told that there is a general need for the Council to release such land to meet housing supply requirements. There are also two protected trees, which are recommended in the Tree Survey to be removed because of their poor condition and, therefore, their loss would not be harmful.
32. It is noted that neither Natural England nor the Environment Agency has any objections to the development.

Conclusion

33. There is a balance to be struck when considering development. In this case the proposal would result in some harm from the loss of agricultural land. Other material harm would be overcome by the UU and the imposed conditions. Significant benefits would also be generated, mainly with respect to the development's contribution to the five year supply of market and affordable housing. On balance, and in consideration of all matters raised, I conclude that the identified harm is significantly outweighed by the wider benefits of scheme.
34. Whilst the development does not fully accord with CNRLP Policies NE.2 (Open countryside) and RES.5 (Housing in the countryside), it is common ground that these policies are out of date and should be afforded limited weight. There is no conflict with the Framework. In my opinion, there are sufficient material considerations to suggest that a departure from the development plan is justified in this instance.
35. Subject to the imposed conditions and the UU, I find that the proposal is acceptable. Therefore, for the reasons given, and in accordance with the Framework's presumption in favour of sustainable development, the appeal is allowed and planning permission is granted.
36. All of the imposed conditions have been agreed by the main parties. They were each discussed at the Inquiry and no objections were raised to any of them. Each condition has also been assessed against the tests set out in

paragraph 206 of the Framework and all are in accordance with those tests. The reason for each condition is set out in the Schedule of Conditions attached. Where appropriate, minor amendments have been made to the wording in the interests of clarity.

Elizabeth C Ord

Inspector

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Tim Straker of Queens Counsel
He called no witnesses

FOR THE APPELLANT:

Morag Ellis of Queens Counsel
and George Mackenzie of
Counsel

They called
Michael Watts
Dip URP(Dist) MRTPI
David Roberts I.Eng
FIHE FCIHT

Senior Director of Nathaniel Lichfield & Partners
Director of SCP Transport and Infrastructure
Planners and Designers

INTERESTED PERSONS:

Ray Chapman	Local resident
Gillian McIntyre	Local resident

DOCUMENTS SUBMITTED AT INQUIRY

- 1 Addendum to the statement of common ground
- 2 Unilateral Undertaking
- 3 Draft conditions
- 4 Appellant's opening
- 5 Notification documents

SCHEDULE OF CONDITIONS

1 Application(s) for approval of reserved matters for the relevant phases of the development hereby permitted shall be made within five years of the date of this permission. The development of the phases of development hereby permitted shall commence before whichever is the later of the following dates:

- a within five years of the date of this permission, or
- b within two years of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

2 Approval of the details of the layout, appearance, landscaping and scale (the reserved matters) for the relevant phases of the development hereby permitted shall be obtained from the Local Planning Authority in writing before any particular phase of the development is commenced, and the development shall be carried out as approved.

Reason: This is an outline planning permission with these matters reserved for subsequent consideration

3 The development hereby permitted shall be implemented in full accordance with the approved plans. The approved drawings are:

- a Site Plan [ES/SP/1]
- b Scheme Parameters [487A.21C]
- c Proposed Access [SCP/12287/F04C]
- d Proposed Crossing Facilities [SCP/12287/F02D]

Reason: For the avoidance of doubt and to ensure that development takes place in accordance with the approved plans.

4 Notwithstanding the details submitted with the planning application, this permission does not confer any approval of the indicative residential masterplan.

Reason: For the avoidance of doubt and to comply with Policy BE.2 (Design) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

5 No construction of any dwelling hereby permitted shall be commenced on the site prior to 1st January 2017. For the avoidance of doubt, in this condition "commencement" excludes: (a) demolition of existing structures; (b) re-grading, ground works and site preparation works required for the development; (c) the construction of roads; and, (d) the laying of drainage and other services.

Reason: In the interests of highway safety and capacity.

6 Finished floor levels of the residential dwellings hereby permitted adjacent to Swill Brook shall be set at a minimum of 54.50 m AOD.

Reason: To ensure the satisfactory development of residential properties adjacent to Swill Brook.

7 No development hereby permitted shall commence on any particular phase of the development until a scheme to demonstrate no alteration of existing ground levels within the 1 in 100 year (1% AEP) flood outline of that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved scheme.

Reason: To ensure the satisfactory development of the site.

8 No development hereby permitted shall commence on any particular phase of the development until such time as a scheme to limit the surface water run-off generated by that phase of the development has been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved scheme.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy NE.20 (Flood Prevention) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

9 No development hereby permitted shall commence on any particular phase of the development until details of a scheme for the disposal of foul and surface water from that particular phase of the development has been submitted to and approved in writing by the Local Planning Authority. That phase of the development shall not be occupied until the approved scheme has been implemented in full accordance with the approved details. The site shall be drained on a separate system with only foul drainage connected into the foul sewer.

Reason: To protect against flooding in accordance with Policy NE.20 (Flood Prevention) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

10 The relevant phase of the development hereby permitted shall make provision for the management of an undeveloped buffer zone alongside Swill Brook of at least 8 meters wide measured from the top of the bank. The buffer zone shall be free from built development including lighting, domestic gardens and formal landscaping.

Reason: To protect against flooding in accordance with Policy NE.20 (Flood Prevention) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

11 The surface water discharge rate of any proposed surface water outfall shall not exceed 1.0m/s and shall be angled with the direction of flow into the Brook.

Reason: To protect against flooding in accordance with Policy NE.20

(Flood Prevention) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

- 12 Any and each reserved matters application for the relevant phase of the development hereby permitted shall include an up to date water vole survey and mitigation proposals for any adverse impacts identified. No development of that relevant phase shall take place except in complete accordance with the approved mitigation proposals. The survey shall be carried out by a suitably qualified person and approved in writing by the Local Planning Authority.

Reason: To safeguard wildlife in the interests of nature conservation in accordance with the National Planning Policy Framework and to comply with Policy NE.2 of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.

- 13 The reserved matters application for the relevant phase of the development hereby permitted shall make provision for houses to front on to Swill Brook.

Reason: In the interests of design in accordance with Policy BE.1 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

- 14 Prior to undertaking any works on the development hereby permitted between 1st March and 31st August in any year, a detailed survey is required to check for nesting birds, and a report thereon is required to be submitted to and approved in writing by the Local Planning Authority. Where nests are found in any building, hedgerow, tree or scrub, which is to be removed (or converted or demolished in the case of buildings), a 4m exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a further report shall be submitted to and approved in writing by the Local Planning Authority before the exclusion zone is removed.

Reason: To safeguard breeding birds and in the interests of nature conservation in accordance with the National Planning Policy Framework and to comply with Policy NE.5 of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.

- 15 No development hereby permitted shall commence on any particular phase of the development until there has been submitted to and agreed in writing by the Local Planning Authority a scheme of nest boxes for that phase, including a timetable for implementation. That phase of the development shall be completed in accordance with the approved scheme.

Reason: To maintain the conservation status of bats and in accordance with the National Planning Policy Framework and Policy NE.5 of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.

- 16 The first reserved matters application for the development hereby permitted shall include the precise details of a scheme of pond construction and habitat creation of the proposed wildlife pond. The scheme shall include:

a Details of the design of the pond including location sections and

landscaping;

- b Details of proposals to enhance opportunities for bio-diversity in the site;
- c Timetable for implementation of the agreed measures;
- d Details of the long-term management and maintenance of this area within the site.

The approved scheme shall be fully implemented in strict accordance with the approved details and timetable.

Reason: To ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in accordance with the National Planning Policy Framework and in compliance with Policy NE.5 of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.

- 17 No development hereby permitted shall commence until a landscape and habitat management plan, including long term design objectives, management responsibilities and maintenance schedules for all protected trees and areas of new landscaping and habitat creation (including the creation of at least one pond for habitat creation) has been submitted to and approved in writing by the Local Planning Authority. The management plan shall be implemented as approved and retained thereafter for the lifetime of the development.

Reason: To protect the amenities of nearby residents and the occupiers of nearby property and to comply with Policy BE.1 of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.

- 18 The relevant phase of the development hereby permitted shall make provision for open space adjacent to the buffer strip referred to in Condition 19.

Reason: To ensure the satisfactory development of open space.

- 19 Each reserved matters application of the development hereby permitted shall include an Open Space Scheme showing all areas of open space to be provided within that phase of the development. The scheme shall include public amenity open space and an equipped children's play area (LEAP). The scheme shall also include details of the location, layout, size, timing of provision, proposed planting, location and specification of boundary structures, play equipment and materials. Development shall be carried out in accordance with the approved scheme.

Reason: To ensure the satisfactory development of open space.

20. Prior to the implementation of any area of public open space identified in the Open Space Scheme, a Management Plan for the future management and maintenance of the open space shall be submitted to, and approved in writing by, the Local Planning Authority. The Plan shall identify the maintenance requirements including all ongoing maintenance operations, and shall be thereafter implemented for the lifetime of the development.

Reason: To ensure the satisfactory development of open space.

21. No development hereby permitted shall commence on any particular phase of the development until a Construction Method Plan and Statement, has been submitted to and approved in writing by the Local Planning Authority. The construction works shall be undertaken in accordance with the approved Construction Method Statement:

The Construction Method Statement shall include the following details:

- a Details of the method of piling
- b The hours of work which shall not exceed the following:
- c Construction hours (and associated deliveries to the site) shall be restricted to between 08:00 and 18:00 hours Mondays to Fridays, 09:00 and 14:00 hours on Saturdays, with no working on Sundays or Bank Holidays.
- d Pile driving shall be restricted to between 08:30 and 17:30 hours Mondays to Fridays, 09:00 and 13:00 hours on Saturdays, with no working on Sundays or Bank Holidays.
- e Duration of the pile driving operations (expected starting date and completion date)
- f Prior notification to the occupiers of potentially affected properties
- g Details of the responsible person (e.g. site manager / officer) who could be contacted in the event of complaint.
- h A scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development.

The Construction Management Plan shall include details of (for each phase of the development) contractors' parking areas and compounds and details of wheel washing facilities. The development shall be carried out in accordance with the approved Construction Method Statement.

Reason: To protect the amenities of nearby residents and the occupiers of nearby property and to comply with Policy BE.1 of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.

23. Each reserved matters application shall be accompanied by a detailed lighting plan for the phase of development to which it relates. Details shall be provided in respect of location, height, design and luminance. Development shall take place on the relevant phase in complete accordance with the plan as approved in writing by the Local Planning Authority.

Reason: To protect the amenities of nearby residents and the occupiers of nearby property in accordance with Policy BE.1 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

24. Prior to the development hereby permitted commencing:

- a A Phase II investigation shall be carried out and the results submitted to, and approved in writing by the Local Planning Authority.
- b If the Phase II investigations indicate that remediation is necessary, a Remediation Statement shall be submitted to, and approved in writing by the Local Planning Authority. The remediation scheme shall be carried out in accordance with the approved Remediation Statement.
- c If remediation is required, a Site Completion Report detailing the conclusions and actions taken at each stage of the works, including validation works, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first use or occupation of any part of the development hereby permitted.

Reason: To ensure the development does not create undue risks to site users or neighbours during the course of the development and having regard to policy BE.6 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

25. Each reserved matters application for a particular phase of the development hereby permitted shall include details of a scheme of pedestrian and cycle provision and signage to be submitted to and approved in writing by the Local Planning Authority. The scheme shall include upgrading of footpath 4 to a cycle route and shared routes for pedestrians and cyclists through the site and a timetable for implementation. Development of that phase shall be carried out in accordance with the approved scheme including the approved timetable.

Reason: To ensure that the development is clearly accessible to non vehicular users of the site.

26. The reserved matters shall make provision for shared use routes for pedestrians and cyclists through the site.

Reason: To ensure the development complies with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

27. No development hereby permitted shall commence on a particular phase of the development until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The work on that phase shall be carried out strictly in accordance with the approved scheme.

Reason: To ensure there is no damage to any archaeological potential on the site. The use of such a condition is in line with the guidance set out in Paragraph 141, Section 12 (Conserving and Enhancing the Historic Environment) of the National Planning Policy Framework.

28. The Landscaping Scheme submitted as part of reserved matters shall be in accordance with the Scheme Parameters (Drwg No. 487A.21C).

Reason: For the avoidance of doubt and to ensure that development takes place in accordance with the approved plans.

29. The landscaping details submitted within the reserved matters application for the relevant phase of the development hereby permitted shall include:

- a buffer planting to the rear of 66-82 Crewe Road
- b greenspace adjacent to 56 Crewe Road
- c central greenspace within the site
- d greenspace buffer along the northern and eastern boundary
- e existing footpaths to be located within Public Open Space
- f community orchard

Reason: For the avoidance of doubt and to ensure that development takes place in accordance with the approved plans.

30. No development hereby permitted shall commence on any particular phase of the development until a scheme (hereinafter called the approved protection scheme) which provides for the retention and protection of trees (with the exception of the removal of two oak trees), shrubs and hedges growing on or adjacent to that phase of development, including trees which are the subject of a Tree Preservation Order currently in force, has been submitted to and approved in writing by the Local Planning Authority. No development or other operations shall take place on that phase except in complete accordance with the approved protection scheme, which shall be in place prior to the commencement of work.

The approved protection scheme shall be retained intact for the full duration of that phase of the development hereby permitted and shall not be removed without the prior written permission of the Local Planning Authority. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, lighting of fires or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.

Reason: To protect existing trees and other vegetation in the interests of visual amenity, and to comply with Policy NE.5 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

31. The reserved matters applications for each phase of the development hereby permitted shall make provision for the retention of those hedgerows that are considered to be "important" by the Local Planning Authority under the terms of the Hedgerow Regulations within that phase.

Reason: To protect existing trees and other vegetation in the interests of visual amenity, and to comply with Policy NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

32. The reserved matters applications shall include details of bin storage for all properties within the phase of development hereby permitted to which the application relates. The approved storage shall be provided prior to first occupation of the dwellings to which the application relates and shall thereafter be retained for the lifetime of the development.

Reason: For the avoidance of doubt and to comply with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

33. No development hereby permitted shall commence on any particular phase of the development until details of a Sustainable Drainage Scheme (SuDS) for that phase has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the first occupation of that phase of development to which it relates.

Reason: To ensure adequate drainage of the site in accordance with Policy BE.4 of the adopted Borough of Crewe and Nantwich Local Plan 2011.

34. For each particular phase of the residential development hereby permitted and prior to first occupation of that phase, a Travel Plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include, amongst other things, a timetable for implementation and provision for monitoring and review. The approved Travel Plan shall thereafter be implemented in accordance with the approved timetable.

Reason: To encourage the continued use of means of transport other than the private car and reduce single person car trips in the interests of supporting sustainable transport policies.

35. Prior to the commencement of the development hereby permitted, details of the highway works to form the site access and associated works on Crewe Road shall be submitted to and approved in writing by the Local Planning Authority. The approved works shall be carried out prior to first occupation of the development.

Reason: In the interests of highway safety and to comply with policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

36. As part of the first phase of the development hereby permitted a new footway/cycle way shall be provided alongside No.56 Crewe Road in accordance with the Scheme Parameters Plan [487A.21C]. No dwelling shall be occupied until the new footway/cycle has been completed.

Reason: To comply with policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

37. No development hereby permitted shall commence until a scheme to secure youth employment and training opportunities has been submitted to and approved in writing by the Local Planning Authority. The employment scheme

shall be implemented in accordance with the approved details.

Reason: To recruit local apprentices and facilitate access to training and experience opportunities in connection with Shavington High School and to fulfil the economic aspects of sustainable development in accordance with the Framework.