

Application No: 13/3258N

Location: Thornton House, Emberton Place, Audlem, Crewe, CW3 0HL

Proposal: Construction of 10 bungalows with associated landscaping and car parking.

Applicant: Adele Summer, Wulvern Housing

Expiry Date: 12-Nov-2013

### **SUMMARY RECOMMENDATION**

**Approve subject to conditions**

### **MAIN ISSUES**

**Impact of the development on:**

- **Principal of the Development**
- **Affordable Housing**
- **Highway Implications**
- **Amenity**
- **Design**
- **Trees**
- **Landscape**
- **Ecology**
- **Loss of a Community Facility**

### **REASON FOR REFERRAL**

This application is referred to the Southern Planning Committee as it relates to a small scale major development.

### **DESCRIPTION OF SITE AND CONTEXT**

The application site is located to the south east of Cheshire Street (A529) within the Audlem Village Settlement Boundary as defined by the Borough of Crewe and Nantwich Replacement Local Plan. The site comprises a 2 storey community facility and 8 single storey bedsits and a landscaped area to the rear of the community facility. The surrounding development comprises bungalows similar to those proposed.

### **DETAILS OF PROPOSAL**

This is a full planning application for the erection of 10 bungalows with associated landscaping and parking. There would be four 2 bedroom and six 1 bedroom bungalows. The applicant is Wulvern Housing and the bungalows would be for people over the age of 55.

The new dwellings would wrap around along Emberton Place with open plan front gardens and private rear gardens. Parking for one vehicle would be provided within the curtilage of each bungalow. Eleven additional parking spaces are to be provided within the site in order to help alleviate existing parking problems at Emberton Place.

## **RELEVANT HISTORY**

No relevant planning history relating to this site.

## **POLICIES**

### **National Policy**

National Planning Policy Framework

### **Local Plan Policy**

BE.1 – Amenity

BE.2 – Design Standards

BE.3 – Access and Parking

BE.4 – Drainage, Utilities and Resources

BE.5 – Infrastructure

BE.6 – Development on Potentially Contaminated Land

NE.17 – Pollution Control

NE.20 – Flood Prevention

RES.7 – Affordable Housing

RES.4 – Housing in Villages with Settlement Boundaries

RES.3 – Housing Densities

CF.3 – Retention of Community Facilities

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

### **United Utilities:**

None received at the time of report writing.

### **Strategic Highways Manager:**

The bungalows are fronting onto Emberton Place; the parking provision is to be taken off a new access road at the south east corner of the site. There are 21 car parking spaces proposed for the 10 units and this includes visitor provision, it is considered that this is an acceptable level of parking provision.

With regard to the traffic impact of the development, the 10 units will only produce a very small amount of peak hour trips and there will not be an impact on the local road network as a result of this development.

The internal access road to the site will not accommodate a refuse vehicle and therefore each bungalow will need bin storage facilities for frontage collection from Emberton Place.

There are no highway objections to the application.

**Environmental Health:**

Conditions suggested in relation to construction hours, piling works, contaminated land and external lighting.

**Audlem Parish Council:**

Audlem Parish Council supports the planning application in principle for 10 bungalows with the recommendation that green energy is utilised throughout and agree that consideration should be made for a financial contribution by the developer of a community facility elsewhere in the village.

**OTHER REPRESENTATIONS**

At the time of report writing, one representation has been received from the occupier of one of the neighbouring bungalows. This expresses support for the proposal but concern about the impact on existing parking problems at Emberton Place.

**APPLICANT'S SUPPORTING INFORMATION**

To support this application the application includes the following documents;

- Design and Access Statement
- Phase I Site Appraisal (Contaminated Land)
- Phase II Site Appraisal (Contaminated Land)
- Ecological Assessment
- Bat Survey
- Arboricultural Impact Assessment

These documents are available to view on the application file.

**OFFICER APPRAISAL**

**Principal of Development**

The National Planning Policy Framework (NPPF) states at paragraph 47 that there is a requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

*"identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan*

*period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.*

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government’s overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved. In December 2012 the Cabinet agreed the Cheshire East Local Plan Development Strategy for consultation and gave approval for it to be used as a material consideration for Development Management purposes with immediate effect. This proposes a dwelling requirement of 27,000 dwellings for Cheshire East, for the period 2010 to 2030, following a phased approach, increasing from 1,150 dwellings each year to 1,500 dwellings.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the emerging Strategic Housing Land Availability Assessment (SHLAA) February 2013. The SHLAA has put forward a figure of 7.15 years housing land supply.

Policy change is constantly occurring with new advice, evidence and case law emerging all the time. However, the Council has a duty to consider applications on the basis of the information that is pertinent at any given time. Consequently, it is recommended that the application be considered in the context of the 2013 SHLAA.

In this case the site is located within the Audlem Village Settlement Boundary and Policy RES.4 of the Adopted Local Plan allows for housing on a scale commensurate with the character of the village.

The site is surrounded by residential properties and is in close proximity to the village of Audlem. Therefore it is considered that the principal of the development is acceptable and the development would be appropriate in this location.

### **Affordable Housing**

The proposal seeks planning approval for 10 bungalows all of which are to be provided as affordable rented dwellings.

The Strategic Housing Market Assessment (SHMA) 2010 identified a requirement for 30 new affordable homes in Audlem between 2009/10 – 2013/14, this was made up of a requirement for 1 x 1 bed, 5 x 3 bed, 1 x 4/5 bed and 1 x 1/2 bed older persons new affordable homes each year. The SHMA 2010 also identified a preferred tenure split of 65% social rented and 35% intermediate dwellings.

In addition to the information taken from the SHMA 2010 there are currently 51 applicants on the housing register with Cheshire Homechoice who have selected Audlem as their first choice, these applicants require 17 x 1 bed, 16 x 2 bed and 10 x 3 beds, 2 x 4 beds and 6 applicants haven't set the number of bedrooms required.

A Rural Housing Needs Survey was carried out for Audlem Parish in January 2013 and identified 98 newly forming households, of which 37 would need subsidised or rented affordable properties.

In addition to the above housing need information, this application is for new older persons accommodation to replace the out of date older persons accommodation with shared facilities at Thornton House. As such the Housing Strategy and Needs Manager supports this proposal.

The Interim Planning Statement: Affordable Housing states that affordable homes should be built in accordance with the standards adopted by the Homes and Communities Agency and meet Code for Sustainable Homes Level 3. Wulvern Housing have secured an allocation of grant funding towards this proposal from the Homes & Communities Agency, part of the conditions of that funding is that they will have to build the properties to the standards required by the HCA. This therefore, is not a concern.

The affordable housing should be secured by way of a condition as has previously been agreed with Wulvern Housing for 100% affordable housing schemes.

Wulvern Housing are a partner of the Council in the Cheshire Homechoice scheme and the properties will be let through this scheme taking account of the Community Connection criteria that requires applicants to show a community connection to Audlem.

### **Highways Implications**

The proposal is for ten new bungalows on this existing development of bungalows. One parking space is proposed for each new dwelling and a further eleven spaces within the site, in addition two parking spaces are proposed for the existing numbers 18 and 19 Emberton Place.

The Strategic Highways Manager considers that there would be an acceptable level of parking provision and that the development would generate a very small amount of peak hour trips. It is therefore considered that there would be no significant impact on the local road network.

The SHM has indicated that the internal access road would not accommodate a refuse vehicle, therefore each bungalow will need bin storage facilities for frontage collection from Emberton Place. This should be controlled by condition.

Overall, it is considered that the proposal would result in an improvement to parking provision on Emberton Place.

The proposal is therefore considered to be in compliance with Policy BE.3 (Highways) of the adopted local plan.

### **Amenity**

There are bungalows around the site and all the required separation distances would be met within the development. The proposed development would not have any significant adverse impact on neighbouring dwellings in terms of overlooking and overshadowing. The outlook of the existing bungalows would change, however it is not considered that this change of outlook would represent an unacceptable visual intrusion in the street scene in the context of this site.

Environmental Protection have recommended conditions relating to construction, piling and external lighting and these are considered to be reasonable and should be imposed should the application be approved. The contaminated land reports identified the need for further Phase II investigations should be undertaken and this should be controlled by condition.

The proposal is therefore considered to be in compliance with Policy BE.1 (Amenity) of the adopted local plan.

## **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.”*

The proposed bungalows have been designed to reflect the style of the existing ones that would surround it. They would wrap around Emberton Place in a form that would be appropriate in this location. It is considered that the design is acceptable and would not appear out of character in this part of Audlem.

The proposal is therefore considered to be in compliance with Policy BE.2 (Design) of the adopted local plan.

## **Trees and Landscape**

The development proposals would reduce significantly the present landscaped areas and remove all of the trees.

The loss of mature trees is regrettable and would have an impact on the visual amenity of the immediate area. Further, the loss of the existing green and provision of the extension to Emberton Place and parking areas would impact on the outlook from the existing adjacent bungalows. However, it is considered that the new development would be of an appropriate appearance and that the provision of this form of much needed affordable housing outweighs the limited harm that would result from the development. Conditions should be imposed requiring submission of details of landscaping, including ‘green screen’ boundary treatment to the new parking area.

## **Ecology**

An Ecological Assessment was submitted with the application, this concluded that the site was of low ecological value and this has been confirmed by the Council's Ecologist. It did however identify that a full bat survey was undertaken prior to the demolition of the building. This has now been undertaken and evidence of a bat roost has been identified.

The Bat Survey has recommended mitigation measures in the form of replacement features in the new development to accommodate bats. These are considered to be acceptable by the Council's Ecologist.

The EC Habitats Directive 1992 requires the UK to maintain a system of strict protection for protected species and their habitats. The Directive only allows disturbance, or deterioration or destruction of breeding sites or resting places

(a) in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment, and provided that there is

(b) No satisfactory alternative and

(c) No detriment to the maintenance of the species population at favourable conservation status in their natural range

The UK has implemented the Directive in the Conservation (Natural Habitats etc) Regulations 2010 (as amended) which contain two layers of protection (i) a requirement on Local Planning Authorities ("LPAs") to have regard to the Directive's requirements above, and (ii) a licensing system administered by Natural England and supported by criminal sanctions.

Local Plan Policy NE9 (Protected Species) states that development will not be permitted which would have an adverse impact on protected species or their habitats, unless mitigation / habitat creation is secured.

Circular 6/2005 advises LPAs to give due weight to the presence of protected species on a development site to reflect EC requirements. "This may potentially justify a refusal of planning permission."

The NPPF advises LPAs to conserve and enhance biodiversity: if significant harm resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts) or adequately mitigated, or as a last resort, compensated for, planning permission should be refused.

Natural England's standing advice is that, if a (conditioned) development appears to fail the three tests in the Habitats Directive, then LPAs should consider whether Natural England is likely to grant a licence: if unlikely, then the LPA should refuse permission: if likely, then the LPA can conclude that no impediment to planning permission arises under the Directive and Regulations.

In this case the Council's Ecologist has assessed the application and relevant supporting ecological documentation and raises no objection to the proposed development. Whilst bats were identified as roosting within the building to be demolished, the Council's Ecologist is

satisfied that the development is unlikely to have a significant impact upon this protected species subject to the mitigation measures proposed being included within it.

Having regard to the above it is concluded that the proposal would have an acceptable impact on nature conservation interests and would comply with Local Plan policy NE9 (Protected Species) and the Framework.

### **Loss of a Community Facility**

Policy CF.3 states that:

*“Proposals which would result in the loss of community facilities which make a positive contribution to the social or cultural life of a community will not be permitted, unless a suitable alternative provision is made.”*

This proposal does involve the removal of the community facility at the site and Wulvern Housing have been in consultation with Audlem and District Community Action (ADCA) since October 2012 regarding this issue. This consultation looked at finding an alternative community facility. At one point discussions were held regarding Wulvern gifting a piece of land within the development site to accommodate a community facility and Wulvern's architect drew up plans for this. Wulvern also approached the Homes and Communities Agency on behalf of ADCA and made them aware of the potential of accessing grant funding through the Community Right to Buy, in order to assist them to build the community facility.

ADCA have now made the decision to move day care temporarily to Hankelow Chapel with the ultimate aim of moving to Audlem Village Hall. Wulvern have provided furniture from Thornton House and a wheelchair access ramp at Hankelow Chapel.

Audlem Parish Council has requested that consideration is given to requesting a financial contribution from the developer for a community facility elsewhere in the village. This is a proposal by a social housing provider which means that the costs are subsidised by funding from the Homes and Communities Agency and Disposal Proceeds Funds. There are no additional monies to put towards contributions. It is considered that they have made significant efforts to accommodate a new community facility on the site and it would be unreasonable for the Council to require a financial contribution from them.

### **CONCLUSIONS**

The site is within the Audlem Village Settlement Boundary and the principle of residential development is considered to be acceptable and in this case it is not considered that there are any adverse impacts that would significantly and demonstrably outweigh the benefits nor are there any policies within the NPPF that indicate that development should be restricted.

The proposal is considered to be acceptable in parking, highway safety and traffic generation terms.

The scheme complies with the relevant local plan policies in terms of amenity and it is considered that the proposal is an acceptable design and layout.

There are no other ecological issues are raised as part of this application. The impact upon bats can be mitigated with the measures recommended in the bat survey

It is therefore considered that the proposal would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy. Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

## **RECOMMENDATIONS**

**APPROVE** subject to the following conditions:

**And the following conditions:**

- 1. Standard time 3 years**
- 2. Approved Plans**
- 3. Securing the affordable housing**
- 4. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays**
- 5. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
- 6. No development shall take place until details of external lighting has been submitted to and agreed in writing by the Local Planning Authority.**
- 7. Materials as stated in the application**
- 8. Landscaping details including boundary treatment of car parking area to be submitted and approved**
- 9. Implementation of landscaping**
- 10. Prior to the commencement of development details of existing and proposed levels are to be provided.**
- 11. Construction Management Plan**
- 12. Submission of a further Phase II Contaminated Land Report**
- 13. Submission of details of bin storage and collection**
- 14. Compliance with the recommendations in the bat survey**

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