

Application No: 13/4323N

Location: BROOKLANDS HOUSE, FORD LANE, CREWE, CHESHIRE, CW1 3JH

Proposal: Demolition of Brooklands House and erection of 3 storey apartment block containing 16 no. apartments and accompanying car park and landscaping.

Applicant: Ann Lander, Wulvern Housing Ltd

Expiry Date: 14-Jan-2014

**SUMMARY RECOMMENDATION:** Approve subject to conditions

**MAIN ISSUES:**

- Principle of development;
- Design;
- Amenity;
- Affordable housing;
- Highways;
- Landscaping;
- Trees;
- Ecology;
- Drainage; and
- Other Matters

**REFERRAL**

The application is referred to planning committee because it is over 10 units and is therefore a major development.

**DESCRIPTION OF SITE AND CONTEXT**

The application site relates to a large three storey detached Victorian building. The property is set on a relatively flat piece of land at the top of a hill and is surrounded on several elevations by large mature trees a number of which are protected by TPO's. Located to the front is an area of public open space and to the rear are a number of residential properties. The property itself is accessed via single track road, which is accessed off Broad Street. The property is constructed out of red facing brick under a slate roof. The building has been vacant for a number of years. The application site is located wholly within the Crewe Settlement Boundary.

**DETAILS OF PROPOSAL**

The proposal is for a housing scheme for over 55's and comprising of 16 No. apartments in total. A mixture of apartment sizes has been provided and comprises 6 no. two bedroom apartments, 6 no. one bedroom apartments and 4no. one bedroom 'plus' apartments. The 'plus' apartments have sufficient space within the lounge for a visitor or carer to stay. The apartments would be contained within a single block fronting Badger Avenue with some car parking and the bin store will be located at the front of the apartment block. However, the majority of the car parking and amenity areas will be located to the side of the proposal.

The proposed development will be three storeys in height and is broken up into three sections with the ridge of the central section set down and will incorporate projecting gables and balconies.

## **RELEVANT HISTORY**

7/17648 - Conversion from 10 No. bed-sit units to 10 No. self-contained flats – Approved – 12<sup>th</sup> October 1989

7/05124 - Garaging of single decker bus for private use and maintenance of same – Approved – 29<sup>th</sup> March 1979

## **POLICIES**

### **National Policy**

The application should be determined in accordance with national guidance set out in:

National Planning Policy Framework

### **Local Policy**

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

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)

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

RES.7 (Affordable Housing within the Settlement Boundaries of Crewe, Nantwich and the Villages Listed in Policy RES.4)

TRAN.9 (Car Parking Standards)

NE.5 (Nature Conservation and Habitats)

NE.9 (Protected Species)

## **CONSIDERATIONS (External to Planning)**

**United Utilities:** No objections

**Ecology:** No objections subject to conditions relating to survey for breeding birds, bat mitigation and incorporation of features for breeding birds

**Environmental Health:** No objections subject to conditions relating to hours of construction, piling, dust control, lighting scheme and contaminated land

**Housing:** No objections

**Landscape:** No objections

**Local Sustainable Transport Fund Project:** The site entrance road leaves Broad Street at the same location as the Leighton Greenway, an off-road route for pedestrians and cyclists between the north west area of Crewe and towards the town centre. There are aspirations to improve the connectivity between this Broad Street terminus of the Greenway and the town centre itself by relocating the terminus at the Badger Avenue/Broad Street junction which is the desire line for users. The relocation of this Greenway would also remove any potential conflict between users and vehicles accessing the proposed development.

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

The Council recognises the need to redevelop the site, but feels it is regrettable that a house of historical significance is being demolished to provide for the development. The apartment building at three storeys is not in keeping with the houses in adjacent areas. We also believe that consideration needs to be given in terms of access to the site for older people as the main access routes seem to be at the foot of the hill away from the development.

## **OTHER REPRESENTATIONS**

1 letter of objection has been received from the occupiers of 101 Bedford Street. The salient points raised are as follows:

- Brooklands House has been a landmark for over a century and adds to the distinction of the area;
- Crewe has lost too many of its Victorian buildings and the place loses its sense of identity;
- The existing building should be retained and refurbished

## **APPLICANT'S SUPPORTING INFORMATION**

### **Design and Access Statement**

A Design and Access statement has been submitted to accompany the application. This is available on the application file and provides an understanding of the proposal and why it is required.

### **Protected Species Survey**

## **Tree Report Transport Statement**

### **OFFICER APPRAISAL**

#### **Principle of Development**

The site lies within the settlement boundary for Crewe, where there is a presumption in favour of new development, subject to compliance with other local plan policies. The site is a vacant brownfield site which would be brought back into beneficial use. The proposal would also provide 16 units towards the Council's housing land supply, which will ease pressure on green field sites elsewhere within the Borough.

The NPPF states that, the purpose of planning is to help achieve sustainable development. *"Sustainable means ensuring that better lives for ourselves do not mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world."* There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles including, an economic role – contributing to building a strong, responsive and competitive economy, as well as an environmental role – contributing to protecting and enhancing our natural, built and historic environment and a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations.

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. The document states that for decision taking this means, inter alia, approving development proposals that accord with the development plan without delay.

According to paragraph 17, within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. According to the 12 principles planning should, inter alia, proactively drive and support sustainable economic development. The NPPF makes it clear that *"the Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future."*

According to paragraphs 19 to 21, *"the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system. To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century. Investment in business should not be overburdened by the combined requirements of planning policy expectations."*

Furthermore, it states that when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate economic development. Local Authorities should therefore, inter alia, consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust

growth after the recent recession; take into account the need to maintain a flexible and responsive supply of land for key sectors; consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits and ensure that they do not impose unnecessary burdens on development.

The proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to the town including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Therefore, provided that the proposal does not compromise key sustainable development principles, or conflict with any other adopted Local Plan policies it is in accordance with government policy and therefore should be supported in principle.

## **Design**

Guidance advocated within NPPF supports a mix of housing within areas. Policy BE.2 (Design Standards) is broadly in accordance with this guidance but places greater emphasis on the impact to the streetscene and encouraging development which respects the character, pattern and form of development within the area.

As a matter of fact, the NPPF states *'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'* (paragraph 64)

However, the NPPF clearly states that *'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness'* (paragraph 60).

The design of new development should be of a high standard and wherever possible the built environment and surroundings should be enhanced. It is important that the relationship with the existing street scene is considered and improved, and not harmed by new development. (SPD – Development on Backland and Gardens: paragraph 3.5)

The collection of dwellings around the application site have been constructed over approximately the last 120 years and provide a eclectic mix of architectural styles, forms and differing scales of dwellings. The application building is roughly in the shape of a letter 'U'. The existing building which will be demolished to make way for the proposal measures approximately 10m high. However, the proposed apartment block will be approximately 12.9m high (a difference of 2.9m). However, given its relative remote location and the proposal will be screened by existing trees, it will not appear overly conspicuous or incongruous.

The proposed apartment block will be constructed on the footprint of the former building following its demolition. It is noted that the proposed apartment block is larger than the existing building and the proposed footprint will subsume it. According to the submitted plans the proposed three storey apartment block will measure approximately 12.9m high by 37.5m long and 18.8m deep (at the widest points). The apartment block will be constructed out of

facing brick with the central recessed section rendered. The building will incorporate a cement tile roof, and a condition relating to materials will be conditioned, in the event that planning permission is approved.

The building will incorporate a pitched roof design, which is in keeping with the general character of the area. The building has a long range and in order to break up its massing is divided into three sections. The central section is set back and the ridge is stepped down. Furthermore, this section is rendered (which is in contrast to the flanking sections which are constructed out of facing brick) and the roof contains a number of solar panels. It is considered that given the central section is recessed helps to relieve the overall massing of the proposal. Additionally, on the front elevation are two projecting gable elements, which help to break up the otherwise stolid elevation. Located at the rear are two smaller outriggers which are two storey in height.

The building will incorporate sill details and recessed windows and as such will harmonise with the proposed dwellings. Located on the elevations of the building are a large number of apertures of various sizes and a number of these windows will incorporate balconies. The pattern of fenestration creates a strong vertical emphasis which is reminiscent of the bay windows which are characteristic of many of the terraced streets in the vicinity. Overall, it is considered that the design and proportions of the proposed apertures will not appear as alien or incongruous features.

Internally the apartment block will comprise of 6no. apartments on the ground and first floors, and 4no. apartments on the second floor.

Overall, it is considered the proposal would not detract from the identifiable character of the locality and its sense of place. Furthermore, due to the nature of the plot, nature and sale of the existing built form and the intervening road and the boundary treatment, the application site will not have a significant detrimental impact on the character and appearance of the streetscene and as such the proposal is in accordance with policy BE.2 (Design Standards).

### **Amenity Considerations**

Policy BE.1 (Amenity) states that development will be permitted provided that the development is compatible with surrounding land uses, does not prejudice the amenity of future or neighbouring occupiers, does not prejudice the safe movement of traffic and does not cause an increase in air, noise, water pollution which might have an adverse impact on the use of land for other purposes.

It is considered that the redevelopment of the site for housing within an existing residential area is considered to be compatible with the surrounding land uses. The proposals are also unlikely to result in noise, air or water pollution. A principle consideration in determining this application is its effect upon the amenity of adjacent occupants. The general thrust of Policy BE.1 requires that development does not have a prejudicial impact on the amenity of occupiers in an adjacent property.

The development site is surrounded by residential properties to the north and west with an area of public open space to the east and south.

Located directly to the north of the application is a church hall and slightly offset to the north east is the vicarage. According to the submitted plans there is a distance in excess of 25m separating the church hall and vicarage from the application site. Furthermore, there are no principal windows located in this elevation which would potentially over look these properties. It is noted that there is a balcony serving unit 10, which result in some perceived over looking and loss of amenity and as such a condition will be attached requesting that a privacy panel is erected. Overall, it is considered given the separation distances, boundary treatment and landscaping (to be conditioned) will help to mitigate any negative externalities.

There is a large two property located immediately to the west of the application site. It is noted on the proposed apartment block there are number of balconies and other principal room windows. According to the Councils SPD Development on Backland and Gardens there should ideally be a distance of 21m between principal elevations, 13.5m between a principal elevation with windows to habitable rooms and blank elevation and in the case of flats there should be 30m between principal elevations with windows to first floor habitable rooms. According to the submitted plans there is a separation distance in excess of 30m separating the application site from this property. Furthermore, there are number of large mature trees located in between the properties. Consequently, it is considered given the intervening trees and the separation distances will help to alleviate any problems caused by the proposed development.

Located to the north west of the application site are a number of modern two storey properties. These properties are slightly offset from the proposed apartment block. There is a distance of approximately 18.5m separating the rear elevation of these properties from the two storey outrigger located on the rear of the apartment block. As previously stated there are no principle habitable room windows in this elevation of the apartment block. According to the submitted plans unit no. 9 has a balcony and to prevent any undue overlooking a privacy panel is proposed, which will be conditioned accordingly. Overall, it is considered given the separation distance, orientation and juxtaposition of the properties and the boundary treatment will help to resolve any problems associated with the proposal.

### **Affordable Housing**

The proposal is for the creation of 16no. affordable homes for the over 55's comprising of 6 no. two bedroom apartments, 6 no. one bedroom apartments and 4one bedroom 'plus' apartments to be let as affordable rented housing.

The Strategic Housing Market Assessment Update 2013 identified a requirement for 12 x 1 bed and 20 x 2 bed older persons accommodation each year between 20013/14 – 2017/18 in the Crewe sub-area, which is the area this site is located in.

131 applicants aged 60 or over on the housing register with Cheshire Homechoice have selected one of the Crewe re-housing areas as their first choice and also require a 1 or 2 bed property.

The Interim Planning Statement: Affordable Housing states that Affordable homes should be constructed in accordance with the standards proposed to be adopted by the Homes and Communities Agency and should achieve at least Level 3 of the Code for Sustainable Homes

(2007). It also states that properties should be constructed in accordance with the Design and Quality Standards adopted by the Homes and Communities Agency.

Overall, it is considered given that the provision of 100% affordable housing on the site is to be provided and retained and given that the applicant is an RSL, this will be secured via condition and as such the proposal is in accordance with Policy RES.7.

### **Highways**

The comments of the Highway officer were awaited at the time of report preparation and a further update to Members will be provided prior to their meeting.

### **Landscaping**

Policy NE.5 (Nature Conservation and Habitats) states that the LPA will protect, conserve and enhance the natural conservation resource. The policy goes on to stipulate in the justification 'Landscape features can be important individually, as well as helping to enrich the character of the landscape. These features should be conserved wherever possible'.

As previously stated the site is a 0.5 ha site located at the top of a bank adjoining public open space and is accessed by a track leading through the open space from Broad Lane. The site is currently occupied by a Victorian building and has significant tree cover.

The existing building is visible from the surrounding road network and the public open space although the existing tree cover provides a degree of screening. Whilst the proposal would result in some vegetation losses, much of the mature screening vegetation would be retained. It is acknowledged that as the development would occupy a much larger footprint and have a higher ridge level than the existing building it would be more prominent to view in the short term. However, as immature trees within the public open space mature, the level of screening afforded would increase. The Councils Landscape Officer has been consulted and considers the 'proposals to be reasonable and sympathetic to the development proposed'.

### **Trees**

The comments of the tree officer were awaited at the time of report preparation and a further update to Members will be provided prior to their meeting.

### **Ecology**

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 NE.9 states that development will not be permitted which would have an adverse impact upon species specially protected under Schedules 1, 5 or 8 of the wildlife and Countryside Act 1981 (as amended), or their habitats. Where development is permitted that would affect these species, or their places of shelter or breeding, conditions and/or planning obligations will be used to:

- facilitate the survival of individual Members of the species
- Reduce disturbance to a minimum
- Provide adequate alternative habitats to sustain the current levels of population.

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 been consulted on the application and confirmed that the application is supported by an acceptable ecological survey. He advises whilst badgers are likely to be active in this broad locality no evidence of badgers was recorded during the submitted survey. He therefore advises that badgers do not present a constraint upon the proposed development.

The Councils ecologist acknowledges that there was evidence of bat activity in the form of a minor roost of a relatively common bat species has been recorded within the existing building. The usage of the building by bats is likely to be limited to small numbers of animals and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have a LOW impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report recommends the installation of bat boxes on the nearby trees and a replacement features for roosting bats in the propose apartment block as a means of

compensating for the loss of the roost and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed. Therefore, if planning permission is to be approved a condition relating to bat mitigation will be attached to the decision notice.

In addition to the above, conditions relating to breeding birds will be condition accordingly. Overall, it is considered that the proposal is in accordance with policy NE. (Protected Species).

### **Drainage**

Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall. Advice advocated within the NPPF states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development. It is possible to condition the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff generated by the development is sufficiently discharged. This will probably require the use of Sustainable Drainage Systems (SUDS) which include source control measures, infiltration devices as well as filter strips and swales which mimic natural drainage patterns. Overall, it is considered that the application is in accordance with policy BE.4 (Drainage, Utilities and Resources).

### **Other Matters**

Whilst the demolition of Brooklands House, which is a large imposing Victorian property is regrettable the building is not listed and neither is it on the local list. Therefore, it is considered that there is insufficient justification to warrant a refusal on these grounds and sustain it at any future appeal.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed apartment block would be sited within the settlement boundary of Crewe which is acceptable in principle. It is considered that the proposed development can be carried out on the site without causing harm to the character and appearance of the streetscene, the amenity of neighbouring properties or highway safety. The proposal is therefore in compliance with Policies NE.5 (Nature Conservation and Habitats), NE.9 (Protected Species), 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), RES.2 (Unallocated Housing Sites) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice advocated within the National Planning Policy Framework.

### **Approve subject to conditions:**

- 1. Standard time limit**
- 2. Plans**
- 3. Materials to be submitted and agreed in writing**

4. **Submission and approval of boundary treatment**
5. **Surfacing materials to be submitted and agreed in writing**
6. **The proposed development to proceed in accordance with the recommendation made by the submitted Bat Method Statement dated September 2013 unless varied by a European Protected Species license subsequently issued by Natural England.**
7. **Prior to undertaking any works between 1<sup>st</sup> March and 31<sup>st</sup> August in any year, a detailed survey is required to check for nesting birds. A report of the survey and any mitigation measures required to be submitted and agreed by the LPA.**
8. **Prior to the commencement of development the applicant to submit detailed proposals for the incorporation of features into the scheme suitable for use by breeding birds. Such proposals to be agreed by the LPA. The proposals shall be permanently installed in accordance with approved details.**
9. **Affordable Housing**
10. **Submission of Drainage Scheme**
11. **Provision of Car Parking**
12. **Landscaping scheme to be submitted and agreed in writing**
13. **Implementation of Landscaping Scheme**
14. **Details of Bin Storage Area to be submitted and agreed in writing**
15. **Details of the privacy panel to the balcony to be submitted and agreed in writing**
16. **Notwithstanding the plans hereby approved details of the privacy panel to unit 10 to be submitted and approved in writing**
17. **Contaminated Land**
18. **Construction Hours**  
**Monday – Friday 08:00 to 18:00 hrs**  
**Saturday 09:00 to 14:00 hrs**  
**Sundays and Public Holidays Nil**
19. **Piling Hours**
20. **Details of lighting scheme to be submitted and approved in writing**
21. **Dust Control**

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