

Planning Reference No:	09/1109N
Application Address:	Land Adjacent to Brooklands Cottage, Ford Lane, Crewe
Proposal:	New Residential Development with New Access Road and Associated Parking
Applicant:	Markden Ltd
Application Type:	Full
Grid Reference:	370032.44 356634.79
Ward:	Crewe North
Earliest Determination Date:	31 August 2009
Expiry Dated:	22 September 2009
Date of Officer's Site Visit:	11 June 2009
Date Report Prepared:	14 August 2009
Constraints:	

SUMMARY RECOMMENDATION

APPROVE (subject to conditions)

MAIN ISSUES:

- Impact on the Character of the Area
- Impact on Highway Safety
- Impact on Neighbouring Amenity
- Impact on Drainage and the Water Environment
- Impact on Protected Species and Nature Conservation

1. REASON FOR REFERRAL

This application is to be determined by the Southern Planning Committee as the application relates to the creation of over ten residential units.

2. DESCRIPTION OF SITE AND CONTEXT

This detailed application relates to the redevelopment of a 0.25ha site within the settlement boundary of Crewe. The application site comprises a rectangular plot of land occupying an elevated position adjacent to a bend in Ford Lane, opposite to the road junctions of Ellis Street and Princess Street. The site is adjacent to the church hall and rectory and opposite the graveyard associated with St. Michael's Church on Ford Lane. The nearest properties are along Ford Lane as the road slopes down towards Badger Avenue and these are predominantly Victorian terraces. There is a relatively large property directly beyond the southern boundary (Brooklands Cottage).

The boundary treatment around the site consists of iron railings. The site itself is relatively overgrown with various shrubs and bushes, with changing levels a feature of the site. In addition there are a number of mature trees on site, particularly to the north-western boundary with Ford Lane.

3. DETAILS OF PROPOSAL

The proposals as originally submitted related to the erection of 14 houses on the site arranged in 3 blocks but the scheme has since been amended and now relates to the erection of 13 houses in a terraced formation with provision for 15 car parking spaces. The access point will lie adjacent to St Michaels Parish Hall.

4. RELEVANT HISTORY

7/19814 Outline application for residential development.

Approved 26/07/1991

P01/0315 Outline Application for Residential Development.

Approved 22/05/2001

P02/1227 Ten Houses & Two Flats with Associated Parking.

Approved 04/02/2003

5. POLICIES

Regional Spatial Strategy

EM2 (Remediating Contaminated Land)

EM17 (Renewable Energy)

L4 (Regional Housing Provision)

DP2 (Promoting Sustainable Communities)

MCR4 (South Cheshire)

Local Plan Policy

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.6 (Development On Potentially Contaminated Land)

RES.1 (Housing Allocations)

RES.3 (Housing Densities)

TRAN.9 (Car Parking Standards)

Other Material Considerations

SPD Backland Development and Development on Gardens 2008

PPS1: Delivering Sustainable Development

PPS3: Housing

PPS9: Biodiversity and Geological Conservation

PPG13: Transport

PPS23: Planning and Pollution Control

6. CONSULTATIONS (External to Planning)

Highways

Visibility issues at proposed access. Visibility to the right when exiting Brooklands Avenue junction with Broad Street is also poor due to trees.

For the Highways Authority to support this application, the visibility splays will need to be improved at the access and the ramped footway altered in accordance with Cheshire East standards as the development will increase turning movements at this location.

A suite of plans showing must be provided and approved by the LPA before permission is granted.

Visibility is an issue due to trees.

United Utilities

No objection to the proposal. This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Foul drainage must be connected to the existing 375mm diameter public sewer in Ford Lane. Surface water must be connected to the existing 1800mm diameter public Surface water sewer crossing Ford Lane. Surface water flow attenuation is not required. All surface water drains must have adequate oil interceptors.

7. OTHER REPRESENTATIONS

Letters of objection received from the occupiers of 1 & 2 Ellis Street, Brooklands Cottage and 215 Ford Lane, Crewe relating to the following matters:

- amenity: overlooking, noise and light pollution
- trees: loss of trees
- highway safety: visibility issues, additional on street car parking and pedestrian safety, increased traffic movements
- protected species

Petition received objecting to the application with 9 signatures

8. APPLICANT'S SUPPORTING INFORMATION

Planning, Design and Access Statement (Emery Planning Partnership 2009)

- Proposed development represents efficient use of land
- Site identified as a housing commitment in the local plan
- Development compatible with the surrounding area and reflects its local character
- Development would not appear out of keeping
- Proposal would not result in overlooking or loss of privacy to neighbours
- Adequate levels of car parking would be provided in a safe and secure location. In any case the location is highly sustainable and lends itself to reducing reliance on the private motor car.
- Planning permission granted in 1991, 2001 and 2002 which is a material consideration

Protected Species Survey (Biota 2009)

- Recommends works take place outside bird breeding season or site inspection prior to works commencing
- Bat and swift boxes should be incorporated into the development

Geotechnical and Environmental Investigation Report (Rutter Johnson 2005)

- The chance of the site being affected by on site landfill gas is negligible
- There are elevated levels of arsenic and zinc.
- Recommends a localised reduced level excavation of 600mm be carried out and the provision of a clean capping layer.

Arboricultural Statement (Landscape Design Solutions 2009)

- There are 8 individual trees to the frontage of the site 4 No. Lombardy Poplars (*Populus nigra 'Italica'*), 2 No. Limes (*Tilia cordata*) and 2 No. Sycamores (*Acer pseudoplatanus*)
- Trees T1, T2, T4 & T7 are the Lombardy Poplars (*Populus nigra 'Italica'*) due to their nature and the fact that they are becoming over they have little long term potential. Trees T3 & T5 Limes (*Tilia cordata*) and T6 & T8 Sycamores (*Acer pseudoplatanus*) all have some health issues with regards to damage to trunks, broken and or dead limbs to canopy, and invasive Ivy growing up trunks. These trees would need remedial work to secure there long term future.
- With the proposed Site Layout it would not be possible to retain any of these trees so as such I have recommended there removal.

9. OFFICER APPRAISAL

Principle of Residential Development

The site lies within the settlement boundary of Crewe and is allocated under policy RES.1. Residential development on the site is therefore acceptable in principle, subject to details relating to matters of design, amenity, car parking, access and drainage considerations.

This approach is advocated by National Planning Guidance (PPS3: Housing) which states that most additional housing development should be concentrated in urban areas. This should involve the more efficient use of land by maximising the re-use of brownfield urban land to minimise the amount of greenfield land being taken for new development. Annex B of PPS 3 (Housing) classes the curtilage of a building as previously developed land. Therefore, the site is not regarded as greenfield land. In light of this, and considering the proximity of this site in relation to public transport and local services, the broad principle of residential development in this location is considered to be acceptable.

PPS3 does not offer any density threshold for new developments; it only stipulates a minimum of 30 dph. That said, policies RES.3 suggests between 30-50 dph where the quality of the local environment is not compromised and provided that this is on a scale in keeping with the character of the area. In this instance, the proposals achieve a density of 52 dph which accords with national guidance. In addition, this is an urban location within a short walking distance of Crewe town centre and the site itself is in need of regeneration.

As this is a brownfield site in a highly sustainable location with good access to public transport and the redevelopment of the site would result in the regeneration of the area and benefit the local economy, the principle of residential development is accepted.

Nature Conservation

There are 8 mature trees at the front of the site; 4 poplars, 2 lime trees and 2 sycamore trees. The tree report submitted indicates that these trees have little long term potential and require remedial work and then goes on to state that as it is not possible to retain these trees within the site layout removal is recommended.

The Local Planning Authority has concerns regarding these recommendations. The tree survey schedule only indicates that the poplars are over mature and not the limes or sycamores. Moreover the overall health of the trees requires remediation only and these trees are prominent and contribute to the character of the area. The Council's landscape architect has also indicated that the tree report has failed to consider the impact of the development on trees overhanging the rear boundary to Brookland Cottage. The impact of the development on the mature trees alongside the southwestern boundary of the site with the grounds of The Brooklands was duly considered in 2002 as amendments were secured to the car parking layout to re-site car parking spaces away from the canopies of these trees.

Although the number, height and species of the trees will make it difficult to ensure that all are kept, where appropriate they should be retained as part of any landscaping scheme on the site.

An amended layout has been provided which enables the retention of the sycamore and lime trees along with additional planting to the frontage. Whilst some of the car parking will be located under the canopies of trees within the curtilage of Brooklands Cottage no dig construction, tree protection measures and permeable surfacing materials can all be conditioned accordingly to mitigate for any adverse impact upon these trees.

Protected Species

The plot undoubtedly provides habitat for a number of plant and animal species, however it also appears to be used as an informal public area. In itself the site could not be retained for the purpose of a wildlife habitat.

It should be noted that the site may form a suitable habitat for Bats and Breeding Birds. Bats and Breeding Birds are listed as a protected species under schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Whilst this planning consent cannot implement other legislation, protected species are considered to be a material consideration in the determination of a planning application, and therefore any impact must be considered and mitigated accordingly.

Circular 06/2005 paragraph; 99 states that 'it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.' This guidance does go on to state that 'developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.'

The above circular along with PPS9 and Policy NE.9 of the replacement local plan 2011 are considered a material consideration in the determination of this planning application.

The protected species survey submitted with the application indicates that there was no evidence of bats or other protected species across the site although the survey does recommend a condition in respect of works undertaken during the breeding season and recommends that the proposed dwellings are installed with bat boxes. This will be conditioned accordingly.

Amenity

There is a relatively large property directly beyond the southern boundary (Brooklands Cottage). However there are no principal windows in the elevation facing the site and therefore no privacy or overshadowing issues are raised.

Plots 4-10 are located less than 18m from the principal elevations of properties at 198-215 Ford Lane, which is below the separation distance of 21m sited in the SPD. However it is considered that the proposals would not have a significant adverse impact on the amenities of these properties by reason of overlooking given the difference in topographical levels and that the properties are on the opposite side of the road. Also it should be noted that this separation distance was considered to be acceptable when previous approvals were granted.

With regard to amenity considerations within the site, between plots 1-3 and plots 11-13 there is a separation distance of between 20-21m which accords with the prescribed separation distances advocated by the SPD: Development on Backland and Gardens. This will provide an adequate standard of amenity for future occupants of these units.

Whilst the staggered building line will breach the 45 degree code between the proposed units, because the properties are north facing this will not be detrimental to the amenities of future occupants.

Some of the units have less than the 50 sq. m of private amenity space as stipulated within the SPD. That said, these are modest properties and there is an amount of defensible space to the front of the properties and landscaped 'buffer' areas. On balance it is considered that the development provides adequate amenity space for dwellings of this size.

Design Standards

Elevational Treatment

The prevailing character of the area comprises public open green spaces bounded by Victorian terraced properties which abut the road frontage. The detailing on these properties includes large scale elements, sill and lintel detailing, sash windows, chimneys, contrasting brick banding and ground floor bay windows.

The existing dwellings along Ford Lane are attractive, substantial brick and tile properties which reflect the symmetry and proportions common in Victorian architecture.

Amended plans have been received following officer concerns regarding elevational treatment.

The elevations now include a chimney feature, contrasting brick banding, bay windows, eaves and lintel detailing and provide a long and staggered terrace which reflects the streetscene along Ford Lane.

The proposals replicate the symmetry and rhythm which feature so strongly within the existing properties along Ford Lane.

In summary the proposals provide a high standard of design which responds to its context. In so doing the proposals respect the pattern, character and form of the surroundings which enhances the built environment.

Layout

The SPD on Extensions and Householder Development para 3.3 states that a development which looks out of place and doesn't respect the positive characteristics of immediate surroundings will not be permitted. It then goes on to state at para 3.6 that developments which look cramped or fail to comply with appropriate spacing, and open space guidelines will not be permitted.

The area is urban in character with regular and distinctive breaks in the built form created by greenspaces. This spacing between dwellings gives the area its distinctive character.

The proposals provide a terraced form of dwellings which reflects the existing terraces along Ford Lane. The proposals also provide greenscape and soft landscaping and the staggered arrangement of the terrace breaks up the bulk and massing of the terrace.

The layout respects the terraced nature of the surroundings, addresses the corner, provides green buffer areas, retains the existing prominent trees, provides amenity space and defensible space and consolidates car parking areas to the rear of the development. The group of three properties to the rear of the site also seek to terminate the view from the access road. All of the above create a form and layout which respects and enhances the character and appearance of the area.

Boundary Treatment

The boundary treatment around the site consists of iron railings. These enhance the character and appearance of the area. Any development of the site should be required to ensure that these railings are retained where appropriate in order to maintain this character. As the chainlink fence to Brooklands Cottage and the loss of the railings is not considered to be appropriate, boundary treatment details will be conditioned accordingly.

Car Parking

There is an existing highway access on to the site from Ford Lane, although it is currently unused. This is near the existing church hall, rather than towards the junction with Princess Street. The entrance, in its current form, is not acceptable for serving a site with a number of houses on. However a widening of this access and the retention of the required visibility splays, rather the creation of a new one elsewhere on the site, would be sufficient to satisfy both safety and design requirements. Whilst the Highways Authority has concerns regarding visibility, this issue is not insurmountable and it is considered that improvements to the visibility splays and widening of the access can be conditioned accordingly.

On-street parking along Ford Lane and other side roads can cause problems in the locality particularly when the Church is used for weddings and funerals. It is also understood that Ford Lane is used by motorists as a "short cut" between McLaren Street and Broad Street.

With regard to traffic generation it is important to ensure that these problems are not exacerbated. The proposals provide 15 spaces for the 13 units. Whilst this is below the 200% provision within the Local Plan, the standard is a maximum. Furthermore the site is in a sustainable location within walking distance of Crewe town centre where there is a range of means of public transport and access to shops and services. It is difficult therefore argue that the development would result in on street parking problems.

The Highway Authority considers that small residential developments of this kind only generate low levels of additional traffic movements. It is therefore considered that that the proposals will not have an appreciable impact on highway safety or traffic congestion in the area. It is also considered that use of the church and graveyard will principally occur outside of peak traffic periods, which will coincide at the times when very few vehicle movements will be generated by the development.

Contaminated Land

The applicant has submitted a Geotechnical and Environmental Investigation Report which indicates that the chance of the site being affected by on site landfill gas is negligible, but there are elevated levels of arsenic and zinc. The report suggests a localised reduced level excavation of 600mm be carried out and the provision of a clean capping layer.

No response has been received from the Contaminated Land Officer and therefore the recommendations of the report will be conditioned accordingly.

Renewable Energy

Policy EM17 of Regional Spatial Strategy requires that 10% of the developments energy needs are met by renewable energy sources. It is considered that solar panels could be provided on the southern elevations. There are no calculations to demonstrate that this will provide for the energy needs of the development and therefore this together with provision of solar panels, will be conditioned accordingly.

Drainage

The applicant has indicated that the site will be drained via the mains sewer. No objections have been received from United Utilities. In this instance, given the contamination issues with the site it is considered necessary to condition details of the drainage scheme, which should include SUDS, given the amount of additional hardstanding proposed.

10. CONCLUSIONS

The proposals as amended respect the character and appearance of the streetscene and will improve the character of the area. In addition the proposals are acceptable in terms of the impact on protected species, trees, highway safety, and contaminated land. There is also a historic precedent for residential development on the site. The proposals accord with policies NE.5 (Nature Conservation and Habitats), NE.9 (Protected Species), BE.1

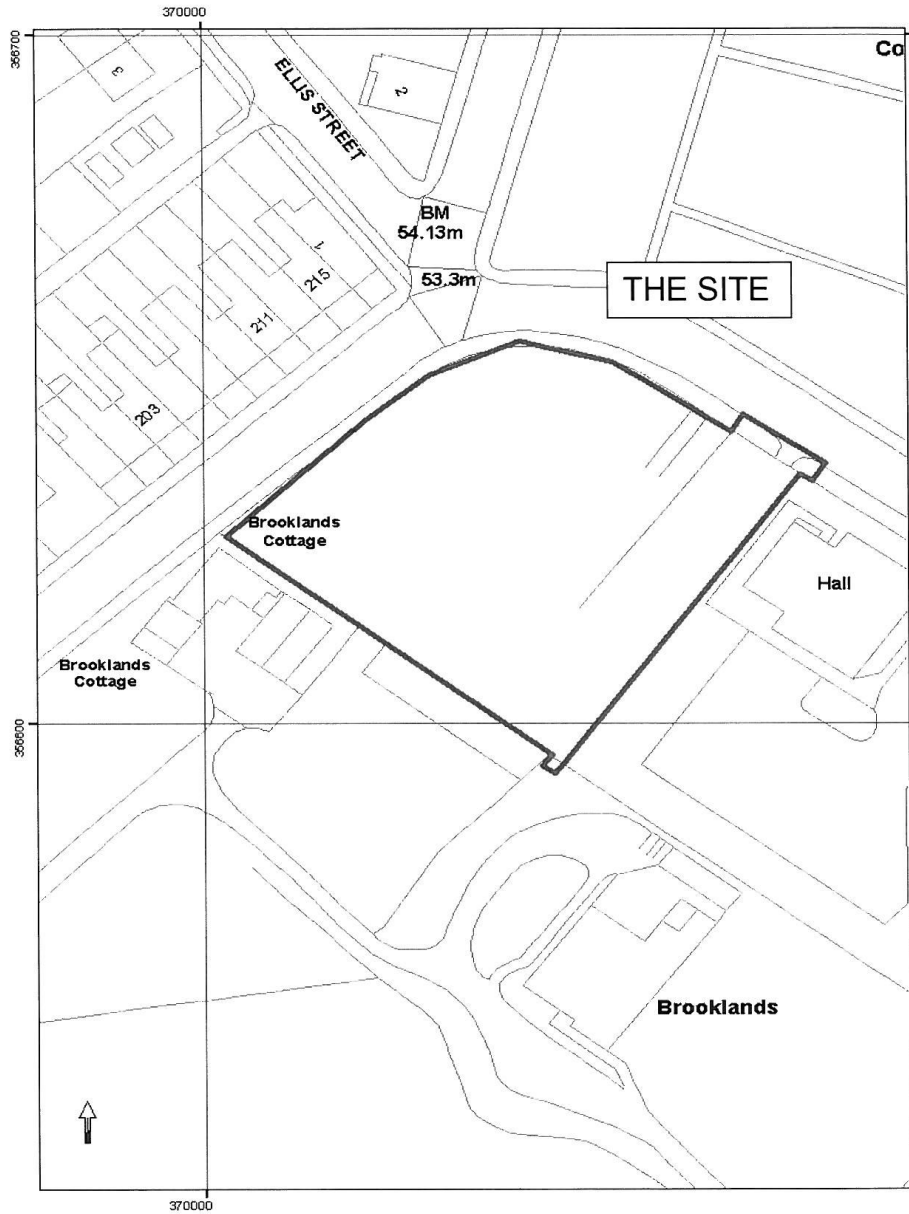
(Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.6 (Development On Potentially Contaminated Land), RES.1 (Housing Allocations), RES.3 (Housing Densities) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and policy EM17 (Renewable Energy) within the North West of England Plan Regional Spatial Strategy to 2010 and guidance contained within the Development on Backland and Gardens Supplementary Planning Document.

11. RECOMMENDATIONS

APPROVE subject to conditions

- 1. Standard time limit**
- 2. Materials**
- 3. Approved plans**
- 4. Surfacing materials**
- 5. Drainage and sustainable urban drainage**
- 6. PD rights removed**
- 7. Visibility splays, footway and access improvements**
- 8. Landscaping- sycamore and limes to be retained**
- 9. Landscaping implementation**
- 10. Protected species survey recommendations**
- 11. Contaminated land survey recommendations**
- 12. Windows behind reveal**
- 13. Car parking and turning spaces to be provided**
- 14. Renewable energy measures**
- 15. Boundary treatment- railings to be retained and refurbished**
- 16. Construction outside breeding season**
- 17. Tree protection measures and no dig construction**

Location Plan



09/1109N – Land adjacent to Brooklands Cottage Ford Lane Crewe

N.G.R; - 370.041 356.629

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Not to Scale