

Application No: 23/0727N

Location: LAND ADJACENT To 179, ALTON STREET, CREWE

Proposal: Erection of two sets of two semi-detached properties and a rear extension to no.179 (renewal of planning permission 19/0339N)

Applicant: Mr David Mitchell, Mitchell Homes Ltd

SUMMARY

The application relates to the residential development of land located between 179 and 169 Alton Street. An identical development has previously been approved on the site (19/0339N).

The site lies within settlement boundary of Crewe and the principle of residential development is therefore acceptable.

The development is of acceptable layout and design which respects the character of the locality, in compliance with Policies SE1 of the CELPS, the CEC Design Guide and GEN1 of the SADPD. An acceptable landscaping scheme can be secured through the imposition of a planning condition.

The proposed access points from Alton Street, on-site parking provision and the traffic impact of the scheme are considered to be acceptable in accordance with Policies, CO1 and SE1 of the CELPS . and Policy INF3 of the SADPD.

The development will not have a detrimental impact upon residential amenity and would comply with Policies HOU1, HOU12 and HOU13 of the SADPD.

The development is acceptable in terms of its impact upon ecology, trees and hedgerows in accordance with Policies SE3 and SE5 of the CELPS, and policies ENV3, EN5 and ENV6 of the SADPD.

The drainage/flood risk implications for this proposed development are considered to be acceptable and subject to conditions including levels and details of the drainage strategy. The development would comply with policies SE13 of the CELPS and ENV16 of the SADPD. Issues relating to land contamination can be satisfactorily addressed through planning conditions including the submission of an updated ground gas risk assessment and a remedial strategy for the site.

In conclusion, the proposed represents sustainable development in compliance with the Development Plan as a whole, and is therefore recommended for approval.

SUMMARY RECOMMENDATION

Approve with conditions.

REASON FOR REFERRAL

The application has also been the subject of a call-in request by Cllr Connor Naismith for the following reasons:

The parking provision is below the Cheshire East requirement, and I think there is a strong likelihood this will lead to on-street parking, either from visitors to the properties or from the occupiers themselves. This coupled with the fact that the properties would be situated on a bend presents a risk of road traffic incidents.

I am also concerned about the loss of trees and hedges and the impact this may have on biodiversity/ecology. It is accepted by the Tree survey that several of the trees proposed to be removed are in good condition, but removal is justified on the basis they are of low amenity value. I think this is potentially a subjective view and warrants further scrutiny by committee.

I also noted from the decision report from the 2019 application that there was some concern over the impact on the amenity of 179 and 169 Alton Street but the applicant was going to take some steps to mitigate this. I would want some assurances that the same is true on this occasion.

Finally, I have concerns about access to the site for the purposes of construction of these properties. I am advised by residents that the applicant was reliant on the use of a private unadopted road which runs behind and very close to several of the neighbouring properties on Alton Street. I am concerned about the impact of large construction vehicles, materials etc on resident amenity and the road itself which is the responsibility of frontagers to maintain. The only other access to my knowledge is via Alton Street, which is clearly also inappropriate, being a narrow, heavily used road on a bend.

SITE DESCRIPTION

The application site is located between 179 and 169 Alton Street within the settlement boundary of Crewe. The site itself has been used as a garden in the past with associated structures that have now been removed.

The site slopes steeply down from Alton Street towards Valley Brook to the north.

Existing residential dwellings stand to the south of the site fronting onto Alton Street.

PROPOSAL

This application seeks full planning permission for the erection of two pairs of semi-detached dwellings fronting onto Alton Street.

The proposal also includes a three-storey extension to the rear of number 179 Alton Street which will help to facilitate the main part of the development.

An identical proposal (19/0339N) has previously been approved, although that permission has since lapsed.

RELEVANT HISTORY

19/0339N - Construction of two sets of two semi-detached houses – Approved with conditions 2019

18/3664N - Construction of two sets of two semi-detached houses – Refused 2018

17/5294N – 6 dwellings – Withdrawn 2018

16/4325N - Outline application for residential development on a brownfield site for 7no. town houses in two rows with two parking spaces each – Withdrawn 2016

PLANNING POLICY

Cheshire East Local Plan Strategy (CELPS)

PG.1 - Overall Development Strategy

PG.2 – Settlement Hierarchy

PG.7 - Spatial Distribution of Development

SD.1 - Sustainable Development in Cheshire East

SD.2 - Sustainable Development Principles

IN.1 – Infrastructure

SE.1 – Design

SE.2 - Efficient use of land

SE.3 - Biodiversity and geodiversity

SE.4 - The Landscape

SE.5 - Trees, Hedgerows and Woodland

SE.6 - Green Infrastructure

SE.9 - Energy Efficient Development,

SE.12 - Pollution, Land contamination and land instability

SE.13 - Flood risk and water management

CO.1 - Sustainable Travel and Transport

Site Allocations and Development Policies Document (SADPD)

PG.9 – Settlement Boundaries

GEN.1 – Design Principles

ENV.1 – Ecological Network

ENV.2 – Ecological Implementation

ENV.3 – Landscape Character

ENV.5 – Landscaping

ENV.6 – Trees, Hedgerows and Implementation

ENV.16 – Surface Water Management and Flood Risk

HOU.10 – Backland Development

HOU.11 – Extensions and Alterations

HOU.12 – Amenity

HOU.13 – Residential Standards

HOU.14 – Housing Density

HOU.15 – Housing Delivery
HOU.16 – Small and Medium-sized Sites
INF.3 – Highway Safety and Access

Other Material Considerations

National Planning Policy Framework (2021)
National Planning Practice Guidance
Cheshire East Design Guide

CONSULTATIONS

Highways – No objections

United Utilities - No objections

Environment Agency – No objections

Flood Risk – No objections

Environmental Protection – No objections

REPRESENTATIONS

Neighbour notification letters were sent to all adjacent occupants, a site notice was erected. In response representations have been received from 17 properties to the proposal have been received. A significant number of comments have been received from one address. The concerns raised are summarised below:

- Highway safety and parking
- Sewage/drainage
- Light pollution
- Loss of outlook
- Loss of privacy
- Noise and disturbance
- Contaminated land
- Flooding
- Loss of light to gardens
- No need for the development
- Foundations of adjoining properties
- Access to the site
- Ownership of existing hedge
- Potential closure of Alton Street
- Errors in application documents
- Design
- Use of track to the rear
- Impact of ecology
- Not a sustainable site

- No solar panels proposed
- Over development of the site
- Air quality
- Japanese Knotweed in the area
- Location of existing sewer
- Bin storage

APPRAISAL

Principle of Development

Policy PG.9 of the SADPD states that:

‘Within settlement boundaries, development proposals (including change of use) will be supported where they are in keeping with the scale, role and function of that settlement and do not conflict with any other relevant policy in the local plan’.

The application site is within the Crewe settlement boundary and the principle of development is therefore acceptable .

Following on from the above, Policy HOU.16 of the SADPD also states that:

‘The particular benefits of providing well-designed new homes on small and medium-sized sites, up to 30 homes, will be given positive weight in determining planning applications’.

An identical development has previously been approved on the site (19/0339N) in 2019, however this approval has lapsed.

Notwithstanding the above, the scheme is also aligned with housing delivery policies; PG1, PG2 and PG7 of the CELPS. As such, the principle of erecting dwellings in this location is acceptable subject to the scheme’s adherence with other relevant local plan policies. These detailed issues are considered below.

Design

Policy SE1 (Design) of the CELPS advises that the proposal should achieve a high standard of design and wherever possible, enhance the built environment. It should also respect the pattern, character and form of the surroundings. This policy is supplemented by the Cheshire East Design Guide SPD.

Policy GEN1 of the SADPD requires that developments should create a sense of place, manage design quality, provide sustainable urban, architectural and landscape design and provide safety, inclusivity and accessibility.

A row of terraced dwellings lies to the west of the application site while to the east is a two-storey detached property. The application site is a small gap in between this existing development. Directly opposite the application site to the south are two modern detached

bungalows, further along to the west of this side of Alton Street are older semi-detached dwellings.

The four dwellings are proposed to front on to Alton Street are two storey to the front elevation and three storey to the rear having taking into account the natural slope of the site and closely resembling the existing properties to either side in terms of height, bulk scale and mass. Furthermore, details such as fenestration also pays close attention to those either side of the application site.

In comparison to the surrounding prevailing character, the proposed dwellings are considered to be sympathetic and in terms of scale, height, bulk and mass when viewed in context of the existing residential development to the north side of Alton Street.

The submitted information has indicated that the proposed dwelling will match the adjacent properties in terms of finishing materials. However a condition is recommended requiring full details of materials to be submitted and approved,

It is therefore considered that scheme respects its surroundings, and its styling and design satisfactorily respect the local context and character of the site.

The submitted plans show each of the proposed dwellings with substantially sized garden which take up the rest of the site until they reach an 8-metre buffer zone at the top of Valley Brook. There is an indication of the proposed boundary treatments. However, conditions will be attached requiring submission of final details should permission be granted.

Overall, the design of the proposed development is considered to be of a size, scale and design that is respectful and appropriate to the character of existing residential development in the locality. Given this, it is considered that there will not be any significant visual impact on the street scene of Alton Street. As such, the proposal is considered to adhere with the objectives of Policy SE1 of the CELPS and Policy GEN1 of the SADPD.

Highway Safety / Access / Parking

The Council's Highway Officer considers that this proposal reflects the previous approval on this site and since there have been no changes to highway related policy or guidance, and the proposal is therefore acceptable.

Although proposed parking provision is below CEC requirements, the Highway Officer considers that the site is sustainably located close to local services and facilities. It is also advised that car ownership in the area shows that the majority of properties own a single car only.

The Highway Officer advises that the use of the proposed driveway accesses on Alton Street will have sufficient visibility of oncoming traffic. Furthermore whilst cars would have to reverse in/out of the driveways, this is also the case with other similar properties including those on the other side of the road which have less visibility. There have also been no recorded traffic accidents in the vicinity of the site over the last 5 years.

The Council's Highway Officer considers that proposed access and parking arrangements are acceptable, and no objection is raised. As such, the proposal is in accordance with Policy INF3 of the SADPD.

Residential Amenity

Policy HOU.11 of the SADPD states that extensions or alterations to existing dwellings should “not cause unacceptable harm to the amenity of nearby occupiers or the future occupiers of the dwelling, with Policy HOU 12 'Amenity'.

Policy HOU 12 of the SADPD requires that new development should not be permitted if it is deemed to cause unacceptable harm upon neighbouring amenity such as from overlooking, visual intrusion or noise and disturbance. In addition, Policy HOU13 of the SADPD identifies the following separation distances;

- 21 metres for typical rear separation distance (24m plus 2.5m per additional storey)
- 18 metres for typical frontage separation distance (20m for three-storey buildings)
- 14 metres for a habitable room facing a non-habitable room (the addition of 2.5m per additional storey).

The closest neighbouring properties to the application site are those to the south of the site fronting onto Alton Street.

The four proposed dwellings will sit in a gap between 179 and 169 Alton Street. Both neighbouring dwellings to either side of the site have blank side elevations facing the proposal site, as such there will be no adverse impact on amenity from this perspective.

Given the position of the dwelling of on Plot 1 there will be a breach of the 45-degree code when applied to the rear principal windows of number 179. However this property is also in the ownership of the applicant and forms part of the proposed development site and involves a three storey rear exte. on to this dwelling. The siting of the proposed extension will effectively mitigate the potential loss of amenity to No.179 from Plot 1 A condition is therefore recommended to ensure the extension is constructed prior to the occupation of the four dwellings.

Furthermore the siting of the rear extension will occupy a recess located between the rear elevation and existing 3-storey outrigger of No.179, ensuring there will not be an adverse impact on the residential amenities of the adjoining terraced property at No.177 Alton Street.

To the east side of the site is the detached dwelling of number 169. The rear elevation of the proposed dwelling of Plot 4 has been staggered so as not to result in any loss of outlook to the rear principal windows of number 169.

In terms of loss of outlook from neighbouring properties on the opposite side of the road there is a separation distance of over the recommended 21 metres. This meets the recommended separation distances of Policy HOU.13 of the SADPD.

It is accepted that the rear windows of the proposed dwellings will allow views over the rear gardens of other properties along Alton Street. However, this is the same situation as with the existing dwellings, therefore it would not be difficult to justify or sustain a refusal on these grounds.

With regard to the dwellings on the opposite side of Alton Street issues regarding headlights of cars turning and parking have been raised. This is a situation which can commonly be found on

residential streets and would only occur for a short period of time as a vehicle was manoeuvring. Furthermore, this situation already occurs along Alton Street.

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

It is therefore considered that the relationship between the proposed development and nearby dwellings is acceptable in terms of amenity impact. The proposal therefore complies with Policies HOU11 HOU12 and HOU13 of the SADPD.

Landscape and Trees

The application site is found in an existing predominantly residential area within the settlement boundary of Crewe and effectively forms a former garden which has been cleared of most vegetation, there are lengths of hedge and several trees on site and off site to the west.

The scheme would result in the loss of some trees in the body of the site and the roadside hedge. None of the trees are exceptional nor protected by any Tree Preservation Order, in any event these trees could be removed without permission whether there was an application or not.

An aboricultural survey has been submitted in support of the application which has highlighted three trees for removal with protection measures being recommended for the remaining trees around the site. Notwithstanding this, a condition will be attached to any permission requiring details of tree and hedge protection measures to be submitted.

In terms of the overall landscaping of site, a comprehensive hard and soft landscaping scheme and implementation will be secured by planning conditions.

Overall, it is considered that the proposed development will not pose any significant landscape or aboricultural issues. As such the application proposal is therefore considered to adhere with Policy SE5 of the CELPS and policies EN5 and ENV6 of the SADPD.

Ecology

The application is supported by an ecology assessment updated from the previous application

Valley Brook and woodland habitat

It is acknowledged that while the proposed development site is identified on the natural inventory as priority woodland it does not contain woodland habitat.

Breeding Birds

If planning consent is granted a standard conditions to protect breeding birds will be attached.

Ecological Mitigation and Enhancement

Policy SE.3 of the CELPS requires all developments to aim to positively contribute to the conservation of biodiversity. This application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. A revised landscaping plan has been submitted which includes provisions for birds, bats and hedgehogs. The Council's Ecologist recommends that if planning permission is granted a condition should be attached requiring adherence to the plan.

Wildlife sensitive lighting

In accordance with the BCT Guidance Note 08/18 (Bats and Artificial Lighting in the UK), the applicant has submitted a lighting scheme (ASK, 1261 28 Rev B) which considers illuminance (lux) and includes dark areas, avoids light spill upon bat roost features, bat commuting and foraging habitat (boundary hedgerows, trees, watercourses etc.) and aims for a maximum of 1lux light spill on those features.

The Council's Ecologist considers the above to be acceptable and recommends a condition requiring adherence to this be attached to any planning permission.

Ecology conclusion

Subject to the above recommended conditions, it is considered that the proposal would adhere with Policies SE.3 of the CELPS and ENV.3 of the SADPD.

Flood Risk and Drainage

A large part of the application site lies within Flood Zone 3, and this will encompass the proposed lower rear garden areas. However, given the levels of the site, which significantly increase towards Alton Street, the proposed dwellings themselves and their immediate rear amenity space will lie within Flood Zone 1 which has less than 1 in 1000 annual probability of flooding and consequently residential use is appropriate in this location.

The application has been supported with the submission of a SuDS maintenance plan, a drainage layout evidenced with the appropriate hydraulic and drainage calculations. These have been reviewed by the Environmental Agency and the Council's Flood Risk Team. The proposed dwellings are to have basements with a floor level of 42.035 m AOD. This is above the modelled 1 in 100 years fluvial flood level in Valley Brook.

The Environment Agency have raised no objection to the principle of the proposed development subject to a condition requiring the development to be implemented in accordance with the proposed floor levels set out above.

The Council's Flood Risk Team has also raised no objections to the proposed development subject to conditions being attached. The issues surrounding flooding and drainage relating to the proposed development of the site were also fully addressed during the consideration of the previous application and subsequent discharge of conditions. A condition is recommended requiring the submission and approval of details of the surface water drainage strategy

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

As such, subject to the recommended conditions, it is considered that the proposed development would adhere with Policy SE.13 of the CELPS and ENV16 of the SADPD.

Contamination

The Council's Environmental Protection Officer is aware that burning of organics/plastics has previously occurred on the site and remnants of the bonfire may pose localised contamination risks. Further to this, anecdotal information available for the site indicates asbestos may be buried on the site, it is advised that this is investigated further.

Following on from the above, a Geo-Environmental report (dated February 2023) has been submitted in support of the application. The Environmental Protection Officer had various queries regarding the previous issue of the report which were resolved under application 21/5193D (discharge of conditions of previous permission 19/0339N), however part of the resolution was a standalone ground gas risk assessment document. As the report currently submitted describes the results of only one ground gas monitoring round with further monitoring outstanding, further information should be provided with regards to ground gas.

The first paragraph of Section 7.5 of the report does not correspond with the rest of the report, however it is expected this is a typographical error. The report describes elsewhere that topsoil materials have not been found suitable for reuse within the development.

The Council's Environmental Protection Officer has no objections to the proposed development subject to a number of conditions including the submission of an updated ground gas risk assessment and a remedial strategy for the site.

Other Matters

Several other issues have been raised by occupiers of neighbouring properties including: no need for the development, foundations of adjoining properties, ownership of existing hedge, potential closure of Alton Street, use of track to the rear, Japanese Knotweed in the area and location of existing sewer. However, these are not considered to be material planning considerations.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The site lies within the settlement boundary for Crewe and the principle of residential development on the site is therefore acceptable.

The proposed development is of acceptable layout and design which respects the character of the locality, in compliance with Policies SE1 of the CELPS, the CEC Design Guide and GEN1 of the SADPD. An acceptable landscaping scheme can be secured through the imposition of a planning condition.

The proposed access points, on-site parking provision and the traffic impact of the scheme are considered to be acceptable in accordance with Policies, CO1 and SE1 of the CELPS . and Policy INF3 of the SADPD.

The development will not have a detrimental impact upon residential amenity and would comply with Policies HOU1, HOU12 and HOU13 of the SADPD.

The development is acceptable in terms of its impact upon ecology, trees and hedgerows in accordance with Policies SE3 and SE5 of the CELPS, and policies ENV3, EN5 and ENV6 of the SADPD.

The drainage/flood risk implications for this proposed development are considered to be acceptable and subject to conditions including details of the drainage strategy and floor levels. The development would comply with policies SE13 of the CELPS and ENV16 of the SADPD. Issues relating to land contamination can be satisfactorily addressed through planning conditions including the submission of an updated ground gas risk assessment and a remedial strategy for the site.

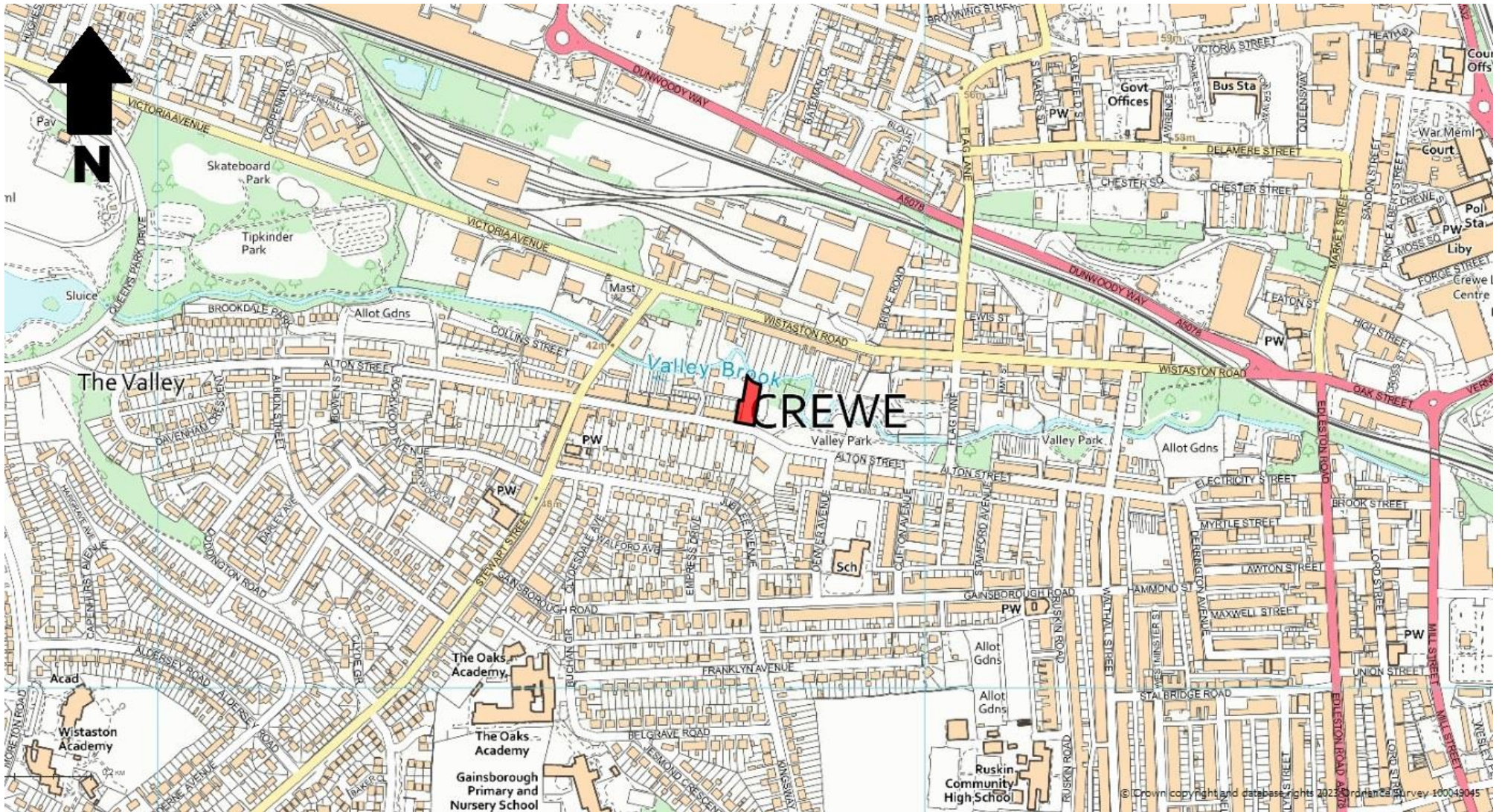
In conclusion, the proposed represents sustainable development in compliance with the Development Plan as a whole , and is therefore recommended for approval.

RECOMMENDATION

APPROVE subject to the following conditions;

- 1. Standard**
- 2. Approved plans**
- 3. Materials as submitted**
- 4. Submission of landscaping scheme**
- 5. Landscape implementation**
- 6. Submission of boundary treatments**
- 7. Removal of PD rights (Part 1 Classes A, B, C and E)**
- 8. Provision of 8m buffer zone at top of Valley Brook**
- 9. Provision of EV charging points**
- 10. Proposed extension to 179 Alton Street to be completed prior to first occupation of proposed dwellings**
- 11. No removal of vegetation between 1st March and 31st August**
- 12. Implementation of ecological enhancement measures as submitted**
- 13. Adherence to submitted lighting scheme**
- 14. Finished floor levels**
- 15. Drainage in accordance with submitted details**
- 16. Submission of sustainable drainage management plan**
- 17. Contaminated land - Submission and approval of updated Phase II ground investigation and risk assessment**
- 18. Contaminated land submission and approval a Verification Report**
- 19. Contaminated land – soil testing**
- 20. Measures to deal with unexpected contamination**

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



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