

Application No: 12/1346N  
Location: MAGPIE HOUSE, 57, EARLE STREET, CREWE, CW1 2AS  
Proposal: Change of Use from A2 Office and Subdivision to Form 16 Self Contained Bed-Sitting Rooms  
Applicant: Mr K Vickers, Crimewatch Securities  
Expiry Date: 10-Jul-2012

**SUMMARY RECOMMENDATION:**

**APPROVE** subject to conditions and a S106 Agreement

**Main issues:**

- Principle of development
- The impact of the design
- The impact upon amenity
- The impact upon highway safety and parking

**REASON FOR REFERRAL**

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

**DESCRIPTION OF SITE AND CONTEXT**

The application property is a detached two-storey Victorian property located on the corner of Earle Street and Mirrion Street within the Crewe Settlement Zone Line.

This unit has an open brick finish, white painted wooden sash windows, arched lintels, stone cills, blue painted rainwater goods and a hipped slate roof. The premises also benefits from a car park to the rear which is accessed via Mirrion Street.

**DETAILS OF PROPOSAL**

Revised plans have been submitted for the change the use of the unit from a security business (A2 use) to a House in Multiple Occupation (HMO), consisting of 18 en-suite bedrooms. The only external alteration proposed is the insertion of a first floor window on the eastern elevation.

## **RELEVANT HISTORY**

**7/11809** – Computer business comprising retail and offices – Approved 28<sup>th</sup> February 1985

**7/09388** – Illuminated adverts – Approved 16<sup>th</sup> September 1982

**7/09287** - Ill Logo Sign – Refused 19<sup>th</sup> August 1982

**7/08964** - COU of premises to become Health and Fitness Club and car parking – Approved 29<sup>th</sup> April 1982

**7/07363** – COU to social club – Refused 30<sup>th</sup> October 1980

**7/05963** – COU from school to dancing school – Approved 1<sup>st</sup> November 1979

## **POLICIES**

### **National policy**

National Planning Policy Framework (NPPF)

### **Local Plan Policy**

BE.1 - Amenity

BE.2 - Design Standards

BE.3 - Access and Parking

RES.9 – Houses in Multiple Occupation

TRAN9 – Car parking standards

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

**Highways** – As Cheshire East operate minimum parking standards for residential developments and the proposal fails to adhere to these, Highways will support the application providing that the developer contributes a sum of £5000 towards footway and cycle way improvements at Macon Way/Earle Street Bridge

**Environmental Health (General)** – No objections, subject to conditions in relation to hours of construction, lighting details, the submission of a road traffic assessment, a scheme for acoustic enclosures and the provision of suitable bin storage

**Environmental Health (Air Quality)** – No objections, subject to the addition of conditions in terms of the insertion of non-opening windows and adequate ventilation

**Housing (Cheshire East Council)** - No comments received at time of report

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

N/A

## **OTHER REPRESENTATIONS**

4 neighbouring properties have objected to the proposal. The relevant main areas of concern relate to;

- Highway safety / parking issues
- Environmental Health Issues – Air quality, bins, hazardous building materials, rodents

A number of other concerns have also been raised but these are not material considerations in relation to the determination of this application.

## **APPLICANT'S SUPPORTING INFORMATION**

Design and Access Statement  
Air Quality Assessment

## **OFFICER APPRAISAL**

### **Principal of Development**

The application site is located within the Crewe settlement boundary where there is a general presumption in favour of development. RES.9 of the Local Plan refers to houses in multiple occupation. Policy RES.9 advises that planning permission will be granted provided that;

- the building to be converted is large enough to provide satisfactory living accommodation for future residents without the need to construct extensions which would conflict with Policies BE.1 and BE.2;
- the proposal would not result in an adverse change to the external appearance of the building which would be unacceptable in terms of design or materials used;
- the development does not detract significantly from neighbouring amenities and;
- provision is made for adequate parking.

As such, the determination of the proposal depends on the adherence with these requirements.

### **Building is large enough for conversion and would not require extensions**

The building in question is a two-storey, detached unit which has a floor space of approximately 554 metres squared (excluding bay windows). It is proposed to convert this property into an 18-bedroom unit with en-suites and shared kitchen facilities. The smallest of these rooms would be approximately 11.75 metres squared and the largest would be approximately 22.68 metres squared. Housing have provided a spacing standards document which details recommended minimum room size standards. This document states that the minimum size of a one-bed room deemed to be acceptable is 10 metres squared, a standard which the smallest of the proposed rooms would adhere to.

A communal kitchen would be provided on each floor and the development would also include a common room, a store room and a utility room.

It is considered that the building is large enough to accommodate the proposal without the need for extensions. No extensions are proposed as part of the development.

### Design

The only external change proposed to the unit is the insertion of a first-floor window on the eastern gabled elevation. Given this limited level of development and because this window would respect the design of the existing windows, the proposed external changes are deemed to be acceptable.

### Amenity

As the building is already in situ, there are no additional issues created with regards to loss of light or visual intrusion.

With regards to loss of privacy, the only neighbouring residential property that could be impacted is No.55 Earle Street which borders the application site to the west. Separating the application unit and this neighbouring property is a lawn to the front of Magpie House which lies parallel to the side of the main body of the house. Separating the two units to the rear is a wall approximately 2 metres tall.

On the relevant side elevation of this neighbouring property there are 3 openings, 1 at first floor level and 2 at ground floor level. The first floor window is obscurely glazed. At ground floor level, one opening serves a doorway whereas the other serves a principal room. All of these openings are located on a two-storey outrigger to the rear of the property.

On the relevant side elevation of the existing application property, there are 5 openings facing in the direction of this neighbouring property. 3 of these openings face directly onto the blank gable elevation of this neighbouring property therefore would not create any loss of privacy. 2 of the other windows, (1 at ground-floor level serving an en-suite to bedroom 1 and one at first floor serving as a secondary window to bedroom 11), would directly face the neighbouring windows. In order to protect the amenity of this neighbour, it is proposed that both of these windows be obscurely glazed should the application be approved. As part of the application, an additional first floor window is proposed on this elevation that would serve bedroom 12. Again, in the interests of protecting neighbouring amenity, it is proposed that this window also be obscurely glazed.

In terms of private amenity space, a 59 metre squared area is proposed to the front/side of the site which is designated as an amenity space. Although this is not significant, given that the development is for a house in multiple occupation and is within close proximity of the town centre and all of its associated public space it is considered to be acceptable in this instance.

In response to the Environmental Health concerns raised by neighbouring residents, the Council's Environmental Health department has advised that they would have no objections subject to a number of conditions. These include an hours of construction condition, the submission and approval of a road traffic noise assessment and the approval of a scheme of acoustic enclosures. As the site falls adjacent to an Air Quality Management Area, the application also required the submission of an Air Quality Assessment Report. The report was

subsequently submitted and Environmental Health have advised that subject to conditions, they would be satisfied by this aspect of the proposal from an air quality perspective.

As a result, once conditioned, it is considered that the proposal would adhere with the amenity aspect of the development.

### Parking and Highway Safety

The impact upon parking and highway safety is the main concern of local residents. The proposed development would include a car park to accommodate 16 cars (including x2 disabled spaces).

The site is within the town centre and therefore represents a sustainable location for such development. In these locations, parking standards can be relaxed as other forms of transport are readily available to occupiers. However, in this instance the scheme achieves less than 100% parking. Highways Officers will support the application given providing that the developer contributes a sum of £5000 towards footway and cycle way improvements at Macon Way/Earle Street Bridge. As such, the application would be acceptable subject to the completion of a S106 Agreement.

### **NPPF**

Amongst the core principles of the NPPF is that planning should proactively support sustainable economic development, be of good design, provide a good standard of amenity and support the transition to a low carbon future.

Given that it is considered that this application sufficiently demonstrates that the above assessments have been made, it is deemed that the NPPF falls in line with the relevant Local Plan policies in this instance.

### **CIL Regulations**

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The provision of a contribution towards the highway works is required to help mitigate against the highways impact of the development. The proposed development cannot proceed without these improvements and the contribution is reasonably related in scale and kind to the development. It is directly related to the development and is fair and reasonable. On this basis the S106 recommendation is compliant with the CIL Regulations 2010.

### **CONCLUSIONS AND REASONS FOR THE DECISION**

The proposed change of use is located within the Crewe settlement boundary and would only involve a minor external alteration to the unit. It would not have an adverse impact upon neighbouring amenity or raise any significant highway/parking issues. The proposal therefore complies with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking) and RES.9 (Houses in Multiple Occupation) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The development also complies with the NPPF.

## **RECOMMENDATION**

**APPROVE** subject to the following conditions and a Section 106 Agreement to secure £5,000 towards footway/cycle improvements at Macon Way/Earle Street Bridge.

- 1. Standard (Time)**
- 2. Plans**
- 3. Materials as per application**
- 4. Hours of construction**
- 5. Road Traffic Noise Assessment**
- 6. Scheme of acoustic enclosures**
- 7. Obscure glazing (x3)**
- 8. Submission of details showing that all windows on principal elevation shall be non-opening (other than Building Regulation requirements)**
- 9. Submission of ventilation equipment details**

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