

Application No: 12/4566N

Location: Land off Beswick Drive, Crewe, Cheshire

Proposal: The full application seeks permission for a student accommodation facility with associated car parking, access and landscaping. The facility will provide 195no. bedrooms over five floors and 48no. parking spaces.

Applicant: David Smythe, Swansway Garages Group

Expiry Date: 21-Feb-2013

#### **MAIN ISSUES**

- Principle of Development
- Sustainability of the Site
- Amenity
- Design
- Flood Prevention/Drainage
- Highways
- Renewable Energy Provision
- Trees and Landscape
- Ecology

#### **SUMMARY RECOMMENDATION**

**Approve with conditions**

#### **REFERRAL**

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

#### **1. SITE DESCRIPTION**

The application site is an irregular shaped parcel of land which is located to the southern side of Beswick Drive within the Crewe Settlement Boundary. The site is surrounded by a small parade of shops to the north, a hotel to the east and existing student accommodation to the west.

To the south of the site is Valley Brook and the application site is located within a Flood Risk Zones 2 and 3 as identified by the Environment Agency Flood Maps. There is an Oak tree located within the centre of the site with tree cover along the

boundary with Valley Brook. These trees on the site are protected by a Tree Preservation Order.

The site comprises a parcel of vacant land which appears to have been cleared previously and has now partially re-vegetated with grass and scrub.

## **2. DETAILS OF PROPOSAL**

This is a full planning application for student accommodation which would consist of 195 bedrooms. The proposal would consist of a building which would be five stories in height with an S-shaped footprint. The building would include a vehicular access through the building to a parking area which would provide 48 spaces. The proposal would result in the loss of the Oak tree on the site.

This proposal is a resubmission of planning application 12/1456N which was refused by the Southern Planning Committee for the following reasons:

- 1. The proposed development relates to the provision of 204 one bed apartments for student accommodation with the provision of 33 off street parking spaces. This level of parking provision is less than half of the maximum standard identified at Appendix 8.1 of the Local Plan and the area suffers from displaced parking from the existing student accommodation. The lack of off-street car parking on the site would further increase displaced car parking and would be detrimental to highway safety and the character and appearance of the area. As a result the proposed development would not be sustainable development and would be contrary to Policy BE.2 (Design Standards) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.*
- 2. The application site is located within flood zones 2 and 3 as identified by the Environment Agency. The submitted FRA does not comply with the requirements set out in paragraph 9 of the Technical Guide to the NPPF and does not provide a suitable basis for an assessment to be made of flood risks arising from the development. Furthermore the FRA relies on data from 2008 and is not considered to be up-to-date. In the absence of this information, to allow this development would be contrary to the NPPF, the Technical Guide to the NPPF and Policy NE.20 (Flood Prevention) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.*
- 3. The proposed development would be located in close proximity to an Oak Tree which is protected by a Tree Preservation Order. The submitted arboricultural report suggests that this tree should be reduced by 25% to prevent damage to the tree from the development. The extent of tree reduction to accommodate the proposed development is not considered to be appropriate*

*management in order to retain this tree. Furthermore the tree would be surrounded by hard standing and a retaining wall within the root protection area and together with the buildings to either side the development will have a detrimental impact upon the long term health and well being of the tree. The development would be contrary to Policy NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the NPPF.*

### **3. PREVIOUS RELEVANT DECISIONS**

12/1456N - The proposal is for a 5,550sqm student accommodation facility consisting of two accommodation blocks with associated car parking, access and landscaping – Refused 28<sup>th</sup> June 2012

10/1588N - Full Planning Application for the Erection of an Office Development (B1 Use Class) with Associated Landscaping, Car Parking and Access Arrangements – Approved 28<sup>th</sup> July 2010

P03/1239 - Variation of Conditions 7 & 20 (P03/0639) – Withdrawn 24<sup>th</sup> March 2004

P03/0639 - Outline Application for Mixed use Development comprising Student Accommodation, Offices and Pub/Restaurant together with Access, Car Parking and Landscaping – Approved 3<sup>rd</sup> September 2003

### **4. PLANNING POLICIES**

#### **National Policy**

The National Planning Policy Framework

#### **Local Plan Policy**

E.1 (Existing Employment Allocations)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

NE.5 (Nature Conservation and Habitats)

NE.9 (Protected Species)

NE.20 (Flood Prevention)

TRAN.9 (Car Parking Standards)

#### **Regional Spatial Strategy**

DP1 – Spatial Principles

DP2 – Promote Sustainable Communities

DP4 – Make the Best Use of Existing Resources and Infrastructure

EM18 – Decentralised Energy Supply

#### **Other Considerations**

The EC Habitats Directive 1992

Conservation of Habitats & Species Regulations 2010

## 5. OBSERVATIONS OF CONSULTEES

**United Utilities:** No objection

**Highways Authority:** This is a full planning application for up to 195 bedrooms for student accommodation on a site located off Beswick Drive. A previous application was refused with the main highway concerns being parking provision within the site, this application has reduced the number of bedrooms on the site and also increased the number of parking spaces to 48.

With regard to the traffic generation of the proposal, there are no concerns on traffic impact as the number of trips can easily be accommodated on the road network and also consideration has to be given to the existing B1 office consent on the site that has a traffic generation potential.

It is considered that this application is an improvement over the previous application and the increase in the number of spaces has benefit in reducing the likelihood of overspill parking occurring. In addition, the applicant has proposed a number of conditions to control the use of the parking spaces.

Therefore, there are no highway objections raised subject to conditions:

- Staff/Students to be issued with a permit to use the car park, the number of permits not to exceed the number of spaces available.

**Environmental Health:** Conditions requested in relation to air quality, contaminated land, hours of construction and pile foundations.

**Cheshire Wildlife Trust:** Cheshire Wildlife Trust would like to make the following comments;

- CWT commented on a previous application (12/1456N). At that time CWT was concerned that the protected species surveys accompanying the application had not been fully updated via site visits from earlier surveys in 2010. This omission appears now to have been corrected but the Report cover page is still dated April 2012, although the contents indicate that additional site visits were made up to June 2012.
- As noted in CWT's previous response, publication of the full great crested newt survey results from Biota's surveys carried out in 2010 would be of relevance to the current application.
- Once again, reference is made to a full date search having been undertaken in 2010 and included as an Appendix to the Report – no such Appendix is attached.
- See CWT's previous email dated 22 May 2012 – these recommendations remain relevant to the current application. The Valley Brook Corridor is an important component of Crewe's green/blue infrastructure and features in Crewe's Green Infrastructure Action Plan (See Appendix 1, Schedule 4: Watercourses in Crewe).

- Although water voles have not been recorded in this particular section of watercourse, they have been recorded this year (CWT Water Vole Project Survey) in another local brook (Basford Brook) and, given suitable conditions, there is a strong possibility that they could re-colonise streams such as Valley Brook. It is therefore important to ensure, perhaps via a Condition attached to planning permission, that the section of Valley Brook which forms the boundary of this site is enhanced and managed to create optimum conditions for this species.

**Natural England:** This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. Refer to Natural England standing advice.

**Environment Agency:** No objection in principle but would like to make the following comments:

The submitted Flood Risk Assessment (FRA) demonstrates that the discharge of surface water from the proposed development is to be limited to 5 litres/second, with attenuation provided for up to the 1 in 100 years plus climate change event. This is acceptable in principle.

The FRA also demonstrates that the proposed building is outside the 1 in 100 year's fluvial floodplain. Setting the proposed building at a minimum level of 49.41 mAOD will provide an adequate standard of protection from fluvial flooding.

The proposed development will only meet the requirements of the National Planning Policy Framework, if the following measures as detailed in the submitted FRA from Shepherd Gilmour, ref C822/DR/EAJ/V0225 dated November 2012, are implemented and secured by way of a planning condition on any planning permission.

The following conditions are suggested:

- The development shall be carried out in accordance with the submitted FRA and the mitigation measures
- No development until a detailed method statement for removing or the long-term control of Himalayan balsam on the site shall be submitted to and approved in writing by the local planning authority.
- No development approved by this planning permission or such other date or stage in development as may be agreed in writing with the Local Planning Authority, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority.
- No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority.
- If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in

writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

## **6. OTHER REPRESENTATIONS**

A letter of objection has been received from Manchester Metropolitan University raising the following points:

- The University has recently reviewed its accommodation strategy in the context of the changes to the way funding has changed within Higher Education. In addition to the introduction of higher student fees there has been a national decrease in undergraduate numbers by 13%
- The University is unable to support further student accommodation in Crewe
- Whilst the recruitment of students is better than the sector average there has been a considerable reduction in numbers and this is more pronounced at the Crewe campus.
- In addition the new fee regime has encouraged more local students to reduce their costs by living at home. MMU has seen a 27% reduction in application from first years to stay in halls. There is now excess capacity within the Halls of residence managed by MMU.
- For International students the situation is more complex as the UKBA has introduced tighter controls on international student's visas. The most optimistic short to medium forecast would be to maintain existing student numbers although this cannot be certain.
- We are entering a period of student number reduction for UK students and at best consolidation for international students. New student halls should only be built if there is a clear demand or it replaces old stock.

One letter of support has been received from the occupants of 34 Gresty Terrace raising the following points;

- Traditional residential areas in the area around MMU and Hungerford Road are increasingly being used as multi occupancy student lets which is leading to a deterioration in these neighbourhoods
- There will be a reduced need for parking as the site is only a walking distance from MMU
- Students generally have lower car occupancy
- Parking on the site could be managed through a tenancy agreement

## **7. APPLICANT'S SUPPORTING INFORMATION**

Feasibility Report (Produced by S I Sealy)

Protected Species Survey (Produced by Biota and dated April 2012)

Planning Statement (Produced by AEW Architects and dated November 2012)

Transport Statement (Produced by Shepherd Gilmour and dated November 2012)

Flood Risk Assessment (Produced by Shepherd Gilmour and dated November 2012)

Geo-Environmental Desk Study (Produced by Shepherd Gilmour and dated May 2011)  
Aboriginal Survey, Impact Assessment and Method Statement (Produced by Lowther and dated November 2012)

These documents are available to view on the Councils website.

## **8. OFFICER APPRAISAL**

### **Principle of Development**

At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through plan making and decision taking. For decision taking this means *'approving development proposals that accord with the development plan without delay'*.

The site is an existing employment allocation and is subject to Policy E.1.1 of the Local Plan. Policy E.1.1 states that the uses on the site should include;

*'B1 and any uses required by and associated with Manchester Metropolitan University. For the avoidance of doubt, such uses include classroom/teaching facilities, residential accommodation for students, indoor and outdoor sport and recreational facilities'*

As student accommodation is included within this definition the principle of development is considered to be acceptable.

### **Sustainability of the site**

The site would be sited in a sustainable location alongside the existing student accommodation for Manchester Metropolitan University. The site would have easy access to the university, a shop, food outlets and a public house. The site is therefore considered to be sustainable.

### **Amenity**

There are no residential properties in close proximity to the site. The existing student accommodation and hotel are set at angles to the proposed buildings with sufficient separation distances. As a result it is considered that there will be no impact upon residential amenity.

### **Design**

The proposed building would have an S-shaped footprint and would be 5 stories in height. The building would result in the loss of an Oak tree which is located centrally on the site. There is an existing informal pedestrian route which runs across the site and across a bridge over Valley Brook; this route links the office buildings on the opposite side of Valley Brook to the parade of shops and gym on

the application side of Valley Brook. This route would be maintained as part of the proposed development.

The proposed buildings would be clad in black facing brick with white panels and white glazed bricks to create horizontality across the building. The blocks would be distinguished through the use of different coloured glazed panels which would be located beneath the windows. The shape of the buildings includes a number of steps in the elevations to help to reduce the bulk of the buildings.

The height of the buildings is considered to be appropriate. Although the building would be five storeys in height it would be sited at a lower level to the existing student accommodation. This change in land level would mean that the proposed building would not appear taller than the office buildings to the west or the existing student accommodation. However it is accepted that the building would be taller than the adjacent travel lodge and parade of shops.

The proposed accommodation would be of a modern design and the bulk of the buildings would be reduced through the staggered elevations and the use of different blocks of material. Concerns have been raised previously regarding the prominence of the entrance points to the student accommodation, the plans have now incorporated render panels and canopies to help increase the prominence of the entrance points and this is considered to be acceptable.

The buildings would be of a modern appearance which is acceptable given the appearance of the existing buildings adjacent to the site and the office buildings on the opposite side of Valley Brook. The use of materials such as black brick and render are considered to be acceptable and has been used on the Emperor Court Office Building and the adjacent hotel on the opposite side of Valley Brook.

### **Flood Prevention/Drainage**

The site is located within a Flood Zone and is accompanied by a Flood Risk Assessment. The lack of an up to date FRA in accordance with the technical guidance formed a reason for refusal as part of the previous application. In order to address this reason for refusal an up to date FRA has been provided.

In order to mitigate the impact flood risk impact upon the proposed development the FRA recommends that the finished floor levels of the buildings will be at a minimum of 1.2m above the Valley Brook 1 in 100 year flood event at 48.210 AOD (the existing ground levels vary between 50.00 AOD and 48.00 AOD). Therefore this will position the building outside Flood Zone 3 and into Zone 2.

In terms of the onsite drainage infrastructure the submitted FRA considers that the risk of flooding will be a 'low probability'.

In response to the application the Environment Agency states the FRA demonstrates that the discharge of surface water from the proposed development is to be limited to 5 litres/second, with attenuation provided for up to the 1 in 100 years plus climate change event. This EA states that this is acceptable in principle.

The FRA also demonstrates that the proposed building is outside the 1 in 100 year's fluvial floodplain. Setting the proposed building at a minimum level of 49.41 AOD will provide an adequate standard of protection from fluvial flooding.

The EA and UU raised no objection to the proposal subject to the imposition of planning conditions and as a result the reason for refusal has been addressed.

## **Highways**

In relation to the proposed traffic generation the highways officer considers that there is *'no on traffic impact as the number of trips can easily be accommodated on the road network'*. As a result the impact is considered to be acceptable.

The lack of parking formed a reason for refusal as part of the last planning application. The proposed development would create 195 one bed apartments for student accommodation with a total of 48 off-street car parking spaces. The maximum car parking standards contained within Appendix 8.1 of the Local Plan identify that Use Class C2 (Residential Institutions) requires one car parking space for every three beds. This would give a maximum requirement of 65 spaces to serve the development.

In this case the proposal would provide 1 parking space per 4 bedrooms and the applicant has undertaken a review of the overall parking provision of comparable sites using the TRICS database. This shows that similar developments have an overall parking provision ratio varying from 1 parking space per 2.87 bedrooms to 1 parking space per 6.17 bedrooms.

The submitted Transport Statement also states that the peak use of car parking on the similar sites does not reach the capacity. As a result of this additional information and the increase in parking and reduction in numbers the highways officer does not raise any objection to the parking provision on this proposed development.

Therefore the reason for refusal which was attached as part of the last application has been addressed.

## **Renewable Energy Provision**

As part of this application a feasibility report identified that the 10% renewable energy provision will be met through the use of solar thermal water generation or through the use of combined heat and power (CHP) boilers. This is considered to be acceptable and this issue will be controlled via a planning condition.

## **Trees and Landscape**

The previously application proposed the retention of a prominent protected Oak tree (a B category tree located within the central section of the site) and carrying out a significant reduction of the crown in order to accommodate the tree within the

development proposal. The application was subsequently refused with Reason 3 of the refusal stating that the encroachment of the development would impact upon the root protection area of a protected Oak tree which as a consequence would have a detrimental impact upon the long term health and safe well being of the tree.

The current application now proposes the removal of this protected Oak tree in order to accommodate the position of the student accommodation facility away from a Flood Zone.

A further four trees, a small immature Oak (T1); Willow (T2) and two Hawthorn (T3 and T5) are also proposed to be removed to facilitate the development together with a Group of Alder (G4) to the north of the site. These trees are graded a C category trees and therefore are not considered to present a significant contribution to the wider amenity of the area.

A dead Ash tree (T106) located within the northern section of the site is also recommended for felling due to instability and risk to the adjoining highway.

It is proposed that the removal of the Oak tree is outweighed by the economic benefits of developing this site and mitigated by provision of replacement planting as part of a detailed landscaping scheme submitted in support of the application. The landscape scheme proposes the planting of 7 No. Extra Heavy Standard Himalayan Birch (*Betula jaquemontii*) within the proposed car park, 3 No. Heavy Standard Oak and 3 No. Mountain Ash to the south adjacent to Valley Brook. Additional Management works are also proposed to the area of Willow and Alder trees along the southern boundary adjacent to Valley Brook. This work includes provision for the removal of poor quality Hawthorn and dead Ash. The pollarding and coppicing of Willows along the stream bank and provision for native shrub planting including Hazel, Hawthorn and Blackthorn.

In contrast to the previously submitted scheme this scheme whilst standing at 5 storeys has been re-orientated and positioned so that the mass of the student block presents a less imposing impact on Valley Brook.

The loss of the protected Oak tree will result in a moderate loss to the amenity of the area, however this loss is limited to views of the tree from Beswick Drive and glimpses from Valley Brook via Meadow Bridge.

It is not considered that there would be an impact upon the wider landscape as although some screening vegetation would be lost the development would be seen in the context of the adjacent developments. The landscape proposals included within the application are considered to be appropriate.

## **Ecology**

The protected species survey identifies that there is no evidence of Great Crested Newts, Bats, Water Vole or White Clawed Crayfish. The Councils Ecologist is satisfied that there will be no significant ecological issues associated with the

development subject to the imposition of conditions to secure the recommendations contained within the protected species survey and protective fencing along the boundary with Valley Brook.

### **Other issues**

The proposals would allow a pedestrian link to be retained around the periphery of the site to the Valley Brook which is considered to be an important feature which should be retained.

The comments made by MMU are noted. However in this case the site is allocated for the proposed use within the Local Plan. There is nothing within the NPPF or Local Plan to require an assessment of demand for student accommodation. The proposal will create competition for student accommodation but this is not necessarily a bad thing. The proposal will bring an undeveloped site back into use and provide economic benefits. The proposal is therefore considered to be acceptable.

## **9. CONCLUSIONS**

The site is located within the Crewe Settlement Boundary on a site which is allocated for such uses. As a result the principle of development is considered to be acceptable.

The proposal is considered to be of an acceptable design within a sustainable location and there would be no impact upon residential amenity. There would be no ecological impacts from this development.

The application site is located within flood zones 2 and 3 and an updated FRA has been provided. This meets the requirements of the EA who have raised no objection to the development.

The level of car parking that would be provided is now sufficient to serve this proposed development and the proposal would not impact upon the local highway network.

The site is located within close proximity to an existing Oak tree which is protected by a TPO. The proposed tree would be lost as part of the proposed development. In this case the loss of this tree is considered to be acceptable and would the economic benefits of this development would outweigh the harm caused by the loss of this Grade B tree.

## **10. RECOMMENDATIONS**

**APPROVE subject to the following conditions**

- 1. Standard time limit 3 years**
- 2. Approved Plans**

- 3. Hours of construction limited to 08:00 to 18:00 Monday to Friday, 09:00 – 14:00 Saturday and not at all on Sundays**
- 4. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
- 5. No development shall take place until a scheme to minimise dust emissions arising from construction activities on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The construction phase shall be implemented in accordance with the approved scheme, with the approved dust suppression measures being maintained in a fully functional condition for the duration of the construction phase.**
- 6. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.**
- 7. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment from Shepherd Gilmour, ref C822/DR/EAJ/V0225 dated November 2012 and the mitigation measures detailed within the FRA.**
- 8. No development until a detailed method statement for removing or the long-term control of Himalayan balsam on the site shall be submitted to and approved in writing by the local planning authority.**
- 9. No development shall take place until a scheme has been submitted to and approved in writing by the local planning authority showing how at least 10% of the predicted energy requirements of the development will be secured from decentralised and renewable or low-carbon sources. The scheme shall be implemented as approved and retained thereafter.**
- 10. Materials to be submitted and approved**
- 11. Landscaping scheme included within the application to be implemented**
- 12. Boundary Treatment details**
- 13. The parking spaces to be provided on the approved plan should be provided**
- 14. Cycle Parking Details to be submitted and approved by the LPA**

**In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Management and Building Control has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.**

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