

Application No: 13/0927N

Location: ROCKWOOD INN, 204, ALTON STREET, CREWE, CW2 7PT

Proposal: Demolition of Rockwood Hotel/Pub and development of 20 new apartments

Applicant: Lee Dawkin, Renewland Developments Ltd & Wulvern Hou

Expiry Date: 05-Jun-2013

SUMMARY RECOMMENDATION

Approve subject to conditions.

MAIN ISSUES

Principle of Development
Affordable Housing
Amenity
Design and Built Environment
Drainage and Flood Risk
Highways
Section 106

REFERRAL

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

1. SITE DESCRIPTION

The site is situated to the South of Crewe town centre at the junction of Stewart Street and Alton Street. It measures approximately 1.48 hectares being roughly rectangular in shape, with a frontage measuring 50m in length along Stewart Street and 30m deep along Alton Street. The site is within a residential area of terrace housing and is bounded to the east by residential properties and to the south the New Testament Church of God. Residential properties line the opposite sides of both Alton and Stewart Street.

The site is currently a vacant hotel and pub with parking for customers and a green playing area / beer garden at the rear.

1. DETAILS OF PROPOSAL

The proposals are for a housing scheme comprising of 16 No. one bedroom apartments, and 4 No. two bedroom apartments with associated vehicular access, amenity and parking. The apartments would be contained within a single block fronting on to Alton and Stewart Streets with parking and amenity areas to the rear.

The proposed development will be three storeys in height at the corner of the site falling to two storeys in height on the south side and one storey on Albion Street to accommodate the bin and cycle store.

2. RELEVANT PLANNING HISTORY

12/4255N Prior notification for demolition of redundant Rockwood Hotel – Approved 10-Dec-2012

3. PLANNING POLICIES

National Policy

National Planning Policy Framework

Local Plan Policy

Built Environment Policies

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)

Housing Policies

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)

Transport Policies

TRAN.3 (Pedestrians)
TRAN.5 (Provision for Cyclists)

4. OBSERVATIONS OF CONSULTEES

United Utilities

No objection to the proposal provided that the following conditions are met: -

- In accordance with Technical Guidance for National Planning Policy Framework (NPPF), surface water should not be allowed to discharge to foul/combined sewer as stated in the planning application. This prevents foul flooding and pollution of the environment.
- The developer to contact the Local Authority confirming how surface water will be managed.
- This site must be drained on a separate system, with only foul drainage connected into the foul sewer.
- Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

Environmental Health

No objections subject to conditions in respect of hours of construction, piling operations, piling methodology, lighting and a scheme to minimise dust.

The Contaminated Land team request an additional phase II suvey.

Education

No comments received at the time of report preparation

Greespaces

No comments received at the time of report preparation

Highways

The Strategic Highways Manager has assessed this application and recommends that the following informative be attached to any permission which may be granted for this development proposal:

Informative:- Prior to first development the developer will enter into and sign a Section 184 Agreement under the highways Act 1980 and provide a new vehicular crossing over the highway verge in accordance with Cheshire East Council specification.

5. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

6. OTHER REPRESENTATIONS

- None received at the time of report preparation.

7. APPLICANT'S SUPPORTING INFORMATION:

- Ecology Report
- Utilities Report
- Design And Access Statement
- Contaminated Land Report

8. 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 20 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."*

Another important material consideration is the Written Ministerial Statement: Planning for Growth (23 March 2011) by The Minister of State for Decentralisation (Greg Clark). Inter alia, it states that, *"the Government's top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy.*

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. Furthermore, it must also be acknowledged that according to the applicant the care home proposal would secure and generate 26 jobs full time jobs.

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.

Loss of Community Facility

Policy CF3 seeks to protect community facilities which make a positive contribution to the social or cultural life of a community, unless suitable alternative provision is made. Previous appeal decisions which have considered schemes that would result in the loss of a public house, have established that where there are other facilities within easy walking distance then there are no planning objections to the loss in principle. Appeal decisions make it clear that the consideration is whether there are alternative establishments in the local area not whether they offer exactly the same ambience / facilities as the one which has closed. Policy CF3 makes no reference to the need to market an establishment before it is lost or for any considerations regarding viability. Whereas the Council has used such a reason for refusal for other premises in villages, the same considerations do not apply to the loss of a public house in a town such as Crewe with other public houses within walking distance. It is therefore considered that the loss of this public house would not conflict with policy CF3 of the Replacement Local Plan 2011

Affordable Housing

The Interim Planning Statement: Affordable Housing states at paragraph 3.2 that there is a requirement for affordable housing to be provided on any windfall sites with more than 15

dwellings or that exceed 0.4ha in size located in settlements with a population of more than 3,000.

It goes on to state at paragraph 3.3 – *The exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment. This proportion relates to the provision of both social rented and/or intermediate housing, as appropriate.* The Strategic Housing Market Assessment identified a preferred tenure split of 65% social rented and 35% intermediate tenure affordable dwellings across Cheshire East.

The Strategic Housing Market Assessment 2010 identified a requirement for 256 new affordable homes each year between 2009/10 – 13/14 in the Crewe sub-area. This is made up of a requirement for 123 x 1 bed, 20 x 2 bed, 47 x 3 bed, 40 x 4/5 bed and 26 x 1/2 bed older persons dwellings each year.

In addition to this information taken from the SHMA, Cheshire Homechoice, which is used as the choice based lettings method of allocating social and affordable rented accommodation across Cheshire East, indicates that there are currently 457 applicants who have selected either Alton Street or Wistaston Green (which are the nearest re-housing areas to the site) as their first choice. The number of bedrooms that these applicants have stated they require are 108 x 1 bed, 185 x 2 bed (10 of which would consider a flat) 133 x 3 bed, 11 x 4/5 bed properties. 20 applicants have not stated the number of bedrooms that they require.

Therefore, Housing Officers would support a development of affordable housing at this location in terms of need and demand.

The application details suggest this is a joint application from Renew Land & Wulvern Housing Association and the application form states that the residential units proposed are 20 x 4 bed social rented flats/maisonettes. Housing Officers would not support development of 4 bed flats/maisonettes as affordable housing as there is no identified need for them and the welfare reform changes will have significant impacts in respect of the ability to find tenants to occupy them. However it has been assumed there is an error on the application form as the proposed dwellings on the plans which have been submitted are different.

The Design and Access Statement and the plans show a proposed mix of 16 x 1 bed apartments and 4 x 2 bed apartments, although, there are welfare reform implications in respect of 2 bed flats. However, one of the applicants is a Registered Provider and housing officers expect that they would have had input into the proposed mix of properties and are willing to accept it. Based on the housing need information from the SHMA 2010, and taking account of the number of applicants on Cheshire Homechoice, Housing Officers have no objection to this mix of properties.

Wulvern have advised that all the dwellings will be provided as affordable rent and Housing Officers can confirm that although this does not meet the preferred tenure split in the SHMA 2010 it is acceptable as there a number of applicants on their waiting list for rented dwellings.

In summary, therefore, the proposal is considered to be acceptable by Housing Officers subject to a condition to secure the affordable housing.

Education

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

Amenity

The gable elevations of the proposed building will adjoin the blank gables of the neighbouring dwelling in Alton Street, and the adjacent church in Stewart Street and will not project beyond their existing front and rear elevations. Therefore no amenity issues are raised in respect of these properties.

The front elevation of the proposed building will be sited 13m from the front elevations of the existing dwellings on the opposite side of Stewart Street and 17m from the properties on the opposite side of Alton Street. It is generally regarded that a distance of 13m is sufficient to maintain an adequate level of light to principal windows and therefore, no overshadowing issues are raised. A distance of 21m is usually considered to be sufficient to prevent overlooking between principal windows. Whilst, the proposal will not comply with this standard, it is accepted that separation distances between the front elevations of properties in traditional, tightly knit, terraced streets such as Alton Street and Stewart Street, are lower than those which would be expected in modern suburban housing estates and the separation distances in this case would be equivalent to that between the existing properties on opposite sides of those streets.

A distance of between 10m and 15m will be maintained between the proposed building and the rear site boundary, which will be sufficient to avoid any overshadowing of the garden areas to the rear of the properties in Alton Street. Whilst the windows in the rear elevation of the building may result in some overlooking of these garden areas, it is generally accepted that some degree of overlooking is inevitable in high density residential areas such as this, and it is not considered that the proposal will result in any significant worsening of this situation. There will be no loss of light to the adjacent church as this lies to the south of the site, and a distance of over 40m will exist between the nearest principal windows in the south elevation of the proposed building and the boundary with the church.

Therefore the proposal is considered to comply with the requirement of policy BE1 (amenity) of the local plan.

Design and the Built Environment

The proposed block would be sited in the north west corner of the site, and would create an active frontage to both Stewart Street and Alton Street, particularly given that both these elevations include windows and doors opening onto the street. Parking and amenity areas would be hidden behind the building to the rear of the site, thus avoiding a car dominated frontage. The building would also respect the existing building lines on these streets, which will assist it in blending into the existing urban fabric. Small front garden areas are proposed

between the building and the highway boundary which will create elements of “defensible space” in front of the dwellings. This is all considered to be positive in urban design terms.

The surrounding development comprises predominantly traditional, two storey terraced properties, of brick and tile construction. The proposed building is also a traditional pitched roof design finished in red brick with artificial stone window cills and lintels, which along with small gable features add interest to the elevations. 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. The overall building height is two stories and single storey, where it adjoins existing development in Stewart Street and Alton Street respectively, rising to three stories at the junction of the two roads which creates a focal point in this prominent location. These are also considered to be positive features.

Overall it is considered that this is a good design which respects the character and appearance of the area in which it is located and as such it complies with policy BE2 of the Local Plan and the provisions of the NPPF in respect of design.

Drainage/Flood Risk

The Environment Agency and United Utilities have considered the application and raised no objection to the application subject to appropriate conditions and it is therefore considered that the proposal complies with the relevant local plan policies with respect to flood risk and drainage.

Highways

The existing access arrangements to the site include an element of frontage parking on Alton Street, and an access to an existing car park to the rear of the pub from Stewart Street. These would be closed and the pavement made good, and a new access to the site would be created further to the south on Stewart Street. This would serve a rear parking area of 21 spaces. This would reduce the number of access points and move the main site access further from the road junction which is considered to be betterment in highway safety terms. With regard to the design of the access and the level of parking provision, it is noted that the Strategic Highways Manager has raised no objection and it is therefore considered that a refusal on highway safety, traffic generation or parking grounds could not be sustained.

Open Space

According to Policy RT3, new housing development with more than 20 dwellings will be expected provide 15 sqm of shared open space is provided per dwelling, along with 20 sqm of shared children’s play space per dwelling. As this scheme is for only 20 dwellings, no on-site open space requirement is generated. However, the policy goes on to say that in small residential developments likely to be occupied by less than 50 people contributions will be required towards open space provided that such contributions would secure provision in an easily accessible location and where it would directly benefit the occupiers of the new development. The Council’s Greenspaces Officer has been consulted with regard to this issue and a response was awaited at the time of report preparation. A further update will be provided to committee prior to their meeting.

None of the flats proposed have private garden space. However, a small area of private amenity space will be provided on site which, if well landscaped could be of benefit to residents. This could be secured as part of the detailed landscaping condition.

Trees and Landscaping

There are two existing trees within the site, neither of which benefit from a Tree Preservation Order. The smaller tree, on the Stewart Street frontage would be removed in order to create the site access. Whilst this loss is regrettable, given its small size it has limited amenity value within the street scene and in view of the lack of TPO protection it is not considered that a refusal on tree grounds could be sustained.

The larger tree in the south east corner of the site, which is a more prominent specimen, would be retained and integrated into the development. The building itself would be located approximately 15m from the trunk of the tree, at the closest point, and outside its crownsread. Sufficient separation will be maintained to avoid any amenity issues for future occupiers which might result in pressure to remove or prune the tree.

The area around the tree would be predominantly used for the on-site amenity space, although 2 of the parking spaces would encroach within its' crownsread. As the tree is not protected, and is located to the rear of the site, this would not provide sustainable grounds for refusal. However it is considered to be appropriate condition the use of specially construction measures for these spaces, and tree protection measures to ensure that the tree is not damaged during the construction process.

With regard to proposed landscaping, planting is proposed, particularly to the boundaries, which will help to reduce the visual impact of the development. Landscaping has been added to the frontage at the north and east boundary of the site to improve the appearance of the frontage with a green buffer between the public pavement and private apartments. The shrubs will also act as a physical barrier for security reasons to provide protection for the ground floor properties. Landscaping had been added to the rear within the pockets of space around the parking spaces to be filled with shrubs or trees. Proposed tree planting will compensate for the loss of the tree to be removed to create the site access. As far as species are concerned, it would be appropriate to utilise native trees and shrubs to the perimeter with more ornamental planting within the site. This detail can be secured by condition.

Turning to hard landscaping, the rear boundaries to the east and south are to be defined by the existing brick walls. According to the design and access statement the surface materials will be limited across the site, with different materials, granite setts, used to define transition between different areas of the site i.e. private and public. The access road will be constructed with Tegula (or similar approved) block paving, with parking spaces in tarmac. These details are considered to be acceptable and can also be secured by condition.

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 phase one habitat survey and bat survey. He advises that there are unlikely to be any significant ecological issues associated with the proposed development.

8. CONCLUSIONS

The proposal would not result in a detrimental impact upon the supply of employment land or premises in the Borough given that much of the site is underused and that the proposal also allows for the creation of over 80 new jobs. The redevelopment of both sites would not result in a loss of amenity to existing or future occupiers and the development would deliver considerable local environmental enhancements. A satisfactory access arrangement can be provided and the proposal would not result in a threat to highway safety or excessive impacts upon the local highway network. The proposal would deliver much needed affordable housing and any lost car parking can be reinstated on land within the remaining part of the railway works.

9. RECOMMENDATION

APPROVE subject to completion of a Section 106 agreement to secure any necessary open space and education contributions and the following conditions:

1. Standard 3 year time limit
1. Compliance with approved plans
2. Submission and approval of materials
3. Submission and approval of cycle parking within scheme
4. Submission and approval of contaminated land mitigation measures
5. Dust control measures
6. Piling hours to be restricted
7. Piling method Statement
8. Submission and approval of external lighting details
9. Construction Hours to be restricted
10. Bin Storage
11. Submission and approval of boundary treatment
12. Submission and approval of noise mitigation measures
13. Submission and approval of landscaping
14. Implementation of landscaping
15. Provision of Parking
16. Access works to be carried out prior to first occupation
17. Affordable Housing
18. Tree Protection
19. Implementation of Tree protection
20. Special construction measures under trees
21. No surface water, only foul water to discharge to sewer
22. Submission of scheme of drainage

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