

Application No: 13/1688N

Location: REASEHEATH COLLEGE, MAIN ROAD, NANTWICH, CHESHIRE, CW5 6DF

Proposal: Variation of condition No 2 of permission 12/3548N

Applicant: Mr Simon Kennish

Expiry Date: 23-Jul-2013

**SUMMARY RECOMMENDATION: Approve subject to conditions**

**MAIN ISSUES:**

- Background Information;
- Condition 2;
- Design;
- Amenity;
- Highways;
- Drainage;
- Ecology;
- Landscape; and
- Public Rights of Way

**REFERRAL**

The application has been referred to Southern Planning Committee as the building exceeds 1000sqm and therefore constitutes a major proposal. The previous applications 12/1175N and 12/3548N were also determined by Southern Planning Committee.

**DESCRIPTION OF SITE AND CONTEXT**

Reaseheath College is located approximately two miles north of Nantwich town centre and is accessed off the A51 ring road. The application site is located on the periphery of the college campus in a prominent position adjacent to Wettenhall Lane. Located immediately to the north of application site is another hall of residence (Windsor Hall) and to the south is Crewe Alexander football training ground. The main college campus is located to the east. The site originally comprised a large wooded area. The application site is located just outside the Reaseheath Conservation Area and is wholly within the open countryside.

## **DETAILS OF PROPOSAL**

This application is for variation of condition 2 on approved application 12/3548N at Reaseheath College, Worlestone, Nantwich.

The proposed alterations include the relocation of a refuse store, larger LPG gas store, use of surface to protect trees at access to plant room, re-routing of cycle route to protect native plants, installation of louver doors to plant room, creation of two additional student bedrooms and removal of Juliet balconies.

## **RELEVANT HISTORY**

P06/0507 - Demolition of Shed and Erection of Construction Workshop. Approved 4<sup>th</sup> July 2006

P06/0512 - Change of Use from Manufacturing Building to IT Centre including Demolition of Oil Store and Erection of New Entrance. Approved 4<sup>th</sup> July 2006

P06/0991 - 96 Bed Two Storey Student Accommodation Building With Associated Car Parking And Landscaping. Approved 4<sup>th</sup> December 2006

P07/0024 – Erection of Electricity Generation Facility. Approved 26th February 2007

P07/0380 – Erection of Milking Parlour. Approved 21<sup>st</sup> May 2007

P07/0412 – 4 Isolation Pens. Approved 1<sup>st</sup> May 2007

P07/0517 – Replacement Animal Care Centre. Approved 20<sup>th</sup> July 2007

P07/0508 – Extension to Existing Calf House. Approved 31<sup>st</sup> May 2007

P07/0541 – Demolition of Store and Maintenance Buildings and Construction of Learning Resource Centre and Alterations to Parking. Approved 4<sup>th</sup> June 2007

P07/0638 – Demolition of Temporary Classroom Block and Construction of a New Estates Maintenance Workshop to Replace Facilities Demolished to make way for the New Learning Resource Centre. Refused 25<sup>th</sup> June 2007.

P07/0761 – New Engineering Academy Building Approved on 29<sup>th</sup> August 2007.

P08/1142 - Construction of Barn for Teaching, Barn for Staff/Student Services, Tractor/Tool Store, Landscape Workshop and Teaching Area, 3 Commercial /Teaching Glasshouses, 3 Polytunnels and Associated Works (Development to be Constructed over 2 Phases) – Approved – 11<sup>th</sup> December 2008

09/1155N - Demolition of the Cross College Building including Student Union Office to make way for the New Student Hub approved under application P08/1126 (Crewe & Nantwich) Conservation Area Consent – Approved – 5<sup>th</sup> June 2009

09/2160N - Refurbishment and Extension of the Existing Food Processing Department to Accommodate a New Student Training Facility – Approved – 22<sup>nd</sup> September 2009

10/0279N - Demolition of Single Storey Teaching/Amenity Block and Erection of New Two Storey Food Centre of Excellence for Business and Research Use – Approved – 16<sup>th</sup> April 2010

10/1345N - Removal of the Existing Flue (1m Diameter by Approx 10m High) and the Addition of Three Smaller Flues (1 x 514mm Diameter by Approx 10m High, 2 x 378mm Diameter by Approx 10m High) – Approved – 11<sup>th</sup> May 2010

10/3339N - Proposed Extension and Alterations to Provide Extended Catering Facilities, including an Enlarged Kitchen and additional Dining for Students and Staff - Approved

11/2450N - Construction of a New 2 Bay Silage Clamp Extension on Hall Farm within the College Grounds – Approved – 15<sup>th</sup> August 2011

11/2449N - The Construction of a New Calf House on Hall Farm within the College Grounds – Approved – 26<sup>th</sup> August 2011

12/1175N – Proposed 3 Storey 150 Bed Residential Student Accommodation Building – Refused – 16<sup>th</sup> August 2012

12/3548N – Proposed 3 Storey, 150 Bed Residential Student Accommodation Building and Associated Landscape Works – Approved – 30<sup>th</sup> October 2012

## **POLICIES**

### **National Policy**

National Planning Policy Framework

### **Local Policy**

BE.1	(Amenity)
BE.2	(Design Standards)
BE.3	(Access and Parking)
BE.4	(Drainage, Utilities and Resources)
BE.5	(Infrastructure)
NE.2	(Open Countryside)
NE.5	(Nature Conservation and Habitats)
NE.9	(Protected Species)
CF.2	(Community Facilities)
RT.9	(Footpaths and Bridleways)
TRAN.5	(Provision for Cyclists)
TRAN.6	(Cycle Routes)
TRAN.9	(Car Parking Standards)

## **CONSIDERATIONS (External to Planning)**

**Highways:** No objections

**Environmental Health:** No objection subject to the following informative being attached to the decision notice

The applicant is advised that they have a duty to adhere to the regulations of Part IIA of the Environmental Protection Act 1990, the Town and Country Planning Act 1990 and the current Building Control Regulations with regards to contaminated land. If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing. The responsibility to ensure the safe development of land affected by contamination rests primarily with the developer.

**PROW:** No objections

**Conservation: No objections.** The Conservation Officer wondered where there was any scope to use a mechanism which will allow the balconies to be swivelled.

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

No comments received at the time of writing this report

## **OTHER REPRESENTATIONS**

No representations received at the time of writing this report

## **APPLICANT'S SUPPORTING INFORMATION**

No supporting information submitted with the application

## **OFFICER APPRAISAL** **Background Information**

Planning permission was granted for the construction of a three storey student accommodation block (12/3548N) on the 30<sup>th</sup> October 2012. Having considered the application, Members felt that the proposal would not materially harm the character or appearance of the area or the privacy and living conditions of neighbouring occupiers and would be acceptable in terms of highway safety subject to a number of restrictive conditions. Following the grant of this planning permission, the applicant is seeking to vary one of the conditions. In particular, condition 2 attached to planning permission 12/3548N.

### **Condition 2 states:**

*The development hereby approved shall be carried out in total accordance with the approved plan numbers M0796-PL (0) 001 Revision A, M0796-PL (0) 005 Revision C, M0796-PL (0) 006 Revision C, M0796-PL (0) 007 Revision C, M0796-PL (0) 008 Revision C, M0796-PL (0) 011 Revision B, M0796-PL (0) 004 Revision D, M0796-PL (0) 20, M0796-PL (0) 009 Revision C, M0796-PL (0) 010 Revision B and M0796-PL (0) 021 received by the Local Planning Authority on the 13th September 2012*

*Reason: For the avoidance of doubt and to specify the plans to which the permission / consent relates and having regard to Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.*

## **Design**

Guidance advocated within NPPF supports well designed buildings. Policy BE.2 (Design Standards) is broadly in accordance with this guidance but places greater emphasis on the impact to the streetscene and encouraging development which respects the character, pattern and form of development within the area.

As a matter of fact, the NPPF states 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions' (paragraph 64)

However, the NPPF clearly states that '*Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is however, proper to seek to promote or reinforce local distinctiveness*' (paragraph 60).

The design of new development should be of a high standard and wherever possible the built environment and surroundings should be enhanced. It is important that the relationship with the existing street scene is considered and improved, and not harmed by new development.

The applicant is proposing to relocate the bin stores, which were originally located within the building. However, the applicant states that they cannot get adequate insurance cover due to combustible waste being retained on the site. Therefore, the proposal is to relocate the bin store so that it is adjacent to the access road which serves the student accommodation block. It is considered that the bin store will have limited impact on the character and appearance of the streetscene and as mitigation landscaping and boundary treatment will be conditioned accordingly. The rooms which will be vacated by the bin stores will be used as additional student bedrooms and it is not considered that the additional bedrooms would have an adverse visual impact on the character and appearance of the area.

In addition, the applicant is proposing to enlarge the LPG store, which is located to the front of the building. The applicant confirms that the enlarged LPG store is required as they do not anticipate the proposed ground source heat pump to be sufficient to provide adequate heating and the LPG is required as a backup system.

According to the approved plans there was a number of Juliet balconies located on the various elevations of the building. The applicant confirms that they are unable to clean the windows externally. As the building will be in use for the majority of year (there is only one week at Christmas time when the building is vacant) they will not be able to clean the windows internally, due to safeguarding children constraints. The Juliet balconies were added to provide a bit more visual diversity to the building, so while their loss is regrettable it is not considered sufficient to refuse.

Other alterations include the use of grasscrete around the outside of the building, so that engineers can access the plant room, which is located at the rear of the building. In addition, the applicant is proposing on installing louver doors to the plant room. It is considered given its location the impact on the streetscene will be minimal.

### **Amenity Considerations**

Policy BE.1 (Amenity) states that development will be permitted provided that the development is compatible with surrounding land uses, does not prejudice the amenity of future or neighbouring occupiers, does not prejudice the safe movement of traffic and does not cause an increase in air, noise, water pollution which might have an adverse impact on the use of land for other purposes.

It is considered that the development of the site for student accommodation within an existing college campus area is considered to be compatible with the surrounding land uses. The proposals are also unlikely to result in noise, air or water pollution. A principle consideration in

determining this application is its effect upon the amenity of adjacent occupants. This primarily includes the residents of Windsor Hall and other residential dwellings within the locality. The general thrust of Policy BE.1 requires that development does not have a prejudicial impact on the amenity of occupiers in an adjacent property.

The neighbouring student accommodation block (Windsor Hall) is located to the north of the application site. It is noted that there are two car parks, (one is located to the front of the proposed student accommodation block and other is to the front of Windsor Hall) in addition there is a large grassed area, which will also be landscaped. According to the Councils SPD states as a general indication, there should ideally be a distance of 21m between principal elevations and 13.5m between a principal elevation and a side elevation and the case of flats there should be 30m between principal elevations with windows to first floor habitable rooms. According to the submitted plans there is a distance of approximately 75m separating the proposed building from the front elevation of Windsor Hall on the opposite side of the landscaped area. Therefore, it is considered that the proposal will not have a significant detrimental effect on the residential amenities of the occupiers of this property and the proposal accords with Policy BE.1 (Amenity).

The impact upon the residential amenity of nearby residential properties is also a consideration in particular the properties located on Cinder Lane and Holly Bank Farm which are located to the north west of the application site and properties to the south of the application site on Millstone Lane. It is considered that the proposed development will have a marginal impact on the residential amenities of the neighbouring there is a distance in excess of 240m separating the application site from Holly Bank Cottage, 270m from the nearest property on Cinderhill Lane and 320m from the properties on Millstone Lane. Overall, it is considered given the separation distances and intervening vegetation will help to mitigate any negative externalities caused by the proposed development.

## **Highways**

It is acknowledged that the proposal will create two additional student bedrooms, due to the bin stores being displaced. The applicant is not proposing to alter the number of car parking spaces or the junction layout onto Wettenhall Road.

According to the submitted plans, the proposed development would create 152 one bed apartments for student accommodation with a total of 50 (4 of which will be disabled) off street car parking spaces. The maximum car parking standards contained in Appendix 8.1 of the Local Plan identify that Use Class C2 (Residential Institutions) requires one car parking for every three beds. This would give a maximum requirement of 51 spaces (rounded up) to serve the development. It is considered that the proposal is broadly in accordance with guidance advocated within the Local Plan. Additionally, there are other car parks within the campus which could be used by students and there is spare capacity. Furthermore, the applicant is proposing a cycle shelter, which could be utilised by students and will provide a sustainable mode of transport and applicant is willing to update their Travel Plan. Colleagues in Highways have been consulted regarding the proposal and they have no objections to the development and as such the proposal complies with policies BE.3 (Access and Parking) and TRAN.9 (Car Parking Standards).

## **Drainage**

Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall.

The NPPF states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development.

It is possible to condition the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff generated by the development is sufficiently discharged. This will probably require the use of Sustainable Drainage Systems (SUDS) which include source control measures, infiltration devices as well as filter strips and swales which mimic natural drainage patterns. Concerns have been raised that if the proposal was to be approved, it will exacerbate flooding in the immediate area and it is considered prudent to attach a condition relating to drainage, if planning permission is to be approved. Overall, it is considered that the application is in accordance with policy BE.4 (Drainage, Utilities and Resources).

## **Ecology**

The applicant submitted a protected species survey to accompany their original application (12/3548N) and it identified that Great Crested Newts and roosting Bats as being potential ecological constraints on the proposed development. The Council's Ecologist was consulted and stated that he does anticipate the proposed development having an impact upon Badgers, Great Crested Newts or Reptile Species. The current application has also been assessed by the Council's Ecologist who confirms that '*I have no comments to make on this amendment of condition application*'. Overall, it is considered that the proposal will not have a detrimental impact on any protected species and the proposal is in accordance with policy local plan policy and advice advocated within the NPPF.

## **Landscape**

No comments have been received at the time of writing this report from the Landscape Officer. Members will be updated in the update report once these comments have been received.

## **Public Rights of Way**

Colleagues in Public Rights of Way have been consulted and they advise that 'I have consulted the Definitive Map of Public Rights of Way and can confirm that the development does not appear to affect a public right of way'. However, according to the submitted plans the proposal is re-route the cycle route in order to protect the existing planting beds. The case officer considers it prudent to attach a condition requiring full detailed specification of the proposed cycleway. It is considered that the proposal as conditioned complies with policies RT.9 (Footpaths and Bridleways) and TRAN.6 (Cycle Routes).

## **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed variation of condition 2 of planning permission 12/3548N is acceptable in principle and, as conditioned, would not cause any detrimental harm to the amenities of nearby residents or the character and appearance of the area or highway safety. It is concluded that the proposed development would be in accordance with Policies 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), CF.2 (Community Facilities), TRAN.5 (Provision for Cyclists), TRAN.6 (Cycle Routes), TRAN.9 (Car Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and advice advocated within the National Planning Policy Framework.

### **RECOMMENDATION: Approve subject to conditions:**

1. **Standard**
2. **Plans**
3. **Materials**
4. **Surfacing Materials**
5. **Drainage**
6. **Cycle Shelters**
7. **Landscaping Submitted**
8. **Landscaping Implemented**
9. **Car Parking**
10. **Travel Plan**
11. **Roof Cows**
12. **Tree Protection Measures**
13. **Lighting Scheme to be Submitted and Approved**
14. **Hours of Construction**

<b>Monday to Friday</b>	<b>08:00 to 18:00 Hours</b>
<b>Saturdays</b>	<b>09:00 to 14:00 Hours</b>
<b>Sundays and Public Holidays</b>	<b>Nil</b>
15. **Pile Foundations**

<b>Monday to Friday</b>	<b>08:30 to 17:30 Hours</b>
<b>Saturday</b>	<b>08:30 to 13:00 Hours</b>
<b>Sundays and Public Holidays</b>	<b>Nil</b>
16. **Floor Floating**

<b>Monday to Friday</b>	<b>07:30 to 20:00 Hours</b>
<b>Saturday</b>	<b>07:30 to 13:00 Hours</b>
<b>Sundays and Public Holidays</b>	<b>Nil</b>
17. **Dust Control – in order to minimise dust arising from demolition/construction activities a scheme shall be submitted and approved**
18. **Features for Breeding Birds**

- 19. No Development within the Bird Breeding Season**
- 20. Additional Green Walls for the elevations facing Wettenhall Road and Crewe Alexander Training Ground.**
- 21. 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.**
- 22. Detailed Specification of the cycleway to include width, signage, materials used in the surface and to include any temporary arrangements.**
- 23. Details of the Boundary Treatment to the refuse store to be submitted and agreed in writing**
- 24. Colour of Louvre doors to be submitted and agreed in writing**

(c) Crown copyright and database rights 2013. Ordnance Survey  
100049045, 100049046.

