

Application No: 20/4803N

Location: Former printworks site, Land at, Crewe Road, Haslington, CW1 5RT

Proposal: Variation of conditions 3,5,6,7,8,9 and 12 on approval 18/3026N.

Applicant: SNV Construction Ltd

Expiry Date: 24-Dec-2020

#### **SUMMARY:**

The principle of residential development on this site has already been established and does not fall to be re-visited in the determination of this application.

The development would provide affordable housing in accordance planning policy. The mix of units within the open market housing on site is acceptable.

The development is of an acceptable design and would not have a detrimental impact upon residential amenity.

The highways impact, internal road layout and parking provision are acceptable.

The ecological impacts, tree impacts, and landscape impacts of the development are considered to be acceptable.

On this basis the application is recommended for approval.

#### **RECOMMENDATION**

**Approve subject to conditions.**

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site comprises a cleared site formerly associated with no. 204 Crewe Road, Haslington, a large detached dwelling and coach house fronting Crewe. The dwelling and application site share a vehicular access from Crewe Road which subdivides within the curtilage of the property. The site was formerly occupied by a commercial building, which was located to the rear of no. 204, approximately 105m back from Crewe Road, this has now been demolished.

The boundaries within the site are defined by established planting predominantly with trees throughout the site, although a significant number of trees have been removed. The site falls within the open countryside as designated in the Local Plan.

To the rear of the site is an ongoing development by Bovis Homes. The site is within Open Countryside, as defined in the local plan, albeit only a short distance outside the Haslington Settlement Boundary.

## **DETAILS OF PROPOSAL**

This is an application to vary conditions 3, 5, 6, 7, 8, 9 and 12 on the reserved matters approval 18/3026N. In summary the changes comprise the following:

### **Plots 8 & 9**

- Reduced house size designs
- Garages now detached

### **Plots 1-3**

- Omit porch to rear of plot 2
- Arch heads added
- Relocated quoining

### **Plots 4, 5, 7, 10 & 11**

- Removal of stone to rear
- Simplify dormer
- Removal of quoining
- Modified chimney

### **Plot 6**

- Flipped plan
- Removal of stone to rear
- Simplify dormers
- Removal of quoining
- Modified chimney

### **Site plan changes**

- Modified turning head
- Relocation of access to plot 6

## **RELEVANT HISTORY**

18/3026N     2019 Approval for reserved matters to 13/5248N

17/4974N     2019 Approval for reserved matters for approved application 13/5248N for Appearance Landscaping Layout and Scale

13/5248N     2015   Appeal allowed for outline application for new residential development of up to 14 dwellings.

12/1535N     2012 Non-material amendment to application number 12/0325N

12/0325N     2012 Approval for replacement dwelling for previously approved residential conversion.

11/3894N     2012 Withdrawn application for conversion to residential

10/4295N     2010 Approval for residential conversion

## **POLICIES**

### **Cheshire East Local Plan Strategy (CELPS)**

SD 1 Sustainable Development  
SD 2 Sustainable Development Principles  
SE1 Design  
SE 2 Efficient Use of Land  
PG 6 Open Countryside

**It should be noted that the Cheshire East Local Plan Strategy was formally adopted on 27th July 2017. There are however policies within the legacy local plans that still apply and have not yet been replaced. These policies are set out below.**

### **Local Plan Policy**

#### **Borough of Crewe and Nantwich Replacement Local Plan 2011 (CNRLP)**

NE.5 Nature Conservation and Habitats  
NE.9 Protected Species  
BE.1 Amenity  
BE.4 Drainage, Utilities and Resources  
RES.2 Unallocated Housing Sites  
RES.5 Housing in the Open Countryside

**Haslington Neighbourhood Plan** has only reached Regulation 7 stage and therefore carries no weight

### **Other Considerations**

National Planning Policy Framework  
Cheshire East Design Guide

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

**Highways:** No objection.

**Environmental Health:** No objection.

**Housing:** No objection.

**Flood risk:** No objection.

## **VIEWS OF THE TOWN COUNCIL**

No comments received at the time of report writing.

## **OTHER REPRESENTATIONS**

One representation have been received at the time of report writing, from a local resident questioning whether the trees to the rear of the site would remain in place.

Councillor Steven Edgar has commented on the application, making the following points:

- This was an unwanted application at the northern gateway into Haslington village, but now has reserved matters permission granted in May 2019 after an appeal was lost in 2015.
- Houses will be built at this site, all that can be done is perhaps improve the appearance of the inevitable.
- This application seeks to change the design of the houses and incorporates some improvements to the original design.
- The 3 houses at the entrance are now staggered slightly relieving the appearance of a terrace and have proposed more space in front of each to provide planted screening.
- This extra space at the front will undoubtedly be used as a bin store (the kitchens are at the front of the houses), I would like to see some sort of bin store or feature to hide the bins from view, perhaps at the sides of plots 1 and 3 and at the front of plot 2. A There is ample space for some sort of camouflaging feature.
- I welcome the condition at 4.10 that the affordable housing should be for members of the local community in perpetuity.
- Wheel washing, dust generation and off road parking during construction are covered within the construction method statement and are also welcome as the access is off a narrow section of Crewe Road, just beyond the entrance to the very large Bovis development still under construction.

## **OFFICER APPRAISAL**

### **Principle of Development**

The site lies in the Open Countryside. However, outline consent for up to 14 dwellings was granted on appeal in 2015. Therefore, the principle of allowing residential development on this site has already been established and cannot be revisited. In addition, reserved matters approval was given for 11 dwellings on the site in May 2019.

### **Design**

There are very limited changes to the design of the properties.

Plots 8 and 9 have been reduced in size and the garages would now be detached.

On plot 2 the rear porch is removed and for plots 1, 2 and 3 arch heads have been added above the windows on the front elevations and quoin details have been relocated.

Plots 4, 5, 7, 10 and 11 would have stone finishes removed from the rear, quoins removed, simpler dormer design and modification to the design of the chimneys.

Plot 6 would be rotated, stone finishes removed from the rear, quoins removed, simpler dormer design and modification to the design of chimneys.

In terms of layout, the turning head has been slightly amended and the access to plot 6 relocated due to the rotation of the property.

In design terms these are all very limited changes and it is not considered that they would detract from the character and appearance of the development.

The proposal is complies with Policies SD1, SD2 and SE1 of the CELPS.

## **Landscape**

The proposed landscaping of the site is almost identical to that approved under the previous reserved matters application and as such is acceptable.

The proposal is therefore considered to be acceptable and in accordance with Policy SE4 of the CELPS.

## **Trees**

The loss of protected trees, a Sycamore and Lime forming part of Group G4 of the Crewe and Nantwich Borough Council (Winterley) Tree Preservation Order 1977 were conceded by the Planning Inspector at appeal to facilitate the proposed access. The Inspector (at para 17 of the decision) required Landscaping (including provision of additional tree planting to the front of the site) is to be undertaken.

The revised Landscape Layout now provides for two replacement Lime trees on the Crewe Road frontage, with two at right angles to it to the north of the car park. This revised landscaping scheme now satisfies the concerns of Officers in respect of mitigation for the loss of the two protected trees conceded by the Planning Inspector.

A condition relating to tree protection and retention form part of the outline approval and as such do not require re-imposing as part of this application.

The trees to the rear of the site are to be retained, which addresses the issue raised in the representation by the member of the public.

The proposal is therefore considered to be in accordance with Policy SE5 of the CELPS and NE.5 of the C&NLP.

## **Highways**

The changes only involve minor changes to the turning head and the relocation of the access to plot 6. The Head of Strategic Infrastructure has assessed the revised proposal and is satisfied that it is acceptable.

A Construction Management Plan has been submitted and compliance with the relevant parts (as set out in the appeal decision on the outline application) of it should be controlled by condition.

The proposal is therefore considered to be acceptable and in accordance with Policy BE.3 (Access and Parking) of the C&NLP and the Parking Standards set out in Appendix C of the CELPS.

## **Amenity**

In terms of the surrounding residential properties the layout of the site means that all the requisite separation distances can be achieved including to the new development to the south of the site.

Having regard to the amenity of future occupiers of the dwellings, they would have adequate residential amenity space. However permitted development rights should be removed from plots 1, 2 and 3 in order to ensure that this residential amenity space is retained.

Conditions relating to air quality (EVC charging points), land contamination and piling were imposed on the outline consent allowed at appeal, as such they do not require re-imposing as part of this application.

The proposal is would comply with Policy BE.1 (Amenity) of the C&NLP.

## **Ecology**

### *Condition 5 (Landscape Plan)*

The revised landscape plan refers to the ecological report for recommendations relating to the treatment of the area of retained scrub and trees towards the southern end of the site. The revised ecological report (dated 10th December) recommends that the area is to be retained as it currently is. This approach is acceptable.

### *Condition 9 (Development undertaken in accordance with the recommendation of the submitted ecological reports)*

The revised ecological assessment (10th December) states that it is now proposed to enter the development into Natural England's district licensing scheme for Great Crested Newts, in place of providing compensatory habitat and mitigation on site. Confirmation of acceptance onto the scheme has now been provided. It is considered that this approach is acceptable to maintain the favourable conservation status of the species concerned.

As identified during the earlier applications at this site a sett is known to be present. The ecological assessment has now been revised to detail potential impacts on the retained sett would be mitigated during the construction phase. These proposals are acceptable.

### *Habitat Regulations*

The UK implemented the EC Directive in the Conservation (natural habitats etc) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests

- A requirement on local planning authorities (“LPAs”) to have regard to the directive’s requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is 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
- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable “other imperative reasons of overriding public interest”, then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

#### Test 1: Overriding Public Interest

The revised ecological assessment states that it is now proposed to enter the development into Natural England’s district licensing scheme for Great Crested Newts, in place of providing compensatory habitat and mitigation on site. This approach is acceptable to maintain the favourable conservation status of the species concerned. The development would provide social and economic benefits in the form of employment during construction, the delivery of housing and the restoration of what is currently a derelict site. Given these benefits the development proposal contributes to meeting an imperative public interest, and that the interest is sufficient to override the protection of, and any potential impact on Great Crested Newts, setting aside any mitigation that can be secured.

#### Test 2: No satisfactory alternative

The site has planning permission for residential development and therefore has been assessed as being an appropriate place for this form of development. As such it is considered that there would be no satisfactory alternative.

Test 3: “the action authorised will not be detrimental to the maintenance of the species concerned at a favourable conservation status in their natural range”.

The Applicant is to enter the development into Natural England’s district licensing scheme for Great Crested Newts, in place of providing compensatory habitat and mitigation on site. This approach is acceptable to maintain the favourable conservation status of the species concerned.

The submitted Other Protected Species Mitigation Strategy is also satisfactory.

Overall, therefore it is considered that the development contributes to meeting an imperative public interest, there are no satisfactory alternatives, and that the interest is sufficient to override the protection of, and any potential impact on Great Crested Newts and other protected species, setting

aside the proposed mitigation. It is considered that Natural England would grant a licence in this instance.

#### *Condition 12 (Lighting)*

The revised lighting scheme is considered to be acceptable in terms of its impact on wildlife.

#### **Affordable Housing**

There is no change to the affordable housing provision on the site.

#### **Flood Risk**

The Flood Risk management team have assessed the application and raised no issues relating to drainage.

#### **CONCLUSIONS**

The principle of residential development on this site has already been established and does not fall to be re-visited in the determination of this application.

The development would provide affordable housing in accordance planning policy. The mix of units within the open market housing on site is acceptable.

The development is of an acceptable design and would not have a detrimental impact upon residential amenity.

The highways impact, internal road layout and parking provision are acceptable.

The ecological impacts, tree impacts, and landscape impacts of the development are considered to be acceptable.

On this basis the application is recommended for approval.

#### **RECOMMENDATION**

**Approve subject to the following conditions:**

- 1. Accordance with the conditions on the outline permission**
- 2. Time limit**
- 3. Approved plans**
- 4. Details of materials to be submitted**
- 5. Compliance with the landscape planting proposals**
- 6. Compliance with the Drainage Strategy**
- 7. Compliance with the Construction Method Statement**
- 8. Compliance with the Badger Mitigation Strategy**
- 9. Prior to the occupation of any of the dwellings hereby permitted, details of features suitable for nesting House Sparrow and roosting bats, to be incorporated into the approved development, shall be submitted to and approved in writing by the Local**

**Planning Authority. Development shall be carried out in accordance with the approved details.**

- 10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order), no development (as defined by Section 55 of the Town and Country Planning Act 1990) as may otherwise be permitted by virtue of Classes A, B, C, D and E of Part 1 Schedule 2 of the Order shall be carried out on plots 1, 2, & 3.**

**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.**

