

Southern Planning Committee

Agenda

Date:	Wednesday, 20th March, 2013
Time:	2.00 pm
Venue:	Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ

Members of the public are requested to check the Council's website the week the Southern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. Apologies for Absence

To receive apologies for absence.

2. Declarations of Interest

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have predetermined any item on the agenda.

3. Minutes of Previous Meeting (Pages 1 - 6)

To approve the minutes of the meeting held on 27 February 2013.

4. Public Speaking

A total period of 5 minutes is allocated for each of the planning applications for Ward Councillors who are not Members of the Planning Committee.

Please contact Julie Zientek on 01270 686466

E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies or requests for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Planning Committee and are not the Ward Member
- The Relevant Town/Parish Council
- Local Representative Groups/Civic Society
- Objectors
- Supporters
- Applicants

5. **13/0226N 2, Mount Close, Nantwich, Cheshire CW5 6JJ: Retrospective Application for 2 No. Garden Timber Garden Buildings and Gates to Driveway for Mr D Pope** (Pages 7 - 12)

To consider the above planning application.

6. **12/4007N Manor Way Centre, Manor Way, Crewe CW2 6JS: Demolition of Existing Building and Erection of a 72 Bed 2/3 Storey Care Home for Peter Evans, Glendun Ltd** (Pages 13 - 32)

To consider the above planning application.

7. **12/4843C Drummer Farm, Dubthorn Lane, Betchton CW11 4TA: Erection of Building to House Livestock and Agricultural Implements for Mr A Davies, W.A. Davies & Sons** (Pages 33 - 36)

To consider the above planning application.

8. **13/0013N Edleston Road County Primary School, Edleston Road, Crewe CW2 7HB: Conversion of Former Primary School to form Ten Residential Apartments for South Cheshire College** (Pages 37 - 44)

To consider the above planning application.

9. **13/0019N Linden Court, Hungerford Avenue, Crewe CW1 6HB: 22No. New Residential Units, Predominantly Two Storey Semi-Detached Dwellings with 6No. 1 Bedroom Flats and a New Access Road for Ann Lander, Wulvern Housing** (Pages 45 - 56)

To consider the above planning application.

10. **13/0708N Land at 2, Railway Bridge Cottages, Baddington Lane, Baddington, Nantwich CW5 8AD: Material Change of Use of Land to Use as Residential Caravan Site, Including Extension to Existing Hardstanding (4 Permanent Pitched) Resubmission for Mr J Florence** (Pages 57 - 72)

To consider the above planning application.

11. **13/0136N North Street Methodist Church, North Street, Crewe CW1 4NJ: Demolition of Existing Church Building, Erection of Church Community Centre and 18 Affordable Retirement Apartments and Associated Access and Car Parking Provision for Malcolm Lorimer, Wulvern Housing Ltd and Trustees for Met** (Pages 73 - 84)

To consider the above planning application.

12. **13/0403N 32, Nantwich Road, Wrenbury, Cheshire CW5 8EN: Outline Application for Erection of Small 2-Storey Dwelling on Vacant Land for Ms Shirley Wardle** (Pages 85 - 92)

To consider the above planning application.

13. **13/0493N Land between Meadow Rise and Ash Cottage, Off Holmshaw Lane, Haslington CW1 5XF: A New Single Storey Dwelling for Mr & Mrs J Coupland** (Pages 93 - 102)

To consider the above planning application.

14. **Outline Application for the Erection of 91 Dwellings at South Cheshire College** (Pages 103 - 130)

To consider proposed amendments to the resolution passed by Crewe and Nantwich Borough Council in respect of application P07/1054.

THERE ARE NO PART 2 ITEMS

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Southern Planning Committee**
held on Wednesday, 27th February, 2013 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor G Merry (Chairman)
Councillor M J Weatherill (Vice-Chairman)

Councillors Rhoda Bailey, D Bebbington, P Butterill, R Cartlidge, J Clowes,
W S Davies, P Groves, A Kolker, D Marren, M A Martin, D Newton and
A Thwaite

NON-COMMITTEE MEMBERS IN ATTENDANCE

Councillors D Flude and A Moran

OFFICERS PRESENT

Nigel Curtis (Principal Development Officer - Highways)
Rachel Goddard (Senior Lawyer)
David Malcolm (Southern Area Manager – Development Management)
Julie Zientek (Democratic Services Officer)

Apologies

Councillor S McGrory

138 DECLARATIONS OF INTEREST

With regard to application number 13/0130N, Councillors R Cartlidge and P Groves declared that they had been appointed as Council representatives on the Board of Wulvern Housing but that they had not actively promoted the application.

Councillor P Butterill declared that, notwithstanding the publication in the press of a letter from her regarding development on Greenfield sites, she had kept an open mind with respect to all the applications on the agenda for the current meeting (except one for which she made a specific declaration), and that she would consider each item on its merits, having heard the debate and all the information. Councillor Butterill also declared that she was a member of Nantwich Town Council and Nantwich Civic Society.

With regard to application number 13/0226N, Councillor P Butterill declared that she had not kept an open mind and would withdraw from the meeting during consideration of this item.

Councillor D Bebbington declared that, notwithstanding the publication in the press of a letter from him regarding the Keep it Green Campaign, he had kept an open mind with respect to all the applications on the agenda for the current meeting, and that he would consider each item on its merits, having heard the debate and all the information.

With regard to application number 13/0226N, Councillor D Marren declared that he was a member of Nantwich Town Council, but that he had not taken part in any discussions in respect of the application and had not made comments on it.

With regard to application number 13/0226N, Councillor A Moran, who was in attendance at the meeting, declared that he was a member of Nantwich Town Council and that he had discussed the application.

139 **MINUTES OF PREVIOUS MEETING**

RESOLVED – That the minutes of the meeting held on 6 February 2013 be approved as a correct record and signed by the Chairman.

140 **12/3832N EGERTON HALL FARM, SHAY LANE, EGERTON SY14 8AE:
RETROSPECTIVE APPLICATION FOR ERECTION OF MARE
ACCOMMODATION, STALLION BARN, HORSE WALKER,
SURFACING OF LORRY PARKING AND ANCILLARY BUILDING
CLADDING FOR HARTHILL STUD LLP**

Note: Mr M Morris (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Plans
2. Application of dark coloured plastisol to galvanised doors of mare barn
3. Application of internal “hit and miss” Yorkshire Boarding to mare barn
4. Application of darkened material to rooflights
5. Submission of landscaping / boundary treatment scheme for the whole site, to include, inter alia, details of screen planting and existing / proposed levels for the area between the mare barn and the stream and Root Protection areas for existing trees along the stream.
6. Implementation of landscaping / boundary treatment scheme.
7. No external floodlighting without consent
8. Submission, approval and implementation of scheme for storage and disposal of manure, in consultation with the Environment Agency.

Informative

- Importance of avoiding any disturbance in or around the statutorily-protected chapel.

141 **12/3570N HIGH ASH, CAPPERS LANE, SPURSTOW CW6 9RP:
ERECTION OF TWO AGRICULTURAL BUILDINGS FOR HIGH ASH
FARM LTD**

Note: Councillor D Cox (on behalf of Spurstow Parish Council) and Mr R Lee (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Following the public speaking, Councillor D Bebbington declared that he knew Mr Lee and withdrew from the meeting during consideration of this item.

The Committee considered a report regarding the above planning application.

RESOLVED – That consideration of this matter be DEFERRED to a future meeting of the committee, to enable officers to request further information on the overall business plan for the site and consider the possibility of the applicant agreeing in a Section 106 agreement not to implement an earlier planning permission.

142 **12/3727N MANOR ORCHARD, FLOWERS LANE, LEIGHTON, CREWE
CW1 4QR: OUTLINE APPLICATION FOR RESIDENTIAL
DEVELOPMENT FOR D AND S WOOD**

Note: Mr G Willard (on behalf of the applicant) had registered his intention to address the Committee on this matter but did not speak.

The Committee considered a report regarding the above planning application and a written update.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Time
2. Time for Reserved Matters
3. Approval of Reserved Matters
4. Approved Plans
5. No principal windows to side facing elevation adjacent to Manor House
6. Hours of construction
7. Hours of any pile driving activities
8. Retention of Hedgerow boundary to Flowers Lane
9. A scheme to minimise dust emissions arising from construction activities

10. Noise mitigation scheme
11. Maximum of 4No dwellings
12. Provision of pedestrian access point

143 **13/0130N 89A, BRADFIELD ROAD, CREWE CW1 3RB: DEMOLITION OF EXISTING BUNGALOW & GARAGE. CONSTRUCTION OF : 4 ONE BED APARTMENTS, 8 TWO BED HOUSES & 4 THREE BED HOUSES FOR MR NICK POWELL, WULVERN HOUSING LTD**

Note: Having declared that they had been appointed as Council representatives to Wulvern Housing, Councillors R Cartlidge and P Groves withdrew from the meeting during consideration of this item.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager – Development Management which provided an updated plan and corrected an error in the report to make it clear that the separation distance to 87 and 89 Bradfield Road did not fall short of SPD guidance.

RESOLVED

- (a) That, for the reasons set out in the report, the application be **APPROVED** subject to the following conditions:
 1. Standard time 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 details of external lighting has been submitted to and agreed in writing by the Local Planning Authority.
 6. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.
 7. Submission and approval of materials
 8. 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.
 9. Landscaping details to be submitted and approved
 10. Implementation of landscaping
 11. Boundary Treatment details to be submitted and approved
 12. Obscure glazing to side elevation of plots 3 and 11
 13. Works to take place outside the bird breeding season
 14. A scheme of nesting bird mitigation measures to be incorporated into the development

15. Dwellings to be retained as affordable housing

- (b) That, 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 Development Management and Building Control Manager be granted delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**144 13/0226N 2, MOUNT CLOSE, NANTWICH, CHESHIRE CW5 6JJ:
RETROSPECTIVE APPLICATION FOR 2 NO. GARDEN TIMBER
GARDEN BUILDINGS AND GATES TO DRIVEWAY FOR MR D POPE**

Note: Having declared that she had predetermined the application, Councillor P Butterill withdrew from the meeting during consideration of this item.

Note: Having previously declared that he knew Mr Lee, Councillor D Bebbington withdrew from the meeting during consideration of this item.

Note: Councillor A Moran (Ward Councillor), Mr R Shillabeer (objector) and Mr R Lee (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

The Committee considered a report regarding the above planning application and an oral update by the Southern Area Manager – Development Management which made it clear that the application site was within the settlement boundary for Nantwich.

RESOLVED – That the application be DEFERRED for a Committee site inspection to enable Members to assess the impact of the development.

**145 12/4715N 259, NANTWICH ROAD, CREWE CW2 6NX: CHANGE OF
USE FROM BUSINESS TO TWO HOUSES OF MULTIPLE
OCCUPATION FOR M,C AND S DODD AND STEWART**

Note: Councillor D Flude (Ward Councillor) and Mr C Dodd (applicant) attended the meeting and addressed the Committee on this matter.

Note: Councillor R Cartlidge left the meeting and returned during consideration of this item but after returning did not take part in the debate or vote.

Note: Councillor P Groves left the meeting during consideration of this application.

The Committee considered a report regarding the above planning application.

RESOLVED – That, for the reasons set out in the report, the application be APPROVED subject to the following conditions:

1. Standard (Time)
2. Plans
3. Materials as per application
4. Amended Parking plan
5. Bin storage details for both properties, in consultation with waste.
6. Secured bicycle storage details for both properties
7. Boundary Treatment

146 **12/4007N MANOR WAY CENTRE, MANOR WAY, CREWE CW2 6JS:
DEMOLITION OF EXISTING BUILDING AND ERECTION OF A 72 BED
2/3 STOREY CARE HOME FOR PETER EVANS, GLENDUN LTD**

Note: Councillor D Flude (Ward Councillor) and Ms J Naylor (on behalf of the applicant) attended the meeting and addressed the Committee on this matter.

Note: Councillor D Flude declared that she was a member of the Health and Wellbeing Board, and that she was addressing the Committee as a Ward Councillor.

The Committee considered a report regarding the above planning application, a written update and an oral report of the site inspection. The Southern Area Manager – Development Management also corrected the report to make it clear that the Council's Adult Services objected to the application.

RESOLVED – That consideration of this matter be DEFERRED to a future meeting of the committee, to enable officers to clarify whether need can be taken into consideration.

The meeting commenced at 2.00 pm and concluded at 5.10 pm

Councillor G Merry (Chairman)

Application No: 13/0226N

Location: 2 Mount Close, Nantwich, Cheshire, CW5 6JJ

Proposal: Retrospective application for 2 no. garden timber garden buildings and gates to driveway.

Applicant: Mr D Pope

Expiry Date: 07-Mar-2013

SUMMARY RECOMMENDATION

Approve with Conditions

MAIN ISSUES

- **Impact on residential amenity**
- **Impact on streetscene**

REASON FOR REPORT

This type of application would normally be dealt with under the Council's scheme of delegation; however it has been called into the Southern Planning Committee by Cllr Arthur Moran for the following reasons:

"Will cause demonstrable harm to the appearance of the street scene contrary to policy BE2 of the Adopted local plan and will not be in keeping with the design and layout of surrounding development."

Members deferred the application from the last meeting for a site visit.

DESCRIPTION OF SITE AND CONTEXT

The application site is found to the front/side garden of 2 Mount Close which lies on the junction of Mount Close and Mount Drive within the Settlement Boundary for Nantwich.

The site itself is bordered on all three sides by a mature hedge of approximately 2 metres in height.

DETAILS OF PROPOSAL

This is a retrospective application seeking approval for two sheds and the erection of a set of gates at the access to the property.

The two sheds are positioned to the south and south east of the application dwelling close to the boundary. The smaller of the two sheds measures 3.7 metres by 1.8 metres and has a roof height of 2.2 metres at the highest point.

The larger of the two measures 6.1 metres by 2.3 metres with a height of 2.5 metres at the highest point. However, since the last meeting amended plans have been received reducing the height of this building by 0.3 of a metre at the rear (nearest the boundary of the site) and 0.1 of metre to the front.

The set of double gates are constructed of timber and have a width of 3 metres and a height of 1.5 metres.

RELEVANT HISTORY

4/3/2225 – 2 and 2a Mount Close – Extensions – approved with conditions 1973

7/01782 – 2 and 2a Mount Close – Extension forming bedroom – approved with conditions 1976

7/12632 – 2 and 2a Mount Close – Conversion of property into a pair of semi-detached dwellings (PD rights removed) – approved with conditions 1985

POLICIES

Crewe & Nantwich Borough Council Local Plan Policy

Nantwich Settlement Boundary

BE.1 – Amenity

BE.2 – Design Standards

RES.11 – Improvements and Alterations to Existing Dwellings

Supplementary Planning Document – Extensions and Alterations to Existing Dwellings

National Planning Policy Framework

CONSIDERATIONS (External to Planning)

Highways

No comments received at time of writing report

VIEWS OF THE PARISH / TOWN COUNCIL

Nantwich Town Council objects to this development as the buildings will cause demonstrable harm to the appearance of the street scene contrary to Policy BE2 of the Adopted Local Plan relating to design standards

OTHER REPRESENTATIONS

One letter of representation has been received from the occupier of the neighbouring 48 Mount Drive which objects for the following reasons:

- Second building is an eyesore
- Concerns over what the building will be used for
- Objects to looking at building from lounge

APPLICANT'S SUPPORTING INFORMATION

None received

OFFICER APPRAISAL

Principle of Development

The application site lies within the Settlement Boundary for Nantwich; therefore the development is acceptable in principle providing that the design is appropriate and that the development does not give rise to any detrimental impact on the amenities of adjacent properties.

Amenity

Policy BE.1 (Amenity) of the Local Plan states that proposal for new development will be permitted that if they are:

“compatible with surrounding land uses” and

“do not prejudice the amenity of future occupier or the occupiers of adjacent property by reason of overshadowing, overlooking, visual intrusion, noise and disturbance, odour or in any other way.”

In terms of neighbouring residential amenity the neighbouring dwelling to the north (No. 37 Mount Drive) is a detached bungalow. In between this dwelling and the application site is a mature hedge standing at approximately 2 metres in height. The two principal windows on the front elevation of this dwelling are approximately 15 metres from the two sheds when measured at the closest point.

Given the above it is not considered that the development will have a significantly detrimental effect upon the amenity of No. 37 to justify a refusal.

The neighbouring dwellings to the west of the application site are over 20m away on the opposite side of Mount Drive. Further to this the existing hedge on the boundary of the application site stands in between at a height of approximately 2m in height. This hedge screens much of the view of the two sheds from the neighbouring dwelling to the west. It is considered that the development will not have a significantly detrimental effect upon neighbouring residential amenity when viewed from this perspective.

It is not considered that the double gates to the entrance to the application site will have a harmful effect upon the amenity of any neighbouring properties.

As a result the proposed development is in accordance with Policy BE.1 (Amenity) and Policy RES.11 (Improvements and Alterations to Existing Dwellings) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Impact on Character

Policy BE.2 (Design) of the Local Plan states that proposal for new development will be permitted provided that they:

“respect the pattern, character and form of the surroundings”, and

“do not adversely affect the streetscene by reason of scale, height, proportions or materials used”.

The site occupies a prominent corner location and with the structures being located to the front and side there is the potential for harm due their visibility in the street scene. The front/side garden however is bounded by laurel and conifer hedges of approximately 2 metres in height. While the two sheds are partially visible above the current height of the hedge, and over the entrance to the dwelling the existing hedges do screen the majority from view. Furthermore, a condition will be attached to any permission requiring the hedges to be retained (and replaced) to mitigate any potential impact upon the surrounding streetscene.

Other timber fencing exists in the locality of the site so it is not considered that such that the timber entrance gates are significantly out of character with the area to justify a refusal.

As a result the proposed development is in accordance with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Other Matters

The actual use of the sheds is not a concern as long as they are used for a purpose incidental to the enjoyment of the dwelling house.

CONCLUSIONS

Overall it is considered that the development will not have a significantly detrimental effect upon residential amenity.

The design of the development is considered, in the presence of the existing boundary treatment, to be acceptable in terms of its size, scale and location and will not have a detrimental impact upon the streetscene of Mount Close or Mount Drive.

RECOMMENDATIONS

APPROVE subject to the following conditions:-

1. Standard time
2. Approved plans
3. Materials as application
4. Additional planting scheme to be agreed.
5. Additional planting scheme and existing hedges to be retained thereafter.

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Application No: 12/4007N

Location: Manor Way Centre, MANOR WAY, CREWE, CW2 6JS

Proposal: Demolition of existing Building and erection of a 72 bed 2/3 storey care home

Applicant: Peter Evans, Glendun Ltd

Expiry Date: 17-Jan-2013

SUMMARY RECOMMENDATION

APPROVE subject to no objection from the Strategic Highways Manager and the following conditions

MAIN ISSUES

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

REFERRAL

The application is referred to planning committee because it is over 1000sq.m in floor area and is therefore a major development. Members may recall that the item was deferred at the last meeting for consideration in the light of a previous appeal decision at Handforth. This is dealt with at the end of the report.

1. SITE DESCRIPTION

The site is approximately 0.41 ha in area. It is located approximately 2.5km south of Crewe Town Centre in a predominantly residential area. The site comprises a 39 bed former care home, which is currently vacant. The present accommodation is situated on two floors with car parking to the front, side and rear and landscaping / garden areas surrounding. The building has an approximate gross internal floor area of 1,217sq m.

2. DETAILS OF PROPOSAL

Planning permission is sought for the erection of a care home comprising 72 no. bedrooms. The proposed building would be largely three storeys in height, with some parts two storeys.

The ground, first and second floors would each comprise 24 en-suite bedrooms, two lounges, a dining room / circulation hub and a library. All bedrooms would be en-suite and would provide sufficient turning space for wheelchairs. On the ground floor, the main entrance would be located towards the south of the building nearest to Manor Way. Above this on the first floor would be a kitchen and laundry. There would be no second floor at this part of the building.

One of the lounges, the library and the dining room on the ground floor would provide access through to the outdoor amenity space. A plant room and bin store is proposed to the south east of the site in a separate building. It is anticipated that the proposed nursing home would employ 59 full-time members and 20 part-time members of staff. Employment opportunities would be provided for nurses, nursing workers, domestic, operational and administration staff. The aim would be to source these jobs locally.

3. RELEVANT PLANNING HISTORY

7/07632 Home for Elderly Persons – approved 3 March 1981;
7/08440 Elderly Persons Home and 2 staff houses – approved 27 November 1981;
7/19517 Continued use as a residential care home (C2) – approved 8 March 1991.

4. 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:-

- The drainage strategy for the proposed development shows a partial design combining on site before communicating with the public sewerage system.

This is not acceptable to UU as this area is now served via a total separate drainage system with independent foul and surface water sewers currently located within Manor Way further to which, any new development should connect accordingly.

- Surface water flows generated from the new development will also need to be limited to a maximum discharge rate of 30 l/s before connecting in to the public surface water sewer.

Environment Agency

No comments to make on the proposed development.

Adult Services

- Object to the proposed development.
- There is already 22 care homes in the local area, with a total of 1004 beds which currently (18/02/13) have 93 vacancies (information received from 20 of the care homes). It is therefore a concern that the market for care beds in this area is saturated and should not be further developed.
- Although the demographics show a rise in older people living in Cheshire East the demand for residential/nursing provision is decreasing. The demand at the beginning of the year shows a reduction in numbers from 1,530 in 2008/09 to 1,477 for the same period in 2012/13.
- Additional care beds in this area will put pressure on health and council services for older people including GP and dental services, social care and hospital services

Highways

The Proposal

The proposal is for a 72-bedroom care home that will replace the existing 39-bedroom care home.

Access to the development will be as per the existing arrangements.

Key Issues

The following are considered the key issues to be addressed by this development proposal;

1. Achieving a safe and convenient site access strategy.
2. Allowing sufficient parking for the development proposal.
3. Sufficient space for ambulances to service the site.
4. Safe servicing of the site.
5. Ensure that the site can be accessed by sustainable modes of transport.
6. Ensure that any residual traffic impact is minimal.

Site Assessment

Site access

The site access arrangements are; one to the main body of parking and one to the smaller area of parking. The access arrangements for car/light vehicle use are satisfactory.

Parking

The proposed level of parking at the development is 26 spaces, with five set aside for disabled users.

The current Cheshire East Council (CEC) parking guidelines are set out in the Crewe and Nantwich Local Plan refer to one parking space per three bedrooms plus one space per resident staff. The TA indicates that there are no resident staff and indicates 60 non-resident staff. Although these figures differ considerably between documents submitted by the Applicant; it has been most recently indicated that there will be 60 staff over three shifts.

Based on this information CEC would normally expect 24 parking spaces and therefore the parking proposals are adequate.

Drop Off/Pick Up Facilities at Care Homes

We would expect an area to be set aside for ambulances/patient transport vehicles in close proximity to the main entrance to the building. No such provision appears to have been made.

Service Vehicles

The Design and Access Statement indicates that the type of vehicle required for servicing would be a "small delivery vehicle". Even accepting this statement at face value the need for safe access for refuse vehicles needs to be addressed. It appears that servicing is proposed in the main car park but it is not apparent where service bays are located or how service vehicles will safely manoeuvre within the site.

Sustainability Credentials

Pedestrian accessibility

There are a number of retail outlets available on Nantwich Road which offer employees shopping and food outlets and offer residents shopping opportunities. The footway network in the vicinity of the site is of sufficient width and in a good state of repair.

Cycle accessibility

The site is within close proximity of Regional Route 74 (Crewe-Nantwich) with links to National Route 451. The site is accessible from nearby residential areas, and areas further afield, by cycle.

Public transport

Public transport within reasonable reach of the development proposal is no better than moderate in terms of coverage and frequency.

Service number 84 is relatively frequent and operates between Crewe, Nantwich, Tarporley and Chester four times an hour during the day and is within about a 500m walk of the site.

Rail services are available from Crewe Railway Station within 1.2km of the site.

The Applicant has indicated sustainable transport targets in the Transport Statement that supports this proposal. The targets are not backed up by any sustainable transport mitigation measures being proposed by the Applicant.

Traffic Impact

Shift systems will be operated at the site and it is likely that traffic generation in peak hours will be minimal as described within the TA.

It is accepted that the traffic impact of the development will be low and, indeed, the net impact of the 33 additional bedrooms over the extant permission will be even less.

Conclusion

The net traffic impact of this development proposal will be minimal. Proposed parking is in line with current parking policy for such developments. There are unresolved concerns relating to servicing and patient transport provision.

The Strategic Highway Manager recommends **APPROVAL** of this planning application subject to the following condition:

1. Prior to first development the Applicant will provide an amended plan to demonstrate;
 - Provision of a patient pick-up/drop-off point to the satisfaction of the Strategic Highways Manager, and

- Provision of a safe and efficient servicing regime (for refuse lorries) to the satisfaction of the Strategic Highways Manager.

Environmental Health

- Prior to the development commencing, an Environmental Management Plan shall be submitted and agreed by the planning authority. The plan shall address the environmental impact in respect of air quality and noise on existing residents during the demolition and construction phase. In particular the plan shall show mitigation measures in respect of:
 - Noise and disturbance during the construction phase including piling techniques, hours of operation, vibration and noise limits, monitoring methodology, screening, a detailed specification of plant and equipment to be used and construction traffic routes;
 - Waste Management: There shall be no burning of materials on site during demolition / construction
 - Dust generation caused by construction activities and proposed mitigation methodology.
- The Environmental Management Plan above shall be implemented and in force during the construction phase of the development.
- Prior to its installation details of the location, height, design, and luminance of any proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. The details shall ensure the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties. The lighting shall thereafter be installed and operated in accordance with the approved details.
- The site plan submitted as apart of the application details the plant room as being located adjacent to 127 Manor Way, Crewe. Therefore the applicant is required to submit noise details of any equipment that is proposed to be sited within the plant room and the specification of the design of the plant room in order to mitigate against any potential noise.
- The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:
 - The application is for a replacement residential care home property which is a sensitive end use and could be affected by any contamination present.
 - As such, and in accordance with the NPPF, this section recommends that the following conditions, reasons and notes be attached should planning permission be granted:
 - Should any adverse ground conditions be encountered during excavation works, all work in that area should cease and this section be contacted for advice.

5. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

6. OTHER REPRESENTATIONS

2 letters of representation have been received making the following points:

Design

- The design of the proposed buildings is not in keeping with the scale, character or appearance of the existing and adjoining property. The existing building, although designed and built as residential accommodation for the elderly is of 2 storey mellow brick construction which is in keeping with the adjoining residential property.
- The proposed development is a flat roofed 3 storey design of unpleasant institutional appearance with a colour scheme out of keeping with the adjoining property.
- The dwellings to the side of, opposite, and immediately to the rear of the site are all 2 storey interwar detached or semi detached houses, and the proposed development is a bland 3 storey design which would be completely out of keeping with almost all of the adjoining houses. The 3 –storey aspect of the development is particularly unsuitable and represents an unnecessary and detrimental impact on the area.
- This 3 storey wing at the rear of the development is proposed to extend right up to the rear boundary of the site which would maximise its impact on the houses at the rear. This constitutes a severe and unnecessary overdevelopment of the site.

Privacy / Amenity

- The 3 storey part of the development, being built right up to the rear boundary would overshadow those properties to the rear and lead to a significant reduction in their privacy.
- A number of trees are to be removed as part of the development which is unnecessary and undesirable, particularly since these trees would help to screen the development from adjoining houses.
- The demolition and building work would cause unnecessary disturbance to residents in close proximity to the site

Sustainability

- It is preferable to bring the old building back into use thereby saving resources and energy

Conclusion

- Overall the development is of very poor design unsuitable scale and severe overdevelopment in terms of height and footprint. It is contrary to numerous policies of the local plan and should be refused.

7. APPLICANT'S SUPPORTING INFORMATION:

- Ecological Survey
- Tree Survey Report
- Planning Statement
- Waste management Strategy
- Utilities Sewerage Treatment
- Design and Access Statement

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 has an established use as a care home, albeit that the current proposal would represent a more intensive use of the site.

Recent government guidance, in particular the Planning for Growth agenda, and the National Planning Policy Framework, all state that Local Planning Authorities should be supportive proposals involving economic development, except where these compromise key sustainability principles.

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.

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 specialist 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.

The Council's Adult Services on the grounds of over provision of such facilities within the Borough and concern about impact on health and council services for older people including GP and dental services, social care and hospital services. However, there are no policies within the adopted local plan or the NPPF requiring applicants to demonstrate a need for care facilities before planning permission can be obtained. Therefore, whilst the concerns of the Adult Services team are appreciated, this would not provide sustainable grounds for refusal, given the presumption in favour of sustainable development from the NPPF and the provisions of Sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined *"in accordance with the plan unless material considerations indicate otherwise"*.

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.

Affordable Housing

The proposal is for a close care residential institution falling within Class C2, consequently, there is no affordable housing requirement.

Amenity

The surrounding development comprises semi detached properties to either side and on the opposite side of Manor Way. To the rear lie further similar properties in Salisbury Avenue and a number of mews houses accessed via Salisbury Close.

It is generally regarded that a distance of 21m is sufficient to maintain an adequate standard of privacy and amenity between two opposing principal windows and that a distance of 13m provides adequate separation between a principal elevation and a blank gable.

In this case a distance of over 21m would be achieved between the front elevation of the proposed building and the properties on the opposite side of Manor Way. A similar distance will be achieved between the principal windows in the rear elevations of the proposed building and the properties to the rear. The only exception to this being the separation distance between the principal windows in the rear elevation of no.9 Salisbury Close which will be approximately 20m from the nearest principal window of the proposed development. However, the two windows are not directly opposing, and are located almost at right angles to each other. Therefore this relationship is considered to be acceptable.

Numbers 131 and 127 Manor Way, which stand to either side of the proposed development, both have a number of windows in their side elevations. However, these do not appear to be principal windows. Furthermore, a distance of 19m and 20m will be maintained between the side elevations of these two properties, respectively, and the nearest windows in the side elevations of the proposed building. Consequently, it is not considered that a refusal on privacy or amenity grounds could be sustained.

Design and the Built Environment

Given that this site is previously developed, and was used for a similar type of use previously, the key design issues in relation to this application are:

Mass and scale

The area is characterised by 2 storey typologies with pitched roofs. The more recent housing scheme to the rear has some 3 storey housing, including to the immediate rear of the site. Whilst much of the building is 3 storey, it steps down toward the front of the site on Manor Way to 2 storey. The footprint of the building sets the 3 storey elements away from the properties either side. But the end elevation sits quite close to the northern boundary.

In design terms this makes for an efficient use of the site whilst in general terms responding to the scale and mass of the surroundings with the transition to 2 storey on the street frontage.

Character

The character of the scheme is a departure from the traditional form of surrounding housing. However, given the nature of the area it is considered that employing a contemporary architectural form is not unduly harmful architecturally, and if of sufficient quality, it could create a positive contrasting element within the wider area (see recommendations below). This contemporary approach also enables a more efficient use of the site whilst still responding in scale terms to its surroundings. However, as initially proposed the scheme involved a flat roof. It was considered that, notwithstanding the contemporary design, this would create an overly harsh approach, which would appear as a stark and discordant addition to this traditional suburban street scheme. Therefore, an amended plan has been secured including a traditional pitched roof over the whole building.

Materials and detailing

Originally, 3 principal facing materials were proposed: red brick, bough/brown brick and off white render. It was considered that just a single brick and render provided enough variety, without the third material and this issue has also been addressed through the submission of the amended plans. Red brick and render are materials typical of an inter-war residential area, such as the one in which the building is situated, and are therefore considered to be appropriate to the context.

In respect to detailing, the scheme was generally considered to be acceptable, but it was felt that the front element could be more effectively treated in terms of more glazing on the front tower element, perhaps wrapping around the corner at ground level or continuous glazing up to first floor from ground. This has also been addressed through the amended plans.

Detailing of openings, fenestration and balconies will be important to emphasise quality and create definition within elevations but this can be secured through appropriate conditions.

Landscape and open space quality

The loss of trees at the site frontage is unfortunate, as this would have helped to integrate the scheme into the street scene. The frontage is a quite dominated by the access and parking and a stronger link for pedestrians between street and doorway should be created. In addition more landscaping could be integrated at the frontage and access reduced in width or repositioned to enable retention of other trees or opportunities for further planting. Whilst the amended plans have gone some way to addressing this issue, any further reduction in car parking space would compromise highways standards.

Elsewhere in the site, more trees could be introduced in the space in the north west of the site and could be supplemented by use of green walling, green screens and possibly a green roof to the 2 storey frontage block and single storey storage area. This can be achieved through the use of the standard landscaping condition. The approach to create varied open space opportunities is positive

The car park needs to be surfaced in a high quality material to stop it being overly dominant in the context of the building and street scene. The quality of the frontage boundary will also be important and details can be obtained via condition.

Sustainable design considerations

Certain initiatives including exceeding Building Regulations in terms of thermal performance, potential rainwater harvesting and heat pumps to cool the building. This is positive but could more be achieved, such as more tree planting and soft surfaces (green walls, fencing and roofs) and also in terms of renewable/low carbon heat (such as using the heat pumps to assist in heating the building, not just to cool). This could be addressed however, through the standard landscaping and renewable energy conditions.

Drainage/Flood Risk

According to the applicant's submissions, drainage will be to the existing combined foul and surface water system and initial enquiries with United Utilities would indicate that there is sufficient capacity to accommodate the development. The issue of surface water drainage to the proposed development has and will be considered, including the potential for grey water storage as part of the sustainability and renewables target. Capacity for surface water storage will be maintained within the site and foul and surface water will be discharged into existing public sewers at a controlled rate so as to prevent any increased risk of flooding due to surface water runoff or reductions in water quality resulting from contaminants, often present in surface water runoff.

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

Highways

The main access to the site would be via the existing junctions onto Manor Way.

The application is accompanied by a Transport Statement which draws the following conclusions:

- *That the traffic impact of the proposed development is negligible, and can be readily accommodated on the adjacent network without a material effect on the operation of the adjacent highway network;*
- *That the proposed parking, both vehicular and cycle, will accommodate the predicted demand and as such there would be no impact on local parking supply, but is also set at a level that will not encourage car use*
- *That the volume of movements associated with the site is such that any additional public transport movements could be accommodated by existing bus services as the additional hourly volume would be no more than one or two persons in the peak period; and*

- *That measures to promote cycling and public transport should be included as part of a Travel Plan for the development in order to take advantage of the cycle and public transport facilities that pass by the development.*
- *The transport statement has demonstrated that the development of the proposed site as a larger Care Home than the previous usage would not have any material impact on the surrounding highway network either in terms of additional traffic flows, demand for parking, safety, or impact on public transport costs and is fully supported and consistent with the planning guidelines for the area.*
- *Furthermore the site is ideally placed to promote the use of sustainable transport with good public transport accessibility.*

The Strategic Highways Manager has examined the application and his formal comments were awaited at the time of report preparation. A further update on this matter will be provided to Members prior to their meeting.

Trees and Landscaping

The site of the proposed development is a former residential care home set in landscape grounds comprising areas of lawn, shrub beds and a number of trees with paths and parking provision. The site is generally level although the frontage landscape areas are mounded. There are residential properties adjoining the boundaries to the north, west and east and to the south beyond Manor Way.

The proposed development would remove the majority of the existing trees and landscaped areas. The new layout would provide amenity areas for residents to the north and east of the site, retaining a small number of trees to the north. Proposed planting to the Manor Way frontage is limited to trees in shrub beds adjacent to 127 and 131 Manor Way.

The Council's Landscape Officer has examined the proposals and commented that there is discrepancy in submitted plans with some including land to the rear of 131 Manor Way in the development site. There are also concerns that the development could have a poor relationship to Manor Way with the loss of all the existing trees on the site frontage and the layout providing limited opportunities for planting in this area. There does not appear to be any proposed boundary treatment to the site frontage, although the layout and proposed landscaping of the proposed residents' amenity areas appears reasonable.

In accordance with the guidance contained within *BS5837:2012 Trees in relation to design, demolition and Construction – Recommendations* it is considered important that a planning submission provides sufficient information to allow the LPA to determine the impact on existing trees.

The submission in part follows the steps in the BS. The inclusion of a topographical survey, a tree survey, tree categorisation and a plan showing tree retention, removal and protection is welcomed. However, the submission does not provide an Arboricultural Impact Assessment or a summary of any issues to be addressed by an Arboricultural Method Statement including details of special measures which may be required, e.g. for engineering works within tree Root Protection areas.

Of 28 existing trees on the site it appears the proposed layout retains 6 and proposes 15 additional specimens. The retained trees are principally to the north with one on the eastern boundary.

There are concerns that the development would result in the loss of several Grade B trees and makes limited provision for replacement planting on the prominent Manor Way frontage. Whilst trees to the north of the site are not widely prominent, trees on the Manor Way frontage make a contribution to the streetscene. Ideally the better trees would be retained on the frontage.

Details of protective fencing are provided although the plan cites the now superseded BS 5837:2005 and a method statement would be necessary to cover arboricultural supervision and for the construction of an area of hard surfacing within the root protection area of a retained Italian Alder tree to the north of the site.

Following the above concerns over the existing layout, the developer has submitted additional landscaping information and a revised site layout plan. The revised submission provides additional landscaping which is welcomed. The layout also shows some of the existing trees retained on the Manor Way frontage and provided a methodology for special construction works across where the development extends into tree root protection areas. It is questionable whether the frontage trees will all withstand the encroachment in the long term. Retaining walls are proposed in their root protection areas. However, it appears a balance has to be achieved between visual amenity and parking provision.

In the event of approval conditions are recommended in respect of implementation of landscape scheme, adherence to tree protection scheme and Arboricultural Method Statement and planting of replacements for any retained trees which subsequently might be lost as a result of the implementation of the proposals.

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 a survey has been carried out of the Manor Way Centre to determine the presence/absence of roosting bats. The Council's Nature Conservation Officer has commented that the ecologist that undertook the bat survey is suitably qualified and experienced to undertake work of this type. No evidence of bats was recorded during the survey and the building subject to this application appears to offer few opportunities for roosting bats.

Therefore bats or protected species in general do not present a constraint on the proposed development. However, if planning consent is granted it is recommended that conditions are attached to safeguard breeding birds and to ensure that some additional provision is made for roosting bats and breeding birds.

Previous Appeal Decision

A planning application for the development of a care village comprising 58 bedroom care home (use Class C2); 47 close care cottages (Use Class C3); 15 shared ownership affordable dwellings (Use Class C3); and associated access roads, public open space, landscaping, car parking and ancillary development at Coppice Way, Handforth was refused in August 2009. (Ref: 09/0695M refers).

A revised outline planning application with means of access, layout, scale and appearance for consideration and landscaping reserved for subsequent approval for the development of

a care village comprising 55 bedroom care home, 36 close care cottages, 6 shared ownership affordable dwellings – all for the over 55's; and associated access roads, public open space, landscaping, car parking and ancillary development was also refused in October 2010 (09/3023M refers).

The applications were the subject of a conjoined appeal decision in October 2010 (APP/R0660/A/10/2123053 and APP/R0660/A/10/2123055).

The site was located on “safeguarded land” between the urban limits and the inner boundary of the green belt. In such locations it is intended that countryside policies will apply, with the proviso that should development be allowed it would not prejudice later comprehensive development. Countryside policy GC5 is generally restrictive of development unless it is essential for agriculture, forestry and the like.

The reasoned justification for this policy recognises that the land may be required to meet development needs in the longer term (i.e. well beyond the plan period) and that it should only be allocated within the strategic planning context and following assessment.

This is in contrast to the Manor Way scheme, which is located on a brownfield site within the settlement boundary of Crewe where there is a general presumption in favour of new development.

In respect of the care village proposals the appellant recognised that the developments would be contrary to development plan policy. Consequently, the main issue for both appeals is whether the material considerations are sufficient to outweigh the provisions of policies in the *Macclesfield Borough Local Plan*.

The Appeal turned on whether the need for this type of development was sufficiently great to outweigh the policy presumption against development on this site. The Inspector considered that given the close proximity of the site to South Manchester it was possible that concluded that *“although care needs are assessed by the Council on an authority-wide basis, in reality it is likely that a care facility in this part of Cheshire East would cater for people from south Manchester and vice versa.”* He was not convinced that the Appellant’s assessment of need had sufficiently considered the availability of facilities in neighbouring Manchester and that as a result *“the situation could develop where there would be a prevalence of one type of care facility in south Manchester complemented by another type in Cheshire East.”*

The Inspector concluded that *“the evidence in terms of need does not demonstrate sufficiently that the appeals’ sites are the most appropriate for a care village to cater for the elderly in this northern part of Cheshire East. The assessment of need is not robust enough to justify a departure from policy GC7. It does not demonstrate satisfactorily that in the strategic planning context there is a compelling need for development of the site.”*

The Manor Way site, however, is located in Crewe which is a significant distance from the adjoining conurbations of both Manchester and Stoke-on-Trent and it is therefore unlikely that facilities in these neighbouring areas could potentially cater for the same demand. Furthermore, the key issue in the Handforth case was whether the need for this type of accommodation was so great to justify a departure from policy or whether that need could be catered for elsewhere in a policy compliant location. In the case of Manor Way, the

scheme is not a departure from policy and therefore does not require the same level of justification. Indeed, it could be argued that the existence of sites, such as Manor Way, where elderly persons accommodation can be located within the Borough, without the need to depart from planning policy, adds to the case for resisting development of safeguarded land in locations such as Handforth to meet the level demand that does exist.

Whilst this decision pre-dates the NPPF, planning permission has recently been refused for a further care home proposal on this site and the reason shares a similar context in respect of the safeguarded land.

A recent report "Housing, Dementia and the Maintenance of Independence" by the Housing Learning & Improvement Network and Association of Directors of Adult Social Services refers to the NPPF and the need for Local Authorities to be aware of social care particularly through the Strategic Housing Market Assessments. This will come through via new Local Plan policies in due course, but they do not exist at this time. Consequently, notwithstanding the concerns of the Adult Services Section of the Council, there are no planning grounds to sustain a refusal along the lines of need in the locality at the present time.

8. CONCLUSIONS

The proposal would result in the re-use of a brownfield site within the settlement boundary and would assist in generating employment and economic growth. The redevelopment of the site would not result in a loss of amenity to existing or future occupiers and the development is considered to be acceptable in design terms. It would not result in any increased risk of flooding or drainage problems or threat to ecology. Whilst the proposal would result in the loss of some existing mature trees on the frontage which is regrettable, there are opportunities within the site for replacement planting, and this issue is not considered to be sufficient to sustain a refusal. Therefore, subject to no objection being raised by the Strategic Highways Manager, and appropriate conditions, it is considered to be in compliance with the relevant local plan policies and the provisions of the NPPF and is recommended accordingly.

9. RECOMMENDATION

APPROVE subject to the following conditions:

- 1. Standard 3 year time limit**
- 2. Compliance with approved plans**
- 3. Limit occupancy to over 55 years**
- 4. Submission / approval / implementation of Environmental Management Plan**
- 5. Submission / approval / implementation of lighting details**
- 6. Submission / approval / implementation of acoustic enclosure of equipment with potential to generate noise.**
- 7. Should any adverse ground conditions be encountered during excavation works, all work in that area should cease.**
- 8. Submission / approval / implementation of Detailing of openings, fenestration and balconies**
- 9. Submission and approval of materials including surfacing**

10. Provision of 10% renewable energy unless unviable to do so
11. Breeding Bird Survey prior to any work during nesting season.
12. Provision of features for use by Breeding Birds
13. Submission and approval of landscaping
14. implementation of landscape scheme,
15. Adherence to tree protection scheme and Arboricultural Method Statement
16. Planting of replacements for any retained trees which subsequently might be lost as a result of the implementation of the proposals.
17. Submission and approval of cycle parking within scheme
18. Submission and approval of contaminated land mitigation measures
19. Piling hours to be restricted
20. Construction Hours to be restricted
21. Submission and approval of boundary treatment
22. Submission and approval of travel plan
23. Provision of Parking
24. Access works to be carried out prior to first occupation
25. Prior to first development the Applicant will provide an amended plan to demonstrate;
 - Provision of a patient pick-up/drop-off point to the satisfaction of the Strategic Highways Manager, and
 - Provision of a safe and efficient servicing regime (for refuse lorries) to the satisfaction of the Strategic Highways Manager.

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Application No: 12/4843C

Location: Drumber Farm, DUBTHORN LANE, BETCHTON, CW11 4TA

Proposal: Erection of building to house livestock and agricultural implements

Applicant: Mr A Davies, W.A. Davies & Sons

Expiry Date: 15-Apr-2013

SUMMARY RECOMMENDATION

Approved with conditions

MAIN ISSUES

Amenity, Design Standards and Open Countryside

REASON FOR REFERRAL

The proposed development has an area of over 1,000 square metres and is therefore a major development.

DESCRIPTION OF SITE AND CONTEXT

The application site is found next to an existing farm building and silage clamp on Drumber Farm, Betchton within the Open Countryside.

The land holding of the farm is approximately 73.6 hectares and is used for the rotational growing of grass and maize and dairy farming.

DETAILS OF PROPOSAL

The proposed development is the erection of an agricultural building to house livestock and agricultural implements. It will measure 31 metres by 36 metres and have a roof ridge height of 9.5 metres at the highest point. The proposed building will be cut into the sloping ground level. It will be constructed of concrete panels and Yorkshire boarding with corrugated sheet roofing.

RELEVANT HISTORY

None

POLICIES

Congleton Borough Local Plan First Review 2005 Policy

GR 1 – New Development
GR 2 – Design
GR 6 – Amenity and Health
BH13 – New Agricultural Buildings
PS 8 - Open Countryside

VIEWS OF THE PARISH / TOWN COUNCIL

None received

OTHER REPRESENTATIONS

None received

CONSIDERATIONS (External to Planning)

Environmental Health

No objection

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

OFFICER APPRAISAL

Principal of Development

The proposal is for an agricultural building situated within the Open Countryside. Policy PS.8 states that development within the Open Countryside will only be permitted if it is for the purposes of agriculture or forestry. Policy BH13 states that agricultural buildings will only be permitted where the development is required for and essential to agriculture.

In this instance the proposed building will be used for housing dairy replacements that will enter the herd when they calve - they are housed away from the main milking unit as this provides additional forage area for the milking cows. The additional livestock building is therefore considered to be essential in connection with the existing well established farming operations at Drummer Farm.

Amenity

The application site is located over 450 metres away from the nearest residential dwelling which is situated to the north west. With this distance in mind, and the consultation response from Environmental Health, it is considered that the proposed buildings will not have a harmful effect on the residential amenity of nearby residential dwellings.

As a result the proposed development is in accordance with Policy GR6 (Amenity and Health) of the Borough of Congleton Local Plan First Review.

Design

Policy BH13 of the Borough of Congleton Local Plan First Review 2005 allows for the erection of new agricultural buildings provided that it is essential for agricultural operations and that they are sited so as to minimise intrusiveness in the landscape.

As the proposed building is to be sited close to a group of existing buildings on land which is currently used for agricultural purposes and is of a typical modern portal framed design it is considered that the proposed agricultural building complies with Policy BH 13.

As a result the proposed development is in accordance with Policy GR.2 (Design) of the Borough of Congleton Local Plan First Review.

CONCLUSIONS

The proposed development will not have a detrimental effect upon the residential amenity of neighbouring dwellings or the open Countryside in the wider context.

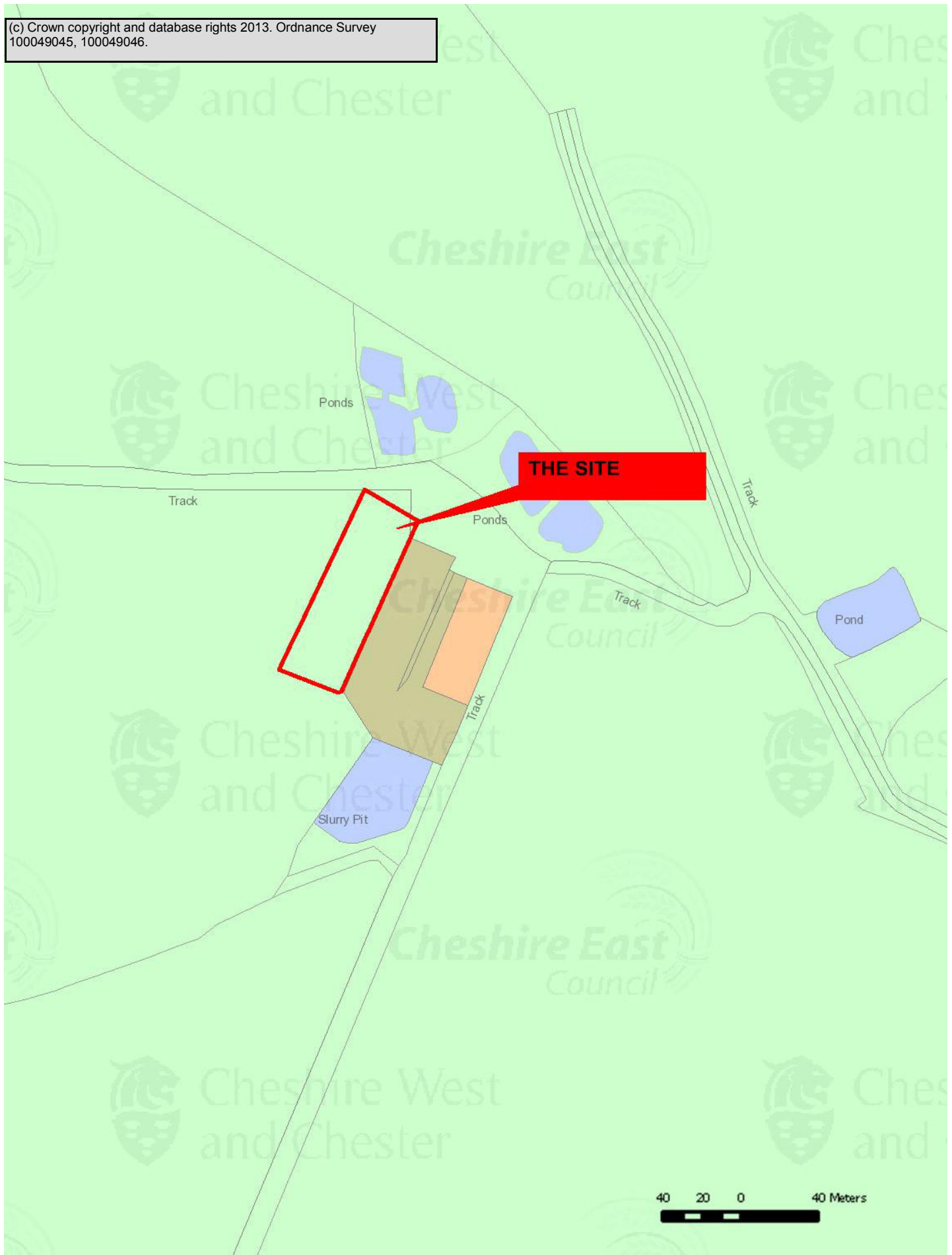
The applicant has provided justification as to why the proposed development is required and has satisfied Policies BH.13 and PS.8.

RECOMMENDATION

APPROVE: Subject to the following Conditions

- 1. Standard timescale**
- 2. Approved Plans**
- 3. Materials as submitted**

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Application No: 13/0013N

Location: EDLESTON ROAD COUNTY PRIMARY SCHOOL, EDLESTON ROAD, CREWE, CW2 7HB

Proposal: Conversion of former primary school to form ten residential apartments

Applicant: South Cheshire College

Expiry Date: 17-Apr-2013

SUMMARY RECOMMENDATION:

APPROVE subject to conditions

Main issues:

- Principle of development
- The impact of the design / locally listed building
- The impact upon amenity
- The impact upon highway safety and parking
- The impact upon protected species

REASON FOR REFERRAL

This application is referred to the Southern Planning Committee as it is a major development comprising of 10 residential units or more.

DESCRIPTION OF SITE AND CONTEXT

The application property is a detached, two storey unit located on the western side of Edleston Road within the Crewe Settlement Zone Line.

The application site consists of the former Edleston Road Primary School and its associated grounds and car parking. The site is located within the urban area of Crewe and is approximately 700m south of the town centre. The site is bounded to the north by Derrington Avenue, to the east by Edleston Road and to the south by Stalbridge Road. To the west the site is bounded by the existing residential properties located along Derrington Avenue and Stalbridge Road. The site is roughly rectangular in shape and extends to an area of 0.48 hectares.

The surrounding area is predominantly residential in nature however there are some existing commercial and community facilities in close proximity to the application site located along Edleston Road and Stalbridge Road.

DETAILS OF PROPOSAL

The application proposes the conversion of the former Edleston Road Primary School building to form 10 residential apartments.

The former school building was constructed in 1875 (following the 1870 Education Act) and was constructed in red brick with stone detailing. The original building was subsequently extended, in a similar style, and has a minor recent extension.

Following the school moving to nearby new premises, South Cheshire College acquired and used the building as temporary accommodation while their new campus at Dane Bank Avenue was being constructed. Following the opening of their new campus, the College is seeking to dispose of the former primary school, and is seeking planning permission for its conversion to apartments.

RELEVANT HISTORY

P08/1208 - Vehicular Access (Retrospective) – Approved with conditions 12th December 2008

P08/0828 - Vehicular Access – Approved 18th August 2008

P97/0606 - Extension to form classrooms, storage and ancillary accommodation. (County consultation) – Approved 25th September 1997
P95/0625

POLICIES

National policy

National Planning Policy Framework (NPPF)

Local Plan Policy

CF.3 - Retention of Community Facilities

BE.1 - Amenity

BE.2 - Design Standards

BE.3 - Access and Parking

BE.4 - Drainage, Utilities and Resources

BE.13 - Buildings of Local Interest

RES.2 - Unallocated Housing Sites

E.7 - Existing Employment Sites

TRAN.9 - Parking

NE.5 - Nature Conservation and Habitats

Other material considerations

Pre-application letter provided by Cheshire East Council

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No objections

Environmental Health – No objections, subject to conditions relating to hours of construction, hours of piling, the prior submission of a piling method statement, the prior submission of any proposed external lighting, the installation of noise mitigation in accordance with the submitted noise assessment, the provision of adequate bin storage and a contaminated land informative.

United Utilities – No objections, subject to informatives in relation to drainage and surface water connections

VIEWS OF THE PARISH/TOWN COUNCIL

N/A

OTHER REPRESENTATIONS

No comments received

APPLICANT'S SUPPORTING INFORMATION

Planning Statement
Noise Assessment
Transport Technical Note

OFFICER APPRAISAL

Principal of Development

Policy CF.3 of the Local refers to the retention of community facilities. It advises that proposals which would result in the loss of community facilities which make a positive contribution to the social or cultural life of a community will not be permitted unless a suitable alternative provision is made.

Given that this site is no longer in use, and has been marketed for 2 years to date with no firm interest other than from housing developers, it is considered that the proposal would satisfy this aspect of policy.

Policy RES.2 refers to unallocated housing sites. Policy RES.2 advises that within the settlement boundaries of Crewe and Nantwich (which this site falls), the development or redevelopment of unallocated sites for housing will be permitted in accordance with the general Local Plan policies with regards to amenity, design, highway safety, drainage and infrastructure.

A combination of the above two policies determines that the principle of the proposed scheme is acceptable with regards to the Local Plan.

The NPPF largely supports the Local Plan policies that apply in this instance.

Amenity

Policy BE.1 of the Local Plan refers to amenity. For housing, consideration needs to be given to the occupiers of both neighbouring properties and the future occupants of the site with regards to privacy, loss of light, visual intrusion and pollution.

As the proposed building is already in situ, no new issues with regards to loss of light or visual intrusion would be created.

In relation to the impact of the development upon neighbouring properties, it is accepted that the relationships between windows already exist. Furthermore, the general separation distances between neighbouring windows around the immediate area would be similar to that proposed. As such, it is considered that there would only be a limited impact upon neighbouring amenity as a result of the proposal.

In terms of the level of amenity afforded to the occupiers of the development itself, consideration has been given to the nature of the proposed rooms which have windows that face onto each other within the scheme e.g. where there are two gables which face each other. This relationship has occurred on the scheme at 2 ground floor points. One of these is between the side window of the living room to Flat 1 and the side windows to the living room of Flat 4. There is an approximate 19 metre gap between these openings. The other is between the window of the hallway to flat 2 and the 2 windows to bedroom 1 of Flat 5. There is an approximate 10 metre gap between these openings.

Given the large separation distance between the windows to flat 2 and flat 4, and because both are secondary windows, it is considered that this relationship is acceptable. However, given the minor 10 metre gap between the windows of flat 2 and flat 5, it is proposed that the window serving the hallway to flat 2 be obscurely glazed in order to prevent any loss of privacy.

Environmental Health have advised that they have no objections subject to the implementation of a number of conditions. These include hours of construction, hours of piling, the prior submission of a piling method statement, the prior submission of details of any external lighting proposed, the implementation of the noise mitigation measures as detailed within the applicant's noise assessment and the inclusion of a contaminated land informative.

The amount of amenity space proposed is also an important consideration of a scheme such as this. The standard amount of space required for dwellings within the Crewe and Nantwich Area is 50 square metres as detailed by the Borough of Crewe and Nantwich Development on Backland and Gardens SPD. However, for flats / apartments, not such figure is quoted, however a communal space should be provided. Paragraph 3.36 of the SPD advises that *'In the case of developments which are made up of flats, where it is not appropriate to provide private open space for each dwelling, it will be necessary to provide communal open space; these should be located so they can be used by all the residents equally.'*

The proposed development includes a strip of amenity space along the full northern elevation of the unit between the unit itself and Derrington Avenue.

This, in conjunction with the fact that the site lies close to the Crewe Town Centre will ensure that the future occupiers of the site will have access to ample amenity space within walking distance.

In terms of refuse, the Council's Waste Team advised at pre-application stage that for residential unit comprising of 10 flats / apartments, they would expect to see a communal bin store provided on site. This bin store would need to accommodate *'2 x 1280 litre containers for residual waste and 2 x 1280 litre containers for recyclable waste.'* It is noted that space for this has been provided on the eastern boundary of the site.

Design Standards

Policy BE.2 of the Local Plan advises that planning shall only be permitted where the development would achieve a high standard of design, would respect the pattern, character and form of the surroundings and would not have an adverse impact upon the streetscene by reason of scale, height, proportions and materials used.

Policy BE.13 of the Local Plan advises that Buildings of Local Interest will be protected from inappropriate development.

As part of the conversion, limited external alterations are proposed to the building. These works include the removal of 2 porches, a link between the external stores and works to alter a number of existing windows to form doors and a number of doors to form windows. In addition, internal alterations are proposed.

The Council's Heritage Officer has advised that *'The proposed works will result in few alterations externally. The external elements to be demolished are generally of more recent origin and hence their proposed demolition is acceptable.'*

The proposed works to alter existing external doors to become windows and windows to become doors are also acceptable, given the fact these works are confined to few such openings. Their proposed design is also generally in keeping with these elevations.

The proposed new areas of wall externally should be in matching bricks, coursing and mortar.

The proposed retention of the chimney, as advised, is welcome.

The proposal to introduce external aluminum pipework/gutters is also acceptable, provided they are painted black and the existing cast iron pipework/gutters are retained where salvageable.

The proposed site plans appear to indicate that the existing curtilage walls will be retained, and the retention of their existing railings and the existing gates should be conditioned. To retain the historic visual appearance of the school.

In principle the proposed alterations internally are acceptable, as they are a means of achieving the retention of this building commercially.'

As such, subject to the above-mentioned conditions, it is considered that the proposed development would adhere with Policy BE.2 and BE.13 of the Local Plan.

Highway Safety and Parking

The proposed development will utilise an existing access to the site which is onto Stalbridge Road. As such, there are no new access points to consider.

The development will include the provision of 18 parking spaces, which includes 1 disabled parking space.

The Strategic Highways Manager would normally seek 200% parking provision, which this development would fall short of by 2 spaces. However, the applicant has submitted a Transport Technical Note which details that a local survey has indicated that there is sufficient additional on-street parking available.

The Council's Strategic Highways Manager has advised that *'The site is well placed for all amenities and public transport. I therefore conclude that the proposed number of within-curtilage spaces should be adequate and not result in overspill into adjacent residential areas. In addition, evening parking is permitted along the side road frontages. Accordingly I have no objection to this proposal.'*

As a result of the above reasons, it is considered that the proposed development adheres with Policy BE.3 of the Local Plan.

Protected Species

The Council's Nature Conservation Officer has advised that he does not anticipate there being any significant ecological issues associated with the proposed development.

CONCLUSIONS AND REASONS FOR THE DECISION

The proposed change of use is located within the Crewe settlement boundary and would only involve minor external alterations to the unit. It would utilise a currently vacant unit and would not have an adverse impact upon neighbouring amenity or raise any significant highway safety or protected species issues. The proposal therefore complies with Policies CF.3 (Retention of Community Facilities), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.13 (Buildings of Local Interest), RES.2 (Unallocated Housing Sites), E.7 (Existing Employment Sites), TRAN.9 (Parking) and NE.5 (Nature Conservation and Habitats) of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011. The proposal would also accord with the NPPF.

RECOMMENDATION

APPROVE subject to the following conditions

1. **Standard (Time)**
2. **Plans**
3. **Material details to be submitted**
4. **Hours of construction/construction method statement**
5. **Hours of piling**
6. **Prior submission of piling method statement**
7. **Lighting to be approved**
8. **Implementation of noise mitigation measures**
9. **Obscure glazing (x1)**
10. **All new brickwork, its coursing and mortar shall match the exiting**

- 11. All existing cast iron gutters and pipework to be retained if salvageable;**
- 12. All new pipework and gutters to be in metal and painted black;**
- 13. Existing gates and railings to be retained**
- 14. bike store details for each unit**
- 15. bin store details**

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Application No: 13/0019N

Location: Linden Court, HUNGERFORD AVENUE, CREWE, CW1 6HB

Proposal: 22No. new residential units, predominantly two storey semi-detached dwellings with 6No. 1 bedroom flats and a new access road

Applicant: Ann Lander, Wulvern Housing

Expiry Date: 22-Mar-2013

SUMMARY RECOMMENDATION**APPROVE subject to conditions****MAIN ISSUES**

Principal of the Development
Renewable Energy
Affordable Housing
Highway Implications
Amenity
Design
Ecology
Tress and Landscaping

REASON FOR REFERRAL

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

1. DESCRIPTION OF SITE AND CONTEXT

The application site now comprised the traditional brick building, which included a part 70's extension which was formerly sheltered housing accommodation block run by Wulvern Housing. The application site is situated within the Settlement Boundary for Crewe, off Hungerford Avenue. The site is located within a predominantly residential area, with a large area of public open space situated directly to the south.

The building has recently been demolished under prior notification reference number 12/3751N.

2. DETAILS OF PROPOSAL

This is a full planning application for the erection of 22 residential properties which would be predominantly two storey semi-detached dwellings, but with 6no. 1 bedroom flats and a new access road.

3. RELEVANT HISTORY

12/3751N - Demolition of 32 Units of Accommodation at Linden Court – (prior notification) – Approved, no further details required 31st October 2012

4. POLICIES

National Policy

National Planning Policy Framework

Local Plan policy

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
NE.5 – Nature Conservation and Habitats
NE.9 – Protected Species
NE.17 – Pollution Control
NE.20 – Flood Prevention
RES.7 – Affordable Housing
RES.2 – Unallocated Housing Sites
RES.3 – Housing Densities

Regional Spatial Strategy

DP1 – Spatial Principles
DP2 – Promote Sustainable Communities
DP7 – Promote Environmental Quality
L4 – Regional Housing Provision
L5 – Affordable Housing
RDF1 – Spatial Priorities
EM1 – Integrated Enhancement and Protection of the Regions Environmental Assets
MCR1 – Manchester City Region Priorities
MCR 4 – South Cheshire

Other Considerations

The EC Habitats Directive 1992
Conservation of Habitats & Species Regulations 2010
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System
Interim Planning Statement Affordable Housing
Interim Planning Statement Release of Housing Land

SPD – Development on Gardens and Backland Development

5. CONSULTATIONS (External to Planning)

United Utilities: No objection, the site must be drained on a separate system with only foul drainage connected into the foul sewer.

Strategic Highways Manager: The application is for demolition of a former care home and its replacement with 4 3-bedroom houses, 12 2-bedroom houses and a block of 6 1-bedroom flats.

Access would be taken as now from a point at the junction of Bulkeley St and Hungerford Ave. This would lead into a cul-de-sac serving most of the houses. The apartment block and two houses would be accessed separately from Gresty Terrace.

Two of the houses and the six flats will be served via Gresty Terrace. This is currently unadopted as the necessary adoption procedures have run into difficulties.

It is noted that residents of Bulkeley Street and Hungerford Avenue have expressed concerns over the level of additional traffic that would be created by the development, and the possibility of overspill parking off the site. The development would result in about a further 10 vehicles an hour on Hungerford Avenue in the peak hours and about 5 on Gresty Terrace, which is not considered to be an unacceptable increase. Parking on-site meets the Council's criteria and so the SHM does not envisage overspill parking.

The applicant should be reminded that confirmation of a Diversion Order for the public right of way shall be obtained prior to development being commenced. The commencement of development prior to such confirmation would be likely to lead to legal complications and/or possible infringement of existing public rights and thus conflict with other legislation. Also the new and amended access points will require a license under S184 of the Highways Act.

In conclusion, the Strategic Highways Manager has no objection to the proposal, subject to the imposition of the following condition:

The approved building(s) shall not be occupied until all areas of hardstanding, including car parks, driveways, footways, turning facilities and service areas, as indicated on the approved plan(s), have been laid out, drained, surfaced and marked out with white lining, or similar (if applicable) in accordance with details submitted to and approved in writing by the Local Planning Authority. The areas shall then be retained at all times thereafter for their intended use.

Environmental Health: Conditions suggested in relation to construction hours, piling works, external lighting, dust control and contaminated land.

PROW - 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. It is noted that the Design and Access statements refers to two footpaths affecting the site which are to be re-defined. These are not public rights of way recorded on the Definitive Map but are adopted footways recorded on the list

of streets and managed by Highways. They would be responsible for the diversion/closure procedure required under s.257 of the TCPA and for the subsequent maintenance.

Please note the Definitive Map is a minimum record of public rights of way and consequently does not preclude the possibility that public rights of way exist which have not been recorded, and of which we are not aware. There is also a possibility that higher rights than those recorded may exist over routes shown as public footpaths and bridleways.

Education: This development of 22 dwellings includes 16 with 2 or more bedrooms and will generate 3 primary and 2 secondary. The local authority forecasts indicate that the primary schools within 2 miles will be cumulatively oversubscribed by 2017. The primary aged children generated by this development will then add further pressure on top of this. Therefore the sum of $3 \times 11919 \times 0.91 = \text{£}32,539$ will be required.

There will be sufficient space available in the local secondary schools to accommodate the pupils of this age.

6. OTHER REPRESENTATIONS

Letters of objection have been received from 5 local households raising the following points:

- Loss of Linden Court is a sad loss for the community
- Impact on the existing road network which is already dangerous due to on street parking and condition of the road
- Insufficient parking provision in overly saturated area
- Increase of neighbours may have negative impact on neighbouring amenity
- Concerns raised over future occupiers of the dwellings
- Concerns over the access to Macon Meadows and if it will be retained
- Concerns with the inclusion of alleyways and impact this would have neighbouring safety,
- Concerns raised over the construction traffic and weekend working
- Concerns raised over lack of consultation from Wulvern Housing
- Impact on sewage system and electricity
- Insufficient consultation carried out by the LPA compared to Wulvern
- Access should be taken from Macon Way to reduce impact on Hungerford Avenue and Gresty Terrace

7. APPLICANT'S SUPPORTING INFORMATION

To support this application the application includes the following documents;

- Design and Access Statement
- Contaminated Land Survey
- Arboricultural report

These documents are available to view on the application file.

9. OFFICER APPRAISAL

Principal of Development

The National Planning Policy Framework (NPPF) states at paragraph 47 there is a requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government’s overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) 2013.

The SHLAA has put forward a figure of 7.1 years housing land supply.

In this case the site is located within the Crewe Settlement Boundary and Policy RES.2 of the Adopted Local Plan allows for residential development on unallocated sites in Crewe.

In this case the site is surrounded by residential properties on three sides and was formerly a sheltered housing site. Furthermore the proposal would provide an overriding local benefit through the provision of affordable housing for which there is a local need and would assist with the Councils 5 year housing land supply. The proposal is therefore considered to be acceptable in principle.

Renewable Energy

In relation to renewable energy a condition will be attached to ensure that the 10% renewable energy provision is achieved in accordance with the RSS Policy EM18.

Affordable Housing

The proposal is for redevelopment of Linden Court with provision of 22 affordable homes, made up of 6 x 1 bed flats, 12 x 2 bed houses and 4 x 3 bed houses to be let as affordable rented housing.

The Strategic Housing Market Assessment 2010 identified a requirement for 256 new affordable homes each year between 2009/10 – 2013/14 in the Crewe sub-area, which is the area this site is located in, the type of affordable housing required each year is 123 x 1 beds, 20 x 2 beds, 47 x 3 beds 40 x 4/5 beds and 26 x 1/2 bed older persons accommodation.

There are currently 114 applicants on the housing register with Cheshire Homechoice who have selected the Hungerford Road area of Crewe as their first choice, these applicants require 41 x 1 bed, 39 x 2 bed, 24 x 3 bed, 4 x 4 bed and 1 x 5 bed (5 applicants haven't specified how many bedrooms they require).

There has been delivery of approximately 280 affordable dwellings in Crewe since 2009/10 and there is some anticipated delivery, however even with the anticipated delivery there will still be a significant shortfall of delivery against the identified need for the period of 2009/10 – 2013/14, therefore the Housing Team support this application.

Given the number of dwellings proposed on the site, contributions towards education and public open space would usually be required. However it is considered that the provision of 100% affordable housing on the site is an overriding positive benefit to the area and therefore on balance it is considered suitable to condition that 100% affordable housing is provided on the site and retained on the site in lieu of financial contributions required for POS and Education.

Highways Implications

The current access to the site is via Hungerford Terrace with a pedestrian access from Gresty Terrace. The surrounding streets have a significant amount of on street parking and are fairly narrow, and in need of some repair. A large number of the objections raised relate to highway safety issues. At pre-application stage the Highway Authority considered the use of both Gresty Terrace and Hungerford Avenue acceptable and required some alterations to the road access to bring it up to adoptable standards.

The development includes 31 parking spaces, which is a 150% provision across the site. Given the site is in very close proximity to the Town centre and the amenities afforded to it the site is considered to be in a sustainable location.

The Strategic Highways manager has raised no objection to the proposal and considers that the number of parking spaces proposed is acceptable for this location. With the addition of a condition for works to be carried out prior to occupation it is considered that the development will not have a significantly detrimental impact on highway safety.

Amenity

The development site is surrounded by residential properties on three sides with an area of public open space to the south.

To the north of the site is No. 87 Gresty Terrace and No.60 Hungerford Avenue, these properties face side on to the development site and have no windows on the side elevation. The proposed layout shows unit 22 sat adjacent to No.87 Gresty Terrace which will have no windows on the side elevation. There is a distance of 4m retained between the two properties and therefore the proposal would have a negligible impact on the adjacent neighbours amenity. Similarly unit 14 will be sited adjacent to No.60 Hungerford Avenue and will have no windows on the side elevation. The existing property at No. 60 has no windows on the side elevation and a distance of 6m will be retained. This is considered to be acceptable.

Units 15 – 22 face towards the front elevations of No.74 – 96 Gresty Terrace. Most of the properties have garages and parking areas as the front of the property. Units 15 – 20 are 6 x 1 bedroom flats with the living room windows facing towards the properties on Gresty Terrace. There is a separation distance of at least 27m between the properties and therefore this acceptable and meet the standards of 21m required by the SPD guidance. Furthermore units 21 and 22 would also have principal windows on the front elevation however they are site over 30m from the dwelling on Gresty Terrace and therefore are acceptable.

Units 1 and 2 back onto the apartment block off Fern Court. There are four windows on the elevation facing towards the site. Unit 1 and 2 do not directly over look these windows due to their siting and the retention of some of the boundary trees at this point will help to mitigate for any overlooking created between the properties.

Separation distances within the site are acceptable and will afford the future occupiers of the site suitable amenity. The Councils guidance suggests that all new dwellinghouses should have a private amenity space of at least 50m². All but three of the dwelling house have rear garden of at least 50², and with the inclusion of the front gardens as well all the dwellings meet the standards. The block of one bedroom flats does not have a private amenity space but does have a small area for communal use. Given the proximity to the adjacent open space it is considered that this is acceptable.

Design

The importance of securing high quality design is specified within the NPPF and paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

The application site has four different house types proposed, A A1, B and C. All buildings are no more than two storeys high. There is an access road off Hungerford Avenue which creates a cul-de-sac, the apartment block and a block of semi-detached dwellings are accessed off

Gresty Terrace. The dwellings are accessed straight off Gresty Terrace and the apartment block serves a parking area to the rear. The site layout and density is considered to be acceptable and is a good use of the site.

Due to the levels within the site the applicant will be in-filling the land to the south of the site to create a more even gradient within the site. To the south of the site a retaining wall with timber fence will be constructed along the boundary of the site which is visible from the area of Public Open Space. It is noted that this will appear as a substantial boundary treatment when viewed from the POS however it will clearly define the residential element from the open space and will appear fairly suburban in its appearance. It is therefore considered that this element is acceptable.

It is considered that the layout of the development site is acceptable and is of a design which is in keeping with the surrounding development. The mix of house types and orientation will add an element of intrigue to the development site and elevation details such as porches, lintels, and gable eaves elements help to create a well designed housing development. All the buildings are two storeys in height. Almost all of the properties have off street parking to the front of the site with only the appeasement having an area of car parking to the rear. It is considered that the design is acceptable and would not appear out of character in this part of Crewe.

Ecology

The Councils Ecologist considered that the demolition of the building required a Protected Species Survey. However since the demolition works have already been carried out this is no longer a relevant requirement. If any bats were found, it was brought to the developer's attention that a licence from Natural England would be required irrespective of whether planning consent is given.

Trees and Landscaping

There is a belt of trees on the eastern boundary which separates the site from residential development beyond. The most significant of the trees is a mature Oak located at the end of Hungerford Avenue. The tree survey assesses one individual tree and two groups of trees.

The Arboricultural Impact assessment indicates no trees would be lost for the development. Nevertheless, special construction techniques would be required for the removal of an existing footpath which is within the root protection area of the above-mentioned Oak and the eastern boundary trees would require pruning in order to create a satisfactory relationship with the new plots and private amenity space.

The sections clarify the proposals in respect of levels handling to the west of plots 1& 2 and south west of plot 3. Increase of levels is proposed in tree root protection areas. Such action should normally be avoided and could impact on the health of the trees. However it is considered that this would be acceptable provided, all works in the protected areas are supervised to ensure impacts on the trees are minimised.

The Tree Officer raised concerns with regards to the proximity of units 1 and 2 to the belt of trees and the overshadowing which would occur to the gardens and windows. However, given

that these trees are not protected by tree preservation order and are not considered suitable for protection and therefore removal of the trees in the future would be acceptable.

It is considered that the proposed landscaping scheme is acceptable and with the addition of several conditions for tree protection and tree works implementation and the submission of an updated arboricultural method statement and the submission and approval of service routes.

10. CONCLUSIONS

The site is within the Crewe Settlement Boundary where the principle of residential development is considered to be acceptable and in this case it is not considered that there are any adverse impacts that would significantly and demonstrably outweigh the benefits or there are any policies within the NPPF that indicate that development should be restricted. It is considered that the development is acceptable in terms of affordable housing provision and there is a need for this development. The proposal would not raise any significant highway implications. The scheme complies with the relevant local plan policies in terms of amenity and it is considered that the proposal is an acceptable design and layout. No ecological issues are raised as part of this application.

It is therefore considered that the proposal would comply with the relevant local plan policies and would not compromise key sustainability principles as set out in national planning policy. Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

11. RECOMMENDATIONS

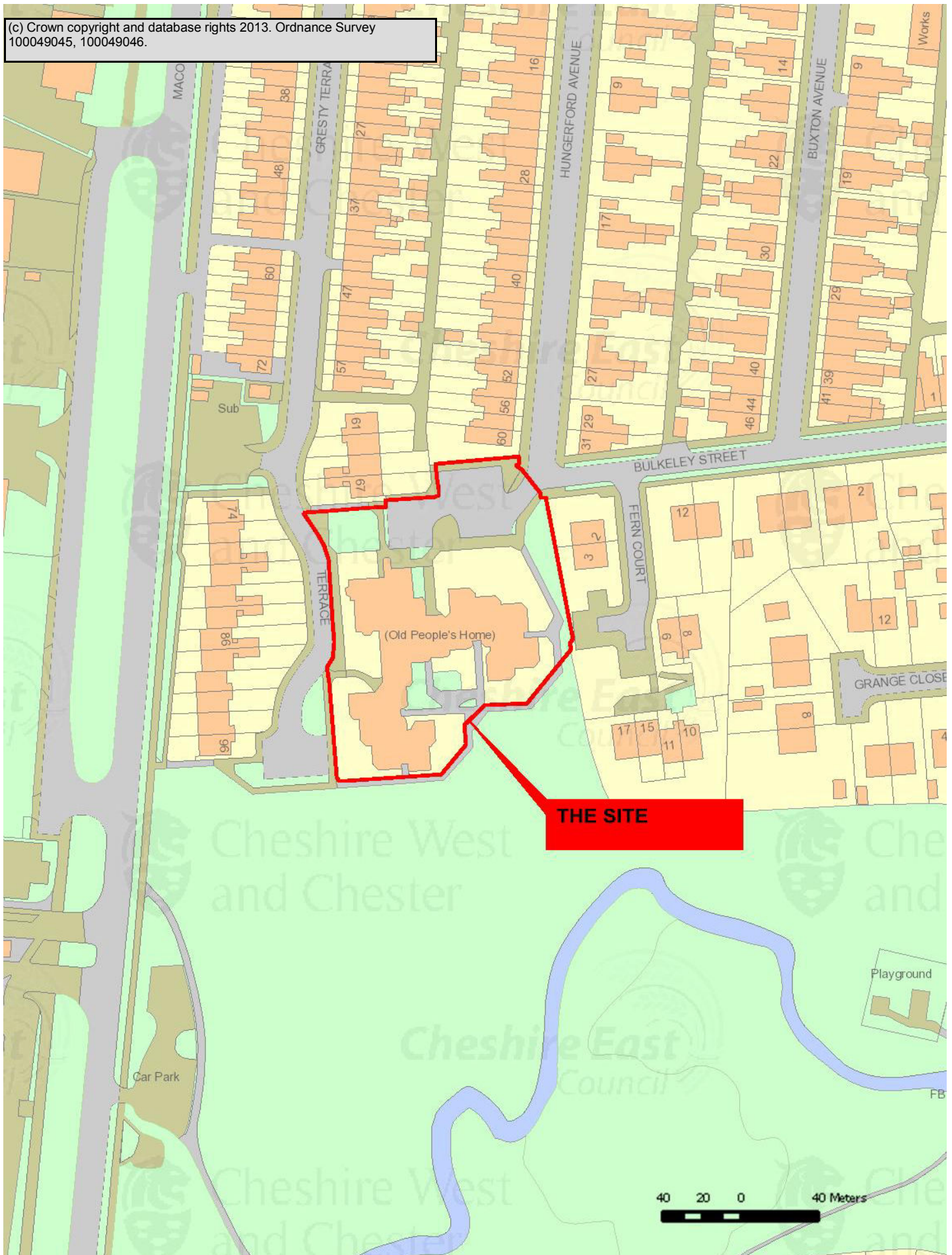
APPROVE subject to the following conditions

- 1. Standard time 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 details of external lighting has be submitted to and agreed in writing by the Local Planning Authority.**
- 6. Dust Control**
- 7. Prior to the commencement of development a Phase II Contaminated Land Assessment shall be submitted to the LPA for approval in writing.**
- 8. Submission and approval of materials**
- 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. Implementation of landscaping scheme**
- 11. Implementation of tree protection and proposed tree works**
- 12. Submission of updated arboricultural method statement to include details of key contacts, and an auditable schedule of arboricultural supervision which includes the construction of the proposed retaining structures**

- 13. Submission of services routes**
- 14. Implementation of Boundary Treatment, and bin storage**
- 15. Dwellings to be retained as affordable housing**
- 16. Drainage details to be submitted**
- 17. Highway and car parking works to completed prior to first occupation**
- 18. Removal of permitted development rights, extensions and outbuildings**

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 Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

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Application No: 13/0708N

Location: Land at 2, Railway Bridge Cottages, BADDINGTON LANE, BADDINGTON, NANTWICH, CW5 8AD

Proposal: Material change of use of land to use as residential caravan site, including extension to existing hardstanding (4 permanent pitches) resubmission

Applicant: Mr J Florence

Expiry Date: 16-Apr-2013

13/0708N – Land at 2 Railway Bridge Cottages, Baddington Lane

SUMMARY RECOMMENDATION: Approve subject to conditions and further consideration of additional representations up to 20th March 2013

MAIN ISSUES:

- Procedural Matters;
- Main Issues;
- Principles of Development;
- Sustainability;
- Impact on the Character and Appearance of the Open Countryside;
- Amenity;
- Demonstrable Need;
- Precedent;
- Highways;
- Ecology;
- Human Rights and Race Relations
- Drainage; and
- Other Matters

REFERRAL

The application has been referred to Committee at the discretion of the Development Management & Building Control Manager due to the considerable public interest in the application, and the current limited policy position with regard to Gypsy/Traveller Sites.

DESCRIPTION OF SITE AND CONTEXT

The application site lies in an area of open countryside approximately 3.1km away from Nantwich. The application site is located on the south side of Baddington Lane, which forms the northern boundary. The application site is bounded to the east and south by post and rail

fences and open fields beyond them. Whereas, to the west are a pair of semi detached cottages. It is noted that the applicant owns no. 2 Railway Bridge Cottage, which immediately adjoins the application site. At the time of the site visit the ménage had been covered in hardstanding and there were a number of touring caravans. The application site is located wholly within the open countryside.

DETAILS OF PROPOSAL

This is a full application for a change of use of land to use as a residential caravan site including extending the existing hardstanding to provide 4 permanent pitches.

RELEVANT HISTORY

12/2808N - Change of Use of Land to Use as a Residential Caravan Site Including Extension of Existing Hardstanding – Refused 8th January 2013

This application was refused for the following reasons:

1. *The location of the site represents an unsustainable form of development due to the distance from local services and facilities contrary to Policies RES13 (Sites for Gypsies and Travelling Showpeople) of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policy HOU6 (Gypsy Caravan Sites) of the Cheshire Structure Plan and the guidance contained within paragraph 23 of Planning Policy for Traveller Sites.*
1. *In the opinion of the Local Planning Authority the proposed development will have an adverse impact on the character and appearance of the open countryside which is not outweighed by need contrary to Policies NE.2 (Open Countryside) and RES.13 (Sites for Gypsies and Travelling Showpeople) of the adopted Borough of Crewe and Nantwich Replacement Local Plan 2011.*

POLICIES

National Policy

The application should be determined in accordance with national guidance set out in:

National Planning Policy Framework
Planning Policy for Traveller Sites

Local Policy

NE.2 (Open Countryside)
NE.9 (Protected Species)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
RES.8 (Affordable Housing in Rural Areas Outside Settlement Boundaries)

RES.13 (Sites for Gypsies and Travelling Showpeople)

Structure Plan

HOU6 (Gypsy Caravan Sites)

Other Documents

Interim Strategy on Gypsy and Traveller Accommodation Needs

CONSIDERATIONS (External to Planning)

United Utilities: No comments received at the time of writing this report. As part of the last application – no objections.

Environmental Health: No objection subject to a condition relating to external lighting and the following:

The proposed site, if permitted, will require a caravan site licence and as part of this licence there is a requirement for paved road ways, caravan/chalet hard standings and lighting.

It is noted that the application is for residential caravans these can take the form of very large chalets or “twin units”. The plans suggest caravans of differing sizes e.g. a chalet /mobile home and a touring caravan. This use must be clarified and caravan type controlled by condition. The site appears to be 4 pitches of 2 caravans per pitch equalling 8 caravans in total.

The definition of a caravan is very broad and clarity needs to be stipulated and controlled.

Previous site permissions for example have restricted a pitch to be a 1 chalet/mobile home and 1 touring caravan.

There shall be a minimum spacing of 6 meters between caravans.

There shall be recreational space provided that is at least 10% of the site area.

Any residential caravan structure shall meet the British Standard 3632:2005 which ensure a suitable standard for park/residential homes.

There is a suggestion in the public consultation that the site may be used as a Gypsy and Traveller (Romany) site, this would also need clarification as in planning terms the application does not state this thus the special housing needs of the Traveller community may not be applicable. Also as the application does not refer to the Travelling community then the cultural need for additional structures for amenity/shower toilet buildings and day rooms will not be required as they will be in the caravan units themselves. Thus permitted development rights and their need should be considered in planning terms.

The foul waste/sewer system will need to be approved by the LPA and it is for the planning department to decide if this information together with any percolation test needed, prove

capacity and function before the application is considered or imposed as a condition if permitted.

There shall be a condition prohibiting the use of generators on site to prevent noise disturbances, the electrical supply shall be from an approved mains supply.

The planning department may wish to consider controlling work activities and vehicle sizes on site.

In terms of contaminated land an informative should be attached.

VIEWS OF THE PARISH / TOWN COUNCIL

No comments received at the time of writing this report.

OTHER REPRESENTATIONS

One letter of support has been received. The salient points raised are as follows:

- We are totally happy with this application on all counts. We are the direct neighbours of the applicant, our house being part of the semi-detached property. We have lived here for 27 years;
- The families are quiet, polite, tidy, and good-neighbourly. We are very pleased to welcome them to our neighbourhood.
- The site is kept in a clean and tidy condition

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

Letter of support from the Head Teacher of Sound & District Primary School

Letter of support from the Nursery Manager at Sounds Active Nursery and Pre-School

These documents are available to view on the application file.

OFFICER APPRAISAL

Procedural Matters

It is noted that work has already commenced on the site and a large amount of hardstanding had already been laid and there were also a number of caravans. According to Section 73A of the 1990 Town and Country Planning Act specifically provides that a grant of planning permission can be given for a development that has already taken place.

This resubmission includes letters of support from the Head Teacher of Sound & District Primary School and the Nursery Manager at Sounds Active Nursery and Pre-School. These letters identify that the children who occupy the site have settled into the primary school and nursery and that the parents are very supportive of the school and nursery.

There is also an additional statement from the applicant identifying that there are benefits arising for the occupants in terms of a settled education for the children and access to Wrenbury Medical Centre. The statement also states that they feel accepted within the Nantwich community and further landscaping will be provided if planning permission is granted. They are seeking a permanent permission.

Although Members previously determined the earlier application for the same site it is considered that the additional information is sufficient for this application to be materially different, and for Members to be comfortable in considering the application afresh.

Main Issues

The main issues in this case are:

- (a) Whether the site is in an appropriate location for the scale of use proposed having particular regard to accessibility to services and facilities as well as other sustainability considerations referred to in the Local Plan and Planning Policy for Traveller Sites;
- (a) The effect of the proposed development on the character and appearance of the area; and
- (b) Whether, if there is any harm and conflict with policy, there are material considerations which outweigh the harm and conflict, including the need for more gypsy sites in the area, the likelihood and timescale for identified needs to be met through the development plan system, the applicants and intended occupiers personal and family circumstances and accommodation alternatives.

Principles of Development

As with national planning guidance, Policy NE.2 (Open Countryside) of the Local Plan seeks to safeguard the countryside for its own sake and prevent non-essential development that may cause harm to the character and appearance and openness of the countryside.

However, policies within the development plan, in conjunction with national planning guidance and advice in Planning Policy for Traveller Sites, accept that outside Green Belt areas, rural settings are acceptable in principle for gypsy and traveller caravan sites. The applicant argues that a degree of harm to the character and appearance of the countryside is unavoidable but points out that Government advice suggests that in most cases this visual harm can be satisfactorily mitigated with appropriate landscaping. However, whilst the need for gypsy and traveller accommodation is a consideration, both development plan policies and Government guidance require, in addition, consideration of the impact on the surrounding area, neighbouring amenity, highway safety, the need to respect the scale of the nearest settled community and also the availability of alternatives to the car in accessing local services.

Sustainability

Planning Policy for Travellers Sites clearly enunciates that travellers sites should be sustainable economically, socially and environmentally and states that local authority planning policies should

- a) Promote peaceful and integrated co-existence between the site and the local community;
- a) Promote, in collaboration with commissioners of health services, access to appropriate health services;
- b) Ensure that children can attend school on a regular basis;
- c) Provide a settled base that reduces the need for long distance travelling and possible environmental damage caused by unauthorised encampment
- d) Provide proper consideration of the effect of local environmental quality (such as noise and air quality) on the health and well being of any travellers that may locate there or on others as a result of new development;
- e) Avoid placing undue pressure on local infrastructure and services;
- f) Do not locate sites in areas at high risk of flooding, including functional floodplains, given the particular vulnerability of caravans;
- g) Reflect the extent to which traditional lifestyles (whereby some travellers live and work from the same location thereby omitting many travel to work journeys) can contribute to sustainability

It is clear that the key principals of national and local planning policies are to promote sustainable patterns of development in order to reduce the need to travel and the dependence on the private car. The nearest service centre to the application site is Nantwich and there is a distance of approximately 3.1km separating the two sites. Therefore, it is considered that the application site is in an isolated rural setting and is removed from any settlement, shop(s), school(s), community facilities or place(s) of employment. Baddington Lane is typical of many rural highways being twisty, unlit and without footways. The road is wide enough for vehicles to pass each other with relative ease.

As previously stated the Planning Policy for Traveller Sites has an intention, amongst other things, to create and support sustainable, respectful and inclusive communities where gypsies and travellers have fair access to suitable accommodation, education and health and welfare provision. The document clearly acknowledges that '*Local Planning Authorities should strictly limit new traveller site development in the open countryside that is away from existing settlements or outside areas allocated within the development plan*' (paragraph 23). However, it does not state that gypsy/traveller sites cannot be located within the open countryside.

The document makes it clear that sustainability is important and should not only be considered in terms of transport mode and distance from services. But other factors such as economic and social considerations are important material considerations. It is considered that authorised sites assist in the promotion of peaceful and integrated co-existence between the site and the local community. A settled base ensures easier access to a GP and other health services and that any children are able to attend school on a regular basis. It is widely recognised that gypsies and travellers are believed to experience the worst health and education status of any disadvantaged group. In addition, a settled base can result in a reduction in the need for long distance travelling and the possible environmental damage caused by unauthorised

encampment. Furthermore, the application site is not located in an area at high risk of flooding. These are all benefits to be considered in the round when considering issues of sustainability.

It is considered that the location of the site is such that it is almost inevitable that the private car will be needed to access even those facilities relatively close to the site. It is generally acknowledged that as distance increases the likelihood of car use becomes generally greater. According to Policy RES.13 (Sites for Gypsies and Travelling Show people) criterion (4) states that proposal should be '*within easy reach of local services and facilities*'. The policy does not elaborate on how far away a service is before it is not within easy reach. However, it is considered given the location of the site, the surrounding highway network, the lack of street lighting and pavements in the area. It is considered that the main mode of transport will be by the private car, and as such the site is not in a wholly sustainable location.

Whilst the proposal is for four pitches which would increase 'unsustainable trips' from the application site, as a matter of fact and degree these trips would all still only be of a relatively short nature. It is difficult to state at what level the number of pitches would have to be before that impacted so significantly to refuse on sustainability grounds. For example, the recent temporary consent at New Start Park, Reaseheath which is also not sustainable was for 8 pitches, which was 1.7km away.

Nevertheless, it is considered that the application site is not in a wholly sustainable location and the proposal would moderately conflict with advice advocated within Policies RES.13 (Sites for Gypsies and Travelling Showpeople) and HOU6 (Gypsy Caravan Sites).

Impact on the Character and Appearance of the Open Countryside

The application site is broadly rectangular in shape and is part of a much larger site, which is owned by the applicant. According to the submitted plans the proposal is for four pitches and each pitch will incorporate a mobile home, a touring caravan, and an existing stable building to provide toilet, bathroom and laundry facilities.

All of the pitches are accessed from the existing access road and the pitches are located on a former ménage and the surrounding cartilage. The ménage has been resurfaced. The application site is at a lower level than Baddington Lane and the site is screened on this boundary by mature hedgerows. The remainder of the application site is demarcated by post and rail fencing with open fields located to the north and east. However, to the south are a few cottages, one of which is owned by the applicant.

The application site is located wholly within an area of open countryside and the area is generally characterised by agricultural fields bounded by native hedgerows. Local Plan policy makes it clear that gypsy sites are acceptable in principle in the countryside. However, the more recent document Planning Policy for Traveller Sites states that local planning authorities should strictly limit new traveller sites within the open countryside that is away from existing settlements. However, this policy does not state that gypsy/traveller sites cannot be located within the open countryside. It is acknowledged that the caravans may be visible in the public realm but this does not necessarily equate to visual harm.

According to policy NE.2 (Open Countryside) permits uses which are appropriate to a rural area. Furthermore, paragraph 12 of Planning Policy for Traveller Sites states '*When assessing*

the suitability of sites in rural or semi rural settings, local planning authorities should ensure that the scale of such sites does not dominate the nearest community'. Paragraph 22 states when assessing planning applications local planning authorities should consider the following issues

- The existing level of local provision and need for sites;
- The availability (or lack) of alternative accommodation for the applicants;
- Other personal circumstances of the applicant;
- That the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites;
- That they should determine applications for sites from any travellers and not just those with local connections.

Therefore, both local and national policy accepts that gypsy sites can be located within rural areas. It is acknowledged that some degree of encroachment and visual impact will be derived from the location of gypsy sites within rural locations. Policy RES.13 criterion (vi) states that proposals *'should avoid visual encroachment into the open countryside'* and criterion (vii) stipulates that proposals *'should have substantial natural screening or include proposals to provide such screening'*.

It is considered that views of the development would be limited to glimpses of the roofs and higher sections of walls of the mobile homes and stable block. However, in order to mitigate the visual presence of the development a landscaping condition will be attached to the decision notice which will help to reinforce the perimeter hedgerows that already exist.

Overall, it is considered that any visual harm or physical encroachment that might harm the character and appearance of the countryside would be small and it is considered that providing controlling conditions relating to landscaping and boundary treatment will help to mitigate any negative externalities associated with the proposal. Therefore, it is considered that the proposal complies with Policy BE.2 (Design Standards) and advice advocated within the National Planning Policy Framework and Planning Policy for Traveller Sites.

Amenity

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
- 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 redevelopment of the site for residential purposes is considered to be compatible with the surrounding land uses. The proposal is unlikely to result in noise, air or water pollution. However, a principle consideration in determining this application is its effect upon the amenity of adjacent occupants and in this respect Policy BE.1 requires that

development does not have a prejudicial impact on the amenity of occupiers in an adjacent property.

The nearest residential property is located immediately to the south of the application site (no.2 Railway Bridge Cottage). This property is owned by the applicant. Attached to this building is no. 1 Railway Bridge Cottage, it is considered given no. 2 will screen the majority of the application and the separation distances and boundary treatment will all help to mitigate any negative externalities.

Located on the opposite side of Baddington Lane is a converted barn complex and former farmhouse. There is a distance of approximately 80m separating the barns from where the caravans are sited. As previously stated the site on this boundary is demarcated by mature native hedgerow. Overall it is considered given the separation distances, intervening road, difference in levels and boundary treatment will help to mitigate any negative externalities. It is considered that the proposal complies with Policy BE.1 (Amenity).

The proposal will have a negligible impact on other properties in the locality.

Demonstrable Need

Planning Policy for Traveller sites advocates that local planning authorities should ensure that their policies promote peaceful and integrated co-existence between the site and the local community and ensure that traveller sites are sustainable economically, socially and environmentally. The key characteristics identified for a mixed community are a variety of housing, particularly in terms of tenure and price and a mix of different households such as families with children, single person households and older people. The need to take account of the diverse range of housing requirements across an area, including the need to accommodate Gypsies and Travellers, is an important consideration.

A sequential approach to the identification of sites in Site Allocations Development Plan Document (DPD) is advocated, requiring Local Planning Authorities to consider locations in or near existing settlements with access to local services first. Local Planning Authorities should be able to release sites for development sequentially, with sites being identified in DPDs being used before windfall sites. However, at present the Council has not produced a DPD and no suitable alternative sites have been identified as part of the Local Development Framework process.

Additionally, Planning Policy for Traveller Sites clearly states in paragraph 9 criterion (a) that local planning authorities should, in producing their Local Plan identify and update annually, a supply of specific deliverable site sufficient to provide five years worth of sites against their locally set targets. However, at present the Council does not have a five year supply of traveller sites. Furthermore, as previously stated, no specific site provision is made for gypsies and travelers in the development plan at present.

This document goes on to state that if a *'local planning authority cannot demonstrate an up-to-date five year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision'* (paragraph 25). It is considered in light of the lack of availability of a five year supply of gypsy/traveller sites and given the factors already cited any permission which should be granted will be for a temporary four year period. This will allow the

Council to see if any more sustainable and deliverable sites can be identified and brought forward.

Cheshire Partnership Area Gypsy and Traveller Accommodation and Related Services Assessment (GTAA) was completed in May 2007. In Cheshire East, the GTAA identified an overall need for between 37-54 permanent residential pitches and 10 pitches for transit provision by 2016. The Council are part of the Strategic Gypsy & Traveller Partnership across the sub region and together the authorities have secured future funding from the Homes and Communities Agency (HCA) to deliver new sites. Previously this funding was accessed to extend the council run site, Astbury Marsh, by 2 pitches (which have now been constructed).

Since the GTAA in May 2007, when the number of pitches was 101, there have been four new sites approved with permanent permission, giving an additional 11 pitches and 2 sites with temporary permission for 9 pitches (temporary permissions do not count towards the GTAA figures). The application for 10 pitches at Parkers Road, Crewe was withdrawn. A recent application for Land off Spinks Lane, Pickmere (12/1113M) for 3no. pitches was refused planning permission on the 8th August 2012 and land lying to the north west of Moor Lane, Wilmslow (12/1144M) was refused planning permission on the 6th July 2012.

Furthermore, an appeal decision at land at Wybunbury Lane, Stapeley (November 2009) found that *'there is undoubtedly an immediate need for further pitch provision both in Cheshire East and regionally'*.

This view was further endorsed at a more recent appeal decision at New Start Park, Wettehall Road, Reaseheath (APP/R0660/A/10/2131930 January 2011) which stated *'that there is little or no prospect of the Council being able to successfully address the challenge in Circular 01/2006 to increase significantly the number of gypsy and traveller sites in appropriate locations. I conclude that there is an urgent and substantial unmet need for permanent residential pitches for gypsies and travellers in Cheshire East which needs to be addressed'*. A similar view on the need for gypsy sites was also reached by the Inspector on the more recent appeal decision at Thimswarra Farm, Moston. The Inspector granted a temporary consent in that instance.

The GTAA is the most up to date document the Council has in relation to need for Gypsy/Traveller sites. Therefore, it is an important material consideration, which is regularly used by the Council in assessing applications. Furthermore, Planning Inspectors have never questioned the validity of the GTAA and they also use it to assess any Appeals. Indeed the recent Inspectors decision was based upon the GTAA figures and considered that the need identified was 47 to 64 pitches to 2016. The appeal identified the need to be 14 and 31 pitches (although this included 24 pitches approved nearly 3 years but has yet to be implemented).

The Council are to appoint consultants to redo the GTAA (as agreed by Cabinet on the 23rd July 2012) in 2013. Following on from the new GTAA the Council will make specific land allocations which are likely to be made in due course as part of the Local Plan. The Council concedes that the relevant Development Plan Document is unlikely to be adopted before December 2014. Therefore, it is unlikely that sites allocated would, in all probability, begin to become available until at least mid-2015. The applicants are seeking a permanent consent due to the local connections to schools and health facilities that they are establishing. Clearly if permission were given then this would reduce the current shortfall of gypsy/traveller sites.

Precedent

As part of the last application a number of objectors were concerned that if this application is approved a precedent will be set for other similar types of development in the immediate area. However, this is a hypothetical situation and all cases must be determined on their own merits and any future applications would need to be considered against the circumstances applicable at that time.

The appeal decision at Thimswarra Farm, Moston, Sandbach stated *“I give little weight to fears that a grant of planning permission in this case would set a precedent for the provision of further gypsy/traveller pitches in the locality.”*

Although appeal decisions are a material consideration in the assessment of applications, this statement therefore demonstrates that each application must be determined on its merits, and refusing the application on precedent grounds is not a sufficient justification, to sustain at any future Appeal.

Highway

The application site is accessed directly off Baddington Lane. The access is already in situ and serves the former stable block and ménage. Baddington Lane is wide enough for two vehicles to pass each other with relative ease although there are no footpaths along the carriageway. The existing access road, which serves the application site runs parallel to the adjacent Baddington Lane (albeit there is a significant difference in levels) which is separated by a mature native hedgerow. There is sufficient space within the curtilage of the site for vehicles to be parked clear of the public highway and to maneuver so that they can enter/leave the site in a forward gear.

As part of the last application a number of objectors were concerned that if planning permission is approved for the proposed development, it will lead to an intensification of large vehicles using the local highway network. Whilst the concerns of the objectors are noted, it is considered prudent to attach conditions relating to the size of vehicles entering/leaving the site and for no commercial activities to take place on the land. This issue did not form a reason for refusal as part of the last application and the issue is considered to have been addressed.

Ecology

There are a number of ponds within the immediate locality and as such there is a potential that the proposal may have detrimental impact on protected species. The Councils ecologist advises that the proposed development is not reasonable likely to have a significant impact upon protected species.

Human Rights and Race Relations

It is right and proper that Local Planning Authorities should consider the consequences of refusing or granting planning permission, or taking enforcement action, on the rights of the individuals concerned. Article 8 of the Human Rights Act 1988 states that everyone has the right to respect for his private and family life, his home and his correspondence. It adds there

shall be no interference by a public authority with the exercise of this right except such as in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well being of the country, for the prevention of disorder or crime, for the protection of health or morals or the protection of the rights and freedoms of others.

The applicants are Travellers, a racial group protected from discrimination by the Race Relations Act 1976. Further, Article 14 of the Human Rights Act states that the enjoyment of the rights and freedoms set forth in that Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

In this particular case, the determination of this application will have a direct impact on the occupier's rights given that the application site has been laid out and is being occupied. Nevertheless, should the application be refused, the applicant has a right of appeal and any resultant enforcement proceedings would only be taken following due consideration of the aforementioned rights.

The impact of the development on the rights of the local residents has been fully assessed; both in this report and accordingly any impact are considered acceptable.

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. Advice advocated within 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.

As part of the last application a number of objectors were concerned about how the development would be drained. According to the submitted application forms the proposed method for drainage would be via a package treatment plant. It is considered prudent to attach a condition relating to drainage scheme, if planning permission is to be approved. Colleagues in United Utilities were consulted as part of the last application and raised no objections. Therefore, it is considered that the application is in accordance with policy BE.4 (Drainage, Utilities and Resources).

Other Matters

As part of the last application several objectors have stated that there are sufficient pitches within the Borough and in any event existing sites could be expanded. Whilst the concerns of the objectors are noted, every application must be judged on its own individual merits and this application cannot be refused on the hypothetical situation that other travellers may want to

construct additional pitches at some site in the future. If additional pitches are sought this will necessitate a new application and the proposal will be assessed on its merits.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is acknowledged that the site is not ideally located in order to access shops, services and other community facilities and the site is located in a moderately unsustainable location. However, there is a substantial and unmet identified need for gypsy and traveller site provision within Cheshire East which needs to be addressed urgently. To date no sites have been identified through the Local Plan process and are unlikely to be so until 2014 at the earliest.

Furthermore, in the context of Planning Policy for Traveller Sites, the impact of the proposed development on the surrounding countryside could be satisfactorily mitigated, the site is within the Open Countryside as opposed to Green belt.

Therefore, whilst there are elements of the application which would need addressing via condition such as drainage and landscaping; it is considered that the need outweighs any perceived harm and the use of the site as a residential gypsy site accommodating 4 pitches would not conflict with Planning Policy for Traveller Sites or relevant national or local planning policies.

Since the previous application the applicants have sought to demonstrate that they are actively seeking to establish a base in the area through their children's attendance at local schools, and also connections with local health facilities. This also seems to be reflected in a degree of integration with some members of the established local community.

RECOMMENDATION

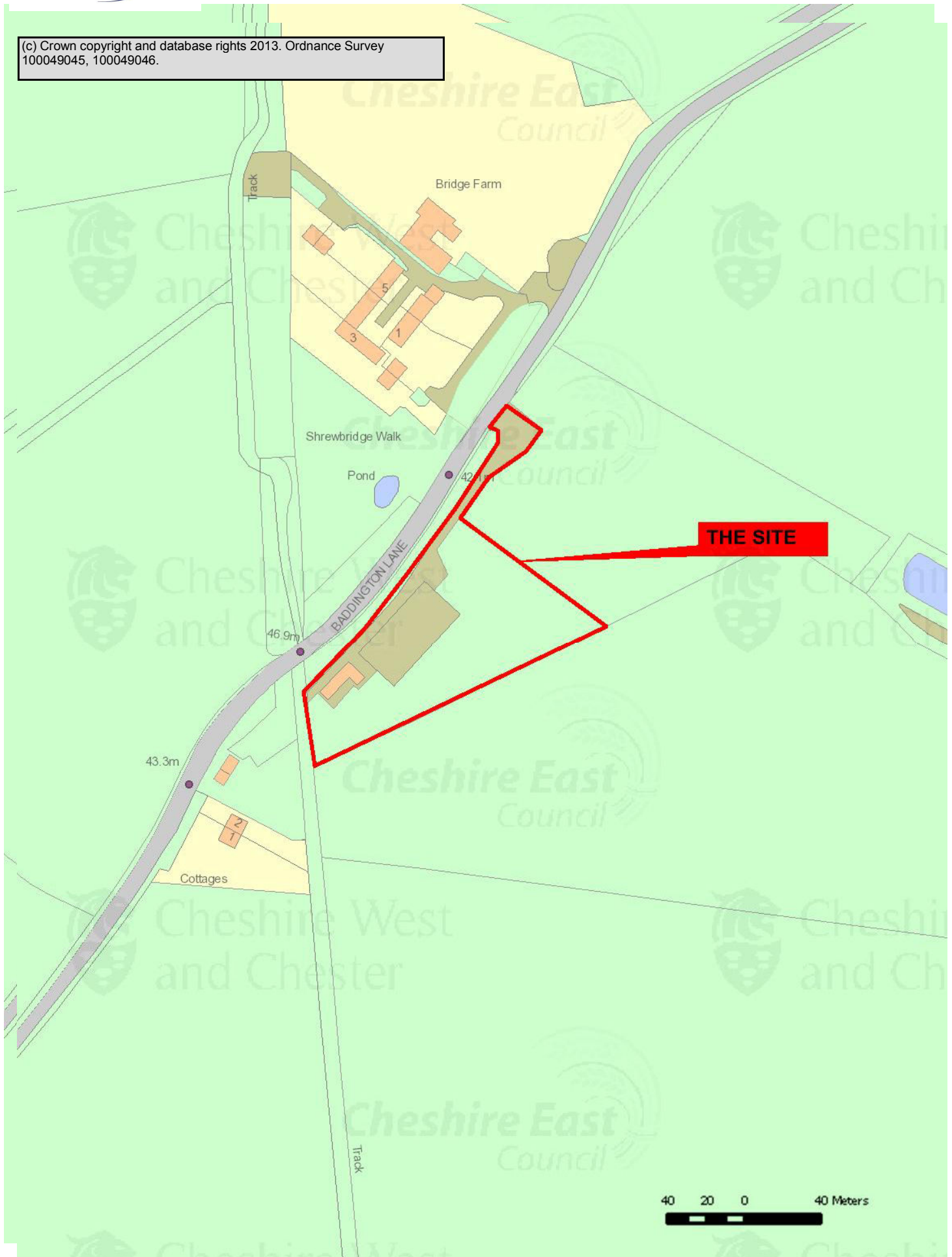
Subject to the further consideration of additional representations up to 20th March 2013

Approve subject to the following conditions:

- 1. Standard Timescale**
- 1. Plan References**
- 2. The site shall not be occupied by any persons other than gypsies and travellers as defined in paragraph 1 Annex 1 of Planning Policy for Traveller Sites**
- 3. There shall be no more than four pitches on the site and there shall be no more than eight caravans stationed at any time, of which only four caravans shall be a residential mobile home**
- 4. No External Lighting**
- 5. Details of a landscaping scheme to be submitted and approved in writing**
- 6. Landscaping scheme to be implemented**
- 7. Details of a drainage scheme to be submitted and approved in writing**

- 8. No vehicles over 3.5 tonnes shall be stationed, parked or stored on the site**
- 9. No commercial activities shall take place on the land, including the storage of materials**
- 10. Details of the porous surfacing materials to be submitted and approved in writing**
- 11. Details of Boundary Treatment to be submitted and approved in writing**
- 12. If the site is no longer required as a gypsy site all the structures shall be removed within 3 months and the land returned to its former use**

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Application No: 13/0136N

Location: NORTH STREET METHODIST CHURCH, NORTH STREET, CREWE, CW1 4NJ

Proposal: Demolition of existing church building, erection of church community centre and 18 affordable retirement apartments and associated access and car parking provision.

Applicant: Malcolm Lorimer, Wulvern Housing Ltd and Trustees for Met

Expiry Date: 03-Apr-2013

SUMMARY RECOMMENDATION:

APPROVE subject to conditions and a S106 Agreement

Main issues:

- Principle of development
- The impact of the design
- The impact upon amenity
- The impact upon highway safety and parking
- The impact upon protected species
- Affordable housing issues
- Drainage and flood risk
- Landscape and trees

REASON FOR REFERRAL

This application is referred to the Southern Planning Committee as it is a major development involving over 10 residential units.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to the North Street Methodist Church itself and land to its rear on the southern side of North Street, Crewe, within the Crewe Settlement Boundary.

The planning application site comprises a level, regular shaped parcel of land amounting to some 0.26 hectares in area. The frontage part is occupied by the Church building and its associated meeting rooms. The present North Street church was built in 1901, extended in 1930 and a new entrance hall and vestries were built circa 1976 though there is a notation on a map of 1875 of a Wesleyan Methodist Chapel being on the site. Alterations to the vehicular access to the church and land to the rear also were approved in 1976. To the

rear of the church extends a parking area and beyond that an informal open area of grassland.

To the south-east of the church building is a row of three storey properties, Church Mews, which also front onto North Street and share an access with the church. The gated parking area to these dwellings also shares an access with the church and this arrangement will of course continue under the present proposals. To the north west of the church, in the opposite direction to Church Mews a ribbon of two storey dwellings extends along North Street, whilst surrounding the application site to the rear are two storey properties on the westerly side (these houses front onto Cashmere Drive) and two pairs of semi detached bungalows on the southerly (rearmost) boundary fronting onto Churchmere Close. Immediately on the opposite side of the road to the church building, on North Street, is the Horseshoe Inn, which is a building included on the Council's Local List of Buildings of Historic Importance. The church building itself is not included either on the Local List or the Statutory List of Buildings of Special Architectural or Historic Interest.

DETAILS OF PROPOSAL

Planning permission is sought for the demolition of an existing church. The site will be redeveloped by the provision of a replacement church community centre building approx 15.6 metres by 15.6 metres in floor plan and 7.5 metres to its apex (excluding the cross). The building will front onto North Street and be provided with 12 car parking spaces to the immediate rear and a 2 car space dropping off point at the side adjoining the access road.

To the rear of the church community centre and parking provision an access road will be formed to serve the three storey "T"-shaped block of 1 affordable retirement units which it is proposed to build. The residential apartments will comprise:-

Ground Floor

- 4 No. 2 bed units (each 59 m² in area)
- 2 No. 1 bed units (each 52 m² in area)

First Floor

- 4 No. 2 bed units (each 58/59 m² in area)
- 2 No. 1 bed units (each 49 m² in area)

Second Floor

- 4 No. 2 bed units (each 58/59 m² in area)
- 2 No. 1 bed units (each 49m² in area)

The apartments will be of brick construction with grey tiled roofs, matching the materials to be used on the church community building.

The access road terminates with a vehicular turning head suitable for service vehicles and close by a purpose built bin storage building is proposed. 12 dedicated parking spaces will be

provided to serve the apartments. The development contains a series of landscaped incidental open spaces.

Access will be maintained to the bowling green immediately adjoining the application site as part of the proposed development.

RELEVANT HISTORY

7/02487 - Alteration of existing vehicular access to car park to place of worship – Approved 16th December 1976

POLICIES

National policy

National Planning Policy Framework (NPPF)

Local Plan Policy

NE.9 (Protected Species)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
RES.2 (Unallocated Housing Sites)
TRAN.4 (Access for the disabled)
TRAN.9 (Car Parking Standards)
CF.2 (Community Facilities)
CF.3 (Retention of Community Facilities)

Other material considerations

Pre-application letter provided by Cheshire East Council

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No objections subject to a condition ensuring the development is constructed in accordance with the submitted plans, the prior submission of an amended design for the revised access to include radius kerbs and tactile paving. An informative advising the developer of the need to enter into a Section 184 Agreement with the Council is also recommended.

Environmental Health – No objections, subject to conditions relating to; hours of construction, lighting, dust control and an informative relating to contaminated land.

United Utilities – No objections, subject to the site being drained on a separate system and surface water discharge requirements

VIEWS OF THE PARISH/TOWN COUNCIL

N/A

OTHER REPRESENTATIONS

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

- Loss of historical building
- Amenity – Loss of privacy / overlooking, loss of light, noise, pollution
- Highway safety – Increase in traffic, pedestrian safety
- Design – Overdevelopment of site, not in keeping with area, does not follow established building line

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

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement
Contaminated Land Questionnaire
Demolition plan

OFFICER APPRAISAL

Principle of Development

The proposed scheme can be split into 2 different forms of development:

- a) The demolition of a church and the construction of a new community centre and;
- b) The provision of a residential retirement apartments.

a) Demolition of church and construction of new community centre

Coppenhall Methodist Church, North Street, Crewe is not a listed building and is not on the list of buildings of local interest. As such, the demolition of such a facility shall be determined under the community facilities Local Plan Policies CF.2 and CF.3.

Policy CF.3 of the Local Plan advises that *'proposals which would result in the loss of community facilities which make a positive contribution to the social or cultural life of a community will not be permitted unless a suitable alternative provision is made.'*

As the proposal would include the erection of a replacement community facility, in conjunction with the associated facility on Bradfield Road, it is considered that the development would adhere with Policy CF.3

Policy CF.2 refers to new community facilities. It is advised that for such facilities, there should be; satisfactory highways access (in accordance with Policy BE.3), is in close proximity to existing public transport routes, an appropriate level of car parking is provided, the development is sympathetic to the character of the street and it would not significantly deter from the character of the area or the amenity of local residents. These issues are considered later in the report.

b) Erection of self-contained retirement flats (18 units)

As the proposed development would be for 100% affordable housing located within the Crewe Settlement Boundary, it would be subject to Policy RES.2 of the Local Plan. Policy RES.2 advises that *'within the settlement boundaries of Crewe and Nantwich, which are defined on the proposals map, the development or redevelopment of unallocated sites for housing will be permitted, (In accordance with policies BE.1-BE.5).'*

As such, the principle of the development is accepted and the determination is made on general local plan policies.

The recently published National Planning Policy Framework replaces PPS3 and one of its core principles is that planning should:

*"proactively drive and support sustainable economic development to deliver the **homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.**"*

As such, the principle of new dwellings within the Settlement Boundary is deemed to be acceptable with regards to the NPPF.

Design Standards

The new community building would measure approximately 15.6 metres in depth, 15.6 metres in width and approximately 7.5 metres in height. This would be of a similar footprint of the existing church but smaller in height.

The surrounding development consists of a mixture of terraced, semi and detached properties that are a mixture of single, two and three storey's tall. As such, the surrounding area is characterised by a mixed form of development, although all have predominantly open brick finishes with either dual-pitched or hipped roof types.

It is considered that the erection of a detached, single-storey, open brick pyramidal pitched roofed community centre would be of an appropriate design subject to the use of materials that would respect the surroundings. This can be secured by condition.

The proposed residential development would be of a 'T-shaped' design and sit centrally within the plot. It would be 3-storey's tall and have a hipped roof. Given the mixed nature of the surrounding development, it is not considered that subject to the use of appropriate materials, the proposal would appear incongruous within the streetscene and respect the local character. Furthermore, the development would be inset by approximately 40.8 metres from North Street.

A degree of shared open space would be provided within the site, sufficient for a development of this size. A bin store is also proposed which is an important aspect.

As a result of the above reasons, it is considered that the design of the scheme would adhere with Policy BE.2 of the Local Plan.

Amenity

With regards to neighbouring amenity, Policy BE.1 of the Local Plan advises that development shall only be permitted when the proposal would not have a detrimental impact upon neighbouring amenity in terms of overlooking, overshadowing, visual intrusion or environmental disturbance.

The closest residential properties to the development site are; No.27 North Street to the west, any residential occupiers of The Horse Shoe Inn to the north and the residents of the closest property of Church Mews to the east.

The proposed community centre would be approximately 7.3 metres to the east of No.27 North Street. At present, the existing church is approximately 6 metres away from this neighbour in largely the same position. As such, given that the new community centre would be lower in height than the existing building and further away, it is not considered that the building would create any new amenity issues than the existing church. No windows are proposed on the relevant side elevation of the building.

The Horse Shoe Inn, a locally listed building, would be approximately 18 metres across the road. Again, given that the existing church is the same distance from this public house as the proposed building, and as the proposal would be lower in height than the church, it would not have an effect upon amenities.

On the side elevation of the closest Church Walk property, which would be approximately 10.2 metres to the east of the community centre, there are no windows, as such; no new issues in terms of loss of privacy, loss of light or visual intrusion would be created.

The closest neighbouring residential properties to the proposed apartment building would be the rear elevations of No's 27, 29 and 31 Cashmere Drive, the closest of which (No.27) would be approximately 14.2 metres from the closest elevation of the proposed unit.

Paragraph 3.9 of the Development on Backland and Gardens SPD advises of the recommended separation standards for new development in Crewe and Nantwich. It is advised that ideally, a distance of 21 metres should be achieved between principal elevations and a distance of 13.5 metres should be achieved between a principal elevation with windows to habitable rooms and blank elevations. In the case of flats, there should be 30 metres between principal elevations with windows to first floor habitable rooms.

Given that the rear elevations of No's 27 and 28 Cashmere Drive are over the recommended 13.5 metre separation distance from the closest blank gable elevation of the proposal and over the recommended 21 metre standard between principal windows, it is not considered that these neighbour's would be impacted by a loss of amenity.

The rear elevation of No.30 Cashmere Drive would be directly 29.5 metres away from the principal frontage of the site. Although this is below the 30 metre standard, it is only slightly below this recommended gap and as such, is deemed to be acceptable in this instance, as any impact on amenity arising from the shortfall would be indiscernible.

The closest neighbouring properties to the rear of the plot are No's 8 & 9 Churchmere Drive, a pair of semi-detached bungalows. The rear elevation of No.8 Churchmere Drive to the development would be approximately 14 metres from the closest blank gable elevation, adhering to the separation standards. The rear elevation of No.9 Churchmere Drive would be approximately 23.7 metres from an elevation containing a number of principal windows. This separation distance adheres with the 21 metre standard that applies in this instance.

A detached bin store would be erected in the south-eastern corner of the site, approximately 8.2 metres away from the rear elevation of No.8 Churchmere Drive. Although this is below the recommended 13.5 metre separation gap, it would be predominantly offset from this neighbouring property, significantly reducing its impact upon this neighbour in term of visual intrusion.

There would be no other residential properties within close proximity that would be within the recommended separation distances. As such, subject to the height of the proposed outbuilding and its boundary treatment, it is considered that the proposal would adhere with Policy BE.1 of the Local Plan.

With regards to both proposals, Environmental Health were consulted and they have advised that they have no objections to the proposed development subject to conditions relating to hours of construction, lighting, dust control and an informative relating to contaminated land.

Highway safety

The access would remain unchanged from the existing arrangement and as such, is deemed to be acceptable. In terms of public transport, it would be located close to a bus stop running in both directions on North Street.

The submitted plan includes 24 parking spaces in total (including the retirement apartment parking), and an elongated drop-off bay to the site of the proposed replacement community centre.

The Council's Strategic Highways Manager has advised that he has no objections subject to a condition to ensure the development would comply with the internal layout details shown on Mayflower drawing 1974:01 and a Section 184 Agreement. A condition requiring that the developer submits an amended design for the revised access to include for radius kerbs and tactile paving on the pedestrian desire lines along North Street is also recommended.

In addition, an informative is proposed to advise the developer that they must enter into a Section 184 agreement with the Council to provide a new vehicular crossing over the highway verge and to include radius kerbs and tactile paving.

As such, subject to these conditions, it is considered that the development would adhere with Policy BE.3 of the Local Plan.

Protected Species

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.

As part of the application submission, the applicant has submitted a bat survey. The Council's Nature Conservation Officer has reviewed this survey and advised that he is satisfied with it. However, he has recommended a number of conditions to protect nesting and breeding birds. Specifically, a condition requesting a detailed survey be conducted to check the site for nesting birds before any works take place between 1st March and 31st August in any year, and a condition requesting the submission of features for the use by breeding swifts and roosting bats have been suggested.

Subject to these conditions, it is considered that the development would adhere with Policy NE.9 of the Local Plan.

Affordable Housing

As the proposed residential aspect of this proposal is for affordable housing, this needs to be secured with the use of a Section 106 agreement. The housing is for persons over 55 years of age.

Landscaping and trees

The proposed development does not include any detailed landscaping information. As such, it is proposed that this is secured by condition should the application be approved.

CONCLUSIONS AND REASONS FOR THE DECISION

To conclude, it is considered that subject to the appropriate use of materials, the scheme, in its entirety would adhere with both Local and National Planning Policies subject to a S106 agreement to secure the details of the affordable housing.

It would not have an adverse impact upon neighbouring amenity or raise any significant highway/parking issues. The proposal therefore complies with Policies; NE.9 (Protected Species), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), RES.2 (Unallocated Housing Sites), TRAN.4 (Access for the disabled), TRAN.9 (Car Parking Standards), CF.2 (Community Facilities) and CF.3 (Retention of Community Facilities) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The development also complies with the NPPF.

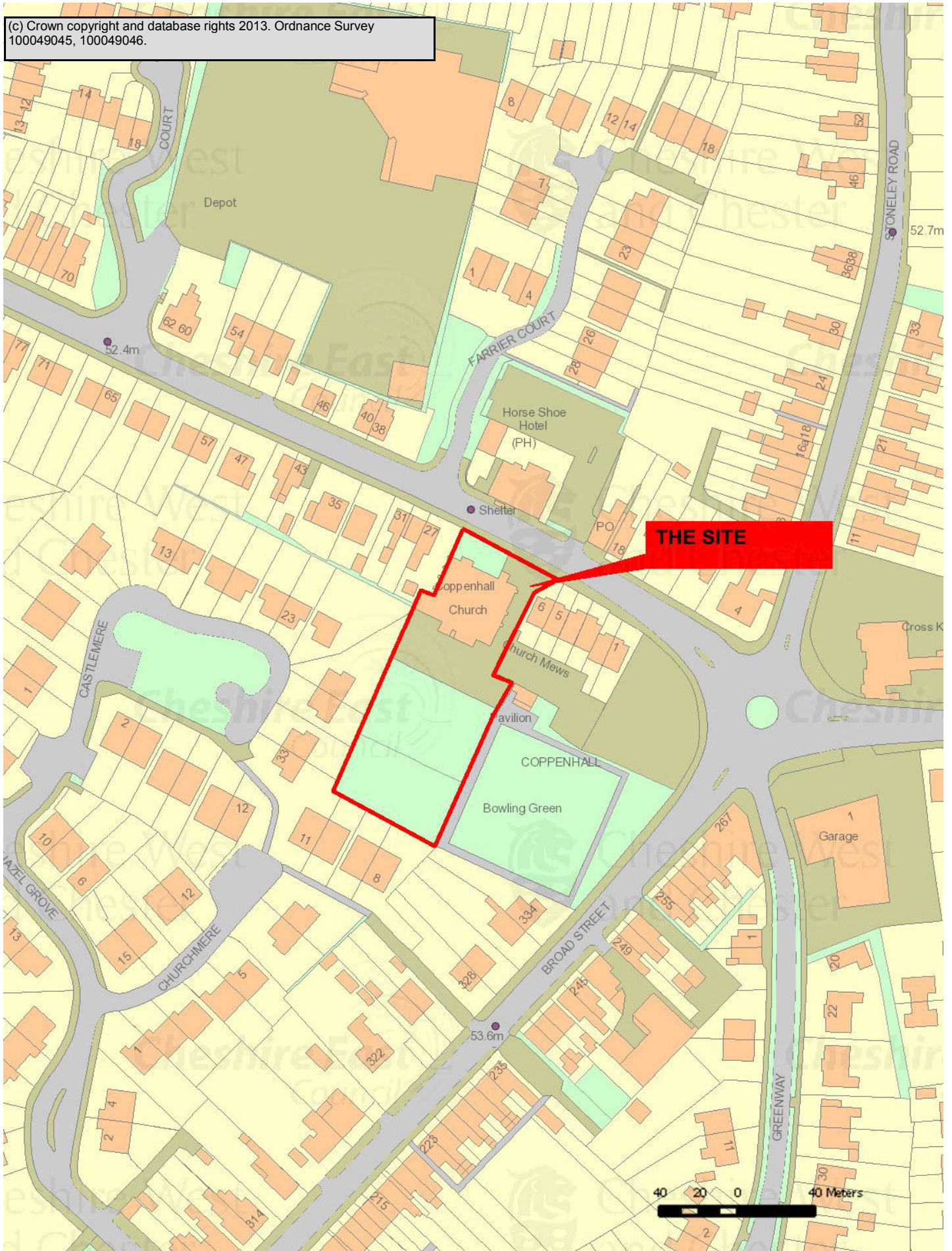
RECOMMENDATION

APPROVE subject to the following conditions and a Section 106 Agreement to secure the affordable housing element in perpetuity and transfer to a requested provider.

- 1. Standard (Time)**
- 2. Plans**
- 3. Materials to be submitted**
- 4. Hours of construction (Mon-Fri – 08:00 to 18:00hrs, Sat – 09:00 to 14:00hrs, Sun – Nil)**
- 5. Lighting to be approved**
- 6. Scheme of dust control**

- 7. Prior submission of an amended design for the revised access to include radius kerbs and tactile paving**
- 8. Over 55 age limit**
- 9. Landscaping (details)**
- 10. Landscaping (Implementation)**
- 11. Boundary treatment**
- 12. Construction of access in accordance with approved drawing**

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Application No: 13/0403N
Location: 32, NANTWICH ROAD, WRENBURY, CHESHIRE, CW5 8EN
Proposal: Outline application for erection of small 2-storey dwelling on vacant land
Applicant: Ms Shirley Wardle
Expiry Date: 04-Apr-2013

SUMMARY RECOMMENDATION**Approve with Conditions****MAIN ISSUES**

- Principle of Development
- Design, Impact on the Character and Appearance of the Locality/Streetscene
- Impact on Amenity of adjacent properties
- Impact on Highway Safety and parking
- Impact on trees and landscaping
- Other Matters

1. REASON FOR REFERRAL

This type of application would normally be dealt with under delegated powers; however Councillor Stan Davies has called the application in to Southern Planning Committee for the following reasons;

‘Over development of the site’

2. DESCRIPTION OF SITE AND CONTEXT

The application site forms the side garden area of No.32 Nantwich Road, Wrenbury. No.32 Nantwich Road is a semi-detached dwelling with a moderately sized side and rear garden. The application site is surrounded by residential development on three sides, with Wrenbury Medical centre sited in front of the development site on the opposite side of the road.

3. DETAILS OF PROPOSAL

The proposal seeks outline planning permission with all matters reserved for one dwelling on the site. An indicative plan has been submitted with the application to show a two storey two bedroom house on the site with an integral garage.

4. RELEVANT HISTORY

No planning history

5. POLICIES

The development plan includes the Regional Spatial Strategy for the North West (RSS) Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

Local Plan Policy

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Accessing and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)
BE.6 (Development on potentially contaminated land)
TRAN.9 (Car Parking Standards)
RES.4 (Housing in villages with settlement boundaries)

Supplementary Planning Documents

Local Development Framework - Development on Backland and Gardens Supplementary Planning Document (2008)

Other Material Considerations

National Planning Policy Framework 2012

6. CONSULTATIONS (External to Planning)

Strategic Highways Manager – None received at time of writing this report.

Environmental Health – No Objections subject to conditions for construction hours and an advisory note regarding contaminated land.

United Utilities: No objections

7. VIEWS OF THE TOWN COUNCIL - At its meeting held on 13 February, the Parish Council considered this application and resolved to submit a strong objection to the application. The development will adversely affect the amenity value of adjacent properties (Policy BE.1) and is out of character with the surrounding area (Policy BE.2). The proposed property is neither in-keeping nor in proportion with neighbouring properties and does not enhance the built environment. It fails to respect the character and form of the surroundings. It is considered to

be inappropriate infill development at this location. The Parish Council urges the Borough Council to refuse this application.

8. OTHER REPRESENTATIONS

Letters of representation have been received from the occupants of No.34 Nantwich Road. The main issues raised are;

- Rear bedroom may be used as a living room due to design of dwelling and therefore would overlook neighbours bathroom window,
- Plans show a window in the roof, therefore possible second floor living accommodation,
- Angle of development would not be in keeping with the existing streetscene,
- Overdevelopment of the site,
- Dwelling would overlook the neighbours garden,
- Contrary to paragraph 53 of the NPPF in relation to garden development
- Contrary to local plan policies BE.1 (Amenity), BE.2 (Design) and the SPD: Development on Backland and Gardens Supplementary Planning Document (2008)
- Existing drainage issues will be exacerbated
- Sufficient parking is required.

9. APPLICANT'S SUPPORTING INFORMATION

- Design and Access Statement
- Contaminated Land Questionnaire

10. OFFICER APPRAISAL

Principle of Development

The National Planning Policy Framework (NPPF) states at paragraph 47 there is requirement to maintain a 5 year rolling supply of housing and states that Local Planning Authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”.

The NPPF states that, Local Planning Authorities should have a clear understanding of housing needs in their area. This should take account of various factors including:

- housing need and demand,
- latest published household projections,
- evidence of the availability of suitable housing land,
- the Government's overall ambitions for affordability.

The figures contained within the Regional Spatial Strategy proposed a dwelling requirement of 20,700 dwellings for Cheshire East as a whole, for the period 2003 to 2021, which equates to an average annual housing figure of 1,150 dwellings per annum. In February 2011 a full meeting of the Council resolved to maintain this housing requirement until such time that the new Local Plan was approved.

It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the Strategic Housing Land Availability Assessment (SHLAA) 2013.

The SHLAA has put forward a figure of 7.1 years housing land supply.

In this instance the development site is situated within the Wrenbury settlement boundary which allows for the development of sites within settlement boundaries for housing subject to the proposals satisfying a number of criteria. Consequently, this site, which is located within the settlement boundary, is considered to be suitable in principle for residential development, subject to compliance with Policy RES.4 (Housing in villages with settlement boundaries) of the Local Plan. In order to fully accord with Policy RES.4 the development must also be in keeping with the requirements of policies BE.1 – BE.5, and the adopted SPD on Development on Backland and Gardens.

Access, Appearance, Landscaping, Layout and Scale

As the application is outline, the access, appearance, landscaping, layout and scale of development would be covered in detail within the Reserved Matters application (incorrectly marked in the application form as being considered within this application). The general layout proposed is considered acceptable, although it does not strictly follow the pattern of development within the streetscene.

The design and layout of the proposed dwelling is unusual and differs from the surrounding properties with an integral garage sited on the front elevation. It is considered that this element is not acceptable and a design which addresses the street frontage would be more suitable, however this can be dealt with within the more detailed design aspects of the reserved matters application. There is sufficient space to park two cars on the front of the site, utilising the existing access to No.32. Therefore a more simple design with the lounge and front door on the front elevation would be more appropriate.

The indicative plans also show a window on the side elevation within the roof, there are no floor plans for the roof space however it is considered that a condition should be attached to the permission to ensure that dwelling is only two storeys, and permitted development rights removed to ensure that the LPA has control over any future development.

Therefore given all matters have been reserved for a future detailed application it is considered that relevant conditions can be attached to ensure the property does not have an adverse impact on neighbouring amenity and is of a design which is in keeping with the surrounding streetscene. It is considered that the general layout and scale of the dwelling although different from adjacent property would not have an adverse impact on the streetscene provided suitable materials were used and the elevations improved.

Amenity

Neighbouring amenity

A key consideration of the development would be the impact it would have on neighbouring amenity.

The indicative layout suggests that the dwelling will be sited on a similar build line to No.32 Nantwich Road, but at a 45 degree angle to the side elevation of the existing dwelling. The neighbouring property has several windows on the side elevation, two on the first floor, which serve a bedroom and bathroom and three at ground floor which serve a hall and kitchen. The indicative plan shows a new garage to be constructed on the side elevation of No.32 at ground floor level. There is an existing garage on the site detached from the dwelling which will be removed as part of this application.

The indicative plan for the new dwelling shows no windows on the elevation facing No.32 and the building would be sited on to the boundary line. There would be a separation distance of 2m at its closest point increasing up to 6m at the front of the site. The Councils SPD on Development on Backland and Gardens suggests a separation distance of 13.5m between flank elevations and elevations with principal windows. Given both the bedroom window and kitchen window are considered to be principal windows to habitable room the current layout would fail to meet the standards. The applicant has stated that new layout moving the dwelling forward in the site would address this issue. An amended plan is to be submitted and this will form part of an update report to the committee.

The indicative layout shows the dwelling sited 5m forward of the other dwellings on Nantwich Road. The indicative plans also show the side elevation facing towards the dwelling at No.34 to be secondary and non-principal windows. The neighbours elevation has several windows which serve a bedroom, bathroom, hallway and kitchen. Given the position of the dwelling set forward in the plot, it is considered unlikely that the development would have a significantly detrimental impact on neighbouring amenity by means of overlooking or overshadowing.

Provided the applicant can submit a plan which shows the development would not have an unacceptable impact on the existing neighbouring amenity of No.32 Nantwich Road the proposal is considered to be acceptable. Although as noted above the proposed plans are indicative and therefore further consideration regarding the impact on neighbouring amenity can be considered during the detailed reserved matters application.

Occupier Amenity

The Council's Development on Backland and Gardens SPD requires a minimum of 50m² private amenity space for new dwellings. The indicative plans shows at least 64m² of private amenity space to the rear of the dwelling, and some private amenity space to the front although it is likely that a significant amount of this would be used for car parking. Notwithstanding this it would appear that there would be a suitable amount of private amenity space for a two bed roomed property.

Impact on Highway Safety and Parking

As the application is outline with all matters reserved the access and parking does not form a detailed part of the application. However, the plans show the access could be achieved to the front of the existing access used for No. 32. It is considered that the site is capable of achieving two off street car parking spaces within the curtilage and this would be suitable within for a two bedroom dwelling.

11. CONCLUSIONS

The application site is situated within the Wrenbury village settlement boundary, and it is considered that there are no significant amenity or highway safety issues arising from the development. It is also considered that the proposed development, as conditioned, is acceptable in all other respects. The proposed development is therefore considered to be in compliance with BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Accessing and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.6 (Development on potentially contaminated land), RES.4 (Housing in villages with settlement boundaries), and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011, the Development on Backland and Gardens Supplementary Planning Document (2008) and the National Planning Policy Framework.

12. RECOMMENDATIONS

APPROVE subject to an amended plan being submitted and subject to the following conditions

- 1. Outline Time**
- 2. Time for Reserved Matters**
- 3. Approval of Reserved Matters**
- 4. Two Storey Dwelling only**
- 5. No principal windows to side facing elevations**
- 6. Hours of construction**
- 7. Removal of PD**
- 8. Approved Plans – not including design of dwelling**

Application for Outline Planning

RECOMMENDATION:

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Application No: 13/0493N

Location: Land between Meadow Rise and Ash Cottage, Off Holmshaw Lane, Haslington, CW1 5XF

Proposal: A new single storey dwelling

Applicant: Mr & Mrs J Coupland

Expiry Date: 29-Mar-2013

SUMMARY RECOMMENDATION: Refuse**MAIN ISSUES:**

- Principle of the Development
- Amenity
- Design and Scale

REASON FOR REFERRAL

The application was called in to Southern Planning Committee by Councillor John Hammond on the following grounds:

“Should the officer recommendation be for refusal then Haslington Parish Council has requested that the application be determined by Committee as it is considered that an exception should be made to Policy NE2 of the Crewe & Nantwich Replacement Local Plan 2011 as any objections are outweighed by the specific personal circumstances associated with the applicants and the long term care plans for their disabled daughter.”

DESCRIPTION AND SITE CONTEXT

This application relates to a plot of land on the western side of Holmshaw Lane, Haslington. To the north there are three residential properties including the one owned by the applicant. The site is designated as being within the open countryside in the adopted local plan.

DETAILS OF PROPOSAL

This proposal seeks full planning permission for a detached bungalow in what is currently a paddock with associated buildings. The dwelling would provide 3 bedrooms, 2 with en-suite and additional living accommodation including kitchen, studies and boot room.

The main justification for the application is that the dwelling would provide suitable living accommodation for the applicants, in particular for their disabled daughter.

RELEVANT HISTORY

12/0650N	2012	Refused application for new dwelling
11/3677N	2011	Withdrawn application for new dwelling
P02/1342	2003	Refusal for dwelling. Appeal dismissed

POLICIES

National Guidance

National Planning Policy Framework (March 2012)

Regional Spatial Strategy

DP1 Spatial Principles

DP2 Promote Sustainable Communities

DP4 Making the Best Use of Existing Resources and Infrastructure

DP5 Manage Travel Demand: Reduce the Need to Travel, and Increase Accessibility

DP7 Promote Environmental Quality

DP9 Reduce Emissions and Adapt to Climate Change

RDF2 Rural Areas

L2 Understanding Housing Markets

L4 Regional Housing Provision

RT2 Managing Travel Demand

RT9 Walking and Cycling

EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

Local Plan

The site is not allocated in the Local Plan but the following policies apply:

RES.5 Housing in the Open Countryside

NE.2 Open Countryside

NE.3 Areas of Special County Value

BE.1 Amenity

BE.2 Design

BE.3 Access and Parking

BE.4 Drainage, Utilities and Resources

CONSIDERATIONS

United Utilities:

Have not provided a response on this application but had no objections to the previous application that was withdrawn.

Environmental Protection:

Request conditions relating to contaminated land and hours of construction and piling.

Highways:

No response at the time of report writing; however comments on the previous application are shown below.

This development requires the reconstruction of the vehicular crossing to current specifications. The Strategic Highways Manager recommends that the following informative be attached to any permission which may be granted for the above development proposal:

Prior to first occupation the developer will enter into a Section 184 Agreement under the Highways Act 1980 and will reconstruct the existing vehicular access to current highway specifications.

VIEWS OF TOWN/PARISH COUNCIL

The application was discussed at a February meeting of Haslington Parish Council. The meeting agreed that Haslington Parish Council support the proposed development on the basis of providing appropriate accommodation for the applicants disabled daughter with a development that would not appear to result in catastrophic damage to the specific area of open countryside, provided the following conditions can be applied to the development:

The covenants and restrictions proposed by the applicant are applied to the development, specifically the unilateral undertaking included in the application and that the proposed bungalow will be used only by a person with disability and their carers, safeguards are applied to the existing and proposed trees, hedges and other vegetation to retain the local characteristics of the open countryside and permitted development rights be removed.

Support Cllr John Hammonds call in of the application for a decision by the Southern Planning Committee requesting an exception be made to Policy NE2 given the specific circumstances of the applicants and the long term care plans for their disabled daughter.

OTHER REPRESENTATIONS

None received at the time of report writing.

APPLICANTS SUPPORTING INFORMATION

The applicant has submitted a statement which seeks to justify why they consider that there are very special circumstances that outweigh the harm that would result from the erection of a new dwelling in the open countryside. For completeness given the circumstances of the application this is detailed in full below:

“We understand that you are due to decide the above application on 20th March and are aware that you have previously considered this proposal. However, until now we have been unable to detail my daughter’s special needs to you as we did not have lasting power of attorney. We can confirm that we now have this in place and therefore on Emily’s behalf we can now freely speak about the issues she faces and her needs. It is in order to address these needs that we are seeking planning permission for a new home to be granted, so Emily can live and be cared for in a safe and stable environment.

Whilst we do not want to prejudice your consideration of the application we do want you to determine the application with full knowledge of her disability, which is the reason for this letter.

Our daughter has been having problems since birth; there was strong evidence that she suffered at least one cerebral anoxic episode. She could not walk or talk until 3 years old, and further tests showed some brain reduction (scans) and we were told she would have a limited life style. She has a significant degree of learning Disability and Special Needs. Having dedicated many hours /our lives, by the age of four she was starting to walk, the next step was communication. We have spent many hours at speech therapy appointments and through stimulation and perseverance at home proved successful, by 7 years of age she was conversing with us, although her conversations are limited and mostly about animals.

She has care 24/7 and cannot read or write. Whilst she is able to do some tasks of a general nature, she has limited abilities no monetary skills and requires support with road crossing etc. Being in a safe environment is an essential part of her needs. She is a quiet and friendly person who benefits greatly from stability in her living environment and specific structure to her day to day life. Emily does not react well to change of any kind which has to be managed carefully and sensitively. She has lived with us, in a loving family environment and we have gone, and continue to go to great lengths to provide her with a high level of care, support and structure.

We as a family have worked hard with her also those who have cared for and supported her over the years, to build a foundation of care and support for her at home whilst allowing her to develop her independence, for example developing her great love for animals. Based on this we have taken on a number of animals over the years using the paddock as their base, a place which she simply loves visiting on a regular basis.

She would not react well at all to any significant change in her living environment. It is for this reason, and others, that the very best way of achieving a stable future living environment for her is to create a fully accessible house for Emily which could be her home for life and where she could have access to her animals. Whilst moving from Struan would be a significant change for her it would be a change she would, we have no doubt, welcome and which she would clearly benefit from.

We genuinely feel that we must make a move to prepare for the future in a very real and practical way by creating a living space which mirrors our current family home as much as possible but also, and importantly, makes it fully accessible for us so that we can continue to provide the high level of specific and structured care and support which she needs. In a fully accessible home we will be better able to provide continuing care for her in an environment in which she will thrive and continue to grow, developing her independence and social skills with those who currently help her and with full access to a familiar environment and her much loved animals. We have been particularly conscious of this in recent years and have sought to develop her care in the future in reference to the personalisation agenda and in order to achieve a more robust care package for her in the long term, when we are unable to provide the high level of support we are currently able to.

At present, she receives a high level of support from the Lady Verdin Trust on a daily basis. If we are away for weekends or short breaks, carers from the Lady Verdin Trust can provide all the care, including overnight care, which Emily needs. Whilst the carers stay at Struan (our current home) with her there is no separate sleeping or bathing/sanitary arrangements in place at Struan for ourselves or her carers.

If we were able to create an environment in which carers lived independently from Emily and ourselves and, ultimately, Emily alone, in a fully planned living environment, this would undoubtedly have a positive impact upon Emily's long term development and independence.

Please do not underestimate the importance of such planning not only for us, but more importantly for our daughter. She requires help, and the development we are suggesting is the best possible way of ensuring she receives a full level of care and support both now and long into the future all of which will be supported through the family trust. It is, with respect, a perfectly sensible, viable and appropriate development founded upon the sound principles of trying to do the very best to secure the future for a disabled daughter when we are no longer here.

Therefore the primary need for the dwelling is clearly to meet Emily's future needs. Beyond this, as the dwelling will be fully disabled friendly (in terms of access and internal design) the intention is that the house will be secured solely for disabled occupants for the lifetime of the building, as set out within a draft Unilateral Undertaking.

We therefore trust that this helpfully explains Emily's disability and need for the dwelling we seek permission for and trust that this will be taken into account when making a decision."

Also included is a Unilateral Undertaking that would require that the dwelling, when no longer required for the applicants or their daughter, be disposed of to either a disabled person, a person or company who intend to hold the property on trust for a disabled person or a charitable organisation whose objective is the care of disabled persons. An update will be prepared for Committee prior to the meeting, addressing whether the Legal Section consider this to be properly drafted and enforceable.

OFFICER APPRAISAL

Principle of Development

The site is designated as being within the open countryside where Policies NE.2 and RES.5 apply. These policies state that new dwellings in the open countryside will only be allowed if they are essential for the purposes of agriculture, forestry or outdoor recreation, or involve the infilling of a small gap with one or two dwellings in an otherwise built up frontage.

This proposal is for a new dwelling to accommodate the applicants and their disabled daughter and therefore does not meet the requirements of the policies outlined above. The applicants have submitted supporting information including a Supporting Planning Statement as justification for making an exception to the relevant policies. These documents have again been given careful consideration and whilst officers understand the difficulties faced by the applicant's daughter, it is not considered that these circumstances justify the creation of a new dwelling in the open countryside.

As discussed in the report on the previous application, this issue was considered at a Public Inquiry in 2006, relating to a similar case, at Mill Run, in the former Congleton Borough. In this case the applicant's daughter's disability and housing needs were considered to be a material consideration, which had to be weighed in the balance against the planning policy presumption against residential development in the Open Countryside. However, in order to determine the weight to be given to those personal circumstances it was necessary to examine the

reasonableness of the housing needs which were claimed by the Appellants and the criteria and the efforts employed by them to find suitable accommodation elsewhere.

The Appeal turned on whether the features of the dwelling proposed by the Appellants were “essential” or “desirable” for their disabled daughter. Having considered this issue the inspector determined that, having regard to grants and other assistance which were available to help the family to adapt a dwelling, the needs of the disabled person could be adequately met by an existing property.

The supporting information submitted with the application indicates that the applicant's daughter suffers from mixed anxiety / depression and moderate learning difficulties / disabilities rather than severe physical disabilities which would necessitate more major structural alterations to the property or a bespoke design of dwelling. The justification for the applicants existing property not being suitable, largely relates to Building Regulations (e.g. energy efficiency measures) and general maintenance / repair and the lack of separate bathroom facilities. It does not give satisfactory reasons why their current dwelling could not be suitably adapted for her special needs. The applicant's argue that the works considered necessary to bring the existing dwelling up to a suitable standard for their daughter's future care, would cause disruption to her, which may be distressing. Whilst it is acknowledged that avoidance of such disruption would be “desirable” it is not considered to be “essential”, given that such impacts would only be short term. It is therefore not considered that these are sufficient reasons to allow a new dwelling in the open countryside contrary to the policies in the adopted local plan.

The application includes a list of alternative properties that have been investigated and deemed unsuitable in the opinion of the applicants. The applicants have not backed up their reasons for discounting these properties as not being suitable with medical/professional opinion. The needs and specific criteria used for assessing the properties are unclear and appear to be based on desirable, not essential needs and as such it is not considered that the case has been made to justify the granting of planning permission. The applicant's argue that they wish to stay in the Holmshaw Lane area to be close to the paddock where they keep their animals. However, this is also considered to be “desirable” rather than “essential”.

The Supporting Planning Statement refers to Article 19 of the “United Nations Convention on the Rights of Persons with Disabilities” requiring “equal rights of persons with disabilities to live in the community with choices equal to others” and “appropriate measures to facilitate full enjoyment by persons with disabilities of this right and their full inclusion and participation in the community” including “choosing their place of residence.” Whilst this is noted, it is considered that applicant has a dwelling that could be adapted to serve the needs of their daughter, and that would meet the requirements of the Convention. There is no necessity to create a new dwelling in the open countryside in order to comply with this, as other persons without disabilities do not enjoy rights to develop dwellings in the open countryside.

It is therefore considered that the applicants have failed to demonstrate, with reference to authoritative advice on the subject, that their daughter's needs are “essential” rather than merely “desirable” and that the existing property could not be adapted or that there are no suitable existing properties, or building plots in locations which are compliant with planning policy, which could fulfil these requirements.

As discussed on the previous application this is in contrast to a similar case, which Members may recall was considered by Strategic Planning Board in 2011. In this case it was considered that the specification for the property drawn up by the applicant related to basic necessities such as being able to wash, dress, eat, sleep and access the property and had been drawn up based upon details in the Muscular Dystrophy Campaign's Adaptations Manual 2003. On this basis they were considered to be "essential" requirements of the dwelling rather than "desirable" luxuries. The applicant had also carried out an extensive property search and adequately demonstrated that there was no suitable alternative accommodation available in the vicinity that could meet the applicant's requirements and that the only way in which his needs can be adequately catered for this through the construction of a new-build property adjacent to his parent's house in Chapel Lane, Ravensmoor. Exceptionally, in this case, therefore, the appellants personal circumstances are considered to be a sufficient material consideration to outweigh the general presumption against new development in the open countryside as set out in the development plan.

As stated above, officers understand the aspirations of the applicants to provide a dwelling in the paddock for their daughter. However the information submitted has not given sufficient justification that it is "essential" rather than "desirable" in order to make an exception to Policies NE.2 and RES.5.

Having regard to Policy NE.2, the site is not considered to constitute the infilling of a small gap in an otherwise built up frontage and this view was supported by the Inspector on the appeal decision for the previous application. The supporting statement submitted with the application maintains that the Council has a housing shortage and as such plots such as this should be considered for development. In addition they cite a recent approval in Haslington (12/3564N), for 44 dwellings as more harmful than the proposal. The Council has now published the Development Strategy and the up to date Strategic Housing Land Supply Assessment. This demonstrates that the Council now has a five year housing land supply. The application for 44 dwellings was approved at a time when the Council could not demonstrate that it had a five year supply of housing and was sited immediately adjacent to the main settlement of Haslington as such the case is not comparable.

The proposal is therefore considered to be contrary to Policies NE.2 and RES.5 and unacceptable in principle and the personal circumstances of the applicants do not outweigh this.

Amenity

Having regard to the amenities of the neighbouring property, due to the siting of the proposed dwelling, it is not considered that there would be any significant adverse impact on the amenities of this dwelling. The proposal is therefore considered to be in compliance with Policy BE.1.

Design and Scale

This proposal is for 3 bedroom bungalow finished in traditional materials. It is considered that the design and scale of the buildings are appropriate in the context of the site. The proposal is therefore considered to be in compliance with Policy BE.2 of the adopted local plan.

Highways and Parking

The proposal would provide adequate parking spaces for a property of this size and, due to the size of the turning area, vehicles would be able to enter and leave the site in a forward gear. The proposal is therefore considered to be in compliance with Policy BE.3 of the adopted local plan.

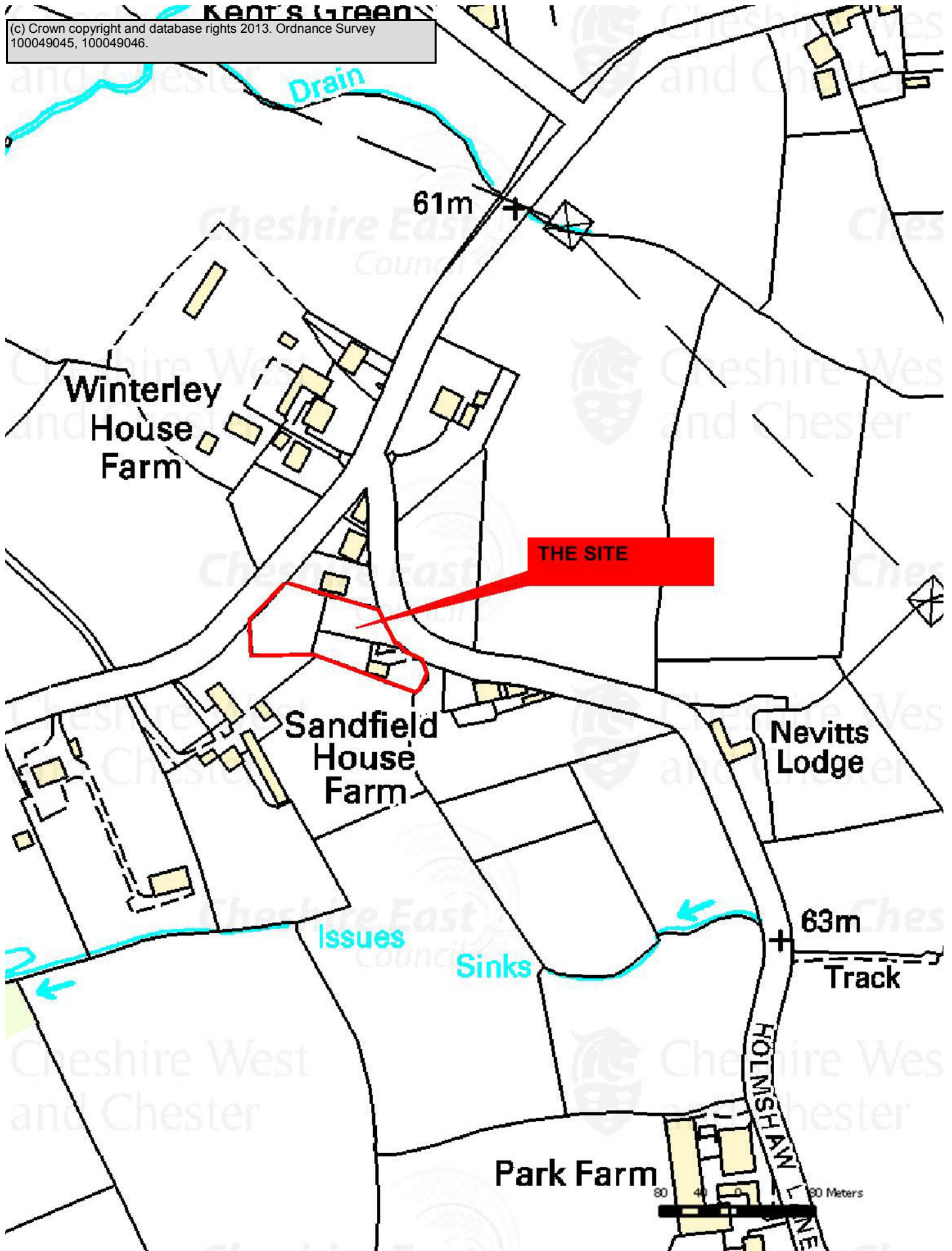
CONCLUSIONS

In conclusion, the site is within the open countryside and does not constitute a small gap in an otherwise built up frontage. It is not considered that there are sufficient special circumstances provided to render it an exception to Policies NE.2 and RES.5. The proposal is therefore not acceptable in principle and the application is recommended for refusal.

RECOMMENDATION: Refuse for the following reasons:

1. The proposal is for a new dwelling in the open countryside, which is contrary to the requirements of Policy RES.5 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011 and the applicant has failed to demonstrate that their personal circumstances are sufficient material consideration to outweigh the requirements of this policy.
2. The proposal does not constitute the infilling of a small gap in an otherwise built up frontage, contrary to the requirements of Policy NE.2 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

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CHESHIRE EAST COUNCIL

SOUTHERN PLANNING COMMITTEE

Date of meeting: 20th March 2013
Report of: Steve Irvine – Development Management and Building Control Manager
Title: Outline Application for the Erection of 91 Dwellings at South Cheshire College

1.0 Purpose of Report

- 1.1 To consider proposed amendments to the resolution passed by Crewe and Nantwich Borough Council in respect of application P07/1054 in respect of affordable housing, a change to the application site boundary and to consider the implications of the introduction of the National Planning Policy Framework.
- 1.2 The report has been presented to Southern Planning Committee because the original application was approved by the Crewe and Nantwich Borough Council Development Control Committee in October 2007.

2.0 Decision Required

- 2.1 To agree to the amendments to the previous resolutions as stated in this report.

3.0 Background

- 3.1 In July 2007 South Cheshire College submitted two planning applications to Crewe & Nantwich Borough Council proposing the following:
- Demolition of existing campus and buildings and erection of replacement College (Ref: P07/1053).
 - Outline application for the erection of up to 91 dwellings (Ref: P07/1054) on part of the College land that would become surplus to requirements following redevelopment of the College campus.
- 3.2 On 18 October 2007 the Planning Authority granted full permission for the erection of the replacement College and resolved to grant outline consent, subject to the completion of a Section 106 Agreement, for the residential proposals. (A copy of the relevant report to Development Control Committee can be found at Appendix 1) The Section 106 Agreement related to the provision of public open space (either on or off-site) and 35% affordable housing, to be provided on site. The Section 106 Agreement has been prepared and is in an agreed form, but has not been signed and as a consequence, planning permission has not been issued.
- 3.3 Construction of the new College campus took place between 2009 and 2011 and work completed in June 2011. Following the opening of the new campus building and partly due to increased student and staff numbers at the College, problems arose in relation

to the adequacy of car parking on the site and a series of complaints were made by local residents within the vicinity of the College about on-street car parking. These complaints were supported by Borough Councillors and a decision was taken in autumn 2011 to investigate the potential to allocate part of the residential land for use as additional car parking to alleviate the problems.

- 3.4** In May 2012 the College received planning permission on part of the land with a resolution to grant consent for residential development for the construction of an extension to the existing College car park (Ref: 12/1030N). The permission, which is in the process of being implemented by the College, is for the construction of a 101 space car park and is subject to a condition limiting the permission until May 2017. The car park extension occupies 0.27 hectares of land, and therefore reduces the land with a resolution to grant consent for residential development from 1.82 hectares to 1.55 hectares.
- 3.5** Following these recent developments the College now wish to proceed with the sale of their land for residential development, but need two amendments to be made to the planning application. Firstly, to take account of the recent grant of planning permission for the temporary car park on part of the land concerned, the College wish to amend the application site boundary so that it relates to only that which is available to be built out for residential purposes. Secondly, the College wish to seek a revised Council resolution in relation to the provision of affordable housing on the site.
- 3.6** It is also considered to be necessary to take into account the changes in planning policy brought about by the NPPF.

4 Change to Site Boundary

- 4.1** The scheme as originally submitted in 2007, was for “up to 91 dwellings”. Although the change to the application site boundary, will reduce the developable area of the site, the wording of the description of development is such that less than 91 dwellings to be constructed on the site, without conflict with the terms of the outline approval. Furthermore, the size and type of units proposed were to be considered as part of the Reserved Matters submissions, and therefore, 91 dwellings could be accommodated, despite the reduction in the site area through construction of more small properties than were shown on the indicative layouts submitted with the application.
- 4.2** The change to the site boundary is therefore considered to be acceptable.

5 Impact of the NPPF

- 5.1** In March 2012 the Government issued its National Planning Policy Framework. In relation to the delivery of new housing, the Framework requires local planning authorities to identify a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements, with an additional buffer of 5% to ensure choice and competition in the market for land.
- 5.2** It is considered that the most up-to-date information about housing land supply in Cheshire East is contained within the emerging Strategic Housing Land Availability Assessment (SHLAA) February 2013. The SHLAA has put forward a figure of 7.15 years housing land supply. The SHLAA 2011 identifies the current application site, as suitable, available, achievable, developable and therefore deliverable and it is anticipated that it

will bring forward 300 units within the first 5 years. The site is immediately available for development, the College have agreed terms with a national house builder, who intends to make a start on site in 2013 and develop the site out within a period of 2 years. It therefore forms an important part of the identified 5 year housing land supply.

5.3 The NPPF also encourages the re-use of brownfield sites, in sustainable locations within existing urban areas. The College site is a cleared, brownfield site that is currently available for development. The site is in a highly sustainable location within the settlement of Crewe, is bounded by residential development on three sides and is accessible to public transport. Development of the site for residential development would be entirely consistent with the NPPF and is precisely the sort of location in which the Government wishes to encourage new development.

5.4 Another important material consideration is the Written Ministerial Statement: Planning for Growth (23 March 2011) issued by the Minister of State for Decentralisation (Mr. Greg Clark). It states that:

“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.”

5.5 The Statement goes on to say:

“when deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development.”

5.6 They should:

- 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, including housing;
- consider the range of likely economic, environmental and social benefits of proposals;
- ensure that they do not impose unnecessary burdens on development.

5.7 Similarly, 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.”

5.8 According to paragraphs 19 to 21:

“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.”

- 5.9 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.
- 5.10 Therefore, although the adoption of the NPPF is a significant and material policy change since the scheme was previously considered by the NPPF, it is considered that the proposal remains in accordance with the new policy. There have been no other material changes in terms of planning policy.

5 Affordable Housing

- 5.1 According to the applicant's submissions, the South Cheshire College campus redevelopment project cost £75.5M and was to be funded through a combination of Government capital funding (through the then Learning & Skills Council), the receipt from the sale of the land for residential development, College reserves and commercial borrowings comprising of a long term loan (£10M mortgage). In securing £58.5M funding for the development from the Learning & Skills Council, an allowance was made for a capital receipt from the sale of surplus land for residential purposes and the College was committed to enter into short term borrowing by way of a gap loan in order to cover the period until the land sale proceeds were received.
- 5.2 In 2007/2008, a value of between £4.5-£5.0M was placed on the surplus land which by then had obtained a resolution to grant planning permission for residential development. The original intention was that following the completion of the campus redevelopment, the surplus land would be sold for residential development, and the receipt from the sale of the land was included as part of the funding for the campus redevelopment. However, as a consequence of the downturn in the global economic climate the College decided in 2008 not to proceed with the sale of the site at that time, but to await improvement of market conditions. Therefore in order to complete the College development, the College committed to gap loan funding of £4.4M. The continual financing of gap loan debt is a concern to the College and despite the lack of improvement in housing market conditions; they now wish to dispose of their site to a house builder in order to use the capital receipt to clear their gap loan borrowings. The College has no further capital reserves to draw on and with the value of the land set aside for residential development will not clear the gap loan as had been the original intention at the time when the project was first conceived and before land prices fell.
- 5.3 In May 2012 the College's Surveyors, Legat Owen, were instructed to market the residential land with a view to identifying a potential buyer. A letter dated 17 January 2013 from Legat Owen, together with enclosures, which have been submitted with the application, describes in detail the marketing undertaken by Legat Owen of the residential land (based on the reduced site area of 1.55 hectares) leading to receipt of best and final bids in October 2012. As indicated in the Legat Owen letter, interested parties were invited to submit sealed bids for the residential land, based on two approaches:
- A price for the land with a provision of 35% affordable housing based on the Council's original resolution; and

- A price for the land assuming no affordable housing provision.
- 5.4 The marketing process undertaken followed the correct protocol for the sale of public assets in order to secure the best value for the client. The content of the letter can be summarised as follows:
- Six national house builders submitted competitive formal bids for the site. Of these, the highest bid was from Redrow Homes North West.
 - The highest bid with affordable housing at 35% provision is at a level substantially below the College's borrowings of £4.4M.
 - The highest bid based on no affordable housing is higher but still at a level substantially below the College's £4.4M target.
 - The advice of Legat Owen is that the Redrow bid is reflective of current market conditions and that there is nothing in the current economic outlook which points towards a significant upturn in the demand for residential property and hence increased residential land values in the near term.
- 5.5 The College state that whilst their clear desire is to pay off all of their gap loan through the capital receipt from the sale of the land, it is clear that they are not going to be able to do so in the near future. After careful consideration and in view of the pressing need for a capital receipt to reduce their debt following the campus redevelopment, the College has decided to move forward with the sale to Redrow, conditional upon the capital receipt being achieved on the basis of nil affordable housing on the site. However, should the Council maintain its current resolution for the provision of 35% affordable housing; the College will not proceed with the sale.
- 5.6 South Cheshire College is an exempt charity formed in accordance with the Further and Higher Education Act 1992 and receives funding for its educational provision from the Government through the Skills Funding Agency and the Education Funding Agency. All funding which is received by the College is for the purpose of its educational provision which is directed for the benefit of the communities served by the College. A revised resolution by the Council to grant planning permission without the need for affordable housing provision will enable the College to make a significant reduction in its borrowings, to a sustainable level, while at the same time bringing forward urgently needed new housing.
- 5.7 The Council's resolution to grant planning permission for residential development on the College land in October 2007 was made in accordance with policies set out in the Crewe & Nantwich Replacement Local Plan (2005). Policy RES7 of that Plan set a target of a maximum of 30% affordable housing on windfall sites, but was subsequently the subject of an amendment in November 2005 to increase the affordable housing target to 35%. The higher affordable housing percentage was applied to the College's residential proposals and forms part of the Council's resolution to grant planning permission. Modified Policy RES7 is not a policy that has been 'saved' by the Secretary of State (as of February 2008) but the original Policy RES7 requiring 30% affordable housing is a saved policy and forms part of the current Development Plan. The policy

states that 'In determining whether a site is suitable for an element of affordable housing, the Local Planning Authority will have regard to economics of provision'.

5.8 More recently, Cheshire East Council has adopted an Interim Planning Statement (IPS) on affordable housing which seeks to provide more up to date guidance on the provision of affordable housing in residential developments until such time as the Council is able to adopt its new Borough wide Local Plan. The IPS recognises that the viability of individual housing schemes will be a material consideration in deciding planning applications, and acknowledges the significant downturn in the housing market and particularly on brownfield sites since 2008, where costs of redevelopment are proportionally higher than greenfield sites. The IPS acknowledges that in certain circumstances, where supported by clear financial evidence, decisions will be made to grant permission for residential development with a reduced level of affordable housing provision.

5.9 Section 6 of the Interim Planning Statement (IPS): Affordable Housing relates to Viability of Affordable Housing Provision. Paragraph 6.6 states:

Where it is accepted by the Council that a development is not sufficiently viable to provide the requisite level of affordable housing, and where the development is in all other respects acceptable, it may consider requiring the applicant to enter into a legal agreement which effectively defers developer contributions during the period of development. More detail on this approach is contained in the Home and Communities Agency Good Practice Note on Investment and Planning Obligations (July 2009), however the broad principles are explained below.

5.10 The NPPF stresses the importance of housing delivery and viability as a material planning consideration. Paragraph 173 states:

Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable

5.11 The NPPF also states that plans should take account of market signals, such as land prices and housing affordability. Further, the Framework advises that planning should operate to encourage and not act as an impediment to sustainable growth.

5.12 More recent Government statements, particularly in the form of the Chancellor of the Exchequer's Autumn 2012 Statement have gone further in recognising the need for planning authorities to take a flexible approach in relation to the provision of affordable housing in order that new housing development can be delivered as a priority.

5.13 The evidence from Legat Owen provided by the applicant demonstrates that the current Section 106 obligations in respect of affordable housing would render the scheme unviable.

- 5.14 The NPPF also stresses the importance of housing delivery. One of the 12 Core Planning Principles at paragraph 17 states that planning should:

proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

- 5.15 The applicant has demonstrated that the viability issues would delay delivery of the scheme and that this would have a negative impact on housing land supply within Cheshire East.
- 5.16 On the basis of the above, the proposed omission of the affordable housing requirement from the resolution is considered to be acceptable.

6 Conclusion

- 6.1 Due to the grant of planning permission for and construction of an additional car park for the college on part of the application site, it has become necessary to amend the application site boundary, with the effect of reducing the developable area. However, as the original description of development referred to “up to 91 dwellings” and did not specify the size or type, this is considered to be an acceptable change within the terms of the existing application.
- 6.2 Since the Crewe and Nantwich Borough Council Development Control Committee resolved to approve the application in October 2007, the only material change in planning policy affecting the principle of development has been the introduction of the NPPF. The Framework requires the Council to maintain a 5 year (plus 5%) supply of housing land. The Council’s latest SHLAA demonstrates 7.15 year supply, which this site contributes to.
- 6.3 The NPPF is also supportive of redevelopment of brownfield sites in sustainable locations, such as the application site, and emphasises the importance of maintaining a flexible and responsive supply of housing land and the economic benefits of housing growth. This scheme will help to meet those objectives. It is therefore concluded that the scheme is in accordance with the provisions of the NPPF.
- 6.4 The South Cheshire College campus redevelopment project cost £75.5M and was to be funded through a combination of Government capital funding (through the then Learning & Skills Council), the receipt from the sale of the land for residential development, College reserves and commercial borrowings comprising of a long term loan (£10M mortgage). In securing £58.5M funding for the development from the Learning & Skills Council, an allowance was made for a capital receipt from the sale of surplus land for residential purposes and the College was committed to enter into short term borrowing by way of a gap loan of £4.4M in order to cover the period until the land sale proceeds were received.
- 6.5 In 2007/2008, a value of between £4.5-£5.0M was placed on the surplus land which by then had obtained a resolution to grant planning permission for residential development. The original intention was that following the completion of the campus

redevelopment, the surplus land would be sold for residential development, and the receipt from the sale of the land was included as part of the funding for the campus redevelopment. However, as a consequence of the downturn in the global economic climate the College decided in 2008 not to proceed with the sale of the site at that time, but to await improvement of market conditions. Therefore in order to complete the College development, the College committed to gap loan funding.

- 6.6 In May 2012 the College's Surveyors, Legat Owen, were instructed to market the residential land with a view to identifying a potential buyer, leading to receipt of best and final bids in October 2012. The highest bid with affordable housing at 35% provision is at a level substantially below the College's borrowings of £4.4M. The highest bid based on no affordable housing is higher but still at a level substantially below the College's £4.4M target. The college have therefore requested that the previous resolution be amended to omit the affordable housing requirement.
- 6.7 In the intervening period, the Cheshire East Interim Policy on the provision of affordable housing has reduced the requirement from the 35% of Crewe and Nantwich Borough Council to 30%, which reflects the saved version of the Local Plan policy. Furthermore, the NPPF makes it clear that viability is a material consideration in the determination of applications and stresses the importance of housing delivery. It is therefore considered that the proposed amendment to the resolution in respect of affordable housing is acceptable and in accordance with the NPPF. The proposed change will allow the S106 to progress to completion and this important brownfield site to be regenerated, whilst making an important contribution to housing land supply in a sustainable location and assisting the college, which is a public organisation, to reduce its debts.

7 Recommendation

APPROVE: subject to a legal agreement to secure on site open space and equipped children's playspace and the following conditions:-

- 1 -3. **Standard outline**
4. **Approved plans Ref: 1172-01/GA-04**
5. **Surface water regulation system**
6. **All surface water drainage from car-parking areas and hard standings shall be passed through an oil interceptor**
7. **Scheme of tree protection**

8 Financial Implications

- 8.1 There are no financial implications.

9 Legal Implications

- 9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

10 Risk Assessment

- 10.1 There are no risks associated with this decision.

11 Reasons for Recommendation

- 11.1 To allow negotiations in respect of the Section 106 to progress to signing, to enable the development works to commence in a timely fashion to assist in delivering the 5 year housing land supply for the Borough.

For further information:

Portfolio Holder: Councillor Les Gilbert

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Background Documents:

- *Application P07/1054*

APPENDIX 1 – ORIGINAL REPORT TO CREWE AND NANTWICH BOROUGH COUNCIL DEVELOPMENT CONTROL COMMITTEE – 18th October 2007

Planning Reference No:	P07/1054
Application Address:	South Cheshire College Of Further Education, Dane Bank Avenue, Crewe, Cheshire, CW2 8AB
Proposal:	Outline Application for the Erection of 91 Dwellings
Applicant:	South Cheshire College
Application Type:	Outline Plg Perm
Grid Reference:	369785 354565
Ward:	St Johns
Consultation Expiry Date:	5th September 2007
Date for Determination:	6th November 2007

SUMMARY RECOMMENDATION:

APPROVE subject to Section 106 Agreement and conditions

REFERRAL

The application has been referred to Development Control Committee due to the site area and number of dwellings.

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

The application relates to the existing South Cheshire College campus on Danebank Avenue in Crewe. The college occupies a large open site on the western side of Crewe, approximately 2.4km from the town centre. The existing campus comprises a range of accommodation including an eight –storey tower block and main building, opened in 1968, a variety of other 1 - 3 storey buildings, and the former Kingsway Girls School, which is now known as the Somerville Centre, all of which accommodate teaching and support functions. The campus also incorporates a full size grassed sports pitch and a small hard surface pitch.

Within the main central area of the site is a medium sized copse, which contains a number of mature oak trees up to 20 metres in height. A number of other individual and groups of mature trees and saplings are growing around the periphery of the site.

Access to the College currently exists from Dane Bank Avenue, Norbreck Avenue and Claremont Road. The main car park incorporates 400 marked spaces with additional limited parking provided to the rear of the Somerville Centre. An additional 350 overflow spaces are also provided through the campus for times when the main car park is over-subscribed.

The site is surrounded by bungalows and two-storey detached and semi-detached dwellings on the south and east boundaries, with a primary school and a large expanse of school recreation ground to the west.

A full planning application, considered elsewhere on this agenda, has been submitted for the demolition of all existing College buildings and the erection of a new College comprising a total of 26,520sq metres gross external floorspace arranged in a series of connected buildings.

The proposed re-development will make more efficient use of the site than is the case with the existing buildings and this application seeks outline planning permission for the erection of 91 dwellings on the surplus land which would result. The only matters for consideration in this application are the principle of residential development and the number of units, all other matters, including access and layout are reserved for a subsequent application.

2. PREVIOUS RELEVANT DECISIONS

P06/1375 EIA Screening Request for Redevelopment of College Campus with New Purpose Built College Buildings together with Sports Pitches and Associated Parking and Landscaping – EIA not required 27th December 2006

P03/0809 Advanced Technology and Resource Centre (3 Storey Classroom and 1 Storey Workshop) –Approved 14th October 2003

P04/0063 Outline application for new Sports Hall (Siting only) – Approved 4th March 2004

P02/1348 Outline Planning permission for Two Storey Library and Teaching Facility – Approved 4th February 2003

P02/0169 Single Storey Extension – Approved 8th April 2002

P00/0925 Foyer and Refectory Extensions – Approved 6th December 2000

P95/0026 Alterations to elevations, entrance canopy and first floor link.- Approved 17th February 1995

P93/0672 Lift Shaft – Approved 1st October 1993

3. PLANNING POLICIES

National Policy

Planning Policy Statement 1 (Delivering Sustainable Development)

Planning Policy Guidance Note 3 (Housing)

Planning Policy Guidance Note 8 (Telecommunications)

Planning Policy Guidance Note 13 (Transport)

Planning Policy Guidance Note 24 (Planning and Noise)

Planning Policy Statement 25 (Development and Flood Risk)

Regional/Structure Plan Policy

Cheshire 2016 Structure Plan Alteration

GEN1: The Location of New Development
GEN3: General Requirements for the Quality of New Development
HOU1: Provision for Housing Development
HOU2: Location of Sites for Housing Development

Local Plan Policy

Borough of Crewe and Nantwich Replacement Local Plan 2011

Built Environment Policies

BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)

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)

Recreation and Tourism Policies

RT.1 (Protection of open spaces with recreational or amenity value)
RT.3 (Provision of Recreational Open Space and Children's Playspace in New Housing Developments)

4. OBSERVATIONS OF CONSULTEES

Sport England:

Have considered the application in the light of Sport England's Land Use Planning Policy Statement *Planning for Sport and Active Recreation*. The overall thrust of the statement is that a planned approach to the provision of facilities and opportunities for sport is necessary in order to ensure the sport and recreational needs of local communities are met.

The development would introduce additional public demand for new or improved sport and recreation facilities that would place an increased burden on the operation of existing sport facilities. I note that the layout of the proposed development, whilst including proposed play provision and informal amenity open space, does not include any provision for adult recreation.

The question of the carrying capacity of local sport and recreation facilities to accommodate the increased pressure should therefore be considered as a material planning consideration.

Sport England 's Planning Policy Objective 8 seeks:

To promote the use of planning obligations as a way of securing the provision of new or enhanced places for sport and a contribution towards their future maintenance, to meet the needs arising from new development.

The need for additional or improved formal outdoor sport facilities ought ideally to be addressed in the context of an Open Space Sport and Recreation Strategy / Playing Pitch Strategy, whereby a contribution to known deficiencies within the catchment area of the site can be addressed.

The value of a developer off-site contribution, if required, should be finalised and the specific types of sport provision proposed or to be maintained and their locations should be advanced.

United Utilities:

Have no objection to the proposal providing that if possible, the site should be drained on a separate system, with foul drainage only connected into the fould sewer. Foul drainage, with a free discharge to be connected to the existing 900mm diameter public sewer in Dane Bank Avenue. If no alternative discharge can be identified Surface water at a maximum discharge rate of 100 l/s may be discharged to the existing 900mm diameters public sewer in Dane Bank Avenue.

They can readily supply water for domestic purposes, but for larger quantities they will need further information. They have calculated the domestic usage to be 1.1 litres/second for this development of 91 dwellings – utilizing standard calculations.

A separate metered supply to each unit will be required at the applicant's expense and all internal pipe works must comply with current water supply (Water fittings) regulations 1999. Should this application be approved the applicant must contact water fittings section. For any development over 2 storeys in height, they would recommend a separate pumped storage system to be installed. They water mains may need extending to serve any development on this site and the applicant may be required to pay capital contributions and to sign an agreement under the Water Industry Act 19912

Highways Authority:

Had not been received at the time of report preparation

Environmental Health:

Had not been received at the time of report preparation

Environment Agency:

The Agency has no objection in principle to the proposed development, but would wish to make the following comments. The limiting discharge from the site will be the

maximum allowable into the existing sewers. For discharges above this up to the 1 in 100 years design event, attenuation will be required. When determining the amount requiring attenuation rainfall intensities are to be increased to allow for climate change in accordance with Table B2 in PPS25, Development and Flood Risk,

During a severe rainfall event the sites surface water drainage system could become surcharged resulting in on-site flooding. The Flood Risk Assessment explains that this can be managed, such that the new buildings are not affected, access and egress are possible and that the risk of flooding off-site is managed. The following conditions should be included on the decision notice:-

No development approved by this permission shall be commenced until a scheme for the provisions and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall be implemented prior to the construction of any impermeable surfaces draining to the system unless otherwise agreed in writing by the Local Planning Authority

Prior to being discharged into any watercourse, surface water sewer or soak away system, all surface water drainage from car-parking areas and hard standings shall be passed through an oil interceptor design and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

5. VIEWS OF THE PARISH / TOWN COUNCIL:

N/A

6. OTHER REPRESENTATIONS:

Letters of objection have been received from the occupiers of 46, 45, 50, 59, 73, 76, 80 and 82 Somerville Street; 24, 32 and 30 Dane Bank Ave; 1, 3 and 5 Norbreck Avenue and 41 Vine Tree Avenue in relation to:

Highway Objections

- Less parking, increased traffic parking along Norbreck Avenue and Somerville Street
- Access to South Cheshire Collage between Norbreck Avenue/Somerville Street and Dane Bank Avenue. Creating a 'Rat Run' for vehicles accessing South Cheshire College and avoiding Nantwich Road
- A number of schools around the proposed development, increased traffic due to a 'Rat Run' is not safe
- Opposition against options 1 and 2 as the size of Norbreck Avenue and congestion along Somerville Street unsuitable for the traffic in and out of South Cheshire College.
- Link road between Norbreck Avenue to Dane Bank Avenue
- In excess of 150 cars needing access to and from the development. There has been on thought about how this will detrimentally affect local residents on the already busy and congested local roads
- There is a history of traffic accidents in this area and the increase in volume of vehicles will make it worse

- Noise and pollution will increase with the volume of vehicles
- There are 7 schools within 500m of the development
- Pedestrian access through the development would lead to college parking in Norbreck Avenue and Somerville St. particularly as there will be less parking on the college site.
- Oppose the access road layout in concept plans 1 & 2 since the size of Norbreck Avenue, together with the congested nature of the end of Somerville Street to which it joins, makes it unsuitable for supporting all traffic in and out of the site. The two access points shown in plans 3 & 4 are favoured.
- Suggest enhancing the road layout in concept plans 3 & 4 by introducing a physical break at the mid-point of the layout (e.g. bollard) to prevent through-traffic and give balanced access to the two halves of the site. This would avoid 'rat run' characteristics (as noted on page 25 of the outline document, 'Access'). Speed reduction measures alone may be inadequate. Note that splitting the linking road into two would still provide better access to the furthest dwellings when compared to access offered by plans 1 & 2.
- Object to Concept Plan options 3 & 4 which are shown on pages 17 & 18 of the Design and Access Statement dated July 2007. These options show a link road connecting Dane Bank Avenue to Somerville Street via Norbreck Avenue. Strongly disagree with claims made in this document that this would not become a rat run funnelling traffic onto Somerville Street as people attempt to avoid queues on Nantwich road.
- Have no complaint with options 1 & 2 and am happy to accept the traffic entering and leaving the development via Norbreck Avenue to gain access to the 91 dwellings.
- The back ally between Somerville Street and Dane Bank Avenue is used as a rat run now.
- Problems will be made worse when combined with the proposal for the college expansion and the overcrowded proposal of the Old Maintenance Depot by Chelford Homes
- Somerville street can only accommodate a single lane of traffic along part of its length
- Residents parking schemes or on-way traffic will not be as effect a solution as reducing traffic flow by erecting fewer houses.
- Passing trade on Nantwich Road may be lost due to parking difficulties
- Lack of parking may also be contributing to people moving out of the area
- Proposals doe not encourage green travel.

Design Objections

- The design of the 2.5 to 3 storey dwellings is not in keeping with the style of the area.
- Concept plans 3 and 4 do not identify the size of the dwellings and type of dwellings, impossible to understand the impact on the existing dwellings.
- Density and layout of concept plans 1, 2 and 3 in NW quadrant of the site. Due to the arising issues in Crewe where dwellings are built in block and sheltered areas which attract anti-social behaviour.
- Proposals 1 and 2, the dwellings being obtrusive on existing properties.
- Size if the development will be inappropriate for the size and scale of the area, creating an overcrowding.
- This high density development is badly thought out

- With the new dwellings back gardens may be overlooked and residents would appreciate it when considering building plans if 3 storey buildings were not situated adjacent/overlooking garden fences.
- To fit with their surroundings, all houses bordering or facing existing residences should be limited to 2 stories. They note that concept plans 1 & 2 show 3-storey dwellings bordering with our property. We are disappointed that concept plans 3 & 4 do not identify size and type of proposed dwellings neighbouring existing properties, making it impossible for us to assess their potential impact.
- Oppose the density & layout of apartments in concept plans 1, 2 & 3 in the N.W. quadrant of the site. Over many years Crewe has seen issues arise where dwellings are built in contiguous blocks, surrounding sheltered areas. Moat House Drive & 'Derby Docks' are examples. This 'encircled' layout does not cultivate an open community feeling, it can look oppressive, can attract anti-social behaviour and at worst become a no-go zone. To be properly in keeping with the surrounding areas this development must favour dispersed family dwellings, as offered by concept plan 4.
- Houses are too close to existing properties.
- High density housing up to 3 storeys in height reflects a lack of awareness of predicted population changes over the next 20 years. Figures from the County Council website indicate that there will be increasing numbers of older people. It would therefore seem sensible that if any building were to be done in the area it should suit their needs i.e. bungalows.

Environmental Objections

- Recent flooding in Dane Bank Avenue, the proposed 91 dwellings will put increased pressure on the existing sewage system.
- Residents there suggest a reduction in the number of dwellings
- Water mains may need extending to serve any development on this site.

Other

- None of the proposed development documentation relates to the Crewe and Nantwich Local Strategic Partnership. They are a multi-agency body and are key to tackling deep-seated multi-faceted problems requiring responses from different bodies. The LSP will be expected to take many of the major decisions about priorities for the area.
- Developers from outside the area do not care about the needs of local people and only want to maximise profit
- South Cheshire College has been offered £42 million for the Learning and Skills Council on condition that they raise £18 million. The only way that this appears to be possible is through the sale of part of the site.
- Once the land is sold it will be lost to the college and local community forever. Although a detailed analysis of current and anticipated educational needs has been carried out, there are elements of unpredictability. In the same way, although population projections are used for planning, they can never be completely accurate.
- There has already been an impact on the area in the form of large numbers of houses being placed on the market in Somerville Street.
- Impact on property values

- No health impact assessment has been done to deal with issues of traffic, dust from the building site, stockpiling of materials, disturbing the soil, water supply and drainage and lack of light due to hedges

7. APPLICANT'S SUPPORTING INFORMATION:

Planning Statement

The applicant's planning consultant has submitted a statement, which can be summarised as follows:-

- The College seeks full planning permission to demolish the existing campus and for the erection of a bespoke purposely designed College campus. The outline planning application seeks to establish the principle of 40 to 50 dwellings per hectare on College land that will become surplus as a result of the new college development.
- The site is previously developed land which is integrated into the residential area of Crewe. The existing campus has come to the end of its operational life and is limiting the quality and the range of courses which the College can offer.
- It is considered that the proposal will contribute to the enhancement and protection of the greenscape of the locality and will ensure that there is no net loss of designated RT 1 Land.
- The site is highly sustainable, it is near to a range of local services, and the Crewe town centre is readily accessible by a number of bus routes from this location.
- The proposed use for residential development will further integrate the College into the local area and ensure that the main design themes of the new College campus are respected.
- The proposal is considered to be in accordance with the adopted Local Plan, as well as National and Regional planning guidance and policy. The proposed development seeks to maximise the use of previously developed land with a suitable and sustainable proposal and with a residential density which closely respects the surrounding residential scale. It is considered that this application is exactly the type of development encouraged by PPS 1 and PPS 3.
- On the basis of the evidence and justification set out in this statement, they respectfully request that both applications are approved.

Transport Statement

A Transport Assessment and Framework Travel Plan have been produced by transport consultants JMP. The analysis within this Transport Assessment and Framework Travel Plan verifies the original assumption that the proposal to redevelop the Crewe Campus and develop land for residential purposes would not have a significant impact upon the local highway network.

In order to ensure that the level of site traffic is maintained at an acceptable level, a detailed Framework Travel Plan has been produced that provides appropriate measures to limit single occupancy journeys.

Policy

This Transport Assessment and Framework Travel Plan have been produced so as to be fully compliant with relevant planning policy documents; it looks to achieve the following:

- Provide sustainable access to educational facilities in accordance with PPS1
- Deliver accessible residential development in urban locations in accordance with PPG3
- Prescribe an acceptable level of Parking in accordance with PPG13
- Provide stringent parking control in urban locations in accordance with RSS13
- Meet the social objectives of the Cheshire Structure Plan in providing access to education, including a Travel Plan aimed at reducing single occupancy commuting by private car and the promotion of sustainable alternatives
- Provide full access for disabled users in accordance with the Crewe and Nantwich Local Plan
- Identifies existing gaps in public transport provision as a means to reduce social exclusion in accordance with the Cheshire LTP

Traffic Impact

In the 2010 Base + Development scenarios, the college access points and external junctions continue to operate with residual capacity. With reassigned flows to account for the removal of Norbreck Avenue as an access point to the college, and the addition of residential traffic, the local road network will continue to operate under capacity. As such, we believe there to be no need for physical measures to mitigate against future impact, as this represents a robust scenario.

Physical Improvement

They believe that this TA identifies an appropriate level of physical improvements, both on and off-site, that would facilitate improved access to the college, and deliver wider benefits to the local community.

It may be appropriate to condition the implementation of off-site works as part of subsequent planning consent.

Framework Travel Plan

Staff and students at the Crewe Campus have been offered little incentive in the past to consider their travel habits and utilise sustainable modes; as a result single occupancy car use has been effectively unrestrained. As the staff and student catchment has been demonstrated as being predominantly local, considerable potential exists to promote viable alternatives to the majority of users.

They believe that the physical and procedural measures within this Travel Plan Framework will reduce the attractiveness of the private car as a main mode, and provide genuine alternatives to both staff and students. The timescale of development will also

enable measures to be fully established and accepted by users in advance of the site reopening in September 2010.

The implementation of measures is to be accompanied by a full programme of monitoring and study, in order to review and adjust measures as appropriate to maximize effectiveness.

Recommendation

JMP recommends that planning permission should not be withheld for the proposed development on transport and access grounds, and that this Transport Assessment contains the necessary detail from which Crewe & Nantwich Borough Council can set out appropriate conditions to accompany a subsequent planning consent.

Statement of Community Engagement

- The applicants (South Cheshire College) consider that they have demonstrated an in-depth and detailed series of community consultation events which have involved a broad cross section of the local community and businesses.
- The College has demonstrated a positive engagement in public participation for the proposed development scheme through this exercise of community engagement.
- The college has notified and informed key stakeholders such as the local residents, the students, the staff and the local Councillors in addition to the Local Planning Authority throughout the whole process.
- The College has also shown and explained that the proposed scheme has been modified and amended throughout the process of design, from conception of the original idea to this latest stage being the submission of the full planning application for the College campus and the outline submission for residential development.
- It is considered that this document provides the required information to comply with Crewe and Nantwich requirements as set out in the Adopted Statement of Community Involvement (May 2006).

Design and Access Statement

Use

- The proposed use identified is for residential development which will comprise of 40 to 50 dwellings per hectare.
- This residential use complies with the predominant land use in the locality and the character of Crewe. It is therefore considered to be an appropriate use that would be in conformity with the surrounding area.
- Residential is considered to be an appropriate and sustainable use of the site, as the site is well situated for access to local schools, shops, and other facilities within walking distance.
- The site also has favourable links to public transport, as three main bus routes can be accessed from the bus stop on Valley Road (Routes 65, 68, and 9) which link the

site to the town centre of Crewe and to the outer suburbs of Willaston, Wistaston Circ and Shavington.

- The bus stop on Nantwich Road links the site to the city of Chester and to the neighbouring town of Nantwich.
- The bus routes ensure that the site is well linked to all nodes of public transport including rail and intercity coach services, this further ensures the encouragement of other modes of transport other than the motor car.
- Similar proposals have been granted in the locality and it is considered that the principle of residential use has been established by these developments. It is further considered that the proposed development would aid further integration of the proposed college campus into the local community.

Amount

- Planning Policy RES 3 (Housing Densities) indicates that new housing developments should have a minimum housing density of at least 30 dwellings per hectare. This proposal relates to an application of a net density of 40 to 50 dwellings per hectare and therefore accords with this Policy of the adopted Local Plan.
- The main factors which were considered in the formation of this planning proposal are as follows:-
 - Land Ownership;
 - Landscape setting and site topography;
 - Existing trees and planting;
 - Residential location;
 - UDP designation of the site;
 - Site access; and
 - Local character.
- The proposal acknowledges and considers the adjoining land uses and natural landscape of the physical environment. The topography of the site enables the proposed development to assimilate well with the surrounding residential properties and the proposed college campus redevelopment. This will also ensure, that any proposed development does not dominate the views of the proposed campus.
- The character of the surrounding area in the vicinity of the site is a composition of bungalows and 2 storey residential detached dwellings with private gardens. To further supplement these detached dwellings, there are a variety of houses which are semi-detached and terraced in the near locality.
- The proposed development at this stage has taken inspiration and fully acknowledges the existing scale and density of housing which is surrounding the site. As the proposal is at an outline stage, an indicative plan has been devised as to demonstrate the type of development which the site can comfortably accommodate.
- The concept plans show that the site can accommodate between 74 to 91 dwellings. This level of residential development can be accommodated on the site without compromising the open space required by the Council and demonstrates that the required car parking can be provided which is integrated into the design rather than an afterthought.
- The concept plans show that the site complies with policy RT3 of the local plan, as each of the concept plans show at least 15 square metres of open space per dwelling and 20 square metres of shared children's play space per family dwelling.

- 3 and 4 bedroom detached and semi-detached houses will provide generous family accommodation, whilst smaller terraced houses and apartments will be suited to single people and couples which require high quality, modern living accommodation.
- Together, the variety of house and apartment types will create a mixed community in this highly sustainable location

Layout

- Concept plan has taken the proposed college campus as the main design inspiration and this is demonstrated by certain design elements taken from the main campus building. It is considered important to maintain the main design aspects of the proposed college as to ensure a continuity of design and linkage of the developments.
- The layouts have a clear massing structure which locates lower density, predominantly two storey houses adjacent to the existing residential properties, with 2½ and 3 storey development closer to the proposed new college building.
- The building heights and garden sizes determine the distances between dwellings in terms of window to window distances to ensure adequate privacy and maximum sunlight and solar gain.
- The indicative building heights of the dwellings themselves closely reflect and emulate the residential buildings which surround the site in order to attempt and create a development which is at a human scale.
- The concept plans show that the building mass changes across the site, creating a transition from the low unit mass housing site to the higher unit mass college building. This is achieved by planning detached and semi-detached houses adjacent to existing houses, with terraces and apartment buildings located adjacent to the college. An appropriate level of parking is provided, equating to approximately 2 spaces (incl. garages) per house and approximately 1.5 spaces per apartment, this standard is in line with the requirements as set out in the Crewe and Nantwich Local Plan (2005).
- The properties which face Dane Bank Avenue provides the development with an active frontage as to ensure any perceived security risks are minimised. The drive access to these properties which face Dane Bank Avenue also provides design assimilation with the older established properties which further integrates the scheme into the urban residential character of the area.
- It should also be highlighted that the approach as set out in 'Manual for Streets' has been followed in terms of creating places rather than designing purely for the convenience of the car, it is considered that this is evident in the parking strategy which has been adopted where private parking is secure and convenient to the dwellings they serve but without dominating the layout.
- Secure by Design guidance has been taken as a bench mark to ensure that parking spaces are located where they are visible from the property which they serve, or within courts which are gated.

Landscaping

- Public and private amenity has been considered so that an attractive useable development can be delivered. Houses have private gardens which are accessible and large enough to accommodate a garden shed, washing line and sit out spaces.
- Areas of public open space are located at accessible and safe locations within the concept plans. This will help provide an attractive outlook to residents and a safe

place for children to play. Each concept plan also shows a designated children's play area which has been designed to be overlooked by the proposed housing to ensure it is safe and well used.

- The existing trees which are adjacent to the north, east and south will be retained and further supplemented by additional planting including trees.
- The concept plans demonstrate that the planting of shrubs and plants can help ensure that the development will have a high quality street scene and that the bulk and the massing of the buildings is broken and screened partially.
- It is envisaged that the shrubs and plants which will be planted will be high quality well rooted non-refrigerated stock with well branched heads and fibrous root systems. This will ensure that the plants take root and become established relatively quickly.
- The trees which are to be planted on the site are also to be sourced from high quality stocks and will have clear stems to at least 1.8m in span/height.

Appearance

- Although only illustrative at this stage, architectural styles will vary across the development and will be derived from the character of the local area. The area is rich in architectural interest and the development will complement this through the use of appropriate local materials and architectural detailing.
- The site is large enough to accommodate a variety of architectural styles which will appeal to the differing tastes of purchasers. It is envisaged that a mixture of traditional and contemporary forms can be used for the proposed houses. Contemporary elevations for the apartment buildings will create a modern aesthetic which will also be in keeping with the new college building.
- The concept plans all show properties facing Dane Bank Avenue in order to provide the development with an active frontage and ensure any perceived security risks are minimised. The drive access to these properties also provides design assimilation with the older established properties which further integrates the scheme into the urban residential character of the area.
- The rear gardens will be enclosed by timber fencing and the walls of the garages will match the material of the dwellings.
- Hard-standing will be provided for the parking bays and will be surfaced using pavements and tarmac. This will ensure that the surfacing areas on the site remain free from weeds and be of low maintenance.

Access

- It is considered that the concept plans demonstrate the site has good pedestrian permeability and this will encourage non-car modes of transport as advocated in the current Design Guides.
- The concept plans also indicate that the site gives good pedestrian access through the development linking Dane Bank Avenue, Somerville Street and the new college building.
- The proposed road design incorporates horizontal deflections and changes in materials which will have the effect of reducing traffic speeds and creating a safer residential environment.
- Although the position of access to the development is to be determined at the reserved matters stage, the concept plans show that vehicular access could be obtained from either Norbreck Avenue or Dane Bank Avenue. Concerns that a link

road through the site linking Dank Bank Avenue with Norbreck Avenue would cause a rat run can be designed out through road alignment and traffic calming measures for example, as indicated in concept plan 3 and 4.

- The site levels and gradients are suitable for disabled access and suitable materials and dropped kerbing will be incorporated in the design of the layout to provide continuity of access.

It is considered that the application site is in a sustainable location and the traffic likely to be generated by the proposal can be accommodated in traffic capacity and highway safety terms.

Flood Risk Assessment

- The aim of the Surface Water Flood Risk Assessment is to outline the potential for the site to be impacted by flooding and the proposed measures, which can be incorporated into the development to mitigate the identified risk.
- The report has been produced in accordance with the guidance detailed in PPS25. Reference has also been made to the CIRIA SUDS manual (C697).
- This report has been produced following consultation with the Environment Agency's development Control Team.
- Based on the site location outside the identified indicative flood plain and access across the floodplain not been essential to access to the site, fluvial flooding issues are not considered significant. Soakaway tests across the site have confirmed that the site is located on an area of low permeability glacial till. Groundwater flooding is not therefore considered to be a significant concern.
- The proposed development is anticipated to include a decrease in hard surface area over the existing development. In order to provide the betterment required by the Environment Agency and to take account of a climate change allowance it is anticipated that flow attenuation storage will be required as part of the development's final drainage design.
- Preliminary estimates presented in this report indicate that up to 145 m³ of storage would be required for 100 year return period storm of duration 120 minutes although detailed modelling will be used to confirm the final storage requirement.
- It is likely that a variety of techniques including, porous pavements, and above and below ground storage will be required to provide the required attenuation capacity.

8. OFFICER APPRAISAL

Principle of Development

The site is located within the Settlement Boundary of Crewe where, under Policy RES.2 of the adopted Local Plan, there is a general presumption in favour of residential development on sites not allocated for any other purposes.

The existing grounds around the campus have been designated as an area of protected open space in the adopted Local Plan. The current proposal will involve development of part of this area. However, part of the existing college site, which will be cleared following construction of the new building will be retained and landscaped as open space. Consequently, in terms of area, there will be a net gain of open space provision, as part of the development. The college have also confirmed that the public will have

unrestricted access to the College playing fields, consistent with the current arrangements in place.

Sport England are also supportive of the scheme as it will provide improved playing field and sports hall facilities but have recommended conditions requiring detailed specifications to be submitted and approved.

As a result, the principle of development is considered to be acceptable and the main issues in this case are the impact of the proposed development on protected trees and other trees of amenity value, the privacy and residential amenity of neighbouring occupiers, drainage and flooding, affordable housing, open space provision, highway safety and the impact on the character and appearance of the street scene and the area generally.

Trees and Landscape

The Council's Landscape Officer has examined the application and has commented that it is essential that trees, which are the subject of TPO 184 are retained together with any others associated with this group of trees that may not be protected. There is an area of young trees (identified in the Tree Report adjacent to the site entrance on Dane Bank Avenue. These should be retained in some measure, although it will not be practical to retain all. The concept plans showing a path or road access onto Dane Bank Avenue may give some space for these trees to be retained following thinning and formative prunings.

Siting the play area away from residents so it is not closely overlooked by local families is not acceptable. The play area will be open to abuse by others, especially after college hours. The play area sited within the site in a village green setting is preferred.

Large areas of hard paving, car parking should be avoided. Structural tree planting through out the site would be welcome following roads and paths together with further soft landscaping to gardens, courtyards, verges etc and a tree protection plan will be required.

Amenity

Matters of scale, appearance and layout are reserved for a subsequent application. However, the applicant has submitted, a number of indicative concept layouts, which indicate that 91 units could be accommodated on the site whilst maintaining acceptable separation distances both to existing properties and between proposed dwellings.

In producing the final layout care should be taken not to site apartments close to the new college parking, thereby reducing residential amenity. Sufficient amenity space should be provided for apartments to provide communal recreational open space, and other facilities such as drying areas and bins store. Adequate private gardens will also need to be provided for all family dwellings. However, the indicative layouts do not raise any concerns that this could not be achieved.

Drainage and Flooding

Dane Bank Avenue has on a number of occasions been severely affected by flooding. A number of local residents have expressed concern that the current proposals could

exacerbate this problem. The applicant has submitted with the application, a detailed Flood Risk Assessment, which concludes that adequate attenuations measures can be put in place to ensure that all surface water run-off can be adequately disposed of and any increased potential for flooding resulting from additional hard standing is mitigated.

The Environment Agency and United Utilities have considered the report and raised no objections subject to the imposition of appropriate planning conditions to ensure that the required mitigation is carried out. Therefore, it is not considered that a refusal on flood risk grounds could be sustained.

Highways

A Traffic Impact Assessment has been submitted with the application and is currently under consideration by the County Highway Authority. The concerns of local residents relating to the accuracy of the information contained within the document has been brought to the attention of the Highway Authority and their comments will be reported at the committee meeting.

Affordable Housing

The application states that, in accordance with Replacement Local Plan Policy RES.7, 35% affordable housing will be provided, as part of the proposal. It is also stated that the tenure split will be 75% rent and 25% Shared Ownership. The application does not however give any indication of the split in provision, according to house type. It is considered to be very important that this is also agreed at this stage, to ensure certainty of delivery, at Reserved Matters stage. The 2005 Housing Needs Survey results show that, for Crewe, accommodation is needed in the following proportions (in terms of 35% on site requirement)

- 11% one bed accommodation
- 12% two bed accommodation
- 12% three bed accommodation

The college have advised that they have no objection to agreeing a split in the affordable housing unit sizes at this stage but in it is not normal to do so with an outline planning consent. They argue that residential development will not come forward until 2010, and the Council's affordable housing requirements (in terms of unit sizes) will quite possibly have changed by then. Therefore, if the unit sizes are fixed now, this may mean the Council does not get what is actually needed by the time the development takes place.

However the above requirements have been derived from the 2005 Housing Needs Survey and this is the most up to date set of information that is available and it will ensure that a mix of affordable dwelling types is achieved. It is this information that forms part of the justification for the Replacement Local Plan 2011 affordable housing Policy RES.7 (as modified.) It is therefore reasonable to include that as a requirement.

The requirement for the affordable housing provision needs to be included within the S106 Agreement, to include all of the above information, along with the following -

- a trigger for delivery of the affordable housing;
- a 'cascade', will need to be included to ensure that first priority is given to those in housing need who are resident in or who have connections to the Wards of Crewe

(Wards of Alexandra, Coppenhall, Delamere, Grosvenor, Leighton, Maw Green, St.Barnabas, St. John's, St. Mary's, Valley, Waldron, Wells Green, Willaston, Wistaston Green), followed by the whole of the Borough of Crewe and Nantwich;

- provision for nomination rights to be given to CNBC;
- a clause that requires the first purchase share of the Shared Ownership units to be 50% of Open Market Value;
- the staircasing of the Shared Ownership units would also need to be restricted to 80% (with a proviso that staircasing to 100% would be allowed, should Housing Corporation Grant Funding become available).

Open space

Policy RT.3 (Provision of Recreational Open Space and Children's Play space in New Housing Developments) prescribes the amount of open space that should be provided as part of new developments. The policy also sets out the requirements for equipped children's play areas within developments consisting of family dwellings.

The Planning Statement refers to open space shown on the concept plan submitted as part of the planning application. It states that the open space provision meets the requirements of both Local Plan Policy RT.2 (Equipped Children's Playgrounds) and RT.3 (Provision of Recreational Open space and Children's Play space in new Housing Developments). The requirement for the provision of such open space should be included within the Section 106 Agreement to ensure that it is delivered.

Section 106 Matters

The proposed development raises a number of issues and must be assessed against all the relevant Development Plan policies. In making this assessment a number of measures and works are required in order to ensure that the proposal complies with the local plan policies. Whilst some minor elements may be secured by planning conditions there are more fundamental requirements which must be secured via a planning obligation (section 106 agreement). These include:

- Provision of 35% affordable housing with a mix of tenure and house type to be agreed by the Council
- Provision of open space and equipped children's playspace in accordance with Policy RT.3 of the Local Plan or a developer contribution in lieu of public open space – to be agreed with the Council.

Public consultation

In support of the application, the developer has submitted a Statement of Local Engagement (SLE). The Borough Council's Adopted Statement of Community Involvement, which provides guidance on the production of SLE's states, at Paragraph 8.3, that such documents should show how applicants have involved the local community and where the proposals have been amended, as a consequence of involving the local community.

The SLE, submitted as part of this planning application, outlines the public consultation that has taken place and concludes that the consultation that has taken place conforms to the procedure set out in the Borough Council's adopted Statement of Community Involvement. Paragraphs 2.5 and 2.6 of the SLE, refer to the type of issues that

residents raised, during the consultation process, along with a statement that those concerns and issues were addressed.

This section of the document is, however, very brief and it does not refer to specific elements of the proposals that were changed, in response to the consultations. Further information was therefore sought from the developer. In a letter dated 14th September 2007, the applicant's planning consultant provides further information on the main changes to the scheme as a result of public consultation. These have included, provision of sufficient space within the College grounds for coach drop-off and collection, ensuring public access to the grounds, a sensory garden, undertaking a shadow study to ensure there was no loss of light to gardens, relocation of the nursery, rotating the building to improve neighbour amenity, a faith/prayer room and improved disabled access. The information provided within that letter now demonstrates that the consultation that has taken place conforms to the procedure set out in the Borough Council's adopted Statement of Community Involvement (SCI).

9. CONCLUSIONS

In summary, the redevelopment of the surplus college land for residential purposes is considered to be acceptable in principle. The indicative layouts and other supporting information have indicated that 91 units could be accommodated on the site without detriment to protected trees and other trees of amenity value, the privacy and residential amenity of neighbouring occupiers, drainage and flooding, affordable housing provision, open space provision, highway safety and the character and appearance of the area generally.

10. RECOMMENDATIONS

APPROVE: subject to a legal agreement to secure affordable housing provision, on site open space and equipped children's playspace and the following conditions:-

- 2 -3. Standard outline
 4. Surface water regulation system
 5. All surface water drainage from car-parking areas and hard standings shall be passed through an oil interceptor
 6. Scheme of tree protection
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