

Application No: 23/3824N
Location: 173, MINSHULL NEW ROAD, CREWE, CW1 3PW
Proposal: Demolition of existing garage and creating of a new build 7 room HMO
Applicant: Mr Sean Stockton
Expiry Date: 08-Dec-2023

SUMMARY

Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

The proposal seeks permission to demolish an existing two storey garage building with a two-storey building to accommodate a 7no bedroom HMO. The existing building is not worthy of retention and therefore it is considered that residential development is acceptable in principle, however this is subject to compliance with all other relevant policies within the development plan.

The development is considered to be unacceptable in terms of Design, Amenity and Highway Safety. The proposal would create an unacceptable form of residential development which would have sub-standard levels of accommodation and a lack of private or communal amenity space.

Whilst the existing building is not of a design which is worth of retention the design of the replacement building is not a design which would be in keeping with the surrounding area or streetscene and would require amendments to reduce the overall mass to create a less overcrowded development.

There is insufficient parking provision proposed to accommodate the 7 bedrooms within the site, and in an area of limited on street parking the development would have an adverse impact on highway safety.

No significant concerns are raised in terms of landscaping, forestry, flood risk or drainage, subject to appropriate conditions.

It is therefore considered that the harm identified in terms of existing and future occupier amenity, impact on the streetscene and highway safety the proposed development is therefore contrary to Policies SE1 Design, and SD2 Sustainable Development Principles of the Cheshire East Local Plan Strategy; GEN1 Design Principles, HOU 4 Houses in multiple occupation, HOU 12 Amenity and INF 3 Highway safety and access of the Site Allocations and Development Policies Document, the Houses in Multiple Occupation SPD and the NPPF.

RECOMMENDATION

Refuse

REASON FOR REFERRAL

This size of application would usually be dealt with under delegated powers. However, this application has been called into the planning committee by the ward member, Cllr Pratt for the following reasons;

- Overcrowding of the site
- Inadequate parking
- Local amenity issues, noise and disturbance
- Out of context in the local area
- Poor kitchen/cooking facilities without adequate food storage and washing facilities
- Inadequate garden recreation/sitting area

PROPOSAL

Full Planning Permission is sought for the demolition of the existing two storey garage on the site and erection of a new build two and half storey 7 bedroom House of Multiple Occupation (HMO).

SITE DESCRIPTION

The application site relates to an existing garage on Minshull New Road, Crewe. The site is located within the settlement boundary of Crewe. The existing building is a two-storey flat roof building, with a bungalow located to the rear.

RELEVANT HISTORY

22/4061N – Demolition of existing garage and creating of a new build 9 room HMO – Withdrawn 11th September 2023

19/4656D – Discharge of conditions 3, 4, 5, 6, and 7 on application 18/5407N - Bungalow with upper floor – Approved 5th March 2020

18/5407N – Bungalow with upper floor – approved with conditions 21st January 2019

17/6277N – Proposed outline permission for single dwelling – Approved with conditions 23rd April 2018

P93/0075 – Workshop extension – Refused 11th March 1993

P92/0763 – Workshop extension – Refused 20th November 1992

PLANNING POLICY

Development Plan

Cheshire East Local Plan Strategy (CELPS);

MP1 (Presumption in favour of sustainable development)
PG1 (Overall Development Strategy)
PG2 (Settlement Hierarchy)
PG7 (Spatial Distribution of Development)
SD1 (Sustainable Development in Cheshire East),
SD2 (Sustainable Development Principles),
IN1 (Infrastructure)
IN2 (Developer Contributions)
EG3 (Existing and Allocated Sites)
SC3 (Health and Wellbeing)
SC4 (Residential Mix)
SC5 (Affordable Homes)
SE1 (Design)
SE2 (Efficient Use of Land),
SE3 (Biodiversity and Geodiversity)
SE4 (The Landscape),
SE5 (Trees, Hedgerows and Woodland),
SE8 (Renewable and Low Carbon Energy)
SE9 (Energy Efficient Development)
SE11 (Sustainable Management of Waste)
SE12 (Pollution, Land Contamination and Land Instability)
SE13 (Flood Risk and Water Management)
CO1 (Sustainable Travel and Transport)
CO4 (Travel Plans and Transport Assessments)
Appendix C: Parking Standards

Cheshire East Site Allocations and Development Policies Document (SADPD)

PG9 Settlement Boundaries
GEN 1 Design principles
ENV 1 Ecological network
ENV 2 Ecological implementation
ENV 5 Landscaping
ENV 6 Trees, hedgerows and woodland implementation
ENV 15 New Development and existing uses
ENV 16 Surface water management and floodrisk

HOU 1 Housing Mix
HOU 2 Specialist housing provision
HOU 4 Houses in multiple occupation
HOU 8 Space, accessibility and wheelchair housing standards
HOU 10 Amenity
HOU 12 Housing Density
HOU 13 Housing delivery
INF 3 Highway Safety and access

National Planning Policy

National Planning Policy Framework (NPPF)
National Planning Practice Guidance

Other Considerations

Houses in Multiple Occupation SPD

CONSULTATIONS

CEC Head of Strategic Infrastructure (Highways) – Refusal based on lack of parking provision.

CEC Environmental Protection – No objections to the proposal subject to conditions regarding electric vehicle charging points, ultra-low emission boilers, Phase I contaminated land report, verification report, soil importation materials, unexpected contaminated land; and informatives for contaminated land, construction hours, and dust management plan

CEC Housing (Housing Standards and Adaptions Team) – No objections subject to informative relating to HMO standards and licence requirements

United Utilities – No objections

Crewe Town Council – That the committee objects to the proposals on the following grounds:

- i. The provision of an Article 4 directive for demonstrates the negative impact of the provision of HMOs as an unsustainable accommodation style
- i. The proposals represent overdevelopment of the site, indicating that the potential occupancy could reasonably be expected to be around 14 individuals.
- ii. That the proposals will adversely impact on the amenity of neighbouring properties due to noise and disturbance
- iii. That the proposals do not meet planning policy in terms of lack of off-street parking provision
- iv. The provision of this style of accommodation in this setting is out of keeping with the traditional residential nature of the area.

REPRESENTATIONS

Letters of representation have been received from 7no households and Cllr Pratt. The main issues raised are;

- No guarantee that the building will only have 7 occupants, could be up to 14 or even more with small children.
- No clear indication of bin storage for such a large number of people
- Existing drainage system will need improving for increase use.
- There is insufficient outdoor space for the occupants.
- Insufficient parking provision for the occupants, already significant on road parking on a major through route
- Already a very large housing development approved in Leighton new dwellings are not required.
- Concerns raised overuse of HMO within a family residential area
- Character of building is out of keeping with the surrounding area.
- Cramped form of development
- Only one kitchen/dining room proposed for 7 bedrooms.
- A smaller development of 1 or 2 houses/flats would be more appropriate.
- If used as an Air BnB the temporary occupants will not care about the local residents or environment
- HMO's are often substandard/low quality forms of housing
- There is no laundry room shown on this plan – how will occupants wash and dry their clothes?
- Potential to increase anti-social behaviour in the area.
- No proposals for separate recycling – this is not acceptable
- Concerns with only one staircase within the building – potential fire safety hazard

OFFICER APPRAISAL

Principle of Development

The proposal seeks demolition the existing flat roof two storey former Garage building and replace with a brick two and half storey building with accommodation for 7no bedrooms to be used as a HMO. The application submission suggests the building would be used for short term lettings, like Airbnb.

The application site is located within the Crewe settlement boundary. Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

Policy SD1 of the CELPS and the Framework encourages development on previously developed land. Previously Developed Land (often referred to as brownfield land) is defined within Annex 2 of the NPPF and states;

'Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation

grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape'

It is considered that the application proposal falls within this category, so its re-development would be supported in this regard by Policy SD1 (Part 15) of the CELPS and the Framework.

Part 1 of Policy SE2 (Efficient Use of Land), states that the Council will encourage the redevelopment/re-use of previously developed land and buildings. The proposal is also deemed to adhere with this aspect of development plan policy.

Paragraph 85 of the NPPF states that *'The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.'*

Paragraph 117 of the NPPF states that *'planning policies and decisions should promote an effective use of land....in a way that makes as much use as possible of previously-developed or 'Brownfield' land.'*

The applicants have submitted a brief structural report which sets out that the structure has a twin brick skin with buttress walls and a flat roof which has been retrofitted. Areas of the roof and walls are bowing. The structural report sets out that the building has surpassed its lifespan. Therefore, would not be appropriate for conversion.

It is therefore considered that the demolition of the existing building and construction of a new residential building is in principle acceptable subject to compliance with all other relevant policies of the development plan.

Locational Sustainability

Both policies SD1 and SD2 of the CELPS refer to supporting development in sustainable locations. Within the justification text of Policy SD2 is a sustainable development location checklist.

The site is within the Crewe Town settlement which is categorised as a Principal Town within Policy PG 2 of the CELPS. The site is considered to be locationally sustainable, and within walking distance of a number of services. There is a bus service along Minshull New Road, which links to the Crewe Town centre, Middlewich, Holmes Chapel and Congleton, with links beyond. It is therefore considered that the site is locationally sustainable.

Houses in multiple occupation

Policy HOU 4 relates to the change of use of dwellings to HMO's, nevertheless although this application seeks to build a new HMO the requirements of the policy are still relevant. There are no other known HMO's within 50m of the application site and therefore adheres with criteria 1(i) and 1 (ii).

Part 1 (iii) requires HMO's to not have an adverse impact on, the character and appearance of the property or the local area; on-street car parking levels; the capacity of local services/facilities or the amenity or environment of surrounding occupiers. As discussed in the report further below, the proposal would have an impact on the character and appearance of the local area and potentially

on on-street parking levels due to a lack of parking provision. It is not considered that the increase in occupants would have an adverse impact on services/facilities. The proposal would have an impact on neighbouring and occupier amenity as set out further below.

Part 1 (iv) requires the size of rooms to be appropriate and the HMO SPD also sets out required minimum spacing standards for rooms within a HMO. All the rooms appear to meet the required 10.22 sqm for a double room for 2 adults, the smallest rooms being 17 sqm. Each room is shown to have an ensuite and room for a sofa. Furthermore, the Housing Standards Officer has raised no objections to the scheme and only highlighted that the scheme would require a HMO License.

Part 1 (iv) also requires the rooms to have sufficient daylight provision, a range of facilities, external amenity space to ensure an adequate standard of residential amenity for future occupiers. The plans do not adhere to this. The room in the roof space is served by 2 no roof lights only, and the bedrooms located on the first floor of the property have obscure glazed windows to the sides and on the rear only small high level windows. This is not considered to be appropriate living standards for the future occupiers. Also, there is no external space shown around the property for private/communal amenity space and given the cramped nature of the development there is little space to accommodate siting out/drying of laundry etc which would be expected. There is also only one communal room within the building with a kitchen and chairs, there is no other facilities within the building.

Parts 1 (v) required covered cycle storage which is shown within the rear of the building and appears to be appropriate. A condition could be attached to ensure sufficient facilities are provided prior to occupation.

Part 1 (vi) requires site waste and recycling storage to be available. The application suggests that recycling will not be separated. This is not acceptable and is a requirement. There is a bin storage area shown on the plans, but it is located to the front of the property, and it does not show the level of provision being proposed.

Therefore, the proposal does not adhere the majority of the policy in relation to HMO provision in the Borough.

Design

Policy SE1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. In line with Policy SE1 of the CELPS, Policy GEN1 of the SADPD sets out that development proposals should, inter alia, contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form in terms of scale, height, density, layout, grouping, urban form, siting, good architecture, massing and materials.

The existing building is a two-storey flat roof building with a dilapidated external appearance. The design and appearance of the building is erroneous with the streetscene and does not appear to be of a character which is inkeeping with the suburban residential area. Therefore, the loss of the building is considered to be acceptable and would improve the appearance of the streetscene.

The replacement building would appear more in keeping with the surrounding area, however it is not of a high design, and there are design elements which need improving, such as eaves, lintel and porch details. The building should be reduced in width to reduce the over development of the site, to enable sufficient amenity space is provided on site as required, of at least 50 sqm which would be appropriate for a dwelling house. Fenestration on the rear of the property is also not appropriate.

It is therefore considered that the development as proposed would have a detrimental impact on the character and appearance of streetscene.

Residential Amenity

Policies HOU12 and HOU 13 of the SADPD set out the general principles required for new development in to help safeguard neighbouring amenity and the future occupiers of a development. Table 8.2 set out that there should be a separation distance of 21m retained for rear principal windows facing each other, reduced down to 14m for habitable rooms having non-habitable rooms.

The existing building as a garage and office above would have had some impact on neighbouring amenity by means of its location, mass and its use. However, it appears to have been dis-used for some time, stated as April 2020 within the application form.

The building would be located in close proximity to the surrounding three dwellings, as it is now. However, the building would be closer in proximity to No.175 than the existing building, by 5m, and 3m closer to No.175a which is a Bungalow to the rear of the site. A separation distance of around 7m would be retained between No. 175 and the new building, between 3m and 5m No.175a. The building would, be in closer proximity than the existing building and given the separation distance a harmful impact on neighbouring amenity by means of overbearing and overshadowing would occur.

The new building on the site would include 7no bedrooms, all with a requirement for a principal window to serve each bedroom. The property has been designed to have a shared kitchen/living room on the ground floor with a bike store and two bedrooms. Both bedrooms have a single window on the ground floor side elevation facing towards No.169 Minshull New Road, with a separation distance of between 6 – 7m. There is a 1m high hedge along the boundary and the neighbours have a window at ground floor level to the rear.

The windows would be located on to the driveway which accesses 175a to the rear and would have no outlook. The first floor would have, 4no. bedrooms, the rooms located on the front of the building with principal windows on the front and obscure glazed windows on the side elevations. However, the two bedrooms to the rear would have no outlook, with obscure glazed windows on the side elevation and only high-level windows on the rear. Furthermore, an additional bedroom is located within the roof, this room would have two roof lights but no other windows.

It is therefore considered that the future occupier's amenity would be unacceptable and would impact on wellbeing of the occupiers due to lack of light and outlook into the majority of the rooms.

Furthermore, the plans show no external amenity space. It is expected that most 'dwellings' would have at least 50 sqm of space to enable the occupants to sit outside and to dry washing etc. There

is very little land associated with the building other than the hardstanding at the front. The proposal would therefore have a detrimental impact on future occupier amenity.

It is therefore considered that the proposed development would have an adverse impact on neighbouring amenity and future occupier amenity and would therefore be contrary to policies HOU 4, and HOU 12 of the SADPD.

Highways

The demolition of the existing garage is proposed and then the construction of an HMO with 7 single bedrooms on the same site. The Highways Officer notes that the application does not provide any parking spaces. The car parking standards for HMO's in the Local Plan Strategy indicates that 7 spaces would be required for this proposal. Reductions in the level of parking can be considered dependent upon the site accessibility and the availability of safe on-street parking.

The Highways Officer states that this site is located on main busy road linking Leighton and Crewe where on-street parking does affect the free flow of traffic and as such parking associated with this development is not acceptable given that no off-street parking is provided.

The frontage of the site is capable of providing around 3/4 spaces however this has not been shown on the plan, and this would still be a short fall of 3 or 4 spaces. Therefore, this application is currently not acceptable in terms of parking provision and is recommended for refusal accordingly.

Landscape and Forestry

There are no trees on the site and the hedgerows to the sides appear to be in separate ownership. The site plan shows little space for any meaningful landscaping however some private amenity space should be provided. If permission was approved a hard and soft landscape scheme condition could be attached to ensure some improved landscaping was provided within the site.

Ecology

Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with this policy. It is therefore recommended that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

Other Matters

The majority of the issues raised by the Town Council and neighbours have been addressed above within the main officer report.

Concerns raised in relation to fire safety would be dealt with by Building Regulation, and potential anti-social behaviour would be a matter for the Police should that occur. Impact on house prices is also not a material planning consideration.

PLANNING BALANCE

Policy PG2 sets out that Crewe is a Principal Town where significant development will be encouraged to support its revitalisation, recognising its role as one of the most important settlements in the borough. Development will maximise the use of existing infrastructure and resources to allow jobs, homes and other facilities to be located close to each other and accessible by public transport. Policy PG7 sets out that Principal Towns such as Crewe are expected to accommodate in the order of 65 ha of employment land and 7,700 new homes.

The proposal seeks permission to demolish an existing two storey garage building with a two-storey building to accommodate a 7no bedroom HMO. The existing building is not worthy of retention and therefore it is considered that residential development is acceptable in principle, however this is subject to compliance with all other relevant policies within the development plan.

The development is considered to be unacceptable in terms of Design, Amenity and Highway Safety. The proposal would create an unacceptable form of residential development which would have sub-standard levels of accommodation and a lack of private or communal amenity space.

Whilst the existing building is not of a design which is worth of retention the design of the replacement building is not a design which would be in keeping with the surrounding area or streetscene and would require amendments to reduce the overall mass to create a less overcrowded development.

There is insufficient parking provision proposed to accommodate the 7 bedrooms within the site, and in an area of limited on street parking the development would have an adverse impact on highway safety.

No significant concerns are raised in terms of landscaping, forestry, flood risk or drainage, subject to appropriate conditions.

It is therefore considered that the harm identified in terms of existing and future occupier amenity, impact on the streetscene and highway safety the proposed development is therefore contrary to Policies SE1 Design, and SD2 Sustainable Development Principles of the Cheshire East Local Plan Strategy; GEN1 Design Principles, HOU 4 Houses in multiple occupation, HOU 12 Amenity and INF 3 Highway safety and access of the Site Allocations and Development Policies Document, the Houses in Multiple Occupation SPD and the NPPF.

RECOMMENDATION: Refuse for the following reasons

- 1. The proposal is considered to be unacceptable in terms of existing and future occupier amenity, in terms of loss of light, amenity space, overbearing impact and privacy. The proposal is therefore considered to be contrary to Policies SD2 Sustainable Development Principles of the Cheshire East Local Plan Strategy; HOU 4 Houses in multiple occupation, and HOU 12 Amenity and of the Site Allocations and Development Policies Document, the Houses in Multiple Occupation SPD and the NPPF.**
- 2. The proposal is considered to be of a design which would cause harm to the character and appearance of the area and therefore is contrary to Policies SE1 Design, and SD2**

Sustainable Development Principles of the Cheshire East Local Plan Strategy; GEN1 Design Principles, and HOU 4 Houses in multiple occupation of the Site Allocations and Development Policies Document, the Houses in Multiple Occupation SPD and the NPPF.

- 3. The proposed development would have a lack of parking provision which would have a detrimental impact on Highway Safety contrary to Policies SE1 Design, and SD2 Sustainable Development Principles of the Cheshire East Local Plan Strategy; GEN1 Design Principles, HOU 4 Houses in multiple occupation, and INF 3 Highway safety and access of the Site Allocations and Development Policies Document, the Houses in Multiple Occupation SPD and the NPPF.**

In order to give proper effect to the Southern Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.

