

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 31<sup>st</sup> 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

## 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 on 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 Council's 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 50m<sup>2</sup>. All but three of the dwelling house have rear garden of at least 50<sup>2</sup>, 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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