

Application No: 13/3223N

Location: HOLLY BUSH INN, CREWE ROAD, WINTERLEY, CW11 4RF

Proposal: Outline Planning Permission for Three New Detached Two Storey Dwellings on Land to the Rear of Public House with Associated External Works including New Access Road

Applicant: Rebecca Williams, Holly Bush Inn

Expiry Date: 24-Sep-2013

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Principle of Development
- Housing Need
- Green Gap
- Sustainability of the Site
- Amenity
- Design
- Affordable Housing
- Flood Prevention/Drainage
- Highways
- Renewable Energy Provision
- Trees
- Ecology

REFERRAL

The application is referred to the Southern Planning Committee at the request of Cllr Hammond for the following reason:

Haslington Parish Council requested that the original application be 'called in' before it was eventually withdrawn. There are continuing concerns relating to the proposed access to the site together with the resulting reduction of car parking spaces at the Holly Bush Inn which would be exacerbated by additional customers emanating from the new dining enclosure which would be funded through this application as stated in the Design & Access Statement. It is felt that that this would lead to a detrimental impact on highway safety

contrary to Policies BE3 and TRAN.9 of the Crewe & Nantwich Replacement Local Plan.

I therefore support this further request from the Parish Council and ask that should the Officer recommendation be for approval then the application be determined by Committee. In this instance I would also strongly recommend that a site visit would be appropriate.

1. SITE DESCRIPTION

This application relates to an L-shaped parcel of land to the western side of Crewe Road within the Winterley Settlement Boundary as defined by the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The application currently forms part of the car park and associated landscaping to the Holly Bush Inn Public House and an area of undeveloped land to the rear. To the north of the site are modern detached residential properties which front onto Hollyfields. To the east of the site is the retained Public House and car-parking area with residential properties fronting onto Crewe Road (483-497). To the west of the site is agricultural land with a number of mature trees onto the rear boundary of the site.

2. DETAILS OF PROPOSAL

This is an outline planning application with all matters reserved for the erection of 3 detached two-storey residential units.

The indicative plan shows that there would be a single access point which would be taken off Crewe Road to the east of the site (to the south of No 1 Hollyfields).

3. PREVIOUS RELEVANT DECISIONS

13/2033N - Extension to time limit for planning application 10/1657N – Approved 26th June 2013

13/1085N - Four new detached two-storey dwellings on land to the rear of Public House with associated external works including new access road (outline) – Withdrawn 18th April 2013

10/1657N - New Building on Land to the Rear of Existing Public House Incorporating 15 Bedroom Guest Accommodation and Conference Facility. Enclosing on Existing Deck Area – Approved 4th August 2010

P03/0721 - Outline Application for the Conversion and Extension of Former Public House to Form 3 no Residential Dwellings and Provision of 7 no Two Storey Dwellings at Rear – Refused 26th August 2003

4. PLANNING POLICIES

National Policy

The 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)
NE.5 (Nature Conservation and Habitats)
NE.9 (Protected Species)
RES.2 (Unallocated Housing Sites)
RES.3 (Housing Densities)
RES.4 (Housing in Villages with Settlement Boundaries)
RES.8 (Affordable Housing in Rural Areas outside Settlement Boundaries)

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
Cheshire East Development Strategy

5. OBSERVATIONS OF CONSULTEES

Strategic Highways Manager: The application detail has addressed previous highway concerns which were considered against the application: 13/1085N and has provided an analysis of parking demand for the Public House and a junction design for the proposed development with geometry and visibility that meets standards. It is noted that the 'x'-distance for the visibility splay is set at 2.4 metres and it is recommended that this could be reduced to 2.0 metres which will reduce impact on the public house frontage.

With this modification to the visibility splay and the revised plan detail the Strategic Highways Manager accepts the proposed solution for this site on the basis of this revised information and also notes the reduction in units which are now served by 300% parking in accordance with the emerging draft CEC Parking standards.

The Strategic Highways Manager recommends that the conditions and an informative be attached to any permission which may be granted for this development proposal.

Environmental Health: Conditions suggested in relation to noise mitigation, construction/piling hours and external lighting. An informative is suggested in relation to contaminated land.

6. OTHER REPRESENTATIONS

Letters of objection have been received from 5 households in the area raising the following points;

- The submitted environmental survey is not specific for the site
- The traffic survey was undertaken during a bank holiday
- There is no mention of the on-road parking problems which exist
- There are a number of accidents at this dangerous junction
- The noise survey does not consider the affect of construction noise
- The access width is not safe
- The pub is up for sale and this could be the first step in the loss of the public house
- The traffic reports do not consider the recent approval for 44 dwellings within Haslington
- Poor visibility at the site entrance
- Existing flooding and drainage problems on this site
- If the beer garden is reduced in size it would have a greater impact upon neighbouring properties
- There is limited information in relation to the existing trees on the site
- The proposed access is located on a bad bend
- Vehicles which pass the site are usually exceeding the speed limit
- The number of junctions in the area would make an additional vehicle movement hazardous
- The reduction in car parking spaces would create on-street parking problems
- The proposed access would be harmful to residential amenity
- Piling could damage nearby properties
- Loss of the play area which is of important amenity value
- Loss of privacy
- Damage to shared boundaries
- Approving the application would set a precedent
- Impact upon protected species
- Potential impact upon trees that overhang the boundaries
- Local people should be put before profit
- Impact upon property value
- Loss of privacy
- Loss of light
- Potential loss of the public house which is currently up for sale
- Additional noise
- Harmful affect on the character of the terraced dwellings to the front of the site
- The submitted traffic survey does not make any reference to any accidents within the vicinity of the site
- Speeds of vehicles have been observed as between 28mph and 45mph. There were two instances of vehicles estimated at travelling in excess of 60mph
- On Monday 2nd September (between 14:00-15:00) 306 vehicles were observed to pass the Alsager Road junction (combined for north and south directions)
- On Wednesday 4th September (17:00-18:00) 558 vehicles were observed to pass the Alsager Road junction (combined for north and south directions)
- On Thursday 5th September (08:00-09:00) 666 vehicles were observed to pass the Alsager Road junction (combined for north and south directions)
- The traffic flows passing the site are substantial and vehicles pass the speed limit on a regular basis

A petition has signed by 33 local residents has also been received in objection to this application.

7. PARISH COUNCIL

Haslington Parish Council: No comments received at the time of writing this report

8. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement (Produced by Hive Architects Ltd)
Parking Analysis (Produced by Hive Architects Ltd)
Traffic Speed and Parking Survey (Produced by SK TP)
Ecology Survey (Produced by Apex Ecology)
Phase 1 Habitat Survey (Produced by Arbtech)
Contamination Questionnaire
Noise Assessment (Produced by SBM Safety Solutions)
Tree Survey & Report (Produced by Christians Environmental Ltd)

These documents are available to view on the Councils website.

9. 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) which was adopted in March 2012.

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

In this case the site is located within the Winterley Settlement Boundary and Policy RES.4 of the Adopted Local Plan states that within Winterley housing on a small scale commensurate with the character of the village will be permitted. The site is therefore considered to be sustainably located.

The principle of development is therefore acceptable and supported by the NPPF and the Local Plan.

Amenity

The application is in outline form and the indicative plan shows that three dwellings would be positioned to the rear of the site. The proposed access would run along the rear boundaries of 1-4 Hollyfields.

Number 5 Hollyfields has a blank side elevation facing the application site. The indicative layout shows that there would be a separation distance of approximately 15 metres between the side of plot 1 and No 5 Hollyfields. This separation distance is acceptable.

The proposed access would have minimal impact upon 1-4 Hollyfields given the scale of the development and the existing use of the site as a public house car-park.

To the east of the site there would be a separation distance of approximately 40 metres to the rear elevations of the properties fronting Crewe Road. This exceeds the recommended separation distance of 13.5m between a principal and non-principal elevation as contained within the Councils SPD on Extensions and Householder Development.

In terms of the impact upon the residential amenities of the future occupiers a noise report has been produced to assess the impact of noise from the Holly Bush Public House. The noise assessment was carried out over one of the busiest weekends of the year on one of the hottest days of the year (when the terrace and beer garden would likely to be at their busiest).

The results show that the monitoring obtained a daytime L_{Aeq} (16hr) of 53dB and a night time L_{Aeq} (8hr) of 48dB. These measurements would place the site into Noise Exposure Categories A and B of PPG24 (now replaced by the NPPF). NEC Category B states that local planning authorities should take noise into account

when determining planning applications and require noise control measures. This is accepted by the Councils Environmental Health Officer who states that noise on the development area can be mitigated to acceptable levels as detailed in BS8233 (Sound insulation and noise reduction for buildings – Code of Practice'. Details of noise mitigation measures would be secured at the reserved matters stage.

Design

The application is in outline form with all matters reserved. The indicative layout shows that the proposed dwellings would be sited to the rear of the existing built development which fronts Crewe Road but would follow the existing line of dwellings to the north (5-8 Hollyfields). The proposed development would not appear out of character and would respect the pattern of development to the north. It is considered that an acceptable design and layout can be secured at the reserved matters stage.

Affordable Housing

The site is within the area covered by Haslington Parish which has a population of over 3,000. Therefore in accordance with policies the trigger for affordable housing would not apply in this case unless it was over 15 units.

Highways

All matters are reserved including access. However an indicative access plan has been submitted with this application and this shows that visibility splays of 2.4m x 51m can be achieved when looking north and 2.4m x 52m can be achieved when looking south. The highways officer accepts these visibility splays and states that the x-distance can be reduced to 2m from 2.4m.

The application includes a speed survey which indicates that the 85%ile speed is 34mph northbound and 33.8mph southbound. Using the methodology within Manual for Streets to calculate stopping distances with a reduced x-distance, the visibility splays required would be 51.39m northbound and 50.89m southbound. As a result acceptable visibility splays can be achieved and this is accepted by the Councils Strategic Highways Manager.

The proposed development would result in the loss of a small area of car parking at the Public House, but 40 spaces would be retained. In support of the application a parking survey at the site has been provided from Friday 3rd May to Wednesday 8th May (including the Bank Holiday on Monday 6th May) with an additional survey on Saturday 11th May. The results of this survey show that the peak number of cars on the site was on Monday 6th May (the busiest day of the year with warm weather) with 27 vehicles parked within the car park. As a result it is considered that there would be more than adequate car-parking retained at the Public House and the proposed development would not result in parking being displaced onto the public highway.

A number of representations have been received about the highway safety implications of the development and the proximity of the site to existing junctions. In this case it should be noted that adequate visibility can be achieved and the development is of a small scale (just 3 dwellings). It should also be noted that there is an extant permission under application 13/2033N for 15 bedroom guest accommodation which would create a greater number of vehicle movements.

Trees

The submitted arboricultural report indicates that the indicative proposals would have the following impacts:

- 12 trees, 3 groups and 1 area of mixed shrubs will be lost due to the proposed development (7 of the trees are Grade A).
- 2 trees will be affected by the proposal (1 Grade A and 1 Grade B)
- 3 trees are recommended for removal due to poor overall condition.
- 1 Oak tree of poor quality will be retained and managed as a veteran tree due to requests by the owner to retain the tree

Whilst the indicative layout would result in the loss of trees afforded Grade A status in the tree report, the specimens in question form part of the ornamental planting to the public house car park and are not judged to have significant public amenity value. The loss of these trees is considered to be acceptable and the trees are not worthy of TPO protection.

The layout would allow for the retention of a section of the existing boundary vegetation which provides good separation from residential properties to the north although a further section would be lost. Replacement planting would be secured for any vegetation lost along the northern boundary by condition.

The trees proposed for retention on the western boundary would have a dominating influence on the gardens and rear elevations of proposed plot 1. Such a situation is likely to give rise to future concern to residents. One of the specimens is the above-mentioned veteran Oak tree which has significant structural defects.

The dwelling on plot 3 would encroach into the root protection area and crown spread of two retained trees. The social proximity of these trees to the dwelling would be not be acceptable.

However in this case the application is in outline form with all matters reserved, and given the size of the site an acceptable solution can be achieved at the reserved matters stage to address the concerns relating to the retention of trees.

Ecology

Bats

The large oak tree on the rear boundary has been identified as having a high potential to support roosting bats.

However no evidence of roosting bats was recorded during the inspection of the trees. In this case this tree would be retained and managed as a veteran tree and the Councils Ecologist advises that the proposed development is not reasonable likely to have an adverse impact on roosting bats.

Hedgerows

Hedgerows are a Biodiversity Action Plan priority habitat and hence a material consideration. The proposed development will lead to a loss of hedgerows from the site with additional hedgerow planting proposed as part of the development. Further details of this would be provided at the Reserved Matters stage.

Breeding Birds

Planning conditions are required to safeguard breeding birds and these would be attached to any approval.

Other issues

The proposed development would leave a beer garden/terrace area to the rear of the public house of approximately 464sq.m. This is considered to be adequate and would not affect the retention of the public house.

The development is not located within area of flood risk and details of drainage will be dealt with at the reserved matters stage.

Each application is determined on its own merits and it is not considered that the determination of this application would set a precedent.

10. CONCLUSIONS

The proposed development relates to the provision of housing within the settlement boundary of Winterley which is acceptable in principle and complies with Policy RES.4.

The proposed development would not have a detrimental impact upon the amenities of the surrounding dwellings and mitigation can be secured to protect the future occupiers of the dwellings.

The provision of dwellings on this site would not appear out of character and an acceptable design solution can be negotiated at the reserved matters stage.

The development would not have a detrimental impact upon ecology.

None of the trees on this site are protected by a TPO. Although there would be some tree loss this would be limited to ornamental planting within the pub car park. There is adequate space within the site to provide 3 dwellings and to ensure that the trees to the boundaries are retained.

An acceptable access solution can be achieved with adequate visibility and parking to be retained to the public house. The highways impact of this development is considered to be acceptable.

11. RECOMMENDATIONS

APPROVE 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 of plot 3**
- 6. Hours of construction and pile driving activities**
- 7. Noise mitigation scheme**
- 8. Maximum of 3No dwellings**
- 9. No works within the breeding bird season**
- 10. Nesting bird mitigation measures**
- 11. At the reserved matters stage the developer will provide a revised access plan which takes into account the recommended revision of the 'x'-distance to the visibility splay.**
- 12. Prior to first occupation, the proposed access will be constructed and the revised visibility splays provided – without impediment – in accordance with the revised plan required in Condition 11.**

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