

Application No: 14/0143N

Location: FORMER BOWLING GREEN, WATERLODE, NANTWICH

Proposal: Erection of 7 dwellings with integral garages and associated car parking

Applicant: BLACK & WHITE CHESHIRE LTD

Expiry Date: 17-Feb-2014

### **SUMMARY**

There is no requirement for an additional bowling green. The proposal would not have a detrimental impact on any archaeological remains. It has been demonstrated that the proposal is acceptable in terms of its impact on Residential Amenity, Conservation Area, the setting of a Listed Building and Highway Safety.

**RECOMMENDATION: Approve subject to completion of Section 106 and conditions.**

### **PROPOSAL:**

It is proposed to erect seven townhouse on the vacant bowling green contained within the grounds of The Residence which is a grade II\* listed building in Nantwich Town Centre. The houses would be a combination of 2 and 3 storey and have the maximum ridge height of 11m allowing for a dual pitched traditional roof structure with gables front and rear. This is an amended and reduced scheme

### **SITE DESCRIPTION:**

The site is located fronting onto Water Lode to the west with open views to the front including the River Weaver and is on the fringe of the town centre. To the north of the site is Mill Street with trees protecting views to secure rear garden areas. To the south are gardens of the adjacent property and to the east of the site are light industrial units and the Residence Hotel, a Grade II\* listed building. The building was constructed circa 1736 as a townhouse and was extended in 1852 and 1879 to the current form. The site is the former bowling-green of The Residence and due to the nature is flat with raised area abutting. An 1800mm high brick boundary wall surrounds the site with the exception of the stepped access to the Restaurant. The site steps up approx. 2.4m from the existing bowling green.

### **RELEVANT HISTORY:**

11/1536N – Hotel Reception and Function Room, 18 Bedrooms, Garden, Car Park and Access – Approved 11/4/11

P07/0632 – Window Alterations on West Wing – Approved – 22<sup>nd</sup> June 2007

P06/0020 – Change of Use of 2<sup>nd</sup> Floor Apartment and Construction of External Staircase – Approved – 25<sup>th</sup> September 2006

P07/1251 – New Entrance Gates and Railings – Approved – 31<sup>st</sup> October 2007

P07/0631 – Listed Building Consent for Installation of New Windows in the West Wing and Various Internal Alterations – Approved – 26<sup>th</sup> June 2007

P07/1061 – Listed Building Consent for New Entrance Gates and Alterations to Entrance Steps – Approved – 27<sup>th</sup> September 2007

P06/0023 – Listed Building Consent for Internal Alterations to First and Second Floors to Form Apartment and Construction of External Staircase – Approved – 27<sup>th</sup> September 2007

## **NATIONAL & LOCAL POLICY**

### **National Policy:**

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs: 14, 49, 55, 56, 131 and 132.

### **Development Plan:**

The Development Plan for this area is the Crewe & Nantwich Local Plan

The relevant Saved Policies are: -

BE1: Amenity

BE2: Design Standards

BE3: Access and Parking

BE7: Conservation Areas

BE9: Listed Buildings

TRAN3: Pedestrians

TRANS.9: Car Parking Standards

RT1 Formal Open Space and Playing Fields

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

### **Cheshire East Local Plan Strategy – Submission Version (CELP)**

The following are considered relevant material considerations as indications of the emerging strategy:

MP1, SD1, SD2 Sustainable Development

PG2 Settlement Hierarchy

SE7 Historic Environment

SE1 Design

## **CONSULTATIONS:**

Highways: Any comments will be reported as an update.

Environmental Health: Recommended refusal due to lack of information in respect of noise insulation. Request conditions/informative in respect of travel planning, dust, piling, contamination and noise insulation.

Environment Agency (EA): No objections

United Utilities – No objections

English Heritage: Commented on the initial scheme that they do not consider the scheme to cause harm the Conservation Area and less harmful to the listed building than previous schemes. However, it would not enhance but the decision should rest with the LPA.

Nantwich Civic Society – Consider that the buildings should be moved further forward to front on to Waterlode to give this section of the road some much needed interest and articulation - compared to the long, featureless wall at present. Also, by moving the dwellings further away from The Residence, any noise nuisance potential would be minimised. With an archway through the block, this would be quite feasible. A Georgian design solution is suggested.

Sport England – No objections

## **REPRESENTATIONS:**

Neighbour notification letters were sent to all adjoining occupants.

8 letters have been received to the initial three storey submission objecting on the following grounds:

- Impact on the listed building
- Too large, high and prominent
- Inappropriate to local area
- Allocation in Local Plan
- Impact on visual and residential amenity
- Wasted opportunity to enhance hotel
- Out of keeping with Nantwich Town Centre
- Should remain as bowling green/green space
- Poor access

This is a summary and the full contents are on the Council website.

## **APPRAISAL:**

The key issues are:

**Environmental Sustainability** – The application raises no specific issues in respect of landscape and diversity but would result in the development of a small green space in the Town Centre.

**Social Sustainability** – The application would develop a former private facility that has been inactive for a significant period. The establishment of development has been set by a previous planning permission to extend hotel facilities.

**Economic Sustainability** – The proposal would introduce more town centre residents that would in turn utilise local shops and facilities.

### **Principle of Use**

The principle issues surrounding the determination of this application is whether the development is in accordance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.7 (Conservation Areas), BE.9 (Listed Buildings: Alterations and Extensions) and TRAN.9 (Car Parking Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. These seek to ensure proposals respect the scale, form and design of the surrounding built environment and the original building and are compatible with the surrounding units and to ensure they have no adverse effect upon neighbouring amenity and the proposal will not have a detrimental impact on highway safety. Furthermore, Policy RT.1 (Protection of Open Spaces with Recreational or Amenity Value) states that development will not be permitted which would result in the loss of open space which has recreational or amenity value. The main thrust of the Local Plan policies is to achieve a high standard of design, respect the pattern, character and form of the surrounding area, not adversely affect the street scene by reason of scale, height, proportions or materials used. Notwithstanding the policy RT.1 the loss of the recreational space was established by the granting of permission 11/1536N.

The bowling green closed in 2007 and as a result, the bowling club relocated to a municipal bowling green at The Barony, Nantwich. The former bowling green, adjacent to The Residence, is identified as RT.1 protected open space on the Proposals Map of the Replacement Borough of Crewe and Nantwich Local Plan 2011. Policy RT.1 of the Replacement Borough of Crewe and Nantwich Local Plan 2011 protects open space from development unless a 'carefully quantified and documented assessment of current and future needs has demonstrated that there is an excess of playing field or open space provision in the catchment and the site has no special significance'. It also states that an exception may be made where 'the playing field or open space which would be lost as a result of the development would be replaced by a playing field or open space of equivalent or greater quality in a suitable location and subject to equivalent or better management arrangements prior to the commencement of the development.'

As part of the approval of 11/1536N a search for alternative sites for a replacement bowling green has taken place and that a suitable site was identified at The Barony Park in 2010. The applicant is offered a Commuted Sum payment of £62,550 which it is stated could provide either a new bowling green or it would finance the improvements that have been discussed with the club. It does not include any allowance for on-going maintenance of the bowling green.

To adhere to Policy RT.1 therefore a replacement bowling green, with a Commuted Sum payment, for its on-going maintenance, would be required. This would need to be provided, in

advance of the development of the former bowling green site. At the time the Leisure Service confirmed that the proposed commuted payment was acceptable. Sport England does not object to the planning application.

With regards to maintenance costs, this is usually required when public open space is provided by a developer to ensure that landscaping schemes become established and plants that die are replaced. That is not the case here and Leisure Services has not requested a payment for maintenance. The bowling green is clearly already well maintained under existing arrangements with the bowling club and as such in accordance with the above policy there is no justification for additional monies for the ongoing maintenance of the bowling green. The proposal is broadly in accord with criterion iv of policy RT.1, which states that *'The playing field or open space which would be lost as a result of the development would be replaced by a playing field or open space of equivalent or greater quality in a suitable location and subject to equivalent or better management arrangements prior to the commencement of development'*. Barony Park represents the most logical course of action to utilise the commuted sum payment to make improvements to that existing green.

### **Impact on Listed Building/Conservation Area/Design**

It is appropriate that these issues are considered as a whole as they are interwoven as issues within the context of these proposals. The initially submitted proposals have shown 7 three storey houses in a mews setting. It was considered by Officers that this was not the most appropriate design solution given the sensitivity of the proximity of the listed building and the Conservation area context. Thus discussions have taken place with the applicants and an amended scheme has been submitted to address officer concerns. The revised scheme is positioned to show a uniform building line fronting onto waterlode. Three conjoined three storey house would be in the centre in the form of a traditional "Gentleman's Residence" akin to the Lisperd Building. Two pairs of conjoined two storey houses would sit subserviently to each side to almost replicate staff quarters from a period development. This has the added advantage of creating vistas into the Conservation Area and maintaining uninterrupted views of the listed building. The historic roofscape of three storey buildings and chimneys rising up to the centre of town and the conservation area would be complemented. This design solution has the support of the Design & Conservation officer. Accordingly the scheme now accords with BE1, 2, 7 and 9 of the Local Plan and is considered to be acceptable.

### **Amenity**

The nearest residential properties which may be affected by the proposed development are located on Mill Street. These properties share a common boundary with the application site. The properties on Mill Street front directly on to it and are primarily two storey terraced houses some of which incorporate single storey outriggers. The concerns that were expressed by residents in terms of height and visual impact have been noted by the applicants and accordingly elements of the proposals have been reduced to two storeys.

The EHO has raised concerns due to the proximity of the garden/drinking area of the hotel (Listed Building) and the proposed new houses; particularly those that are to the north of the site as the beer garden would sit a bedroom level as the land rises. This is a concern that must be weighed in the planning balance. However, perhaps the crucial point here is that the prospective occupants of those houses would be aware of the situation prior to occupation and this is a town centre, not a suburban, location whereby a mix of uses will sit together side by side. In this context, in planning terms the proposal is considered to be on balance

acceptable in amenity terms. It is not considered that the concerns of the EHO could justify withholding planning permission. To warrant a refusal of permission, the issue would have to significantly and demonstrably outweigh the benefits of granting planning permission of the new housing scheme.

## **Highways**

The proposed access to Waterlode broadly replicates the position and design of the formally approved access to the extended hotel and car park. In this context this proposal also represents a less intensive use than the hotel extension scheme and thus in planning terms would appear to be acceptable. The Highways Officer has been re-consulted and the comments will be reported as an update to the meeting.

## **Archaeology**

The site of the proposed development lies within Nantwich's Area of Archaeological Potential, as defined in the local plan of the former Crewe and Nantwich Borough Council. This reflects its position within the core of the historic town, which is characterised by the presence of deep, well-preserved, organic deposits. Recent excavations in the town have demonstrated the quality of the archaeological deposits with traces of timber buildings and other features preserved within the waterlogged strata.

In view of the above, it was recommended that an earlier proposal (Refs 11/1536N and 1537N) should be subject to a programme of pre-determination field evaluation in order to establish the precise nature of the archaeological deposits present on the site and the need, if any, for further archaeological work. The trenching demonstrated that although archaeological deposits were present on the site, they were not significant enough to generate an objection to the development or to require either preservation *in situ* or a formal programme of open-area excavation.

It was advised, however, that relevant aspects of the development should be subject to archaeological monitoring, in order to identify any archaeological deposits exposed by the works. Relevant works may be defined as any generalised site clearance or ground reduction, and the excavation of foundation trenches and major services. It is, of course, possible that ground conditions will require the use of piled foundations, in which case ground reduction in order to accommodate floor slabs, sub-base, and (potentially) pile caps will be required. A report will also be required and a condition is thus proposed.

## **Other Material Considerations**

Response to Objections/Comments of Civic Society: The proposed development has been revised to partially reduce height to negate the impact on the listed building and the Conservation Area.

## **Planning Balance**

The proposal will result in the loss of a bowling green which is protected under policy RT.1 and as there is no requirement for an additional green due to potential users and lack of funding for maintenance it is considered that the commuted sum payment for improvements to existing facilities at the Barony are acceptable within the planning balance; as is potential amenity issues to future occupiers of the scheme due to the Town Centre location. Furthermore, the proposal will not have a detrimental impact on any archaeological remains. The proposal is acceptable in terms of its impact on Residential Amenity, Conservation Area,

the setting of a Listed Building and Highway Safety and it therefore complies with Local Plan Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.7 (Conservation Areas), BE.9 (Listed Buildings: Alterations and Extensions), BE16 (Development and Archaeology), TRAN.3 (Pedestrians), TRAN.9 (Car Parking Standards), RT.1 (Protection of Open Spaces with Recreational or Amenity Value) and the NPPF. Therefore, in the absence of any other material planning considerations and having due regard to all the matters raised, the proposal is considered to be acceptable and accordingly recommended for approval.

**RECOMMENDATION: Approve subject to completion of Section 106 Legal Agreement to secure the provision of Commuted Sum Payment of £62550 to comply with RT.1**

And the following conditions:

- Standard Time Limit
- Plan References
- Materials
- Surfacing Materials
- Archaeology
- Hours of Delivery
- Pile Driving
- Window/Door Details
- Details of Boundary Wall
- Reveal Details
- Visibility Splays
- Car Parking
- Contaminated Land Report
- Access Details
- Footpath Details
- Rainwater Goods

**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 Principal Planning Manager 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.**

**Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.**



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