

Application No: 14/4165N

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

Proposal: Erection of 14 no. semi detached houses and ancilliary works

Applicant: Renew Land Developments Ltd

Expiry Date: 02-Dec-2014

SUMMARY:

Taking account of Paragraphs 49 and 14 of the NPPF there is a presumption in favour of the development provided that it represents sustainable development unless there are any adverse impacts that *significantly and demonstrably* outweigh the benefits.

The proposal is in within the Settlement Boundary for Crewe, and an established residential area, and is in accordance with development plan policy RES.2 (Unallocated Housing Sites), therefore there is a presumption in favour of development.

The proposal would have some economic benefits in terms of jobs in construction, spending within the construction industry supply chain and spending by future residents in local shops.

SUMMARY RECOMMENDATION:

Approved with conditions

PROPOSAL:

The proposed development is for the demolition of the existing building and the construction of fourteen, three bedroom two storey semi-detached dwellings with associated ancillary works.

The proposed dwellings will have a height of approximately 8.8 metres and cover an area of approximately 53sq metres. Seven of the proposed properties will have attached garages and one parking space with the other seven having two off road parking spaces.

The site will be accessed via the existing access from Manor Way.

SITE DESCRIPTION:

The application site covers 0.39ha and is found along Manor Way towards the south of the Crewe Settlement Boundary. The site is bound on all sides with existing residential development, to the east and west are the relatively long rear gardens of the dwellings along Manor Way which either side of the proposed access to the development.

The site is currently occupied by a two storey former nursing home.

RELEVANT HISTORY:

12/4007N – demolition of existing building and erection of a 72 bed 2/3 storey care home – refused 2012

7/19517 – Continued use as a residential care home (C2) – approved 1991

7/07632 – Home for Elderly Persons – approved 1981

7/08440 – Elderly Persons Home and 2 staff houses – approved 1981

NATIONAL & LOCAL POLICY

National Policy:

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

Of particular relevance are paragraphs:

14 and 49

Development Plan:

The Development Plan for this area is the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The relevant Saved Policies are: -

RES.2 – Unallocated Housing Sites

BE.1 – Amenity

BE.2 – Design

BE.3 – Access and Parking

BE.4 – Drainage, Utilities and Resources

BE.5 – Infrastructure

BE.6 – Development on Potentially Contaminated Land

NE.9 – Protected Species

NE.17 – Pollution Control

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:

MP.1 – Presumption in Favour of Sustainable Development

PG.2 – Settlement Hierarchy

SD.1 Sustainable Development in Cheshire East

SD.2 Sustainable Development Principles

SE.1 Design

Supplementary Planning Documents:

Interim Planning Statement: Affordable Housing (Feb 2011)

North West Sustainability Checklist

Supplementary Planning Document – Development on Backland and Gardens

CONSULTATIONS:

Highways:

No objections subject to conditions relating to access works to be completed prior to occupation, parking provided as shown on plan 1983-110-P2 and provision of refuse bin storage area.

Environmental Health:

No objections with recommended conditions/informatives relating to hours of pile driving, hours of construction, dust control and contaminated land.

Housing:

No objection.

As this site is for less than 15 units and is less than 0.4 hectares in size there is no requirement for affordable housing to be provided.

United Utilities:

No objections subject conditions relating to foul and surface water.

Crewe Town Council:

No objection subject to neighbour's comments, and subject to a condition requiring that the landing window to plot 5 is obscure glazed and non-opening for the privacy of plot 3. If any s106 contribution is available traffic calming measures on Manor Way should be a priority.

REPRESENTATIONS:

Neighbour notification letters were sent to all adjoining occupants and a site notice erected.

One letter has been received objecting on the following grounds:

- Over intensive development resulting in loss of open space and environmental resources
- Visual intrusion, extra noise and disturbance to dwellings on Manor Way
- Increase traffic
- Prejudice the safe movement of traffic
- Adverse effect on streetscene
- Does not respect the pattern character and form of the surroundings
- Proposal reduces public views and vistas
- Proposal lacks any innovative energy efficiency features
- Unsafe vehicular access due to volume of traffic using it
- Proposal will create problems with on street parking

APPRAISAL:

Principle of Development

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 all sides and was last used as a care home, however now lies redundant. Furthermore the proposal would assist with the Councils 5 year housing land supply. The proposal is therefore considered to be acceptable in principle.

Affordable Housing

As stated in the consultation response from the Housing Officer, the site is for less than 15 units and is less than 0.4 hectares in size there is no requirement for affordable housing to be provided.

Amenity

In terms of the amenity of neighbouring dwellings, the two dwellings (131 and 127 Manor Way) that sit either side of plots 1, 2, 3 and 4 to the entrance to the site are free of principal windows to the first floor side elevations facing the application site. Furthermore, the proposed dwelling will not have principal windows in their side elevations. Number 131 Manor Way will be screened by the proposed boundary fence.

The proposed dwellings of plots 3 and 4 will project approximately two metres beyond the rear elevation of the existing 131 Manor Way. However, given the distance in between there will not be a breach of the 45 degree code when applied to the rear principal windows of this neighbouring dwelling.

To the east side of the site entrance the proposed dwellings of plots 1 and 2 are set back from the side elevation of the existing dwelling at 125 Manor Way.

Therefore, it is not considered that there will be a significantly detrimental effect upon the existing dwellings along Manor Way from this perspective.

To the north of the application site lies the residential development of Salisbury Close which is a mixture of townhouse and mews style dwellings, some of which face onto the proposed development. The closest of these dwellings sits at a distance of 21 metres from the rear elevation of the closest of the proposed dwellings. This meets the minimum separation distance of 21 metres as set out in the SPD.

To the north east of the site are the dwellings of Salisbury Avenue. These dwellings sit approximately 35 metres away at the closest point.

Directly to the east and west of the application site are the rear gardens of the neighbouring dwellings along Manor Way. There will not be an amenity issue from the siting of the proposed dwelling.

The proposed dwellings to the frontage of Manor Way will face the existing properties on the opposite side of Manor Way at a distance of 27 metres. This is also in excess of the recommended separation distance.

The obscure glazing of the landing window to the dwelling of plot five is not considered to be necessary as this is a secondary window and does not serve a habitable room.

Given all of the above, overall it is not considered that the proposed development will have a significantly detrimental effect upon the residential amenity of the surrounding existing dwellings.

Design

Policy BE.2 (Design) states that proposed development should respect the pattern character and form of the surroundings and not adversely affect the streetscene by reason of scale, height, proportions or materials used.

The proposed development will have a direct relationship and be viewed in context with the existing dwellings along Manor Way, which are predominantly two storey semi-detached dwellings. The proposed dwellings are all two storey semi-detached dwellings and are of a traditional appearance and similar in size and scale to those found along Manor Way. The materials to be used can be secured by condition to ensure that they are acceptable and sympathetic to those used in the existing dwellings.

Therefore, given the surrounding properties the design and appearance of the proposed dwellings, as conditioned, is considered to be acceptable in terms of the relationship with the surrounding dwellings.

Highways

The existing access will be utilised for the proposed development. Each dwelling will have two off road parking spaces.

The Strategic Highways and Transport Manager has considered the submitted information relating the highways aspects of this application and offers no objections subject to conditions requiring:

- The access point to be construction to the satisfaction of the LPA and SHTM prior to the occupation of the proposed dwellings
- As a minimum, parking should be provided to the quantum shown in drawing number 1983-110-P2
- An area for refuse collection to be provided at the boundary of each property to prevent the highway from being cluttered on refuse collection days.

From the consultation response received the Strategic Highways and Transport Manager does not consider that the proposed development will have a detrimental effect upon the safety of the surrounding highways.

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.

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 given that the development is for the demolition of a disused building the applicant has submitted a protected species survey with the application. A protected species survey has been received and the Council's ecologist has stated that the bat survey was undertaken by suitably qualified surveyors and considering the relatively limited opportunities available for roosting bats, the Council's Ecologist is satisfied that an acceptable level of survey has been completed. Limited evidence of roosting bats was recorded and the Council's ecologist advises that protected species do not present a constraint on the proposed development. The proposal is therefore considered to be in accordance with policies NE.5 and NE.9, the National Planning Policy Framework.

Evidence of bat activity in the form of a minor roost of a relatively common species has been recorded within the existing buildings. The usage of the building by bats is likely to be limited to single-small of animals using the buildings for relatively short periods of time during the year and there is no evidence to suggest a significant maternity roost is present. The loss of the buildings on this site in the absence of mitigation is likely to have a low impact upon on bats at the local level and a low impact upon the conservation status of the species as a whole.

The submitted report recommends the installation of bat boxes on the nearby trees and on the proposed development as a means of compensating for the loss of the roost and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed. This can also be conditioned.

It is also recommended that the number of additional trees to be planted be increased to provide further foraging opportunities for bats on the site. This can be secured via condition.

For the protection of breeding birds a standard condition will be attached to any permission requiring a nesting bird survey to be carried out should any vegetation be removed between 1st March and 31st August.

Response to Objections

The representations of the members of the public have been given careful consideration in the assessment of this application and the issues raised are addressed within the individual sections of the report. However the disbenefits of the development identified by the objectors are not considered to significantly and demonstrably outweigh the benefits provided by the development.

The issue of securing a Section 106 contribution is not a reasonable or relevant part of this application.

PLANNING BALANCE

It is considered that there are no significant negative effects of the proposed development that would outweigh the potential benefits. Therefore, it is considered that the application should be approved subject to the imposition of appropriate conditions.

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Environmental Sustainability

The application site is previously developed land and is, therefore, classed as brownfield and is therefore a priority for development.

The existing boundary vegetation to the site will be retained and supplemented; this can be secured by condition.

Social Sustainability

The proposal will provide dwellings on a brownfield site within an existing residential area. The proposed properties will be of a similar size and design to the existing along Manor Way.

The site is within walking distance of a range of shops and services along Nantwich Road as well as schools and a college.

Economic Sustainability

In addition, the proposed development will help to maintain a flexible and responsive supply of land for housing, business and community uses 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.

RECOMMENDATION

Approve subject to the following conditions:

- 1. Standard three year time limit**
- 2. Approved plans**
- 3. External materials to be submitted**
- 4. Surfacing materials to be submitted**
- 5. Scheme of landscaping to be submitted**
- 6. Boundary treatment as shown on plan 1983-110**
- 7. Prior to occupation access to the satisfaction of the SHTM and the LPA**
- 8. Recommended bat mitigation measures to be implemented**
- 9. Bird survey between 1st March and 31st August**
- 10. PD rights removed**
- 11. Pile driving Method Statement**
- 12. Dust control**
- 13. Contaminated land**
- 14. Drainage scheme**

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