

Application No: 14/5801N

Location: WORKING MENS CLUB BUNGALOW, HALL O SHAW STREET,
CREWE, CW1 4AD

Proposal: Outline Application for Demolition of dwelling and erection of 9no.
dwellings

Applicant: K Kelly

Expiry Date: 27-Mar-2015

SUMMARY

The application site lies within the Crewe settlement boundary where Policy RES.4 of the Local Plan advises that new residential development in principle is accepted. The site also falls on a parcel of Protected Open Space. A needs assessment has clarified that there is no longer the need for this bowling green and a financial contribution has been offered to offset the loss.

The proposal would bring positive planning benefits such as the provision of new dwellings in a sustainable location and the usual economic benefits created in the construction of new dwellings and the spending of the future occupiers in the local area. Furthermore, a now untidy site would be cleared up.

No highway safety, amenity, design, drainage or flooding concerns would be created.

The dis-benefits of the scheme would be the loss of the bowling green.

In this instance, given the outcome of the needs assessment demonstrating that there is no longer the need and the financial contribution to offset the loss, it is considered that the benefits of the scheme outweigh the dis-benefits.

As such, the proposed application is recommended for approval.

RECOMMENDATION

APPROVE subject to S106 Agreement to secure off-site public open space contribution, a private highway's management plan and conditions

PROPOSAL

Outline Planning Permission is sought for the erection of 9 dwellings and the demolition of a bungalow.

The application seeks outline planning permission and permission for; Access, Layout, Appearance and Scale.

The only other matter not sought for consideration as part of this application is; Landscaping.

SITE DESCRIPTION

This application site relates to a former bowling green, located to the rear of Hall O Shaw Street, Crewe, within the Crewe Settlement Boundary.

The site is enclosed by residential development on all 4 sides. It is currently overgrown and has been subject to extensive fly tipping. The application site is an area of Protected Open Space as designated by the Borough of Crewe and Nantwich Adopted Local Plan 2011.

RELEVANT HISTORY

14/0540N - Demolition of existing dwelling and erection of 3 detached dwellings – Refused 29th April 2014

10/4489N - Development of Land at Hall O'Shaw Street to Provide 14 Dwellings of Mixed Type – Refused 3rd February 2011

P08/1290 - Demolition of Existing Club Premises and Redevelopment of Site to Provide Five Two Storey Dwellings – Approved 13th January 2009

P08/0179 - Twelve Dwellings with Associated Parking and Improvements to Railway View Properties Phase 1 – Refused 2nd May 2008

P07/0752 - Two Smoking Shelters – Approved 19th July 2007

7/05977 - Additional toilet facilities – Approved 11th October 1979

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14 - Presumption in favour of sustainable development; 17 – Core planning principles, 47-50 - Wide choice of quality homes and 56-68 - Requiring good design

Development Plan

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

The relevant Saved Policies are;

RES.2 - Unallocated Housing Sites, RES.3 - Housing Densities, RT.1 - Protection of Open Spaces with Recreational or Amenity Value, BE.1 – Amenity, BE.2 - Design Standards, BE.3 - Access and

Parking, BE.4 - Drainage, Utilities and Resources, BE.5 – Infrastructure and BE.6 - Development on Potentially Contaminated Land

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles), SE1 (Design), SE2 (Efficient Use of Land), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland), IN1 (Infrastructure) and IN2 (Developer Contributions)

CONSULTATIONS

Head of Strategic Infrastructure (HSI) – No objections, subject to a S106 Agreement to maintain the access road to a suitable standard and covenant that residents will never seek adoption of the access road

Environmental Protection (Cheshire East Council) – No objections, subject to a number of conditions including; hours of piling, the prior submission of a piling method statement, prior submission of lighting details, prior submission of a noise mitigation scheme, the prior submission of electric vehicle charging sockets, prior submission of a dust suppression scheme, the prior submission of a dust mitigation scheme, a contaminated land condition and a contaminated land and hours of construction informative

United Utilities – No objections, subject to a condition seeking the prior submission of a surface water drainage scheme, and a foul drainage scheme

Housing (Cheshire East Council) – No objections

Network Rail – No objections

Sport England – No objections

Crewe Town Council – No objections

REPRESENTATIONS

Letters were sent to the occupiers of the properties adjacent to the application site. In addition, a site notice was erected.

In response, 2 neighbouring letters of objection / concern have been received. The main areas of concern raised include;

- Design – General layout, over-development of site
- Amenity – Noise, light and air pollution
- Highway safety – Access arrangements

APPRAISAL

The key issues are:

- The principle of the development
- The acceptability of the design
- The impact upon amenity
- The impact upon highway safety
- The impact upon ecology
- The impact upon trees
- The impact upon drainage and flooding

Sustainability

The National Planning Policy Framework definition of sustainable development is:

“Sustainable means ensuring that better lives for ourselves don’t mean worse lives for future generations. Development means growth. We must accommodate the new ways by which we will earn our living in a competitive world. We must house a rising population, which is living longer and wants to make new choices. We must respond to the changes that new technologies offer us. Our lives, and the places in which we live them, can be better, but they will certainly be worse if things stagnate. Sustainable development is about change for the better, and not only in our built environment”

The NPPF determines that sustainable development includes three dimensions:- economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and support its health, social and cultural well-being;

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy

These roles should not be undertaken in isolation, because they are mutually dependent.

Economic and Social Role

Principle of Development

New Housing

Policy RES.2 of the Local Plan advises that within the settlement boundaries of Crewe and Nantwich, which are defined on the proposals map, the development or redevelopment of unallocated sites for housing will be permitted so long as it is in accordance with policies BE.1 to BE.5 of the Local Plan.

As such the principle of housing within Crewe is accepted, subject to its adherence with other relevant Local Plan Policies

Protection of Open Space

The application site where the 9 dwellings are proposed is protected under Policy RT.1 (Protection of Open Spaces with Recreational or Amenity Value) of the Borough of Crewe and Nantwich Replacement Local Plan. The lawful use of the site is as a Bowling Green although it is no longer used for such purposes and has fallen into disrepair.

The main issue in this case is whether the development is compliant with Policy RT.1. Policy RT.1 states *'Development will not be permitted which would result in the loss of open space (which includes school playing fields) shown on the proposals map, which has recreational or amenity value.'* It is stated that *'An exception may be made where:*

- 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; or:*
- The proposed development is ancillary to the principal use of the site as a playing field or open space and does not affect the quantity or quality of pitches or adversely affect their use.*
- The proposed development affects only land incapable of forming part of a playing pitch and does not result in the loss of or inability to make use of any playing pitch (including the maintenance of adequate safety margins), a reduction in the size of the playing area or any playing pitch, or the loss of any other sporting / ancillary facility on the site.*
- 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.*
- The proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or open space.'*

In response, the applicant has commissioned a 'Needs Assessment'. This assessment comprised of a questionnaire that was sent to all the bowling clubs in the area (Crewe, Haslington, Winsford, Congleton and Macclesfield). 20 responses were received and the summary of the findings included;

- Most Bowling Clubs reported static or decreasing membership
- Players spread themselves amongst available clubs
- The number of members in each club significantly over represents the total number of players in the district as members often play for more than 1 club
- Clubs appear to rely on attracting players who already play for another club rather than seeking new players – Some expressed concerns about losing members to a new club
- No clubs have a membership waiting list. Anyone interested in joining a club as a player can do so immediately

- There are not sufficient players for clubs to fulfil playing commitments
- Concerns were raised that a new club would mean the loss of further players from their club

It can be concluded from this assessment that there does not appear to be a future need for this bowling green in this district.

Sport England have raised no objections to the loss of this bowling green.

The second relevant aspect of Policy RT.1 is that development which would result in the loss of a playing field would be replaced by a playing field or open space of equivalent or greater quality in a sustainable location.

In response, the 'needs assessment' concluded that there was not the need to replace the existing bowling green due to the capacity of existing bowling greens and the general static / decline in membership of bowling clubs in the area. As such, the applicant proposes to provide a financial contribution to off-set the loss. More specifically, after conducting a viability appraisal the applicant proposes a contribution of £8,000.

It is proposed this contribution be used to upgrade the closest available public space / facilities to the existing bowling green in need of development or upgrade. The specifics of this shall be provided to members in the form of a written update.

This money would be secured via a S106 Agreement and would satisfy this aspect of Policy RT.1.

As a result of the above reasons, it is considered that the proposed development would adhere with Policy RT.1 of the Local Plan.

Other economic considerations

It is accepted that the construction of a small housing development of this size would bring the usual economic benefit to the closest shops in Crewe for the duration of the construction, and would potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain. There would be some economic and social benefit by virtue of new resident's spending money in the area and using local services.

As such, it is not considered that the proposed development would be economically sustainable.

Other social considerations

Residential Amenity

Policy BE.1 of the Local Plan advises that proposals for new development shall be permitted so long as the development does not prejudice the amenity of future occupiers or the occupiers of adjacent properties by reason of overshadowing, overlooking visual intrusion, noise and disturbance or in any other way.

With reference to the indicative layout plan, the closest residential properties to the proposed dwellings would be; No's 91a to 95a Hall O Shaw Street to the west, No's 1 to 19 Chestnut Grove to the north, No's 10 to 14 Railway View to the east and No's 1 to 27 Surrey Street to the south.

For the erection of new houses, the proposal would be expected to adhere to specified separation distances between the proposed new dwellings themselves and the surrounding properties.

The Council's '*Development on Back lands and Gardens Supplementary Planning Document*.' details these minimum standards. Paragraph 3.9 of the SPD advises that '*As a general indication, there should ideally be a distance of 21 metres between principal elevations* (e.g. between properties fronting and backing onto each other), *13.5 metres between a principal elevation with windows to habitable rooms and blank elevations* (e.g. the front and rear of dwellings and the side of other properties)...

The indicative layout plan shows that the erection of 9 dwellings within this plot would adhere with these standards in respect to all of the abovementioned properties. As such, it is not considered that the development would create any significant amenity concerns for these neighbours with regards to loss of privacy, light or visual intrusion.

The private garden space of the properties proposed would adhere with the 50 metres squared minimum standard detailed within the Development on Backlands and Gardens Supplementary Planning Document.

In terms of the impact of environmental disturbance, this is assessed by the Council's Environmental Protection Team who have raised no objections, subject to a number of conditions including; hours of piling, the prior submission of a piling method statement, prior submission of lighting details, prior submission of a noise mitigation scheme, the prior submission of electric vehicle charging sockets, prior submission of a dust suppression scheme, the prior submission of a dust mitigation scheme, a contaminated land condition and a contaminated land and hours of construction informative.

As a result, subject to the inclusion of the above conditions, it is considered that the proposal would adhere to Policy BE.1 of the Local Plan.

Environmental role

Design

Policy BE.2 of the Local Plan advises that new 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. Policies SD2 and SE1 of the emerging Cheshire East Local Plan Strategy – Submission Version largely support this local plan policy.

The application proposes to demolish an existing detached bungalow fronting Hall O Shaw Street and erect 9 terraced properties, in banks of 3, within the protected open space to the rear.

The indicative layout plan shows that the 9 dwellings would lie parallel with each other and be sited to the rear of the properties on Hall O Shaw Street.

The application site is enclosed on all 4 sides by terraced residential development of units with smaller footprints and garden spaces.

As such the provision of the proposed 9 dwellings within an area characterised by terraced properties with elongated narrow gardens would respect the prevailing character and appearance of the area.

Details of landscaping would be determined at a later date.

Highway Safety

The layout plan shows that the proposed development site would be accessed via an existing access point off Hall O Shaw Street.

A transport report commissioned by Highway Planning Services has been submitted in support of the application.

In response to this report and the proposed development, the Council's Strategic Highways Manager (SHM) has reviewed the proposed submission and advised that; sufficient parking is proposed (14 spaces), bin storage is provided in a suitable location for collection from the highway and the layout will allow emergency vehicles to adequately reach all properties.

The HSI has however advised that *'The proposed level of development exceeds that normally permitted off a private drive, which the access to the proposal will be as it does not meet adoptable standards. The developer has stated that he will enter into a Section 106 agreement to maintain the access road to a suitable standard and covenant that residents will never seek adoption of the access road (in its current form). If such an agreement is possible and legally binding it is recommended that it is sought from the developer.'*

The applicant has agreed to this legal agreement and this shall be secured via a S106 Agreement and it is therefore considered that the proposed development would adhere with Policy BE.3 of the Local Plan.

Nature Conservation / Ecology

The Council's Nature Conservation Officer has advised that he does not anticipate there being any significant ecological issues associated with the proposed development.

As such, it is considered that the proposed development would adhere with Policy NE.9 of the Local Plan and Policy SE3 of the emerging Cheshire East Local Plan Strategy – Submission Version.

Flood Risk and Drainage

The site does not lie within a flood zone and as such, flooding is not a primary consideration in this instance.

United Utilities (UU) were consulted with regards to drainage. UU have subsequently advised that they have no objections to the scheme, subject to a number of informatives. As such, subject to the implementation of these informatives, it is considered that the proposed development would adhere with Policy BE.4 of the Local Plan.

Landscape and Trees

There are no trees on site or within close proximity. Furthermore, Landscape is not sought for approval as part of this submission.

Environmental Conclusion

The proposed revised development would be of an acceptable design that would not create any significant issues in relation to highway safety, ecology, drainage / flooding or landscape and trees subject to conditions and a S106 legal agreement.

As such, it is considered that the proposed development would be environmentally neutral.

Other matters

The scale of the proposed development does not trigger the requirements for affordable housing, further open space provision or education provision.

Planning Balance

The application site lies within the Crewe settlement boundary where Policy RES.4 of the Local Plan advises that new residential development in principle is accepted.

The site also falls on a parcel of Protected Open Space. A needs assessment has clarified that there is no longer the need for this bowling green and a financial contribution has been offered to offset the loss.

The proposal would bring positive planning benefits such as the provision of new dwellings in a sustainable location and the usual economic benefits created in the construction of new dwellings and the spending of the future occupiers in the local area. Furthermore, a now untidy site would be cleared up.

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In this instance, given the outcome of the needs assessment demonstrating that there is no longer the need and the financial contribution to offset the loss, it is considered that the benefits of the scheme outweigh the dis-benefits.

As such, the proposed application is recommended for approval.

RECOMMENDATION

APPROVE subject to a S106 Agreement to secure;

- 1. £8,000 towards the upgrading of nearby Public Open Space / facilities**
- 2. Highway maintenance management plan**

And conditions;

- 1. Time – 3 years of within 2 of last Reserved Matter approval**
- 2. Reserved Matters within 3 years**
- 3. Landscaping Matters to be submitted and approved**
- 4. Plans**
- 5. Materials – Prior approval**
- 6. Hours of piling**
- 7. Prior approval of a piling method statement**
- 8. Prior approval of lighting details**
- 9. Prior approval of a noise mitigation scheme**
- 10. Prior approval of electric vehicle charging sockets**
- 11. Prior approval of a dust suppression scheme**
- 12. Prior approval of a dust mitigation scheme**
- 13. Prior approval of a Phase 1 contaminated land report**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Principal Planning Manager (Regulation) in consultation with the Chair (or in their absence the Vice Chair) of the Southern Planning Committee and Ward Member, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager (Regulation) in consultation with the Chairman of the Southern Planning Committee 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.

