

Application No: 16/2158N

Location: Valley House, 11, WALTHALL STREET, CREWE, CW2 7JZ

Proposal: Proposed construction of apartments

Applicant: Dr D Fyles

Expiry Date: 02-Aug-2016

Summary

The application site lies entirely within the Settlement Boundary of Crewe as determined by the Crewe and Nantwich Local Plan 2011.

The proposed development for a three and a half storey block of flats with 14 units including parking and amenity facilities is acceptable in principle and would not be detrimental to the character or appearance of the surrounding area, the amenity of the neighbouring properties, or highway safety. The development is therefore considered to comply with the relevant policies in the Local Plan and a recommendation of approval is made.

SUMMARY RECOMMENDATION

Approve subject to Conditions

DEFERRAL

The application was deferred by the Southern Planning Committee at the meeting on 31st August 2016 to allow for a site visit and for further information relating to the approved plans for the apartment block to the north. This is because conditions had not been complied with on this site.

A response to this is set out below:

- The bin store was removed and a new communal bin store is part of the proposed application servicing both sites and falling within the site edged in red. The size and capacity of the bin store has been confirmed as being adequate by ANSA waste services. The previous bin store for the existing apartments was removed due the old boundary wall falling down and becoming dangerous. The debris from the wall was cleaned up however no new bin store was erected due to the impending current proposal. This has unfortunately resulted in bins on wheels moving around the car park as there was nothing to fix them to. The managing agent currently attends site every week to ensure the site is

clean and tidy and the bins kept sensibly, and it is intended for the same managing agent to oversee both sites when complete.

- Cycle storage – a revised location for the cycle storage facility is proposed under the current application due to the removal of the crumbling, dividing boundary wall
- The electrical vehicle charging unit has now been fitted at the existing apartment block
- Landscaping – four shrubs have now been planted as part of the landscaping scheme at the existing apartment block

REASON FOR REFERRAL

This application is referred to the Southern Planning Committee in response to call in by Cllr Brookfield for the following reasons:

- Piecemeal development resulting in adverse impacts to the area from lack of contributions.
- The overdevelopment of the area;
- Parking provision – part of the occupied block would appear to have been allocated to the parking provision of the proposed block;
- The bin-storage provision for proposed and existing block for which it is proposed to be shared with;
- Location of amenity area and cycle storage in relation to site levels;
- The provision and implementation of soft and hard landscaping including boundary treatments;
- Scale and Height of the proposed block is not in keeping with the locality.

DESCRIPTION OF SITE AND CONTEXT

The application site is located to the western side of Walthall Street within the Crewe Settlement Boundary as defined by the Borough of Crewe and Nantwich Replacement Local Plan. The site comprises a brownfield site behind that of existing apartment block approved under allocation no. 13/5139N to the west of Walthall Street and adjacent to the Valley Brook. The site is mainly hard standing with some vegetation on the southern boundary with the brook. Levels fall from north to south and from east to west with the main body of the site at a lower level than Walthall Street. The area contains a mixture of residential and commercial properties.

DETAILS OF PROPOSAL

This is a full planning application for the erection of 14 apartments in one 3 and a half storey building. The apartments would comprise a 12 one and 2 two bed units.

The proposals incorporate and shared access, bin storage, parking and amenity with neighbouring apartment block.

The building would be of traditional construction with a brick and render finish with stone window headers and a pitched, tiled roof. Fourteen parking spaces are proposed to the side of the building in addition to a secure cycle storage facility to the rear. There would be an outdoor sitting area and bin storage which would be shared with existing block of apartments.

RELEVANT HISTORY

13/5139N – Construction of 12no. Apartments approved 13 February 2014

POLICIES

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, 47-50 - Wide choice of quality homes, 55 - Isolated dwellings in the countryside and 56-68 - Requiring good design

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
NE.17 – Pollution Control
NE.20 – Flood Prevention
RES.7 – Affordable Housing
RES.2 – Unallocated Housing Sites
RES.3 – Housing Densities
TRAN.9 – Car Parking Standards

Cheshire East Local Plan Strategy – Submission Version (CELP)

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

MP1 - Presumption in favour of sustainable development,
PG1 - Overall Development Strategy,
PG5 - Open Countryside,
PG6 - Spatial Distribution of Development,
SD1 - Sustainable Development in Cheshire East,
SD2 - Sustainable Development Principles,
IN1 – Infrastructure,
IN2 - Developer contributions,
SC4 - Residential Mix,
SC5 - Affordable Homes,
SE1 – Design,
SE2 - Efficient use of land,
SE3 - Biodiversity and geodiversity,
SE4 - The Landscape,
SE5 - Trees, Hedgerows and Woodland,
SE6 - Green Infrastructure,
SE9 - Energy Efficient Development,
SE12 - Pollution, Land contamination and land instability,

SE13 - Flood risk and water management,

CONSULTATIONS (External to Planning)

United Utilities: No response at the time of report writing

Drainage: No objection subject to informative

Education: No Objection

Strategic Highways Manager: No objection.

Environmental Health: No objection subject to conditions suggested in relation to dust mitigation scheme, piling works, contaminated land.

Environment Agency: No objection.

Greenspace: No Objection

Housing: No objection

Archaeology: No objection

Crewe Town Council: No objection raised – comments made relating to shared facilities with neighbouring development and attachment and enforcement of conditions for their implementation.

OTHER REPRESENTATIONS

Comments received from Cllr Brookfield raising concern on the following issues:

- parking provision;
- bin and cycle storage;
- provision of amenity space and;
- the scale of development on streetscene.

APPLICANT'S SUPPORTING INFORMATION

To support this application the application includes the following documents;

- Design and Access Statement
- Dust Control Scheme

These documents are available to view on the application file.

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;

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

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;

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

ENVIRONMENTAL ROLE

Principal of Development

The National Planning Policy Framework (NPPF) states at paragraph 47 that 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.

Policy change is constantly occurring with new advice, evidence and case law emerging all the time. However, the Council has a duty to consider applications on the basis of the information that is pertinent at any given time.

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.

The site is surrounded by residential and commercial properties and good access to services and facilities. Therefore it is considered that the principal of the development is acceptable and the development would be appropriate in this location.

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 building would be three / four stories in height (with use of roof space as third floor), have a maximum height of 11.8m, have a traditional brick and render finish, with a tiled roof. It is considered that the use of these materials and the set back location of the building off the main street frontage mean that it would be in keeping with the character and appearance of the area and nearby developments.

As has been demonstrated within submitted cross section dwg no. N/33/9/S, the proposed building would be no higher than the neighbouring apartments which front the highway to Walthall Street. It is therefore considered that the scale and height of the proposed building would be in keeping with adjacent development and built form and is considered acceptable in terms of design, scale and massing.

The proposal is therefore considered to be in compliance with Policy BE.2 (Design) of the adopted local plan.

Archaeology

The proposed development occupies part of the former site of the South Cheshire Brewery with potential for below ground remains, however ground works already undertaken on site in relation to another development would have likely compromised any remaining features. As such the Councils Archaeologist raises no objection to the proposals.

Trees and Landscape

The site comprises a brownfield site to the west of Walthall Street and adjacent to the tree lined Valley Brook. Recently constructed apartments stand to the east and there is ongoing building work to the north. The site is mainly hard standing with tree canopies dominating the southern section.

The site and the Valley Brook boundary in particular is an area in need of enhancement. Levels fall from north to south.

No detailed landscape proposals are provided within the application.

Consultation with the Councils Landscape Officer outlines that subject to the provision of adequate landscaping and boundary treatment, remedial works that there would not be any significant landscape concerns in respect of redevelopment of the site.

The application is supported by a revised site plan dwg no. N/33/12/S showing the general location of trees along the southern boundary of Valley Brook and protection measures in form of barrier. The Council's tree officer advises, subject to condition requiring implementation of the proposed mitigation measures, that there would likely be no harm to trees on or adjacent to the site.

It is therefore considered that subject to the submission of a comprehensive landscape, boundary treatment and remediation scheme and adherence with proposed tree protection measures that there would not be any significant landscape or trees impacts as a result of the proposals.

Highways Implications

The proposed shared parking facilities with adjacent apartment development provides for 26 parking spaces for 26 units across the two developments.

Consultation with the Strategic Infrastructure Manager confirmed that the parking provision whilst below the Councils Standards is considered adequate given the sustainability and car ownership levels of this location. Cycle parking provision is also adequate. It was also commented that having unallocated spaces would also increase the efficiency of the provision and also allow for visitor parking.

As such, subject to conditions requiring parking spaces to be unallocated and for full details of secure bike storage to be provided, it is considered that the proposal would not result in any adverse highways impacts and would provide adequate parking provision in accordance with Policies BE.3 and TRAN.9 of the adopted local plan.

Bin Storage

Comment has been received from Cllr Brookfield has raising concern as to the shared provision of bin storage for the proposed and existing flats.

The proposals show the provision of a fenced off area with provision for storage of eight 'euro' (1100L) bins, which is proposed to be shared with the two blocks of flats. Consultation with the Councils Waste Services has confirmed that this proposed provision for 26 units would be adequate, with five regular waste and three recycling 1100L bins.

It is considered that the new bin storage area, to be shared by both blocks of apartments will be acceptable for the new block but will also help to resolve issues that have occurred at the existing block. Therefore the proposal will lead to improvements in these terms.

Ecology

The site lies adjacent to Valley Brook which runs along its southern boundary of the site in addition there are also trees and features with potential to support protected species.

Consultation with the Council's Ecologist confirms that the proposals would present only a small risk to protected species and raises no objection to the proposal.

It is therefore considered that the proposals would not result in any significant harm to protected species and would accord with Policy NE.5 (Nature Conservation) of the adopted local plan.

Flood Risk/Drainage

The site lies adjacent to Valley Brook which runs along its southern boundary.

Consultation with the Council's Flood Risk Manager confirms that no objections are raised flood risk grounds.

In addition consultation with the Environment Agency does not raise any objection in principle to the proposals but does identify that the Valley Brook is classified as a main river, as stated 'Under the Environmental Permitting (England & Wales) Regulations 2010, a permit may be required from the Environment Agency for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the brook'.

Accordingly, it is considered that the proposals would not result in any significant impacts to drainage or flood risks and as such would accord with Policy BE.4 of the adopted local plan.

Environmental Role Conclusion

Subject to appropriate conditions the proposed development would not create any significant tree, design, land stability or highway safety issues. It is considered that the proposal's impact upon the streetscene and the amenity of neighbours in general would be acceptable. On this basis, the proposal can be considered to be environmentally sustainable.

ECONOMIC ROLE

It is accepted that the construction of 14 apartments would bring the economic benefit to the closest shops in centre of Crewe both in the short term for the duration of the construction and the long term by bringing additional residential use in close proximity to Crewe town centre. The proposal would also potentially provide local employment opportunities in construction and the wider economic benefits to the construction industry supply chain.

As such, it is considered that the proposed development would be economically sustainable.

SOCIAL ROLE

Concern has been raised about piecemeal development of this site and surrounding sites hindering the area and preventing planning gains normally seen within larger developments. Each application has to be treated on its own merits and there is no policy framework that allows for retrospective consideration of financial contribution requirement thresholds. It is also noted that the two other

developments previously developed, have different applicants and landowners. Accordingly, this is reflected in the Housing, Education and Open Space assessments below.

Housing

The proposed development would provide open market housing within the established settlement boundary of Crewe which is a social benefit.

With regards the provision of affordable housing, the Interim Planning Statement: Affordable Housing states in section 3.2 that there is a requirement for affordable housing to be provided in settlements with a population of over 3,000 on any windfall sites with more than 15 dwellings or that exceed 0.4ha.

Consultation with the councils Housing Strategy raised no objection to the proposals and confirmed that as the proposal is for 14 apartments and the site is 0.13 hectares in size that there is no requirement for the provision of affordable housing

Education

The proposals are for apartment for 12 one bed and 2 two bed units

Consultation with the Councils Education Department confirmed that they would not require a contribution for the proposals. In addition it is noted that the proposals would provide 2 x two bed units with the potential to house families, and as such have only very limited to no impact on education services.

Open Space

The Councils Green Space Manager has confirmed that they would not require a contribution for the proposals, due to the scale of development.

Amenity

There are residential properties to the east and north of the proposed building. Located to the north of the proposed building is a site with permission for a block of apartments which would have an elevated rear elevation facing the development with a separation of approximately 21m. Due to the set down in levels and location of facing windows is considered any loss of amenity in respect this development would be considered acceptable.

The property to the North West of the site (9 Walthall Street) would lie at right angles to the proposed apartments and as such would not be directly overlooked.

The property to the east is an apartment block with facing side elevation containing principal bedroom windows, approximately 14 metres from nearest elevation of the proposed. Whilst this is not within the recommended spacing standards for principal windows outlined within the Crewe and Nantwich SPD, it is considered that the windows would not oppose each other and as such create any direct views. On this basis it is considered that the impact upon residential amenity is acceptable in this case.

Environmental Protection have recommended conditions relating to piling, dust management and contaminated land including standard reporting condition and gas protection measures. Following this consultation response the applicant has provided a Dust Management Scheme which is deemed to be adequate. It is considered that subject to conditions for the implementation of the submitted dust scheme and piling that there would be no significant amenity impacts as a result of environmental health.

With regards the residential amenity of future residents, the proposals show the provision of a shared outdoor seating area, in addition the site is located nearby to public open space facilities in the form of 'Valley Park'.

Subject to conditions the proposals would not result any significant loss of residential amenity of neighbouring properties and would provide adequate amenity provision for future residents, and accords with Policy BE.1 (Amenity) of the Local Plan.

As such it is considered that the development would be socially sustainable.

PLANNING BALANCE

The site is within the Crewe Settlement Boundary and the principle of residential development is considered to be acceptable and the development would be appropriate in this location.

From an economic sustainability perspective, the scheme will assist in the local building business and bring economic benefits to Crewe town centre from additional residential uses.

From an environmental and social perspective the proposal is considered to be acceptable in the impact upon local amenities, parking, highway safety, bin storage provision, and traffic generation terms. Nor would it have any impact upon archaeological interests and would be of an acceptable design that would have a minimal impact upon the amenities of neighbouring properties or future residents.

The proposals are considered to be a sustainable form of development which 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.

RECOMMENDATIONS

APPROVE subject to the following conditions:

And the following conditions:

- 1. Standard time 3 years**
- 2. Approved Plans**
- 3. Pile driving limited to 08:30 to 17:30 Monday to Friday, 09:00 – 13:00 Saturday and not at all on Sundays**
- 4. Submission and approval of details of materials**
- 5. Landscaping details including boundary treatment of car parking area to be submitted and approved**

- 6. Implementation of landscaping**
- 7. Implementation of tree protection measures**
- 8. Gas Protection Measures**
- 9. Standard Contaminated Land Condition**
- 10. Construction Management Plan**
- 11. Parking to be provided prior to occupation**
- 12. Bins shall be only be stored within “Bin Store Area” except on collection day**
- 13. Parking spaces shall be provided prior to 1st occupation and retained thereafter**
- 14. Provision of an electric vehicle charging point**

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 Planning and Place Shaping 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.

