

Application No: 16/4784N

Location: Land to the rear of, Valley House, 11, Walthall Street, Crewe, Cheshire, CW2 7JZ

Proposal: Resubmission of proposed construction of apartments and associated parking, bin storage, cycle storage and access arrangements.

Applicant: D Fyles

Expiry Date: 30-Dec-2016

### **Summary**

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.

Amendments have been made to address the concerns of Members of the Southern Planning Committee identified in the reason for refusal on the previous application.

Therefore there is a presumption in favour of the development and accordingly it is recommended for approval.

**RECOMMENDATION:**  
**Approve subject to Conditions**

## **REASON FOR REFERRAL**

A previous application was refused by Southern Planning Committee on the following grounds:

- 1. The proposals are of a layout and design which would represent an overdevelopment of the site, and fail to achieve a high standard of design or acceptable level of amenity for existing and future occupants of the scheme, including the provision of inadequate outdoor amenity space and habitable rooms within apartments within the roof space only served by roof lights. The proposals are therefore in conflict with the provisions of Policies BE.1 and BE.2 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.*

## **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 12 apartments in one 3 storey building. The apartments would comprise 12 one 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. Twelve parking spaces are proposed within the site in addition to a secure cycle storage facility. There would be an outdoor sitting area and enclosed bin storage which would be shared with existing block of apartments.

## **RELEVANT HISTORY**

16/2158N – Proposed construction of 14 apartments – Refused 30<sup>th</sup> September 2016

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 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 Proposed Changes (Consultation Draft) March 2016 (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 objection subject to conditions.

**Flood Risk Manager:** None received at the time of report writing; however there were no objections to the previous application.

**Education:** None received at the time of report writing; however there was no objection or requirement for a contribution on the previous application.

**Highways:** No objection.

**Environmental Health:** No objection subject to conditions/informatives relating to piling, hours of construction, contaminated land and air quality.

**Environment Agency:** None received at the time of report writing; however there was no objection to the previous application.

**Housing:** No objection

**Archaeology:** No objection

**Crewe Town Council:** *“The Town Council has no objection to this application and welcomes the inclusion of an amenity area, covered bin store and improved car parking ratio. If this application is to be approved, strict conditions must be applied and enforced to ensure that it is satisfactorily completed in accordance with the approved plans.”*

## **OTHER REPRESENTATIONS**

None received at the time of report writing.

## **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 applicant has reduced the amount of units, to reduce the height of the building and reconfigured the outside space to ensure adequate amenity, parking, cycle storage and bin storage.

The site is surrounded by residential and commercial properties and good access to services and facilities. Therefore it is considered that the principle 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 storeys in height, 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/re sub, 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.

## **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.

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 showing the general location of trees along the southern boundary of Valley Brook and protection measures in form of barrier. Subject to a condition requiring implementation of the proposed mitigation measures, 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 24 parking spaces for 24 units across the two developments.

Consultation with the Head of Strategic Infrastructure 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 and white lining would also increase the efficiency of the provision and also allow for visitor parking, reducing the likelihood of on-street parking.

As such, subject to conditions requiring provision of the parking and cycle storage, 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**

The proposals show the provision of an enclosed building, with provision for storage 'euro' (1100L) bins, which is proposed to be shared with the two blocks of flats. Consultation with the Councils Waste Services has confirmed that the provision of bins for the site would be adequate. In addition, there is space for further provision within the building should there prove to be additional need in the future.

It is considered that the new bin storage building, 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 12 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 previously 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 units

Previous consultation with the Councils Education Department on the 14 unit scheme, confirmed that they would not require a contribution for the proposals.

### **Open Space**



On the previous scheme the Council's Green Space Manager 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 it 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.

Members in refusing the previous scheme had concerns about the living conditions of occupiers of the 2 bed units within the roof space, especially being served by just rooflights. These units have now been removed in order to address these concerns.

With regards the residential amenity of future residents, the proposals show the provision of a re-configured shared outdoor seating area giving more space for residents to address the previous concerns of Members. 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.

Amendments have been made to address the concerns of Members of the Southern Planning Committee identified in the reason for refusal on the previous application.

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 1<sup>st</sup> 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.

