

Application No: 17/0283N

Location: Car Park, BROWNING STREET, CREWE, CW1 3BB

Proposal: Redevelopment for 8 dwellings and associated infrastructure, plus remodelling of remaining car park.

Applicant: A Frost, Engine of the North

Expiry Date: 29-Mar-2017

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.

The provision of new homes is supported within Strategic Location SL1 (Central Crewe) of the Cheshire East Local Plan Strategy. Furthermore the Council is unable to demonstrate a 5 year housing land supply and this weighs in favour of the development.

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

From an environmental and social perspective the proposal is considered to be acceptable in the impact upon local amenities, highway safety, ecology, bin storage provision, and traffic generation terms. It would be of an acceptable design that would have a minimal impact upon the amenities of neighbouring properties or future residents.

Policy TRAN.8 and the loss of parking spaces need to be given 'due-weight'. This would be largely mitigated by the amendment to the Traffic Regulation Order on Richard Moon Street and is not considered to be determinative in this case. The limited loss of parking is outweighed by the benefits of this development including the provision of new homes which would assist with the 5 year housing land supply. Furthermore the development complies with Strategic Location SL1. As a result the development is considered to represent sustainable development and the application is recommended for approval.

RECOMMENDATION:

Approve subject to a S111 Agreement and the following conditions

DEFERRAL

The application was deferred by Southern Planning Committee on 29th March 2017 to allow for the consideration of Policy TRAN.8 within the officer report. This is set out in the Highways and Parking section of this report.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises an existing public car park situated to the south of Browning Street, Crewe.

It is a brownfield site, approximately 0.3 hectares in size on the north-west edge of Crewe town centre and is currently used as a free car park (76 spaces), owned and managed by Cheshire East Council.

The site is within the Crewe Settlement Boundary as defined by the Borough of Crewe and Nantwich Replacement Local Plan.

DETAILS OF PROPOSAL

This is a full planning application for the redevelopment of part of the car park, including the erection of 8 dwellings and associated infrastructure and the remodelling of the remaining car park.

The dwellings would be two-storey terraced properties with a block of 5 facing onto Richard Moon Street and a block of 3 facing onto Browning Street.

The existing car park provides 76 spaces and with the remodelling the car park would provide 61 spaces.

RELEVANT HISTORY

No relevant planning history relating to this site.

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
- 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.8 – Existing Car Parks
TRAN.9 – Car Parking Standards

Supplementary Planning Document – Development on Backland and Gardens

Cheshire East Local Plan Strategy

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,
SE9 - Energy Efficient Development,
SE12 - Pollution, Land contamination and land instability,
SE13 - Flood risk and water management,
Strategic Location SL 1 – Central Crewe

CONSULTATIONS (External to Planning)

United Utilities: No objection subject to conditions.

Highways: No objection.

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

Housing: No objection

Crewe Town Council: Object on the grounds of loss of parking.

OTHER REPRESENTATIONS

At the time of report writing 6 representations have been received relating to this application. These can be viewed in full on the Council website and express the following concerns:

- Loss of parking
- Congestion
- How the car park will be policed
- Noise and disturbance during development
- Yellow lines outside the existing houses should be removed
- Loss of disabled access

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 with very 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.

Within the Strategic Location identified as Central Crewe, Policy SL1 states that the Council will look to maximise opportunities for improvement and regeneration. The regeneration and development of Central Crewe over the Local Plan Strategy period will be achieved through amongst other things *‘The delivery of new homes (at approximately 40 dwellings per hectare, including both apartments and family homes)’* and *‘Appropriately sited, rationalised and improved car parking to support town centre uses and the local economy’*.

This Policy then goes on to state that *‘New buildings should be of a high design quality and respond to Crewe’s railway heritage and contemporary living. The new development should sensitively retain and incorporate any heritage buildings and/or structures within them’*.

Housing Land Supply

On 13 December 2016 Inspector Stephen Pratt published a note which sets out his views on the further modifications needed to the Cheshire East Local Plan Strategy. This note follows 6 weeks of Examination hearings concluding on 20 October 2016.

This note confirms that his previous endorsement for the core policies on the plan still stand and that *“no new evidence or information has been presented to the examination which is sufficient to outweigh or alter my initial conclusions”*. This signals his agreement with central issues such as the ‘Duty to Cooperate’, the overall development strategy, the scale of housing and employment land, green belt policy, settlement hierarchy and distribution of development.

The Inspector goes on to support the Council's approach to the allocation of development sites and of addressing housing supply. He commented that the Council:

“seems to have undertaken a comprehensive assessment of housing land supply, and established a realistic and deliverable means of meeting the objectively assessed housing need and addressing previous shortfalls in provision, including assessing the deliverability and viability of the proposed site allocations”

The Inspector went on to state that the development strategy for the main towns, villages and rural areas appeared to be “appropriate, justified, effective, deliverable and soundly based.” As a consequence there was no need to consider other possible development sites at this stage.

The Inspector's recommendations on Main Modifications mean that under paragraph 216 of the Framework the emerging policies of the Cheshire East Local Plan Strategy can be attributed a greater degree of weight – as the Plan as revised is at an enhanced stage, objections are substantially resolved and policies are compliant with National advice.

The Inspector's recommendations on housing land supply, his support for the Cheshire East approach to meeting past shortfalls (Sedgepool 8) indicate that a remedy is at hand to housing supply problems. The Council **still cannot demonstrate a 5 year supply of housing at this time** but it will be able to on the adoption of the Local Plan Strategy. This is highly relevant to the assessment of weight given to housing supply policies which are deemed out of date by the absence of a 5 year supply. Following the Court of Appeal decision on the *Richborough* case, the weight of an out of date policy is a matter for the decision maker and could be influenced by the extent of the shortfall, the action being taken to address it and the purpose of the particular policy. Given the solution to housing supply now at hand, correspondingly more weight can be attributed to these out of date policies.

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 proposed dwellings would be of a tradition terraced design in keeping with the local vernacular and the materials would be traditional brick and tile, which should be controlled by condition.

The proposals would also retain the existing build lines and would be no higher than existing properties.

Subject to the proposed conditions, the development is considered to be in compliance with Policy BE.2 (Design) of the adopted local plan.

Highways and Parking

The proposal is for 8 residential units within the Browning Street car park and a re-modelling of the remaining car park.

The northern access off Browning Street would be moved eastwards slightly and the southern access off Flag Lane would remain.

The existing car park has 76 parking spaces and the proposed 8 units will have 1 space each. There would be a loss of 15 spaces on the Browning Street carpark.

There will also be an additional demand for spaces from the approved apartments (The Limelight). Car ownership data for the area indicates this will be for around 10 to 15 spaces although this is likely to be less during the daytime when parking demand is at its peak.

A parking survey of the car park and of Browning Street was carried out which showed a combined spare capacity for approximately 15 vehicles.

It is likely there will be a displacement of vehicles from the Browning Street car park to other nearby car parks. Additional on-street parking capacity could be made available by amending a Traffic Regulation Order and removing some of the parking restrictions on Richard Moon Street on one side of the road between Flag Lane and Holt Street. This would create an additional day time parking capacity for approximately 10 cars.

Policy TRAN.8 states that:

“Proposals for new development involving the loss of existing car parks, as shown on the proposals map, will not be permitted unless the developer provides:

- *Improvements to public transport systems in order to serve the development; or*
- *As part of the scheme, a direct replacement for the number of car parking spaces lost.”*

It should be noted that this is a saved policy and should be afforded due weight.

Firstly, the proposal would not lead to the loss of the car park itself, just spaces within it. The proposed amendment to the Traffic Regulation Order would create additional day time parking capacity for approximately 10 cars which is considered to be satisfactory mitigation for the loss of parking spaces, by the Head of Strategic Infrastructure.

In addition many of the objections relate to the loss of parking for local residents, however free car parks such as this are in place to support the functions of the town centre and not to provide parking for residential properties that currently do not have any provision.

The Local Plan Strategy, Central Crewe is identified as a Strategic Location where the Council is looking to maximise opportunities for improvement and regeneration. This includes the delivery of new homes and the proposal is considered to be compliant with this.

Given this, and as the proposal is in a sustainable town centre location where there are a number of near-by car parks within a short walking distance this proposal is considered acceptable in highway safety and parking terms.

No objection is raised by the Head of Strategic Infrastructure subject to conditions and informatives set out at the end of this report.

Ecology

The application site is located within Natural England's SSSI impact risk zone for Sandbach Flashes. The proposed development is not however of a type that Natural England consider to pose a risk to the SSSI. No further action is therefore required in respect of designated sites.

If planning consent is granted conditions are required to safeguard nesting birds.

Environmental Role Conclusion

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

ECONOMIC ROLE

It is accepted that the construction of 8 dwellings would bring an economic benefit to shops in centre of Crewe both in the short term for the duration of the construction and the long term by bringing additional residents within 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

Housing

This scheme is a mix of market housing and Starter Homes. There is no planning requirement for affordable housing on this site as it will only provide 8 new residential units in total.

The Housing and Planning Act 2016 includes Starter Homes within the definition of affordable housing. The Government's recent White Paper on Planning and Housing specifies that amendments will be made to the NPPF to introduce Starter Homes into planning policy and to ensure they are restricted to first time buyers households earning less than £80,000. Discount on Starter Homes is a minimum of 20%.

The scheme will provide 4 houses for sale on the open market and 4 Starter Homes. There are currently over 1500 people on the Council's waiting list for Crewe, these applicants have applied for social rented housing but this is an indicator of the level of housing need in Crewe and a variety of tenures and type of accommodation is required to meet this need

Education

The proposals are for apartment for 8 dwellings which does not require a contribution towards education provision.

Amenity

Having regard to the five dwellings facing onto Richard Moon Street. The existing adjacent dwellings have no windows in the side elevation, meaning there would be no adverse impact on the privacy of or light to these dwelling.

Having regard to the impact on the neighbouring property on Browning Street, again there are no windows in the side elevation of this property and the side window on the proposed new dwellings would serve a bathroom and can therefore be obscure glazed. This can be secured by condition. The property on Browning Street is enclosed to the rear by a garage undertaking servicing and repairs in a building that backs onto the yard of this property. The proposed new dwellings would project further back than the rear elevation of this property. However the projection would not contravene the '45 degree rule' in terms of windows on the rear elevation of the property on Browning Street.

With regards the residential amenity of future residents, the proposals would provide a level of private amenity space commensurate with that of surrounding development. Occupiers would be able to sit out, hang washing and store bins and cycles. The SPD 'Development on Backland and Gardens' recommends an area of 50sqm of private amenity space to new dwellings and the proposed dwellings do not meet this requirement. However, given that there would be adequate space for general day-to-day household activities and that the proposed gardens would be of a very similar size to those existing in the vicinity, which is an area characterised by traditional terraced properties with small yard areas, this is considered to be acceptable.

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.

The provision of new homes is supported within Strategic Location SL1 (Central Crewe) of the Cheshire East Local Plan Strategy. Furthermore the Council is unable to demonstrate a 5 year housing land supply and this weighs in favour of the development.

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

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RECOMMENDATIONS

APPROVE subject to the completion of a Section 111 Agreement to secure a contribution of £4,000 for an amendment of the Traffic Regulation Order on Richard Moon Street

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 treatments**
6. **Implementation of landscaping**
7. **Standard Contaminated Land Condition**
8. **Construction Management Plan**
9. **Submission and approval of details of foul and surface water drainage**
10. **Submission and approval of existing and proposed levels**
11. **Parking spaces shall be provided prior to first occupation of the dwellings and retained thereafter**
12. **Provision of electric vehicle charging points to the dwellings**
13. **Protection of breeding birds**
14. **Provision of features suitable for breeding Swifts**
15. **Obscure glazing to first floor side windows.**

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 Head of Planning (Regulation) 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.

