

Planning Reference No:	10/1659N
Application Address:	Bombardier Transportation, West Street, Crewe, CW1 3JB
Proposal:	To Erect Two Storey 81 Bed Care Home (Class C2: Residential Institution) following Site Removal of an Existing Car Park.
Applicant:	Keenrick Care Homes & Seddon
Application Type:	Full Planning Permission
Grid Reference:	369453 356042
Ward:	Crewe North
Consultation Expiry Date:	16 th June 2010
Date for determination:	4 th August 2010

SUMMARY RECOMMENDATION

Approve subject to conditions and completion of Section 106 Agreement.

MAIN ISSUES

- Principle of Development
- Affordable Housing
- Amenity
- Design and Built Environment
- Drainage and Flood Risk
- Highways
- Section 106

1. REFERRAL

The application was originally referred to planning committee because it is over 1000sq.m in Floor Area and is therefore a major development. It was deferred at the Committee meeting on 21st July 2010 to enable issues relating to outstanding highway matters (i.e. accurate information about bus services serving the site, the provision of bus stops/bus shelters and the provision of a pelican crossing) to be resolved.

2. SITE DESCRIPTION

The application relates to part of the existing Bombardier Railway Maintenance Facility at Dunwoody Way in Crewe. The area is currently utilised as a large surface car park. The surrounding development comprises the railway works to the south and west, and residential and retail development to the north and east.

3. DETAILS OF PROPOSAL

Planning permission is sought for the erection of an 81 bed care home. The building would be 2 storeys in height, located at the eastern end of the site and arranged around a central courtyard garden, with parking, servicing and further garden areas to the western end of the site

4. RELEVANT PLANNING HISTORY

P06/0754 – Outline application for Mixed Use Redevelopment including the Retention of Existing Offices, Residential Development and Employment Development for B1/B2/B8 Uses with Associated Highway Works and Landscaping. Withdrawn 4th September 2006

P07/0173 Mixed Use Redevelopment Including the Retention of Existing Offices, Residential Development and Employment Development for B1, B2, B8 Uses with Associated Highway Works and Landscaping - Withdrawn

5. PLANNING POLICIES

National Policy

PPS 1: Delivering Sustainable Development

PPS 3: Housing

Local Plan Policy

Built Environment Policies

- 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)

Employment Policies

- E.4 (Development on Existing Employment Areas)
- E.7 (Existing Employment Sites)

Housing Policies

- RES.2 (Unallocated Housing Sites)
- RES.3 (Housing Densities)
- RES.7 (Affordable Housing within the Settlement Boundaries of Crewe, Nantwich and the Villages Listed in Policy RES.4)

Transport Policies

- TRAN.3 (Pedestrians)
- TRAN.5 (Provision for Cyclists)

6. OBSERVATIONS OF CONSULTEES

Sustrans

- They are pleased to see a commitment to travel planning for staff. This should have targets and be monitored regularly for its effectiveness.

- There should be secure cycle parking places under cover at a convenient location for staff. A few Sheffield stands near the entrance for visitors will be useful.
- The application refers to the adjacent cycle track on Dunwoody Way. This is opposite the site; a comment we have made often about this facility is that it is not connected properly at either end to the public highway. It actually encourages cyclists to continue their journey on the pavement!
- For a development of this scale, they expect the planners to negotiate for a contribution to ensure that the cycle track at the West Street end of Dunwoody Way is joined properly to the public highway. This may be, for example, by ensuring there is a refuge crossing suitable for cyclists along with a short section of cycle track on the west side of Dunwoody Way.

Cheshire Fire Service

- Access and facilities for the fire service should be in accordance with the guidance given in the Building regulations
- The applicant is advised to submit details of the water main installations in order that the fire hydrant requirements can be assessed
- Means of Escape should be in accordance with current Building Regulations.
- The applicant should consider the inclusion of an automatic water suppressions system to enhance any proposed design.

Housing

- There is no requirement to provide affordable housing as part of this development. As such the Housing Strategy team have no comments to make on this application.

Highways

- The proposed access and alterations to the existing pedestrian refuge island will need to be constructed under a section 278 agreement. The refuge island will need to be sited safely and should be designed to accommodate both wheel chair and mobility scooter users.
- A footway link to the right of the proposed access should be provided and connect up to the existing roundabout that serves both Bombardier and Morrisons. This should include the provision for cyclists to exit the existing cycle lane and enter onto the highway at this point.
- The south west corner of the roundabout that serves both Bombardier and Morrisons has a poor visibility for both pedestrians and cyclists when waiting to cross towards Morrisons. This should be improved as part of this development under the same 278 agreement. A small portion of the Bombardier site may need alterations to the existing fence line to achieve better forward visibility at this location.
- Providing that all of the above can be achieved and a suite of plans is provided and approved by the LPA prior to approval, the Highways Authority has no objections.

Additional comments in respect of Supplementary Transport Information:

- The Highways Authority can confirm that they are happy with the content and amended drawing.
- They are now happy to support this application.
- The developer will need to enter into a 278 agreement, and if the land that is needed to move the fence line is not purchased, we may need to enter a 106 agreement in place.

Network Rail

No objection

Environmental Health

- Any proposed external lighting of the site shall be submitted to and approved in writing by the Borough Council before it is installed to protect the amenity of local residents.
- The recommendations in the Environmental Noise Study conducted by Red Acoustics dated 27th April 2010 shall be included in any approval, in summary these are:
 - o Recommended Glazing configuration of 4/12/6mm
 - o Acoustically rated trickle vents on the north, east and south east elevations
 - o Standard trickle vents on the south west elevation
 - o Plant, and associated plant noise generators to be located to the north or north east elevations
- Where piling of foundations is necessary this is to be undertaken between 9am – 5pm Monday to Friday and no works of this nature to be undertaken on Saturday, Sunday or Bank Holidays.
- Construction hours (and associated deliveries to the site) shall be restricted to 08:00 to 18:00 hours Monday to Friday, 09:00 to 14:00 hours Saturday, with no working Sundays or Bank Holidays.
- This site forms part of a wider area currently utilised as a locomotive repair works and therefore there is the potential for contamination of the site and the wider environment to have occurred.
- A contaminated land condition should be attached to the planning permission to ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.
- Reading the transport assessment an air quality impact assessment is not required. The Travel Plan should be implemented as part of the development and then consequently monitored in terms of take up.

7. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

8. OTHER REPRESENTATIONS

One letter of objection has been received making the following points

- The conclusions reached in the Transport Statement of this Planning Application in respect of Public Transport/Infrastructure are unfounded, being based on erroneous information.
- The failure to provide Bus Stop/Shelters adjacent to the proposed Residential Care Home is in contravention of Government Guidelines and needs to be addressed.
- The Transport Statement and Transport Plan should be revisited before Planning Approval is given.
- The accuracy and detail contained in the sections below leaves a lot to be desired. Although the documents are dated April 2010 I cannot reconcile, in particular the accuracy of the Bus Services shown to be operating in the area at that time. It is even more disturbing that this information was supplied by Cheshire East!
- The letter lists a number of inaccuracies in terms of the stated timetable information
- It also lists a number of important services which operate in the area and were omitted
- The computer generated map showing 30min journey times from the site by Public Transport, from which the conclusion is made that public transport is easily accessible is flawed. Faced

with either a 10min walk to the nearest Bus Stop or 20min walk to the Bus Station it is impossible to reach many of the destinations shown within the 30min. Indicated.

- Before using any software to make claims of this nature it needs to be verified by other means. (In this case by making actual journeys). I recommend that the developer liaises with Cheshire East and West Integrated Transport Service at Ellesmere Port who have the expertise to make accrued judgment on journey times from the proposed Care Home.

- The documents state that Bus Stops can be found on Dunwoody Way and West Street, which are within 400m of the site. This may be the case “as the Crow flies” but certainly the walking distance to any of the stops suggested in the documents are all more than 400m actual walking distance, which should be measured from the proposed building entrance not site.

- Service 45A is the only service to serve the Eagle Bridge Bus Stops to the east of the site. Unfortunately there are no Footways anywhere on the southern (site) side of Dunwoody Way. Any intended user of these stops will find themselves having to negotiate the circuitous northern Footways, including crossing the vehicular access to the Morrison Store car park, and if using the outward stop (non DDA compliant as the rear of the Shelter is only approximately 1m from the edge of carriageway, making it impossible to use the Bus Ramp for Wheel Chair and Scooter users), access is via the ghost island at the Eagle Bridge Centre itself. Both stops estimated to be well outside 400m.

- Service 42 only serves the Morrison’s Bus Stop and Shelter (no raised kerb) en-route to Congleton, situated adjacent to their main store entrance. Again it is questionable if it is within 400m of the proposed Care Home main entrance. Bus Stops and Shelters exist in West Street and Frank Webb Avenue for the 42, 45 and 45A Bus services at the western end of the site. Estimated distances from the stops to the proposed Care Home main entrance are: Inward 420m and outward 460m. Both routes include negotiating the northern Footways and signalised traffic junction of Dunwoody Way with West Street.

- Services 6/6E and 31/31A. It is difficult to comprehend how any one could consider that these services are easily accessible for this development, as it entails detailed knowledge of the area, involving a rear pedestrian access to Goddard Street adjacent the Morrison Store access road. It is certainly well over 400m to the Bus Stops for these services in West Street by foot from the proposed Care Home main entrance. (NB: These services operate via Underwood Lane and do not operate along the northern end of West Street)

- The documents suggest that Crewe Bus Station is only 10 minutes walk from the development, again this is erroneous. As a regular able bodied pedestrian in this area and knowing the shortcuts, I would not expect to complete this distance “door to door” in less than 20 minutes! The documents own “Walking Accessibility Map” places the Bus Station at 800m-1200m distance from the development.

- Considering this development is an 81 bed Care Home it is reasonable to assume that it will attract a considerable number of elderly visitors many of which will be reliant on Public Transport. The walking distances to Bus Stops for this type of establishment are given in the Department of Transport document “Inclusive Mobility” Section 6 and I quote *“Where there are places that will be used by disabled people, such as residential care homes, day centres etc, bus stops should be sited as close as possible and should have a pedestrian crossing (with dropped kerb) in reasonable proximity”*. This section also recommends “on route” bus stops at 250m for able bodied.

- The continued use of 400m in these documents is used out of context. The actual wording of the Department of Transport Guidelines state. *“In residential areas bus stops should be located ideally so that nobody in the neighbourhood is required to walk more than 400 metres from their home”*. Nothing at all to do with this development!

- It would not seem unreasonable to ask for a “developer contribution” for the provision of DDA compliant Bus Stops and Shelters adjacent to the proposed pedestrian access to this Care Home in line with Government Guidelines PPG13. Cheshire East to consider with the operators extending the service time of operation of the 45A now that service 46 has been withdrawn to

accommodate this establishment and also to cater for extended Doctors surgery times at the Eagle Bridge Centre. Cheshire East along with Cheshire West to consider a Service to operate on Sundays

- The documents state that the site is 2km as the crow flies from Crewe Railway Station and is accessible by foot or Bus.

- This statement is unfounded. The documents own "Walking Accessibility Map" shows the walking distance to Crewe Railway Station well in excess of 2km. The inference that the site is readily accessible by Bus from the Railway Station is far from the truth. Only Bus Service 42 (hourly) serves the site by a very circuitous route, the journey taking in the region of 20min to cover this short distance and runs only Mon - Sat.

- Given the size of this care home, it is conceivable, that a number of visitors will be generated arriving by rail as the documents suggest. Cheshire East along with Cheshire West to consider a Service to operate on Sundays from Crewe Rail Station along this route extended to Winsford/Middlewich/Northwich (No through services on Sundays) via Leighton Hospital as these conurbations are in Leighton Hospitals catchment area.

- This development is only a fraction of that proposed for the south side of Dunwoody Way, both east and west of this development. This will in turn further increase demand for Public Transport. However it is difficult to envisage that any additional bus stops required on Dunwoody Way could be located anywhere other than adjacent to the proposed Care Home development. The stops would of course also bring the Bombardier main entrance into walking distance (Southern Footway required) and the major housing developments underway opposite this site, the existing local population and future developments. Cheshire East Planning Authority, Highways and Transportation need to work together in a more unified approach and where Public Transport is concerned use the expertise of the shared Integrated Transport Service at Ellesmere Port. Cheshire East Planning needs to exercise more care ensuring that it includes provision for public transport/infrastructure to be included at an early stage in line with PPG13. If we do not; we miss out on developer contribution to improve our services and at worse create another Eagle Bridge scenario where public transport provision was omitted entirely, hence the ad-hoc/inadequate bus stop provision at this facility.

- It would appear that the Transport Strategy and Transport Plan have been treated to nothing more than a "Desk-Top" exercise which has little credibility to actual site conditions. Cheshire East needs to exercise more care in providing information to consultants in order that errors of this kind are not repeated. Cheshire East Planning need to liaise more with Cheshire Integrated Transport shared service when dealing with new developments within 400m of a Bus Route, especially as in this case actually on two Bus Routes.

- Developer Contributions are seen by most Councils and Government as an integral way of improving public transport to avoid a repeat of the "Eagle Bridge" fiasco which opened with no public transport or infrastructure. It seems that no lessons were learnt.

9. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement

- The C2 care home use for the site fits well into the existing urban use of the town, both in the sense of being immediately in a housing area, and in providing care for the whole town and beyond.

- The care home is part of a relocation package, the aim of which is to provide a new facility to replace an existing care home. The new facility will be better located, on main routes and close to the town centre, in a high profile location, larger and up to date.

- The relocation means that the care home will already be substantially provided for with residents relocating from the existing home, as well as staff. The larger scale of the facility will provide spare capacity to meet the needs of the town as well as new job opportunities.

- The care home owners have sought to provide a new care home with excellent facilities, both in terms of accommodation and external amenity spaces. In addition, the layout of the building has been carefully designed to provide the following to the residents
 - o Interesting common areas with carried characteristics and aspects (main lounges, quiet lounges, options for dining in different areas etc.)
 - o Corridors have been designed to maximise staff supervision, but also to avoid long institutional lengths. This has been achieved by introducing additional turns, often with wider areas benefitting from views out
 - o A racetrack corridor system, important for patients with dementia to allow residents to circulate around the building without coming to dead ends. The care home has been designed to a high standard with particular attention given to the following
- The way in which the external treatment echoes the earlier Victorian architecture of Crewe. This is done with more contemporary interventions.
- The building is strongly articulated towards the main roundabout, acting as a gateway to the new development area opening behind the site.
- The interaction of internal and external spaces, providing a number of options for residents. The internal courtyard also includes looped path systems allowing for perambulation around the garden by residents
- In summary the care home will be a much needed new facility for the local community and the town as a whole, whilst also providing some new employment opportunities. The site is well located for transport links and services. The design addresses both the unique location of the site, on a major gateway into and out of the town, as well as the challenges and opportunities presented by the site itself. The architectural language of the building is strongly linked to the architectural history of Crewe, whilst also representing a contemporary flavour to endorse the aspiration that this building is for now, and for the future of the town and the community.

Acoustic Report

- Using measured survey data for the existing background noise and manufacturer's data for plant noise, an assessment of potential impact in accordance with BS4142 can be undertaken for the nearest noise sensitive receptor.
- The nearest noise sensitive receptors are the dwellings at Grand Central, off Dunwoody Way to the north west of the site
- At this stage the location and type of plant is unknown and an assessment will be carried out when data becomes available. However, it is recommended that plant is located along the northern / north eastern façade of the development (facing Dunwoody Way and roundabout) as potential impact will be negligible compared to the existing traffic noise on Dunwoody Way. Locating the plant within the internal courtyard of the development should be avoided where practical as impact will be greater given the reduced background noise level within this enclosed space.

Vibration Impact Assessment

The assessment of ground borne vibration due to train and HGV movements has indicated that no special measures need to be taken into consideration in the design of the building to reduce levels of structure born noise and vibration due to trains and HGV movements

Transport Statement

- The new access has been designed in line with guidance in TD42/95 which states that minimum junction separation should be 50m where ghost island right-turn lanes exist. The right

turn lane itself is 35m long which is adequate given the low level of traffic predicted to use the access.

- The capacity assessments of the proposed new site access have revealed that there will be no capacity issues for any of the peak hours either in the opening year of 2011 or the future. The proposed ghost island right turn ensures that there will be no delay to vehicles travelling south east and provides a safe place for vehicles to store, if they need to wait for a gap in the traffic.
- The site is located in a sustainable location on the edge of Crewe Town Centre. Their investigations have revealed that the site is within close distance of a large residential population which makes it suitable for walking and cycling to the site for staff and visitors living further afield, there are regular bus services along Dunwoody Way and West Street and train services to Crewe Railway Station. For the reasons set out above, there are no traffic, transport or highway related reasons for withholding planning consent for the proposed care home.
- A draft travel plan has been included within the submission.

Ground Investigation

- Overall the only potentially unacceptable risks to future residents come from substances in the shallow granular made ground namely metals. In all cases the risk driving exposure pathways are from direct contact such as soil ingestion, dermal contact or consumption of home grown produce
- Contaminative substances are limited to granular made ground soils in the upper 1m at the site. It is likely that some form of remedial work is required prior to the site being redeveloped for a residential care home with gardens.
- It may be possible to mitigate these risks via a number of methods including
 - o Revise redevelopment plans to allow only properties without gardens
 - o Remove contaminated shallow soils from the site and replace with a break layer and clean fill
 - o Add a break layer and then import additional clean materials to a thickness of 1m.

Flood Risk Assessment

- The site is at low risk of flooding but requirements for the surface water drainage system and mitigation measures to minimise the impact of an event in exceedence of the design storm or a blockage of the site's drainage systems or systems elsewhere have been identified. The detailed design of the surface water and foul drainage systems and connections to sewer will be made at the appropriate stage of the development, particularly once foul volumes are known, but the outline drainage strategies present in the report provide a commitment to minimise flood risk to the site and elsewhere through the design and layout of the proposed development and the adoption of suitable mitigation measures.

Supplementary Transport Information

A plan has been produced and submitted showing:

- a footway between the south of the new access which links to the existing shared cycleway/footway near to the roundabout with Morrisons;
- a relocated and improved pedestrian refuge near to the site access which is large enough to accommodate a mobility scooter, complete with dropped kerbs and tactile paving onto the footway;
- markings to advise of the end of the cycleway; and,
- the Bombardier fence set back by approximately 1.5m to improve visibility for pedestrians and approaching vehicles on the southern arm of the roundabout with Morrisons.

In the committee report it states that 'it is not therefore considered necessary or reasonable to require the applicant to provide additional contributions in this instance as aside from the specified works, the contribution would not be directly related to the application site'. The applicant concurs with this approach and would state that there has been considerable residential development in the area which, if necessary, improvements to bus infrastructure and services could have been requested. Accordingly, the improvements requested by the Strategic Highways Manager are in line with Circular 05/2005 and the improvements requested are necessary, and appropriate to the size and impact of the proposed development.

The statement then addresses the issues raised in the third party representations, as summarised in the committee report.

Firstly, the resident's letter criticises the accuracy of the bus service information set out in the Transport Statement. It is important to note that changes have been made to the bus services since the report was compiled in April 2010. The number 46 service has been withdrawn altogether since 25th May 2010 due to the bus operator going into liquidation (as advised by Cheshire Traveline).

The number 45A service however, has been improved from a service which only ran until 14:46 to a service which runs until 17:46. In addition, the number 42 service stops within the Morrisons supermarket car park and travels back up Dunwoody Way north every 60 minutes. This is the nearest bus stop to the site and from the southern access onto Dunwoody Way would be a distance of less than 220m.

To summarise, there will be a total of five bus services available to future staff and visitors at the site. The site is located within 450m of four sets of bus stops. The most frequent bus services of 6/6E are every 20 minutes from the junction of West Street and Derby Street, 400m from the site. The letter criticises the fact that the report has made use of local knowledge of shortcuts to reach Goddard Street via a route near to the Morrisons store. The people who are most likely to use public transport from the site are staff members who will have a detailed knowledge of the area and visitors are likely to have at least some knowledge of the area.

Although 400m is used as a general guide for distances to bus stops, the fact that a bus stop may be a few metres outside of this distance does not mean that people will be discouraged from using the buses. For able bodied staff who are most likely to be using public transport, an additional 20 to 50m is not going to discourage them from using public transport. The quality and frequency of the bus service will be more important than the distance walked, hence staff are likely to walk even further if there is a more suitable service elsewhere such as at the bus station.

The letter criticises the computer generated map which shows the area covered by a 30 minute journey by public transport, in this case by bus. The resident states that it would be a 10 minute walk to the nearest bus stop or 20 minutes to the bus station, so therefore it would be impossible to reach the destinations shown within 30 minutes and that the areas served should be verified by making the actual journeys. No two bus journeys would ever be the same, as they would be dependant on the punctuality of the service and external factors which could delay a journey such as traffic congestion.

To clarify, the accession software has been designed to remove the need for journeys to be replicated as software takes into account the walk time/distance to the nearest bus stop, waiting time for the bus as well as the bus journey itself. Accession is a recognised software package which has been specifically designed to model the accessibility of sites by walk, cycle and public

transport trips. They have to be used with caution and give a general indication of the areas which can be reached. In this case the model was set to a walk distance of 400m, with a walk speed of 4.8kph from the site (which would take just 5 minutes to walk 400m). It was modelled during the morning peak hour (0700-0900), when a large proportion of the staff will be travelling to and from the site.

The pedestrian access between the site and the bus stops on Dunwoody Way at Eagle Bridge will be improved so that pedestrians can walk on the south side of Dunwoody Way and cross the road at the roundabout with Morrisons where there are dropped kerbs. These bus stops are approximately 420m walk distance from the main entrance to the care home, which is located on the south side of the building.

It is also important to clarify the nature of the new care home development in relation to its impact on pedestrian movements outside the site. Care homes are by nature secure residences which incorporate a safe dwelling environment for residents, with internal and external garden amenity spaces, which necessarily restrict the movement of residents from leaving the site. When residents do leave the site, this is always with the assistance and supervision of a responsible adult, and given the age specific care needs of the residents, almost exclusively in a vehicle. In addition to the above, the proposed care home at Dunwoody Way is designed for dementia residents, who are no longer able to live independently, are often no longer ambulant, and require a significantly higher level of individual care. As such it is clear that these people can on no account leave the building to go shopping, as suggested in various reports including the local media. The care home has been designed specifically to provide this high level of care within an environment best suited to dementia patients, including a 'racetrack internal circulation pattern' and a variety of secure external amenity spaces. This security is paramount to the care patients require, and is of crucial importance to those that leave their loved ones in the care of the home. As such it is clear that the residents themselves will, in practical terms, make no contribution to increased pedestrian movements along the existing and proposed footways.

It is trusted that the additional information will clarify any outstanding concerns which the Councillors may have and reinforce the earlier comments of the highway officer which stated:

- the scheme would operate satisfactorily without undue pressure on the existing infrastructure and junctions around the town;
- the site is located 1.93km away from the town centre and bus station, along DDA compliant routes and as such are within the 2km walk distance set out in PPG13;
- the nearest supermarket and medical centre is 215m and 572m respectively and the nearest bus stop is a similar distance;
- the works necessary to make the proposed development acceptable in planning terms have been requested by the Strategic Highways Manager and it is not necessary or reasonable to require the applicant to provide additional contributions in this instance; and finally,
- the Strategic Highways Manager has not raised any concerns regarding the accuracy of any of the information supplied within the Transport Statement and it is not considered that a refusal on these grounds could be sustained.

10. OFFICER APPRAISAL

Principle of Development

The main consideration in respect of the principle of the development is the extent to which it complies with the provisions of Policy E.7 (Existing Employment Sites) of the Local Plan. This policy seeks to resist the loss of employment sites close to local centres of population as

this can result in higher local unemployment and increased commuting, both of which are contrary to the principles of sustainable development.

The policy does allow for the loss of employment land to other uses in certain circumstances. The first of these is where the existing use harms the character or amenities of the surrounding area. There is no evidence to suggest that the current site operations conflict with residential amenity or the character of the area. Furthermore, the site could be redeveloped for a range of employment uses which would not impact on residential amenity, particularly those falling within use class B1, which by definition are appropriate in residential areas.

Secondly, the loss of the site for employment purposes is permitted where it is demonstrated that the site is no longer capable of satisfactory employment use and where the re-development would bring overriding local benefits. Equally there is no evidence to suggest that this site is incapable of further employment re-use. Nevertheless, there is an identified and growing need within the Borough for accommodation for older people, and therefore it could be argued that there would be some wider community benefit to be derived from the proposed development.

Finally the policy allows other uses where it can be demonstrated that there would be no detrimental impact on the supply of employment land or premises in the Borough. In resolving to approve the previous application on the site, the Council accepted the argument that the majority of the 7,438 m² of lost employment land is either underused, empty or used for car parking. It was therefore argued that the proposals represented a rationalisation of the existing operations and that all existing operations carried out within the site would be relocated to the company's retained site with no job losses.

As stated above, there is nothing to suggest that the site could not be redeveloped for an employment generating class B1 or B2 use. However, in resolving to approve the previous application, the Council has already accepted that the loss of the site to residential development would not result in a detrimental impact on the overall supply of employment land or premises in the Borough and is therefore compliant with Policy E7.

Furthermore, it must also be acknowledged that according to the applicant the current care home proposal would secure and generate 89 full time jobs. Whilst this would not generate as many jobs as an office redevelopment, for example, it does bring more economic benefit than the previous residential scheme or retention as a surface car park would do

In summary, the proposed development would not result in a direct loss of existing employment land or premises in the Borough and would generate more employment opportunities than the previously proposed residential scheme. Consequently, it is concluded that there is no conflict with policy E7 of the Local Plan.

Affordable Housing

The proposal is for a close care residential institution falling within Class C2, consequently, there is no affordable housing requirement.

Amenity

The impact of the development upon the amenity of nearby residential properties is a key consideration. The nearest residential properties to site 1 are located on the opposite side of

Dunwoody Way to the north. The proposed development is 2 storeys in height with a pitched roof, whilst the flatted development on the opposite side of the road is 4 stories. Consequently, only the ground and first floor flats are likely to be affected by the new development. For the most part the application site is separated from these properties by a distance of approximately 25m and accordingly the site is more than capable of accommodating residential development without resulting in undue loss of amenity by either overlooking or over domination to adjacent properties. Indeed it is considered that the proposed residential uses would be more compatible with the surrounding dwellings than the current and historic uses of the site.

Another key consideration is the requirement to ensure that the amenity of future occupants would not be prejudiced by the operation of the existing railway works. The applicant has submitted a noise and vibration report and this demonstrates that whilst the site is subject to moderate levels of environmental noise, appropriate glazing and ventilation can be installed to enable a comfortable internal environment and that vibration from the railway line would not significantly affect the development site. The Environmental Health section have analysed this data and have confirmed that provided the mitigation measures identified in the report are adhered to then they are satisfied with the proposals for the site.

Design and the Built Environment

The site layout provides for a frontage development to Dunwoody Way and the Bombardier Roundabout, whilst retaining an element of “defensible space” between the boundary with the public highway and the elevation of the building to reflect the fact that this is a residential use and to respect residents’ privacy. The parking areas would be in a less prominent location to the rear of the building to avoid creating the appearance of a car dominated development. The service areas and utilitarian parts of the site would be located to the rear of the building, adjacent to the existing industrial uses, where they would not be visible and would provide an element of separation between the industrial and residential areas. The building would be arranged around a courtyard garden area, which would provide a private and peaceful area for residents which would be screened from the noise of the road and railway by the building and would create a pleasant outlook. A further secure residents’ garden would be provided to the rear of the building, where it will be enclosed by the service yard, railway buildings and the care home itself. Careful attention would need to be given to the boundary treatment in this area, as well as to the road frontages and accordingly it is recommended that these details be conditioned. Overall, however, it is considered that this represents a high quality of layout which would provide a good standard of residential amenity for future occupiers as well as a high quality of urban design.

To turn to matters of elevational treatment, the building would be two stories in height with a steeply pitched roof. This reflects the traditional nature of the original railway workshop buildings and railway workers houses and is considered to be more in keeping with the general character and appearance of the surrounding area than the much taller flatted development on the opposite side of Dunwoody Way. Efforts have also been made to reflect the architecture of the Victorian and Edwardian railway houses, in the detail of the building, albeit in a modern way. For example, projecting gable features have been added to the Dunwoody Way elevations, as well as projecting bay windows, which are typical of the larger traditional Crewe dwellings to be found in West Street, and other nearby areas.

At the pre-application stage officers expressed concern that the central courtyard garden area would be overshadowed by the surrounding building for much of the day. Furthermore, they wished to create a focal point at the Dunwoody Way Roundabout. The architects have

responded to these challenges by creating a “split” gable feature, with a projecting flat roofed entrance fronting on to the roundabout. Not only does this create an interesting and unusual aesthetic feature, but it also serves to reduce the building height at the eastern end of the courtyard to allow morning sunlight into the garden area.

Overall it is considered that the proposal is a good quality of design which meets the Council’s aspirations for this site and subject to the use of an appropriate material, which can be secured by condition, it complies with the relevant local plan design policies.

Drainage/Flood Risk

The site is less than 1ha in area and does not meet any of the other criteria for the commissioning of a flood risk assessment. However, the proposal would result in a reduction in the extent of hard surfacing within the site and therefore a reduction in the potential for surface water run-off from the site itself. Consideration must also be given to how overland flow from neighbouring land uses would be managed during event exceedence. A full flood risk assessment was submitted with the previous application (due to the larger site area involved) and the Environment Agency were satisfied that any potential problems could be adequately mitigated through the use of appropriate conditions, and it is therefore recommended that the same conditions should be applied to any new planning permission.

Highways

The main access to the site would be via a new junction onto Dunwoody Way, whilst service access would be via the existing main roundabout access to the Bombardier site.

The application is accompanied by a Transport Statement which details the impacts of the development upon the local highway network. The Highway Authority have considered the data submitted and accept that the scheme would operate satisfactorily without undue pressure on the existing infrastructure and junctions around the town. However a number of recommendations have been put forward by the Highway Authority and these include certain works within Dunwoody Way in order to ensure that there are sufficient pedestrian and cycle links to serve the development.

When the application was put before committee in July, discussions were still on-going between the Highway Authority and the developer regarding the extent of these works, and consequently the application was deferred for further negotiations. These have now been successfully concluded and the developer has agreed to provide:

- a footway between the south of the new access which links to the existing shared cycleway/footway near to the roundabout with Morrisons;
- a relocated and improved pedestrian refuge near to the site access which is large enough to accommodate a mobility scooter, complete with dropped kerbs and tactile paving onto the footway;
- markings to advise of the end of the cycleway; and,
- the Bombardier fence set back by approximately 1.5m to improve visibility for pedestrians and approaching vehicles on the southern arm of the roundabout with Morrisons.

With regard to the provision of further off-site highway improvements including new bus shelters and a pelican crossing, which Members had previously stated should be investigated, advice on the use of conditions can be found in “Circular 11/95: Use of Conditions in Planning Permission”. According to the circular, “*Secretaries of State take the view that conditions should*

not be imposed unless they are both necessary and effective, and do not place unjustifiable burdens on applicants. As a matter of policy, conditions should only be imposed where they satisfy all of the tests described in paragraphs 14-42. which include, inter alia, “necessary” and “relevant to the development to be permitted”.

Where highway works are concerned, the implication of this is that the extent of the works must be proportionate to the size and nature of the development proposed. Furthermore, the works required by condition must be to deal with a highway problem, such as traffic congestion, which would be created by the development concerned. Developers cannot be asked to provide infrastructure improvements to deal with a problem which already exists, that has not been created, or would not be exacerbated by the development proposed.

The developer has clarified that the nature of the residential home proposed is that residents would not be able to travel to and from the site independently and would need to be ferried to and from the site by car. The only bus, pedestrian and cycle movements would be generated by visitors and staff and therefore, in this particular case, the Strategic Highways Manager is satisfied that the off-site works, listed above, will be sufficient to mitigate for any additional traffic generation created by the development and that to impose further requirements would place an unjustifiable burden upon the applicant.

In accordance with normal practice and in line with Policy TRAN.5 (Provision for Cyclists) a condition is recommended to ensure that covered secure cycle parking is provided at convenient locations throughout the development.

The redevelopment of the site would involve the loss of car parking areas and when Members resolved to approve the previous application on this site in 2007, it was considered that there would be a need to replace these spaces. There is ample space to accommodate up to 250 car parking spaces within the retained site. However, the developer is currently undertaking a parking study to establish whether the replacement parking is still required, or whether the position has changed since the requirement was first highlighted at the time of the previous application in 2007. This may be the case, given that the extent of Bombardiers operations has contracted since that time.

An objection has been received from a local resident claiming that the Transport Statement is based on flawed public transport information and that the site is unsustainable. In particular he takes issue with the accuracy of bus information. In his view the development is not providing sufficient additional infrastructure such as a bus stop, the bus stops / town centre are not within walking distance, routes and bus stops are not DDA compliant, and it is an excessive distance to the bus station. In his opinion, additional bus services and infrastructure should be provided through developer contributions.

According to PPG.13, walking distance is considered to be 2km. Even using main roads in order to avoid the steps adjacent to the cinema development, which are not DDA compliant, the site is located only, 1.93km from the town centre and bus station, which is within the PPG13 radius. Furthermore, the supermarket and medical centre at Dunwoody Way are 215m away and 572m respectively and the nearest bus stop is a similar distance from the site. There are no sequentially preferable sites, in terms of proximity to the town centre and main public transport hubs, which are available and could accommodate a development of this nature.

With regard to further developer contributions, Circular 05/2005 (Planning Obligations) sets out key tests that must be met in order to require a developer to deliver off site works or

contribute towards them. These, are similar to those relating to the use of conditions, as set out above and include the requirement for the works to be necessary to make the proposed development acceptable in planning terms. In this instance the works necessary to ensure that the development complies with the Development Plan are those which have been agreed between the developer and the Strategic Highways Manager and if these are secured then the proposal would not conflict with the local plan policies. Accordingly it is not therefore considered necessary or reasonable to require the applicant to provide additional contributions in this instance as, aside from the specified works, the contribution would not be directly related to the application site.

With regard to the accuracy of the information contained within the original Transport Statement, the developer has stated that the bus service provision in the area has changed since the original report was drafted and the up-to-date position has been set out in the supplementary information that has been received. The most significant changes are that one service has been discontinued but another one has been extended. Therefore the site is served by 5 bus services, the most frequent of which is at 20 minute intervals. There are 4 bus stops within 450m of the site. The computer modelling software that has been used to calculate bus journey times to the site is an industry standard and has been designed to negate the need to carry out actual journeys. The Strategic Highways Manager has examined the updated public transport information and is satisfied that the site is in a suitably accessible and sustainable location and therefore a refusal on these grounds is not considered to be justifiable.

Section 106 Matters

With regard to securing the highway and parking requirements, conditions can be imposed, where there is a reasonable prospect of the developer being able to comply with them. This means that generally they can only be used where the land is in the control of the applicant or the Local Authority.

In this case, the majority of highway works are within the highway itself and therefore can be secured by condition. However, the land on which the replacement parking and re-sited fence line would be situated is within the ownership of a third party (Bombardier) and there is no guarantee that they would agree to the provision of these works on their land. In which case, the developer, no matter how willing, could not comply with the condition. Therefore, the third party needs to be a signatory to a Section 106 agreement making provision for the works to be carried out.'

However, as stated above, subject to the result of the parking survey, replacement parking provision may not be required. The developers are also in negotiations with Bombardier regarding the purchase of the land required to relocate the fence line. If both of these matters are resolved, the need for a Section 106 would be negated. A further update on this matter will be provided at the Committee meeting.

11. CONCLUSIONS

The proposal would not result in a detrimental impact upon the supply of employment land or premises in the Borough given that much of the site is underused and that the proposal also allows for the creation of over 80 new jobs. The redevelopment of both sites would not result in a loss of amenity to existing or future occupiers and the development would deliver considerable local environmental enhancements. A satisfactory access arrangement can be provided and the proposal would not result in a threat to highway safety or excessive impacts

upon the local highway network. The proposal would deliver much needed older peoples housing and any lost car parking can be reinstated on land within the remaining part of the railway works.

12. RECOMMENDATION

APPROVE subject to completion of a Section 106 agreement to secure replacement car parking and the Bombardier fence to be set back by approximately 1.5m to improve visibility for pedestrians and approaching vehicles on the southern arm of the roundabout with Morrisons and the following conditions:

- 1. Standard 3 year time limit**
- 2. Compliance with approved plans**
- 3. Submission and approval of materials**
- 4. Submission and approval of cycle parking within scheme**
- 5. Submission and approval of contaminated land mitigation measures**
- 6. Piling hours to be restricted**
- 7. Construction Hours to be restricted**
- 8. Submission and approval of boundary treatment**
- 9. Submission and approval of noise mitigation measures**
- 10. Submission and approval of landscaping**
- 11. Implementation of landscaping**
- 12. Submission and approval of travel plan**
- 13. Provision of Parking**
- 14. A footway between the south of the new access which links to the existing shared cycleway/footway near to the roundabout with Morrisons**
- 15. A relocated and improved pedestrian refuge near to the site access which is large enough to accommodate a mobility scooter, complete with dropped kerbs and tactile paving onto the footway**
- 16. Markings to advise of the end of the cycleway**
- 17. Access works to be carried out prior to first occupation**

Location Plan : Licence No 100049045

