

APPLICATION NO:	13/00043/FUL
LOCATION:	Yew Tree Hotel, Coronation Drive, Widnes
PROPOSAL:	Proposed demolition of the Yew Tree Pub and the development of 13 no. two bedroom, two storey and 6 no. two bedroom flats
WARD:	Ditton
PARISH:	N/A
CASE OFFICER:	Pauline Shearer
AGENT(S) / APPLICANT(S):	Halton Housing Trust, Daresbury Point, Manor Park, Runcorn
DEVELOPMENT PLAN ALLOCATION:	
Halton Unitary Development Plan (2005)	Primarily Residential (H8)
DEPARTURE REPRESENTATIONS:	No
	1 neighbour comment
RECOMMENDATION:	Approve

SITE MAP



1. APPLICATION SITE

The Site and Surroundings

The site is the Yew Tree public house including rear yard and frontage car parking area. The site is on the junction of Coronation Drive, Philip Road and Queens Avenue.

Planning History

The planning history relates to various minor and advertising applications relating to the public house and none are directly relevant to this current application.

2. THE APPLICATION

Proposal Description

The application proposes the demolition of the existing public house and the redevelopment of the site for a three storey apartment block comprising 6 units and a further 13 two bedroom, two storey dwelling houses. Three pairs of semi-detached dwellings fronting Coronation Drive, two pairs fronting Philip Road and a row of three terraces in the rear of the plot. The proposal provides off street car parking, landscaping and boundary treatment.

Documentation

The planning application and drawings are supported by a Design and Access Statement; evidence of the difficulties in operating the public house; Preliminary Ecological Appraisal; Arboricultural Implication Study; Report on Survey of Asbestos Materials.

3. POLICY CONTEXT

National Planning Policy Framework

The National Planning Policy Framework (NPPF) was published in March 2012 to set out the Government's planning policies for England and how these should be applied.

Paragraph 196 states that the planning system is plan led. Applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise, as per the requirements of legislation, but that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

Paragraph 14 states that this presumption in favour of sustainable development means that development proposals that accord with the development plan should be approved, unless material considerations indicate otherwise. Where a development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF; or specific policies within the NPPF indicate that development should be restricted.

Halton Unitary Development Plan (UDP) (2005)

The following Council Unitary Development Plan policies are of particular relevance: -

BE1	General Requirements for Development
BE2	Quality of Design
BE22	Boundary Walls and Fences
TP6	Cycling Provision as part of New Development
TP7	Pedestrian Provision as Part of New Development
TP17	Safe Travel for All
H1	Provision for New Housing
H3	Provision of Recreational Greenspace

Halton Core Strategy (2012)

The following Core Strategy policies are of relevance:-

CS1	Halton's Spatial Strategy
CS2	Sustainable Development Principles
CS13	Affordable Housing
CS18	High Quality Design
CS20	Natural and Historic Environment
CS21	Green Infrastructure

Relevant SPDs

New Residential Development SPD; Designing for Community Safety SPD; Draft Open Spaces SPD are of particular relevance

Regional Spatial Strategy is of relevance to this application.

4. CONSULTATIONS

HBC Highways– No Objection in principle

HBC Open Spaces – No objection.

Cheshire Wildlife Trust – Comments to be reported verbally to committee.

United Utilities – No comments received.

Cheshire Police – Comments on the principles of secure by design in relation to the buildings, which has been passed to the applicant.

5. REPRESENTATIONS

One letter has been received from a local resident enquiring about the possible retention of a Yew Tree at the rear of the public house building. The Open Spaces Officer has confirmed that there is no Yew Tree on the site.

No objections have been received and any further comments will be reported verbally to members.

6. ASSESSMENT

The main issues arising as a result of the proposal are;- residential amenity; design quality; car parking; loss of public house; affordable housing.

Residential Amenity

The nearest affected residential properties are those on Philip Road and Coronation Drive, opposite the proposed development. The Council seeks interface distances between the habitable room windows of two storey dwellings at 21m separation. For three storey development, the Council seeks an additional 3m per storey. Between the habitable room windows of the 3-storey apartments and those at the property at No.42 facing, a full 27m interface distance is achieved. Between the habitable room windows of the two storey dwellings and No.34 Philip Road, 24m is achieved. Between the habitable room windows of the two storey dwellings and No.'s 51 & 53 Coronation Drive, 31m is achieved. On this basis the Council's interface guidance contained in the New Residential Development SPD is achieved and Policy BE1 of the Unitary Development Plan is complied with.

Design Quality

The proposed design incorporates frontage development in the main with the three storey apartment building situated so as to create a strong corner development. In addition the proposal creates a small cul-de-sac of three terraces to the rear of the apartment building.

The layout results in a successful continuation of the existing area character and achieves the incorporation of three storey development, mirroring the older three storey row along Queens Avenue. The three terraces ensure that there is a strong presence to the rear of the apartments and the car parking area which will create a sense of place and deter anti-social behaviour in this location. The building designs are successful in providing continuity whilst engendering a more modern sense of place.

The proposal provides appropriate bin storage, secure access and private amenity space for future occupiers of both the two storey dwellings at the rear and for the apartments in a landscaped area to the front of the building.

Policies BE1, BE2 and BE22 of the Halton Unitary Development Plan; are complied with and the proposal adheres to;- Designing for Community Safety SPD; New Residential Development SPD and; NPPF.

Highways Safety and Car Parking

The Council Highways Engineer has raised no objection in principle to the proposal subject to the scheme meeting the technical highway requirements of the Council's Highway Engineers.

Loss of Public House

The Yew Tree public house and surrounding land is currently empty and in a particularly poor and run-down condition. The rear yard of the property is not secure and appears to be an area which is abused, containing a significant amount of debris. Despite the condition of the building and surrounds, the NPPF seeks control of unnecessary loss of valued facilities and services which meet a community's day to day needs. As such the applicant has provided a statement to explain the status and viability of the public house as follows:-

"The Yew Tree Pub has been available for rent on our pub management company's website

<http://www.countyestatepubs.co.uk/opportunities.html>

Yew tree has been shut over 5 years and closed 9th Jan 2008 it was always available on the above site up until the point we exchanged with HHT.

Prior to its close we had a new tenant try to run it as a public house Mr K Bartholomew who went in on a tenancy at will (i.e. he can walk away at any time if it did not work). He went into occupation on the 17.04.2007 and lasted just over 8 months. This was on a free of tie basis meaning he could buy his stock from wherever he wanted to ensure the best price.

This letting was on the basis of a nil rent for 2 months, then an annual equivalent rent of £7800 per annum for the next 8 wks then an annual equivalent £10,400 pa. He was unable to make the public house pay with only minimal clientele and a very large pub building.

We have advertised the site on the web site since closure but have never had any interest."

Officers are satisfied that the public house is not a viable commercial entity and given its lack of use over the past five years, is not integral to the provision of day to day needs in this community. As such the proposal is not contrary to NPPF and the loss of the public house and its replacement with affordable dwellings is acceptable.

Affordable Housing

The scheme has been submitted by Halton Housing Trust, a Registered Provider of social housing in the Cheshire area and the scheme is to provide affordable housing on a tenanted basis. The Council's adopted Core Strategy contains Policy CS13 – Affordable Housing which, for schemes over 10 dwellings or in excess of 0.33ha, seeks 25% of the proposed housing to be identified as affordable. In this particular scheme all of the proposed dwellings are identified as affordable. In order for the Council to obtain assurance that the level of affordable dwellings required by Policy CS13 is met in perpetuity, the applicant has agreed to enter into a Legal Agreement. This will ensure that any future change in landlord, land owner or tenancy arrangements will not erode the level of affordable housing required.

7. CONCLUSIONS

The proposals are considered to offer a sustainable and successful re-development of what is a particularly run-down parcel of land in a very prominent location within this part of Widnes, maintaining the essential character of the area and addressing the requirements of design, layout and highway safety. On this basis the proposal is recommended for approval as it complies with the adopted policies of the Core Strategy and Unitary Development Plan, together with the relevant SPD's and the NPPF.

8. RECOMMENDATIONS

Approve subject to conditions and section 106 in relation to the provision of a financial contribution towards off-site public open space and; the retention of affordable housing provision to comply with Policy CS13 of the Core Strategy.

9. CONDITIONS

1. Standard 3 year period for implementation (BE1)
2. Condition specifying amended plans (BE1)
3. Materials Submission (BE2)
4. Boundary Treatment (BE22)
5. Construction Management Plan including wheel cleansing facilities to be submitted and approved in writing. (BE1)
6. Details for removal of demolition materials (BE1)
7. Landscaping Scheme (BE1)
8. Construction and delivery hours to be adhered to throughout the course of the development. (BE1)
9. PD removed for extensions and outbuildings (BE2)
10. PD removed for fencing (BE22)

10. SUSTAINABILITY STATEMENT

As required by:

- Paragraph 186 – 187 of the National Planning Policy Framework;
- The Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012; and
- The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2012.

This statement confirms that the local planning authority has worked proactively with the applicant to secure developments that improve the economic, social and environmental conditions of Halton.