

<b>Planning Reference No:</b>	10/3689N
<b>Application Address:</b>	Land South East of Crewe Road Roundabout, University Way, Crewe.
<b>Proposal:</b>	Extension of Time Limit on Approved Application P07/1431 Outline Application for Proposed Office Development.
<b>Applicant:</b>	Duchy of Lancaster c/o Smiths Gore
<b>Application Type:</b>	Application to extend the time limit for implementation of permission.
<b>Ward:</b>	Doddington, Crewe East.
<b>Registration Date:</b>	15 <sup>th</sup> September 2010
<b>Earliest Determination Date:</b>	27 <sup>th</sup> October 2010
<b>Expiry Date:</b>	15 <sup>th</sup> December 2010
<b>Date report Prepared</b>	2 <sup>nd</sup> December 2010
<b>Constraints:</b>	Main River Conservation Area Flood Zones 2 & 3 Wind Turbine Development Consultation

#### **SUMMARY RECOMMENDATION**

Approve the extension of the time limit for implementation subject to conditions.

#### **MAIN ISSUES**

Principle of Development  
Material Changes in Circumstances since previous permission issued  
National Planning Policy  
Ecology  
Trees  
Review of Conditions

### **1. REASON FOR REPORT**

The scheme proposed seeks permission for the renewal of planning permission for a small-scale major development in excess of 1000m<sup>2</sup>.

### **2. DESCRIPTION OF SITE AND CONTEXT**

The application relates to an area of land at the northern end of University Way. The site measures approximately 2.2ha and comprises land between University Way and Crewe Green. The site directly adjoins, but does not encroach into, the Crewe Green Conservation Area and is bound directly to the north and east by land within the 'Green Gap'. The site forms part of a much wider employment land allocation within the adopted Local Plan under policy E.1.1 which identifies the area for B1 office and university uses.

In topographical terms, the site comprises an area of Greenfield land on higher ground that gradually slopes north to south but which drops away steeply at its southern edge into Valley Brook. The site benefits from an existing landscaping scheme and site access, both of which were implemented at the time the Crewe relief road was constructed.

### **3. DETAILS OF PROPOSAL**

The application seeks to extend the time limit for implementation of outline planning permission P07/1431 for a proposed office development with means of access off University Way.

The applicant's supporting statements, submitted as part of the 2007 application, included a Design & Access Statement (DAS) and illustrative layout indicating that the site could be developed with up to 6363m<sup>2</sup> B1 office space comprising 3no two storey office blocks and 1no three- storey office block. However, whilst permission was granted, it was subject to a condition restricting building heights and the overall amount of development which could be brought forward at reserved matters below those sought by the applicant.

### **4. RELEVANT HISTORY**

P07/1431 Duchy Area B, University Way, Crewe.  
Outline Application for Proposed Office Development

P04/0489 Land adjoining Crewe Green Link Road, Crewe.  
Outline Application for B1 Development on Area B, for B2/B8 Development on Plots B C F G H and I on Area C, for Car Showroom/Dealership and Related Activities on Area E1 and Open Space/Landscaping on Areas E2 and E3 Full Application for B2/B8 Development (Including Roads, Parking and Landscaping) on Plots A D and E of Area C

### **5. POLICIES**

PPS1 'Delivering Sustainable Development'  
PPS5 'Planning for the Historic Environment'  
PPS9 'Planning and Biodiversity'  
PPG13 'Transport'  
PPS23 'Planning and Pollution Control'  
PPG24 'Planning and Noise'  
PPS25 'Development and Flood Risk'

#### **Regional Spatial Strategy**

DP1 'Spatial Principles'  
DP2 'Promote Sustainable Communities'  
DP3 'Promote Sustainable Economic Development'  
DP4 'Make the Best Use of Existing Resources and Infrastructure'  
DP5 'Manage Travel Demand; Reduce the Need to Travel, and increase accessibility'  
DP6 'Marry Opportunity and Need'  
DP7 'Promote Environmental Quality'  
DP9 'Reduce Emissions and Adapt to Climate Change'  
RDF1 'Spatial Priorities'  
W1 'Strengthening the Regional Economy'  
RT2 'Managing Travel Demand'  
RT9 'Walking and Cycling'  
EM1 'Integrated Enhancement and Protection of the Regions Environmental Assets'  
EM5 'Integrated Water Management'  
MCR4 South Cheshire'

**Local Plan Policy**

E1.1 Existing Employment Allocations

BE.1 Amenity

BE.2 Design

BE.3 Access and Parking

BE.4 Drainage, Utilities and Resources

BE.7 Conservation Areas

NE.5 Nature Conservation and Habitats

NE.9 Protected Species

NE.11 River and Canal Corridors

**Other Material Considerations**

The Communities and Local Government Guidance 'Greater flexibility for planning permissions' is a relevant material consideration.

**6. CONSIDERATIONS (External to Planning)****Highways:**

No objection

**Environmental Health:**

No comments received at the time of the report being prepared.

**Ecology:**

No comments received at the time of the report being prepared. However, confirmed by telephone that he has no objection to the extension of time on the basis of the applicant's updated protected species assessment.

**Heritage and Design – Landscape and Forestry Section:**

No objection. Requested that the previous forestry and landscape planning conditions be transferred onto this application and make reference to the revised drawing numbers to reflect the current Tree Protection Plan and associated drawings.

**7. VIEWS OF CREWE GREEN PARISH COUNCIL**

No objection subject to the retention of the original conditions

**VIEWS OF HASLINGTON AND WINTERLEY PARISH COUNCIL**

No comments received at the time of the report being prepared.

**8. OTHER REPRESENTATIONS**

No other representations received.

**9. APLLICANT'S SUPPORTING INFORMATION**

Covering Letter

Habitat and Protected Species Assessment

Arboricultural Survey August 2010 with associated plans

## **10. OFFICER APPRAISAL**

The ability to apply for extensions to the time limit for implementing existing planning permissions was brought into force on 1 October 2009. The new system was introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn. It includes provisions for a reduced fee and simplified consultation and other procedures.

The Government's advice is for Local Planning Authorities to take a positive and constructive approach towards applications that improve the prospects of sustainable development being brought forward quickly. It is the Government's advice for Local Planning Authorities to only look at issues that may have changed significantly since that planning permission was previously considered to be acceptable in principle.

In short, it is not intended for Local Planning Authorities to re-open debates about principles of any particular proposal except where material circumstances have changed, either in development plan policy terms or in terms of national policy or other material considerations such as Case Law.

In this regard, there has been no material change to the adopted Local Plan and the site remains allocated for employment use under allocation E1.1. It remains only therefore to consider the material circumstances which have changed since the time of the last decision and these are now discussed in more detail below.

## **MATERIAL CHANGES IN CIRCUMSTANCES SINCE THE PREVIOUS PLANNING APPLICATION**

### *National Policy Changes*

Since the grant of the previous permission, a number of changes have been made to national planning policy. PPS6 has been replaced with PPS4 'Delivering Sustainable Economic Growth' whilst PPG15 has been replaced with PPS5 'Planning for the Historic Environment'. However, it is not considered that the revised policy approach outlined within these documents would lead to a different decision being made on the application.

This is due to the fact that PPS4 EC10.1 advises Local Planning Authorities to adopt a positive and constructive approach towards planning applications for economic development and treat favourably those applications which secure sustainable economic growth and because the scheme performs well against four of the five impact considerations of EC10.2 (a) resilience to climate change, (b) accessibility, (d) impact on economic regeneration of the area and (e) impact on local employment; the tests under EC10 (c) relating principally to high quality design which is a reserved matter for consideration at a later date.

Similarly whilst PPS5 continues the emphasis on protecting heritage assets, which in this case would include Crewe Green Conservation Area, this would not affect the previous assessment that the impact of the development can be suitably mitigated and controlled

through the imposition of conditions to restrict the scale and amount of development which comes forward at reserved matters stage.

### *Ecology*

Due to the Greenfield nature of the site and its location directly adjacent to Valley Brook, it was necessary for the applicant to submit an updated ecological survey. The survey concluded there was no evidence of any change in the protected species status of the site since the original Biota (dated 2007) and no protected species would be adversely affected by the scheme. It also concluded that the site has limited biological diversity and is of low conservation value.

On that basis, subject to the retention of the various conditions relating to ecology, tree protection and scale parameters the scheme would satisfy the requirements of PPS9, associated Circulars and Local Plan policy NE.5 and NE.9 and NE.10.

### *Trees*

An updated tree survey was also submitted with the application supported by new tree constraints and root protection zone plans. These documents demonstrate that the characteristics of the trees on site have not changed to any great degree that would materially affect the decision to grant planning permission. Therefore subject to the tree protection conditions being revised and updated to reflect the new survey plans the scheme would comply with Local Plan policy NE.5.

### *Review of Conditions*

A review of the original conditions has taken place as part of the assessment of this application and number of the original conditions will be revised.

In addition to revised tree protection conditions, the original conditions relating to the scale parameters for any reserved matters applications will also be amended in order to provide greater clarity for the developer and certainty for the Council in terms of the scale and amount of development brought forward at the reserved matters stage having particular regard to managing the impact of the scheme on the adjacent conservation area.

Finally in order to provide the applicant with greater flexibility in terms of building the site out, having regard to the difficult market conditions which currently prevail, it is also proposed to extend the time limit for implementing the outline permission from three to four years.

## **11. CONCLUSION AND REASON FOR THE DECISION**

No material changes have occurred to indicate that an extension to the time limit for implementation should not be granted.

The application is therefore recommended for approval subject to the following conditions: -

## **Reserved Matters and Time Limits**

1. Reserved Matters (Layout, Scale, Appearance and Landscaping).
2. Four Year Outline Permission.
3. 2 Year Reserved Matters Time Limit.

## **Parameters and Restrictions**

4. Approved Plans.
5. B1(a) Office Development Only.
6. Site Levels.
7. Reserved Matters Scale Parameters (maximum building heights and maximum floorspace).
8. Restriction of development area to exclude Valley Brook, University Way embankment and root protection zones.
9. No works within Valley Brook and no tree works between 1<sup>st</sup> March and 31<sup>st</sup> August.

## **Highways, Accessibility and Drainage**

10. Site access to base course before development commences.
11. Surface Water Regulation
12. Detailed scheme to manage flood risk from surcharging of surface water drains.
13. Implementation of permeable surfaces.
14. Details of cycle parking.
- 15 Details of bin stores.
16. Oil interceptors.

## **Landscaping**

17. Strategic Landscaping Scheme.
18. Implementation/Maintenance of Strategic Landscaping Scheme.

19. Scheme for Tree Protection.

20. Valley Brook Bank Protection.

**Other Matters**

21. Detailed Travel Plan.

22. Detailed Scheme for Lighting

Location Plan : Licence No 100049045

