

Application No: 11/1545N

Location: 501, CREWE ROAD, WISTASTON, CW2 6QP

Proposal: Change of Use Including Formation of Altered Access From Highway Including Dropped Kerb

Applicant: Mr W Lau

Expiry Date: 08-Jun-2011

SUMMARY RECOMMENDATION:

Approve with conditions

MAIN ISSUES:

- Parking provision,
- Highway safety
- Neighbouring amenity

REASON FOR REFERRAL

This application has been referred for the consideration of the Southern Planning Committee by Councillor Margaret Simon for the following reasons:

“Highways and parking concerns, noise nuisance and cooking related smells in a residential area”.

DESCRIPTION OF SITE AND CONTEXT

The application site is located at the junction of Crewe Road and Brookland Avenue within the Settlement Boundary for Crewe. Neighbouring the site to the north is a church beyond which are residential dwellings. To the west is a dwelling that has been converted to an optician's surgery and further residential properties. Across Crewe Road to the south and Brooklands Avenue to the east are residential properties. To the south-east of the site, diagonally across the crossroads, is a funeral parlour. The surrounding area as a whole is predominately residential.

The premises were previously used as office accommodation and a doctor's surgery. However it understood to have stood empty for approximately 3 years.

Currently the site has parking provision for 12 cars.

DETAILS OF PROPOSAL

The proposed development is for a change of use to a Chinese restaurant and take-away thus giving the premises an A3 and A5 Use Class. The proposed opening hours are between 11:30 am and 11:30 pm 7 days a week.

The application also includes the dropping of the kerb to allow access from Crewe Road onto the site and the one-way movement of traffic through the car park.

There are no external alterations to the building included as part of this application. If changes are proposed at a later date if required a further application will be required.

RELEVANT HISTORY

10/5008 - Change of Use from former GP surgery and pharmacy to Chinese Restaurant and take-away – withdrawn 2011

P09/0059 - Partial Demolition and Alterations to Existing Building, Formation of Car Parking and Turning Area and Change of Use to Veterinary Surgery - approved with conditions 2009

P04/0762 - Change of Use to Use to Offices (B1) and Provision of Medical or Health Services – approved with conditions 2004

P01/0834 - Alterations to Provide Access by Disabled Persons – approved 2001

P99/0281 - COU of hairdresser's salon to doctors surgery – approved 1999

P91/0294 - Office and consulting room extension – approved with conditions 1991

POLICIES

Borough of Crewe and Nantwich Replacement Local Plan Policy

- BE.1 Amenity
- BE.2 Design Standards
- BE.3 Access And Parking

Other Material Considerations

PPS1 Delivering Sustainable Development

CONSULTATIONS (External to Planning)

Highways:

The Strategic Highways and Transport Manager raise no objections to the proposal.

It is noted that the application is for change of use from a pharmacy to a take away restaurant. There are 9 off street parking spaces proposed, with 7 served from a new access off Crewe Road.

The new access to the car park, should ensure that a one way system operates effectively with entry taken from Crewe Road then exiting only onto Brookland Avenue. This will assist in providing standard parking spaces as opposed to the sub standard that are currently in use, with unloading served off Brookland Avenue.

It is the highways authorities opinion that this proposal will generate a small element of on street parking, but that this will reduce over time and can be controlled by the existing traffic regulation orders in place as well as the many vehicular crossings.

Environmental Health:

Environmental Health does not object to this application subject to the following conditions:

1. Before the use commences details of any proposed lighting of the site shall be submitted in writing and approved by the Borough Council, in the interests of protecting the amenity of the local residents.
1. Before the use commences details of the proposed hours of opening shall be submitted in writing and approved by the Borough Council, in the interests of protecting the amenity of the local residents.
2. All odours and fumes from the building shall be extracted to prevent causing a nuisance to local residents and in accordance with a scheme submitted to in writing and approved by the Borough Council.
3. No implements, boxes, crates, drums, refuse or other waste material shall be placed or stored on the application site other than within the buildings on the site, unless agreed in writing previously with the borough council. To protect the visual amenity of local residents
4. Before the use commences the building together with any ancillary mounted equipment shall be acoustically attenuated in accordance with a scheme submitted to in writing and approved by the borough council.

VIEWS OF THE PARISH / TOWN COUNCIL:

Wistaston Parish Council has raised the following objections to the proposed development:

- Inadequate parking provision
- Poor vehicular access
- Out of character with the surrounding area
- Noise, small and litter

OTHER REPRESENTATIONS:

22 letters of objection have been received which make the following points:

- Highway safety with regards to accessing and leaving the site
- Dangerous parking/parking on double yellow lines
- Insufficient parking
- Disturbance and noise, especially at night
- Litter
- Cooking smells enveloping the surrounding area
- Means of rubbish disposal
- Youths congregating outside the premises
- A restaurant/take away will detract from the area
- No need for the proposed development
- Illuminated signage will damage the amenity of the area and nearby dwellings
- No mention of opening in the application
- Increase in anti-social behaviour
- Rubbish will attract vermin
- Devaluation of property prices

Further to this 2 letters of support have also been received.

APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement

OFFICER APPRAISAL

Principle of Development

This is a full planning application for a change of use from doctor's surgery (D1) to a Chinese restaurant and take away (A3/A5) which is acceptable in principle providing that there is no detrimental impact upon neighbouring amenity, the streetscene of Crewe Road and Brooklands Avenue or on highway safety.

Design

There are to be no material changes to the exterior of the building or signage to be considered as part of this application. This will be done via a separate application at a later date should this application be approved.

Therefore the proposed development complies with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Amenity

The application site sits on a busy road junction on one of the main routes between Nantwich and Crewe and as a result there is a significant level of existing background noise and activity.

Adjoining the site to the north is a church while directly to the west is a detached property housing an Optician's surgery. These two non-residential premises are not considered to be sensitive receptors and will help to screen the proposed development from residential dwellings to the north and west in terms of potential noise and smells.

Furthermore the application site is approximately 25 metres away from residential dwellings to the east and approximately 37 metres from dwellings to the south. In view of these distances and the intervening busy main roads, it is not considered that there will be any significant detrimental impact upon residential amenity by reason of noise, smells and disturbance. Similar relationships between restaurants, takeaways and residential properties exist throughout the Borough without generating cause for complaint.

Controls can also be imposed through conditions relating to opening hours, air conditioning units, extraction units and odour control, and the storage and removal of waste from the proposed restaurant can be monitored and controlled through Environmental Health legislation.

Therefore, for the reasons stated above and in the absence of any objection from Environmental Health it is considered that the scheme complies with Policy BE.1 (Amenity) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Highway Safety and Parking

Concern has been expressed regarding highway safety with vehicles entering and leaving the site. It is accepted that Crewe Road is a busy thoroughfare, and that the site is located on a junction. However it is rarely a congestion hotspot other than during the morning rush hour when the proposed restaurant/take away would be closed. During the evening the Crewe Road and connecting roads are much quieter.

The proposed restaurant will seat between 68 and 84 diners when at capacity and it is proposed that 9 car parking spaces be provided. This is considered as sufficient for this type of development by the Strategic Highways and Transport Manager.

The junction of Brooklands Avenue and Crewe Road is protected by double yellow lines meaning that any displaced parking as a direct result of this proposal will be away from the access to the car park and not causing a hazard. Further to this there are no recorded serious road traffic accidents as at this location vehicles generally drive at slower speeds when approaching or leaving the traffic signals.

The proposed restaurant/takeaway will be used during the afternoons and evenings when traffic is quieter and flows freely.

The site is close to a bus stop on a frequent bus route between Crewe and Nantwich, which connects with the station. There is a substantial local population within walking distance from which the restaurant will draw trade. Added to which the nature of the use is such that people are more likely to car share or take taxis than they would at other times.

It has been highlighted that users of the adjacent church regularly park on the double yellow lines of Brookland Avenue when attending. However, it would appear that the church does not have any parking space within their ownership for patrons to use. The issue of cars parking on double yellow lines is a separate issue and can be controlled through other legislation. Times of peak demand for the restaurant will be very different to that of the church and consequently it will not exacerbate any existing on street parking problems.

The Strategic Highways and Transport Manager has assessed the application and has no objections in terms of highway safety or provision of parking spaces on the site.

Therefore the proposed development complies with Policy BE.1 (Amenity) and Policy BE.3 (Access and Parking) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

Other Matters

The issues raised by neighbours regarding litter, vermin and anti-social behaviour are noted. However there is no evidence to suggest that any of these problems would arise if approval for the change of use were to be granted. As stated earlier, similar relationships between catering establishments and residential properties already exist throughout the Borough and these problems have not occurred.

Residents have also expressed concern regarding negative effects on property values and the need for the proposed restaurant/take away, however these are not material planning considerations and cannot be considered as part of this application.

CONCLUSIONS

This application does not include any changes to the external elevations of the application building or the use of any signage. Therefore the proposed change of use from doctor's surgery to a Chinese restaurant and take away will not have a detrimental impact upon the Streetscene of Crewe Road or Brooklands Avenue.

The conditions attached by the Environmental Health Officer will mitigate any loss of amenity to neighbouring residential properties by reason of noise and cooking odours.

The Strategic Highways and Transport Management has not raised any objections concerning the safety of the site and the surrounding highway, and is satisfied that the proposed parking provision is sufficient for the application site.

The proposal therefore complies with the relevant policies and is accordingly recommended for approval.

RECOMMENDATION:

APPROVE subject to the following conditions

- 1) Commencement of development (3 years)
- 2) Development in accord with approved plans
- 3) Hours of Operation
- 4) Cooking odour extraction equipment
- 5) Acoustic Attenuation
- 6) Details of external lighting
- 7) Storage of waste
- 8) No external alterations or signage without a further application



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