

Application No: **10/4539N**

Location: **416, Newcastle Road, Shavington, CW2 5EB**

Proposal: **Construction of a Single Storey Building to be Used for B1 (Office/Light Industrial) and B8 (Storage and Distribution) Purposes**

Applicant: **Mr J Parton**

Expiry Date: **13-Jan-2011**

Ward: **Doddington, Rope**

Date Report Prepared: 6th January 2011

SUMMARY RECOMMENDATION

Approve with Conditions

MAIN ISSUES

- **Principle of development**
- **The impact upon neighbouring amenity**
- **The impact upon the character and appearance of the site and the wider Open Countryside**
- **Trade counters**
- **Highway safety/parking provision**

REASON FOR REFERRAL

This application has been referred to the Southern Planning Committee by Cllr Brickhill for the following reason;

'The reasons for call in are

1. Commercial activity increase in a residential area bordering on green fields.

1. Overdevelopment of the site. There are already five or six units in place or approved there.

2. Parking problems on site even with the existing/new but now available car park sites shown on the drawings

3. Parking will be further restricted when the two warehouses, for which permission has already been given, are developed

4. The use of one of the existing warehouses as a much needed play barn does give rise to parking problems at peak times when parking overflows onto the Newcastle Rd causing further traffic hazard

5. Egress from the site is dangerous. The entrance nearest the bend is marked no exit. This is often ignored. Drivers on the main road cannot see vehicles emerging until collision (nearly)

takes place. The alternative is to drive through the petrol station endangering other drivers who are going to and from the kiosk to pay for fuel/ obtain goods.

6. Further increase in traffic caused by this additional unit and the decrease in available car parking it will cause on the whole site causes an immense local danger.

7. Residents living opposite the garage site have objected to the application and notified me.

8. I felt that some members of the parish council thought that the officers note with the application was very biased in favour of the applicant. This gave rise to ideas that he had already made a decision before hearing objections. Hence the need to take the decision to councillors.

I give notice that it will be my intention to attend the committee and to speak against the application'

DESCRIPTION OF SITE AND CONTEXT

The application site is located on the southern side of Newcastle Road just outside the Shavington Settlement Boundary and within the Open Countryside. The site is currently occupied by a parking area and a strip of landscaping. To the north-west of the site is an ESSO petrol filling station, to the west of the site is a car garage (ABP) and a children play centre (Playworld). To the north-east of the site is 418 Newcastle Road which is a detached dwelling and an area of gravelled land which has planning permission for 2 units of B1/B8 use.

DETAILS OF PROPOSAL

The proposal is for the erection of a single storey building that would be used for B1 and B8 purposes. The building would have a length of 13.8 metres, a width of 13.5 metres, an eaves height of 3.7 metres and a ridge height of 5.8 metres. The scheme would include a re-orientation of the car parking on the site with a total car parking provision of 83 spaces.

RELEVANT HISTORY

10/0714N - Construction of Single-Storey Building to be Used for B1 (Office/Light Industrial) and B8 (Storage & Distribution) Purposes – Approved 22nd April 2010

P08/1158 - Construction of Car Show Room and Display Area (Amendment to Approval P07/1028) – Approved 2nd December 2008

P07/1028 - Renewal of P02/1157 Construction of Car Showroom and Display Area – Approved 11th September 2007

P07/0615 - Change of Use to Childrens' Playcentre and Mezzanine Floor – Approved 10th July 2007

P06/0399 - Outline Application for Two Dwellings – Refused 7th June 2006

P02/1157 - Renewal of Permission for Showroom and Car Display Area – Approved 18th December 2002

P97/1018 - Renewal of permission for car showroom and display area – Approved 5th February 1998

P96/0694 - Installation of storage boxes – Approved 1st October 1996

P93/0064 - Car showroom and display area – Approved 11th March 1993

7/19701 - Various illuminated advertisements – Approved 26th July 1991

7/19112 - Internally illuminated gantry sign – Approved 9th January 1991

7/19057 - Re-development of Shavington Service Station – Approved 29th November 1990

7/17204 - Re-development of existing service garage to replace canopy and buildings and alterations to vehicular accesses – Approved 12th October 1989
7/16083 - New workshop premises including showroom – Approved 3rd November 1988
7/11265 - 8 dwellings – Refused 27th September 1984
7/04952 - Extension to showroom, new pump island new canopy and valeting bay – Approved 29th March 1979
7/04724 - C.O.U. part of garage premises to display area for the sale of vehicles – Withdrawn 17th November 1978

POLICIES

Development Plan policies

Local Plan policy

NE.2 – Open Countryside
BE.1 – Amenity
BE.2 – Design Standards
BE.3 – Access and Parking
BE.4 – Drainage, Utilities and Resources
E.6 – Employment Development in the Open Countryside
TRAN.9 - Car Parking Standards

Regional Spatial Strategy

DP1 (Spatial Principles)
DP3 (Promote Sustainable Economic Development)
DP7 (Promote Environmental Quality)
RDF1 (Spatial Priorities)
MCR4 (South Cheshire)
EM18 (Decentralised Energy Supply)

National policy

PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPS7: Sustainable Development in Rural Areas

CONSULTATIONS (External to Planning)

Environmental Health: Request conditions in relation to contaminated land, construction hours, pile driving, external lighting, acoustic enclosures for fans and the submission of a noise impact assessment.

Strategic Highways Manager: There will be no significant impact on the surrounding highways network as a direct result of this proposal. No highways objections.

OTHER REPRESENTATIONS

One letter of objection received from the occupants of 469 Newcastle Road which raises the following points;

- Increased traffic movements
- Parking

- Highway safety
- Visual amenity

PARISH COUNCIL

Shavington Parish Council: The Parish Council does not want to see the further enlargement of this industrial site - the site already has parking issues and additional car parking provision for up to 66 vehicles will give rise to major concerns over road safety for access and egress from the site.

Hough & Chorlton Parish Council: Hough & Chorlton Parish Council has considered application 10/4539N and shares the concerns already raised by Shavington Parish Council and Cheshire East Councillor David Brickhill with regards to the expansion of this site and the ensuing traffic problems.

APPLICANT'S SUPPORTING INFORMATION

Planning, Design and Access Statement (Produced by Emery Planning Partnership and dated November 2010)

- This application seeks full planning permission for the construction of a single-storey building to be used for B1 and B8 purposes at 416 Newcastle Road.
- This follows the approval of planning permission for the construction of a similar development to the front of the site in April 2010. The height of the building is also identical to that extant permission.
- The above permission remains a valid permission and is fully capable of being implemented. This is a significant material consideration and should be given substantial weight in the determination of this application.
- It has been acknowledged by the planning officer in pre-application discussions that the proposed construction of an industrial building would, in principle, comply with the requirements of Policy E.6 in the local plan which allows commercial developments within the open countryside.
- The proposed building would be positioned at the rear of the site adjacent to an existing workshop where it would have the least impact. It would be almost identical in appearance to the approved building at the front of the site.
- The proposed building and the uses would not conflict with the objectives of local plan policies and would not result in any greater harm to the character and appearance of the area, the amenity of neighbouring properties and highway safety. Planning permission should therefore be granted.

OFFICER APPRAISAL

Principle of Development

The application site stands on the south side of Newcastle Road, located to the South East of Shavington. The application site is located within the open countryside just outside of the Shavington Settlement Boundary. Policy E.6 of the Crewe and Nantwich Replacement Local Plan 2011 encourages appropriate employment development in the Open Countryside and restricts it to small industries, commercial business enterprises within or adjacent to existing groups of buildings, in accordance with policies BE.1 – BE.5.

Policy EC10.1 of Planning Policy Statement 4 states that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Policy EC10.2 provides a list of impact considerations that the application should be considered against; these include accessibility and design considerations.

In consideration of this it is considered that the development would consist of a small scale business development adjacent to an existing employment area. The development would therefore comply with Policy E.6 and PPS4.

Amenity

The main residential property affected by the proposed development would be 418 Newcastle Road which is located to the north-east of the site. Given that there would be a distance of approximately 33 metres from the nearest point of 418 Newcastle Road to the proposal and that the area immediately adjacent to the boundary is a small yard area with the private garden area of 418 Newcastle Road located to the side of the dwelling it is considered that the proposed development would not have such a significant overbearing impact or cause significant loss of light as to warrant the refusal of this planning application.

The B1 use class is a use that can be carried out without detriment to the amenity of any residential area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. As a result it is considered that the use of the site for a B1 use is acceptable.

The B8 use class relates to storage and distribution and this could potentially impact upon residential amenity. However the units are relatively small at 186.3sq.m and with the imposition of conditions relating to hours of operation, loading, no external storage and no external activities would address any concerns over the impact of a B8 use upon residential amenity.

Given the size of the proposed units and the level of existing vehicular movement at the site it is not considered that the proposed development would cause such a significant increase in vehicular movements that would cause such a detrimental level of disturbance to local residents as to warrant the refusal of this application.

Trade Counters

A genuine trade counter could, depending on the circumstances, be considered ancillary to a warehouse (B8) use and therefore even if omitted from a development description could be introduced later without the need for planning permission. But to qualify as a B8 use as applied for, the trade counter must be minor and ancillary to the main use.

In this instance and in order to ensure that the retail element (trade counter) of the proposal is maintained as ancillary and as a subsidiary element in the overall "B8 Use Class" of the site, appropriate conditions should be established to include the following provisions:

- Ensure that no mezzanine floors are provided without the express prior approval of the Local Planning Authority

- When an end user is established and before any sales commence there shall be submitted for the prior written approval of the Local Planning Authority an internal floor plan indicating the extent and location of the trade counter (also indicating the customer access and the relationship of the sales counter with the remaining floor area). The trade counter will only be implemented in accordance with the approved internal floor plan referred to above indicating the extent and location of the trade counter. This condition is to ensure that the trade counter is kept as an ancillary element to protect the vitality and viability of the town centre
- Restriction on the sale of goods to non - food goods.
- Prevent sub-division of the unit

The reasoning behind the use of such conditions would be to ensure that the trade counter element of the proposal is subsidiary and does not impact upon the vitality and viability of Crewe town centre or Shavington Village.

Design

The proposal is similar in form, style and appearance to the units approved under application 10/0714N (with glazed elements to its corners on the front elevation). Furthermore the site has a commercial appearance and given the design of the adjacent units it is not considered that the proposed development would appear out of character. As a result it is considered that the proposed development is now acceptable in terms of its design.

The proposed building would be sited within an existing employment area and the development would be viewed against the existing buildings on the site. Therefore it is considered that the proposed development would not have a detrimental impact upon the character and appearance of the wider open countryside.

Highway safety/parking provision

Concern has been raised over the increased vehicular movements on the site upon highway safety. However as part of this application the Highway Authority has been consulted and raised no objection. As a result it is not considered that the proposal would have a detrimental impact upon highway safety.

As part of the proposed development of the site 83 car parking spaces would be provided. The proposed unit would require a parking provision of 7.5 spaces (using a calculation for a B1 use which gives the higher standard), the units approved under application 10/0714N would require a total parking provision 10.6 spaces (using a calculation for a B1 use), the ABP unit would require a provision of 10.5 spaces (using the B2 use class) and the Play World children's centre has a condition requiring the provision of 20 spaces. This would give a total parking requirement for the site of 48.6 spaces which is less than the 83 spaces provided.

Although there would be an oversupply of car-parking on the site, the Strategic Highways Manager has not objected in relation to this issue. It is therefore considered that the supply of parking on the site is considered to be appropriate.

CONCLUSIONS

The proposed development is considered to be acceptable in principle despite the site being located within the open countryside. The proposal is considered to be of an acceptable design and would have minimal impact upon residential amenity. Finally it is not considered that the proposed development would have a detrimental impact upon highway safety or parking provision at the site.

RECOMMENDATIONS

APPROVE subject to the following conditions

- 1. Standard time limit 3 years**
- 2. Materials to be submitted to the LPA and approved in writing**
- 3. Surfacing materials to be submitted to the LPA and approved in writing**
- 4. Prior to the commencement of development a Contaminated Land Assessment shall be submitted to the Local Planning Authority and approved in writing and any remediation measures shall be implemented**
- 5. Condition to specify the approved plans**
- 6. The car parking shown on the approved plans to be provided before the unit hereby approved is first occupied**
- 7. Cycle parking facilities to be submitted to the LPA and approved in writing**
- 8. Shower facilities to be submitted to the LPA and approved in writing**
- 9. Drainage details to be submitted to the LPA and approved in writing**
- 10. Details of oil interceptors to be submitted to the LPA and approved in writing**
- 11. External lighting to be submitted to the LPA and approved in writing**
- 12. No external storage**
- 13. When an end user is established and before any sales commence there shall be submitted for the prior written approval of the Local Planning Authority an internal floor plan indicating the extent and location of the trade counter (also indicating the customer access and the relationship of the sales counter with the remaining floor area). The trade counter shall be implemented in accordance with the approved internal floor plan referred to above indicating the extent and location of the trade counter. This condition is to ensure that the trade counter is kept as an ancillary element to protect the vitality and viability of the town centre**
- 14. Prevent sub-division/amalgamation of the unit**
- 15. Bin Storage details to be submitted to the LPA and approved in writing**
- 16. Landscaping to be submitted to the LPA and approved in writing**
- 17. Landscaping to be completed**
- 18. Details of any acoustic enclosures to be submitted to the LPA and approved in writing**
- 19. The hours of construction (and associated deliveries to the site) of the development shall be restricted to 08:00 to 18:00 hours on Mondays to Fridays, 08:00 to 13:00 hours on Saturdays, with no work at any other time including Sundays and Public Holidays.**
- 20. Details of any pile driving to be submitted to the LPA and approved in writing**
- 21. The units hereby permitted shall only operate (including deliveries) or be open to the public between the hours of 8.00a.m. and 18.00p.m. on Mondays to Saturdays inclusive and not at all on Sundays or Bank Holidays.**

- 22. No external activities**
- 23. Restrict to B1 and B8 use classes only**
- 24. Restrict goods sold from any trade counter**
- 25. No mezzanine floors**
- 26. Noise impact assessment to be submitted to the LPA and approved in writing**

Location Plan: Licence No 100049045

