

Application No: **10/4760N**

Location: **Plots 1- 4, Orion Way, Crewe, Cheshire**

Proposal: **Extension to Time Limit on Application P08/0561**

Applicant: **Hxruk (KP Dev) Ltd**

Expiry Date: **06-Feb-2011**

Ward **Crewe East**

#### **SUMMARY RECOMMENDATION:**

**Approve with conditions**

#### **MAIN ISSUES:**

- **Principle of development**
- **Whether there have been any material changes in circumstances since the previous permission was issued which would warrant a different decision.**
- **Drainage**

#### **REASON FOR REFERRAL**

This application is referred to the Southern Planning Committee because the proposal is for major development exceeding 1,000 sq m in floor area.

#### **DESCRIPTION OF SITE AND CONTEXT**

Orion Park is located on the east side of University Way, Crewe and was formerly known as Area B. The land is generally level although the north end is slightly higher than the remaining areas on the site. A number of employment units have already been constructed under previous permissions and this application relates to four units at the southern end of the development. Unit 1 and 2 would form a single building fronting University Way and Unit 2 would also face onto Orion Way. Unit 4 would face onto Orion Way, the internal service road, close to unit 16 which has been constructed. Unit 3 would be located to the rear of Unit 4 and together these units form a single building. The service area would be located centrally between Units 1 / 2 and Units 3 / 4. Car Parking would be provided between the units and Orion Way.

Orion Park is located in the settlement boundary of Crewe and the land is allocated for employment uses under allocation E.2.1 of the Replacement Local Plan 2011. To the rear and

south of Orion Park is the Historic Park and Garden of Crewe Hall which is protected under policy BE.14 of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

The land immediately north of this application site is the subject of application 10/4757N which is also reported on this agenda.

## **DETAILS OF PROPOSAL**

Unit 1 is for 592 sq m of industrial (B2) floor space and 70 sq m of ancillary office space. Unit 2 is a warehouse and distribution unit (B8) with a floor area of 1,394 sq m of floor space. It is fronted by a show room. Unit 3 is an industrial unit (B2) with 509 sq m of industrial floor space and 70 sq m of ancillary office space. Unit 4 is a distribution and warehouse (B8) unit with 929 sq m of floor space and 93 sq m of office space. Access is from the estate road, Orion Way, and a total of 72 car parking spaces would be provided for the units as whole. Covered cycle parking for 12 bikes would also be provided.

In the course of negotiating the original application amended plans were submitted which introduced a glazed element consisting of an upper and lower area of glazing separated by a gull wing canopy, at the corners of units 1 and 2 on the elevation to University Way and in the centre of the elevation. The theme of darker cladding at the corners of both buildings was also introduced. The glazing and gull wing feature is also introduced at the north western corner of unit 4. Units 3 and 4 would be located 12m from unit 16 to the east which is already constructed.

## **RELEVANT HISTORY**

10/3023N 2 New Windows at unit 16. Approved 30<sup>th</sup> September 2010.

10/3020N Temporary Permission for Operational & Site-based Staff Vehicle Parking Associated with the Occupation of Unit 16. Approved 30<sup>th</sup> September 2010.

P08/0951 Creation of first floor space and conversion of part of ground floor warehouse and use of building for B8 or B2 Unit 4. Approved 2<sup>nd</sup> October 2008.

P08/0562 Two Industrial Warehouses. Approved 29<sup>th</sup> July 2008.

P08/0561 Four industrial units. Approved 31<sup>st</sup> July 2008.

P08/0364 Additional office space and warehouse space below at unit 16. Approved 6<sup>th</sup> May 2008.

P08/0219 Additional windows at unit 14. Approved 11<sup>th</sup> April 2008.

P07/01263 Additional facilities at unit 12. Approved 22<sup>nd</sup> October 2007.

P07/0017 Outline permission for 5 office units. Approved 4<sup>th</sup> April 2007.

P06/1416 B8 Unit. Approved 9<sup>th</sup> March 2007.

P06/1260 B8 unit. Approved 12<sup>th</sup> January 2007.

P05/1463 Four B2/B8 units. Approved 7<sup>th</sup> February 2006.

P04/0489 part outline part full permission for general employment and warehousing. Approved 19<sup>th</sup> October 2004.

## **POLICIES**

The development plan for this area includes the North West of England Plan Regional Spatial Strategy 2021 (RSS) and the Borough of Crewe and Nantwich Replacement Local Plan 2011 (LP).

## **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

MCR4 South Cheshire

## **Local Plan Policy**

E.2 .1 New Employment Allocations

BE.1 Amenity

BE.2 Design

BE.3 Access and Parking

TRAN.3 Pedestrians

TRAN.5 Provision for Cyclists

TRAN.9 Car Parking

## **National policy**

PPS1: Delivering Sustainable Development

PPS4: Planning for Sustainable Economic Development

PPS5: Planning for the Historic Environment

## **CONSULTATIONS**

**Highways:** No response received at the time of writing this report.

**Environment Agency:** No objection in principle.

**United Utilities:** No response at the time of writing this report.

## **VIEWS OF THE PARISH COUNCIL:**

No response received at the time of writing this report.

## **OTHER REPRESENTATIONS:**

None received at the time of writing this report.

## **APPLICANT'S SUPPORTING INFORMATION:**

A Design and Access Statement was submitted with the original application.

## **OFFICER APPRAISAL**

### **Principle of Development**

The site is within the settlement boundary for Crewe. The principle of the use of this site for general industrial use (B2) and warehousing and distribution uses (B8) has been established through the allocation in the Replacement Local Plan and the previous planning permissions issued at this site. The pattern of development is now becoming established on the ground by the completion of a number of units. This application together with application 10/4757N will complete the development of Orion Park.

Unit 2, a warehouse and distribution unit, includes a showroom area. The site, as a whole, is allocated for B1, B2 and B8 development in the Replacement Local Plan and there are no objections to a showroom related to a distribution use provided there is no retail sale from the site. A condition should be attached to any permission to ensure that retail sales do not take place.

### **Material Changes in Circumstances since the Previous Planning Permission**

This is an application for an extension in time introduced to make it easier for developers to keep planning permissions alive during the economic downturn. Government advice states that in determining such applications, Local Authorities should only look at issues which have changed significantly since the original planning permission was previously granted. It is not therefore necessary to re-examine all the detailed issues considered in the original report on the 2008 application, only those issues which arise from a material change of circumstances.

The changes in circumstance since the permission was granted in July 2008 relating to this development are changes in National Planning Policy. PPS4 "Delivering Sustainable Development" was in draft consultation form when the original application was prepared. The PPS has now been adopted. It supports the provision of employment development in sustainable locations. The development of this site will be in accordance with the principles of PPS4.

PPS5 "Planning for the Historic Environment" has also replaced the former PPG15. That document, similarly to its predecessor, seeks to protect heritage assets. The woodland around Orion Park is part of the Historic Park and Garden at Crewe Hall. That woodland does provide a good buffer between the inner areas of the Historic Park and Garden closer to Crewe Hall, a Grade I Listed Building. However the application site fronts University Way and Orion Way and whilst the woodland immediately south of the site is allocated as Historic Park and Garden, in its built context with development taking place along both sides of University Way it is not considered that the development on the road frontage will adversely impact on the Historic Park and Garden as a whole.

Planning permission was granted under reference P08/0951 to extend the office area within unit 4 but that did not result in any external alterations to the development. More recently (2010) planning permission has been granted for the construction of a car park on the land between units 3 and 4 and unit 16 on adjacent land under reference 10/3020N. This scheme is required to provide additional parking for unit 16. Unit 16 currently has 20 parking spaces and the permission allows the use of an additional 42 spaces of which 17 must be removed on or before 1<sup>st</sup> October 2011 leaving 25 other spaces to be removed on or before 1<sup>st</sup> October 2020. The 17 spaces are required to allow time for Babcock, the applicant, to submit and obtain approval for a Travel Plan. The implementation of the car parking scheme would prevent the implementation of this planning permission for four employment units because part of the

parking area is on land which would be used for Units 3 and 4. However the temporary permission for the parking area has not yet been implemented and the existence of that permission does not present a reason to refuse this application for an extension in time. Nevertheless if the car parking scheme is implemented that will then prevent the implementation of this permission and a new application would be required if only units 1 and 2 were to be provided.

## **Drainage**

It is noted that the Environment Agency have not requested the conditions on this application which are requested in relation to application 10/4575N. It is however recommended that these are included in any permission to ensure consistency throughout the whole of Orion Park and that drainage waters do not result in flooding lower down the Englesea Brook.

## **Other Matters**

The design of the buildings was accepted in 2008 and there have been no changes in circumstance which would require a re-examination of the size, scale, layout and design of the development. There are no close dwellings to be adversely affected by the proposals. The land has previously been cleared of vegetation. In the formation of University Way a wildlife corridor was planted to the north of Orion Park and is now established. This forms a link between the woodland around Orion Park and the frontage planting on University Way. Wildlife tunnels constructed under the road provide further links to woodland on the west side of University Way. A former pond at the rear of Unit 16 on the eastern boundary of Orion Park has been silted up for some time and previous surveys have found it has no value for Great Crested Newts.

The Strategic Highways Manager has not commented on this application for an extension of time. However University Way was designed and constructed to carry traffic from employment land which was allocated to come forward with the construction of the highway. Parking and access conditions attached to the previous permission should be repeated on this permission.

## **Conditions**

The original permission included 16 conditions. A condition for a Travel Plan required that this be drafted with reference to Cheshire County Council guidance and this should now refer to the Department of Transport "Essential Guide to Travel Planning". Similarly the access into the development should be constructed in accordance with Cheshire East standards rather than those of the former Cheshire County Council.

## **CONCLUSIONS**

There have been no material changes in circumstances since the original permission was issued for this development which would warrant a refusal of this application. The development of warehouse and general industrial units will provide employment opportunities within the settlement boundary of Crewe, in a sustainable location. The extension of time would be in accordance with policies in the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Government guidance.

## **RECOMMENDATIONS**

**APPROVE subject to the following conditions:-**

- 1. Commencement within 3 years.**
  - 2. Plans as approve under P08/0561**
  - 3. Materials as detailed in the application unless otherwise approved in writing.**
  - 4. Car Parking to be provided before the development is first used.**
  - 5. Cycle Parking and linkages to University Way to be provided**
  - 6. Travel Plan to be submitted approved and occupiers required to participate in the Green Travel Plan.**
  - 7. Landscaping scheme to be revised to take account of layout as revised in 2008 and provide planting between units3/4 and unit 16 adjacent to the site.**
  - 8. Implementation and maintenance of landscaping**
  - 9. Showers to be provided within each unit and retained for use by all staff at that unit.**
  - 10. Boundary treatment to match that used elsewhere on the development**
  - 11. Oil interceptors to be provided to car parks.**
  - 12. Lighting scheme to be submitted approved and implemented.**
  - 13. No outside storage.**
  - 14. Offices and trade counter only to be used for that specific unit and not to be occupied as a separate business.**
  - 15. Access to be in accordance with the approved plans and to CEC specification**
  - 16. Units 1 & 3 only to be used for B2 general industrial uses. Units 2 & 4 for B8 purposes. The showroom and trade counter at unit 2 limited to those areas shown on the submitted plan and not used for retail to the general public.**
  - 17. Scheme of surface water regulation to be submitted approved and implemented.**
  - 18. Scheme for the management of overland flow from surcharging of the site's surface water drainage system to be submitted approved and implemented. The scheme shall include details of finished floor levels and ground level and be implemented in accordance with the approved details.**
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Location Plan: Cheshire East Council Licence No. 100049045

