

Application No: 12/0392N

Location: Former Millfields Public House Site, BLAGG AVENUE, NANTWICH

Proposal: Extension to Time Limit for Approved Planning Application P09/0109 for Demolition of Existing Public House and Erection of Residential Development comprising of 12 Two Bedroom Houses and 2 One Bedroom Flats

Applicant: Mrs Susan J Stott

Expiry Date: 09-May-2012

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- **Principle of Development**
- **Material Changes since the grant of Planning Permission**

REASON FOR REFERRAL

This application is referred to Southern Planning Committee as the development relates to the extension in time to a major planning application.

1. DESCRIPTION OF SITE AND CONTEXT

The site is located within the settlement boundary of Nantwich as defined by Policy RES.2 (Unallocated Housing Sites) of the Borough of Crewe and Nantwich Replacement Local Plan 2011. The site was occupied by a Public House which has now been demolished and is within a predominantly residential area although there is a convenience store to the north on Meeanee Drive.

The majority of the surrounding housing stock is two storey with some single storey bungalows. The site is broadly rectangular in shape and mainly comprises hardstanding which previously served as car parking and the public house. The site has several vehicular access points from Harding Road, Blagg Avenue and Hinde Street.

2. DETAILS OF PROPOSAL

This application is for the extension to the time limit condition to planning permission P09/0109. This permission relates to the redevelopment of 12 no two bedroom houses and 2 no one bedroom flats. The proposed development comprises a single linear terraced block fronting onto

Blagg Avenue behind a 1 metre high brick wall and decorative railing. Vehicular access, parking and amenity areas are proposed to the rear. The proposed development would be predominantly two storeys with the exception of a central three storey element in line with the end of Cope Avenue.

3. RELEVANT HISTORY

P09/0109 - Demolition of Existing Public House and Erection of Residential Development Comprising 12 Two Bedroom Houses and 2 One Bedroom Flats – Approved 8th June 2009
P05/0939 – Construction of five two storey dwellings - Refused 23rd August 2005
P94/0893 – Outline application for residential development - Refused 12th January 1995

4. POLICIES

Local Plan policy

RES.2 (Unallocated Housing Sites)
BE.1 (Amenity)
BE.2 (Design Standards)
BE.3 (Access and Parking)
BE.4 (Drainage, Utilities and Resources)
BE.5 (Infrastructure)
BE.6 (Development on Potentially Contaminated Land)
NE.9 (Protected Species)
NE.17 (Pollution Control)

National policy

PPS1 (Delivering Sustainable Development)
PPS3 (Housing)
PPS9 (Biodiversity and Geological Conservation)
PPG13 (Transport)
PPS23 (Planning and Pollution Control)

Other Material Planning Considerations

Supplementary Planning Document on Development on Backland and Gardens
Communities and Local Government Guidance: Greater Flexibility for Planning Permissions
Draft Interim Policy on the Release of Housing Land
'Planning for Growth'
'Presumption in Favour of Economic Development'
Draft National Planning Policy Framework

5. CONSULTATIONS (External to Planning)

Environmental Health – No objection

6. VIEWS OF THE TOWN COUNCIL

No comment

7. OTHER REPRESENTATIONS

Letters of representation have been received from the occupants of 25 & 27 Meeanee Drive raising the following points:

- No objection to the development
- When the pub was demolished the boundary treatment has been damaged and this should be replaced
- The site is in a dangerous condition and the following works should be undertaken; the site should be fenced off, the pool should be filled in, the fence should be repaired, the site should be tidied up as it is currently being used for dumping rubbish

8. APPLICANT'S SUPPORTING INFORMATION

No supporting information

9. OFFICER APPRAISAL

Principle of Development

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.

MATERIAL CHANGES IN POLICY/CIRCUMSTANCES SINCE PREVIOUS APPLICATION

The original application was determined under the Borough of Crewe and Nantwich Replacement Local Plan 2011 which is still the prevailing Development Plan for the

The Council has recently adopted a Draft Interim Policy on the Release of Housing Land. It is not considered that the contents of this Policy would affect this application given that the originally approved scheme would have been considered in relation to the 5 years housing land supply for the Borough.

Changes in national guidance relate to the statements on 'Planning for Growth' and the 'Presumption in Favour of Economic Development' together with the Draft National Planning

Policy Framework. It is considered that these statements and the draft NPPF would add support for the approval of this planning application.

The original application was subject to extensive pre-application negotiations between the Case Officer and the applicant's agent. It is considered that the layout, design of the building, access and parking provision which was accepted in 2009 is still acceptable in this location and will respect the character and appearance of the site and would not have a detrimental impact upon residential amenity.

11. CONCLUSIONS

There have been no material changes in circumstance which would warrant a different decision on this application since the previous application was determined.

12. RECOMMENDATIONS

Approve subject to conditions

- 1. Standard time**
- 2. Approval of materials**
- 3. Approval of surfacing materials**
- 4. Provision of car parking spaces**
- 5. Details of covered and secure cycle storage to be submitted to and approved in writing by the Local Planning Authority and retained thereafter**
- 6. Diversion of public sewer**
- 7. Drainage details to include for sustainable drainage measures (SUDS) to be submitted and approved and thereafter implemented**
- 8. Approved points of access to be constructed to Cheshire East Council standards and remaining existing access to be stopped up**
- 9. Details of all boundary treatments to include fencing at rear of the site adjoining properties on Meeanee Drive to be submitted and approved in writing by the Local Planning Authority and retained thereafter**
- 10. Details of landscaping to be submitted to and approved in writing by the Local Planning Authority**
- 11. Approved landscaping to be implemented**
- 12. Provision of bin storage areas**
- 13. Removal of permitted development rights for extensions and detached structures**
- 14. Approved plans**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning and Housing in consultation with the Chair of the Southern Planning Committee is delegated authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

