

Application No: 14/1741N

Location: Land Off, ORION WAY, CREWE

Proposal: Variation of (condition 2 - internal floor plan ) and (condition 16 business clarification) on approved application (10/4760N erection of 4 industrial units)

Applicant: Black & White Cheshire Ltd

Expiry Date: 04-Jun-2014

**RECOMMENDATION:** Approve subject to conditions

**MAIN ISSUES:**

- Principle of development;
- Design and Layout;
- Highways;
- Impact upon the Historic Park and Gardens

**REFERRAL**

This application is referred to Southern Planning Committee because it relates to the variation of the conditions attached to application 10/4760N which was determined by the Southern Planning Committee.

**SITE DESCRIPTION**

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 within 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.

Works have commenced on this site constructing these units although at the time of the case officer's site visit the units were not occupied.

## **DETAILS OF PROPOSAL**

This application seeks to vary conditions 2 and 16 attached to application 10/4760N. This application relates to a full planning consent to develop Unit 1 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. 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.

This application seeks to vary condition 2 (approved plans) to allow the following alterations to units 1 and 2:

- The inclusion of 3 windows and two personnel doors on the rear elevation;
- The relocation of Roller shutter doors and personnel doors on the front elevation;
- Internal alterations would see the party wall re-positioned to create a larger unit 2. There would also be some minor changes to the layout of the ancillary offices.

This application also seeks the variation of condition 16 which states as follows:

*Notwithstanding Schedule 2 Part 3 of the Town and County Planning (General Permitted Development) Order 1995, as amended, Units 1 and 3 hereby permitted shall only be used as B2 (general industrial) development and shall not be used for any purpose other than a purpose within Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 as amended. Units 2 and 4 shall only be used for B8 purposes (Warehouse and Distribution) of the Town and Country Planning (Use Classes) Order 1987 as amended. The showroom and trade counter area at Unit 2 shall be limited to those areas shown on the floor plans hereby approved and shall only be used for trade purposes and not for retail to the general public.*

It is requested that the condition is varied to allow Units 1 and 2 to be used for uses which fall within B1, B2 and B8.

## **RELEVANT PLANNING HISTORY**

14/1492N - Erection of 6 industrial units class B1, B2 and B8 classifications – Application not determined

14/0956N - Variation of Condition 2 on Approved application 10/4760N – Approved 11<sup>th</sup> June 2014

10/4760N - Extension to time limit for application P08/0561 – Approved 2<sup>nd</sup> February 2011

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.

## **PLANNING POLICIES**

### **National Policy**

National Planning Policy Framework

### **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

### **Other Considerations**

The EC Habitats Directive 1992  
Conservation of Habitats & Species Regulations 2010  
Circular 6/2005 - Biodiversity and Geological Conservation - Statutory Obligations and Their Impact within the Planning System  
Interim Planning Statement Affordable Housing  
Interim Planning Statement Release of Housing Land  
SHMA Update 2013

### **Cheshire East Local Plan Strategy – Submission Version**

PG2 – Settlement Hierarchy  
CO2 – Enabling Business Growth through Transport Infrastructure  
SD1 - Sustainable Development in Cheshire East  
SD2 - Sustainable Development Principles  
SE1 - Design

## **OBSERVATIONS OF CONSULTEES**

None consulted

## **VIEWS OF THE PARISH / TOWN COUNCIL**

No comments received

## **OTHER REPRESENTATIONS**

No representations received

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

N/A

## **OFFICER APPRAISAL**

### **Principle of Development**

Given that the principle of development has been established by the granting of planning permission P08/0561 and 10/4760N this application does not represent an opportunity to re-examine the appropriateness of the site for employment use. This application relates to changes to the external elevations and internal layout of units 1 and 2 and seeks to alter the use of the units.

### **Design and Layout**

The scale of the building would not alter as part of this application there would just be changes to the external appearance of the units through the re-positioning and removal of doors and windows.

It is considered that these alterations would result in a reduction in the design quality of the units. Although this is unfortunate it is considered that the design is still acceptable and would not result in such harm to warrant the refusal of this application. This view is taken when considering the NPPF's emphasis towards sustainable economic growth.

The internal layout changes and alterations to uses would not raise any design issues.

This amendment complies with Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan.

### **Amenity**

There are no residential properties in close proximity to this site which would be affected by this development. It is considered to comply with the requirement of policy BE1 (amenity) of the local plan.

### **Highways**

There would be no change in parking provision or vehicular access on this site. The external and internal alterations would not raise any highways issues.

In terms of the alteration of the use to allow Units 3 and 4 to be used for B1, B2 and B8 uses this would comply with Policy E.2.1 which identified the site for B1, B2 and B8 use.

### **Impact upon the Historic Park and Garden**

This application would not have any greater impact upon the setting of the nearby Historic Park and Garden.

### **CONCLUSIONS**

The site lies within the settlement boundary for Crewe, where there is a presumption in favour of new development, subject to compliance with other local plan policies. The principal of this development has already been accepted as part of application P08/0561 and 10/4760N.

The changes to the external elevations and internal layout would not raise any issues and are considered to be acceptable.

The alteration to the approved use of the buildings would still comply with Policy E.2.1 and an update will be provided in relation to the highways impact.

### **RECOMMENDATION**

**APPROVE** subject to the following conditions:

- 1. Plans as approved under P08/0561**
- 2. Materials as detailed in the application unless otherwise approved in writing.**
- 3. Car Parking to be provided before the development is first used.**
- 4. Cycle Parking and linkages to University Way to be provided**
- 5. Development in accordance with Travel Plan approved as part of application 13/1732D**
- 6. Landscaping scheme in accordance with that approved as part of application 13/1732D. Implementation and maintenance of landscaping**
- 7. Showers to be provided within each unit and retained for use by all staff at that unit in accordance with the approved plans.**
- 8. Boundary treatment to match that used elsewhere on the development**
- 9. Oil interceptors to be provided to car parks.**
- 10. Lighting scheme in accordance with that approved as part of application 13/1732D.**
- 11. No outside storage.**
- 12. Offices and trade counter only to be used for that specific unit and not to be occupied as a separate business.**
- 13. Access to be in accordance with the approved plans and to CEC specification**
- 14. Units 1, 2, 3 and 4 to be used for use classes B1 (b and c), B2 and B8. The showrooms and trade counters shall be limited to those areas shown on the submitted plans and not used for retail to the general public.**
- 15. Scheme of surface water regulation in accordance with that approved as part of application 13/1732D.**

**16. Scheme for the management of overland flow in accordance with that approved as part of application 13/1732D.**

**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 Principal Planning Manager has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

**Should this application be the subject of an appeal, authority be delegated to the Principal Planning Manager in consultation with the Chairman of the Southern Planning Committee, to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.**

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