

Application No: 15/3869N

Location: Bentley Motor Company, PYMS LANE, CREWE, CHESHIRE, CW1 3PL

Proposal: It is proposed to convert the existing field into a private car park for Bentley Motors. The site is an existing green area which will be converted to hard standing material to suit the needs of a car park. The car park will be enclosed with fences. North east and south of the proposed car park, a 14 m width band will be dedicated for planting.

Applicant: Liam Devaney, Bentley Motors

Expiry Date: 15-Dec-2015

SUMMARY:

The principle of the development is compatible with surrounding land uses and would facilitate the delivery of new jobs and economic growth for Bentley Motors, a large local employer. The proposal would thereby help to deliver significant economic and social benefits.

Whilst the proposal would result in the loss of an area of public open space (incorporating land designated as sports playing field), the area of land is not of great recreational amenity value and its loss would be offset by contributing towards a local area of open space comprising of the 'James Atkinson Way Play Area', which better serves the needs of the area. Additional social benefits would be realised through financial contributions towards the allotments to the south of the site.

The proposal would not materially harm the character or appearance of the area, subject to the proposed landscaping scheme. The proposal is considered to be acceptable in terms of its impact upon residential amenity, highways and parking, ecology, drainage and flooding and other environmental interests. The proposal is therefore considered to be sustainable in the environmental sense.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and would be compliant with relevant policy. Subject to conditions and a s106 legal agreement, the proposal is therefore considered to comply with the relevant policies of the adopted Borough of Crewe and Nantwich Local Plan and advice contained within the NPPF and emerging local policy. The application is therefore recommended for approval.

RECOMMENDATION:

APPROVE subject to conditions and a s106 legal agreement

PROPOSAL

This application seeks planning permission to change the use of an existing field into a private car park for Bentley Motors. The site is partly allocated as public open space and a sports playing field and will be converted to hard standing. The car park will be enclosed by a fence with associated landscaping.

SITE DESCRIPTION:

This application relates to land owned by Bentley Motors, within the settlement boundary of Crewe. The application site is located directly to the east of the main plant, which is used to manufacture motor vehicles. The site comprises of an area of public open space that is bound to the north, east and south by residential properties, and to the south west and west by allotments and the main Bentley production plant.

RELEVANT HISTORY:

There is an extensive planning history for the Bentley Motors site. However, the only applications of relevance to this proposal are as follows:

12/4373N - New build showroom with associated car parking approved on 6th February 2013

12/3418N – Full planning permission approved to develop site to provide a permanent car park with a total of 478 parking spaces on 30th November 2012

12/4319N – Resolved to grant full planning permission (subject to S106 Obligation) for the erection of a two storey temporary office accommodation with links to an existing building to accommodate existing staff relocated on site on 1st May 2013

12/4426N - Proposed development of the site to provide a permanent car park with a total of 1817 car parking spaces plus lorry parking for up to 14 HGV's – Approved 03-Jun-2013

13/5114N - Variation of condition 2 (approved plans) on application 12/4426N (proposed development of the site to provide a permanent car park with a total of 1817 car parking spaces plus lorry parking for up to 14 HGV's) – Approved 18-Feb-2014

14/2944N - Construction of a new Painted Body Store Warehouse and ancillary accommodation totalling approximately 5060sqm gross internal floor area. The relocation of fuel tanks and a fuel filling location. The proposed building comprises a large warehouse with one and a half portal frame structure, a single storey office annex to the North elevation with rest and WC facilities, an enclosed link to the existing adjacent warehouse to the east and an enclosed bridge link above the private road to the adjacent property to the North. A 10m overhanging canopy will be provided for the full width of the building to the west elevation and a 2m deep canopy to the north side of the east link – Approved 29-Aug-2014

14/5262N - Proposed pre-fabricated building, complete with services to be installed as office and restrooms for lorry park on site at Bentley Motors – Approved 09-Feb-2015

15/3665N - Construction of a 4 storey office building on the site of an existing carpark – Approved 28-Oct-2015

15/4141N - Alterations to E1 Car Park, realignment of internal road, construction of a vehicle test building, relocation of Gate 3 Security Lodge and amendments to gate arrangement, installation of 5 No. entry gate positions and relocation of cycle and motor cycle shelters - Approved 18-Nov-2015

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs 17, 28, 56, 65 and 74.

Development Plan:

The Development Plan for this area is the adopted Borough of Crewe & Nantwich Local Plan, which allocates the site within the Crewe Settlement Boundary.

The relevant Saved Policies are:-

BE.13 (Buildings of Local Interest)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Accessing and Parking)

E.4 (Development on Existing Employment Areas)

TRAN.3 (Pedestrians)

TRAN.8 (Existing Car Parks)

TRAN.9 (Car Parking Standards)

RT.1 (Protection of Open Spaces with Recreational or Amenity Value)

RT.5 (Allotments)

Cheshire East Local Plan Strategy Submission Version

PG1 – Overall Development Strategy

PG2 – Settlement Hierarchy

EG1 – Economic Prosperity

SD1 - Sustainable Development in Cheshire East

SD2 - Sustainable Development Principles

SE1 – Design

SE2 – Efficient Use of Land

CO2 (Car Parking Standards)

The relevant saved Local Plan policies are consistent with the NPPF and should be given full weight.

CONSULTATIONS:

Greenspaces (ANSA): No objection subject to financial contributions of £48,000 towards the James Atkinson Way play area and works of enhancement at the allotment site of £8,000 to offset the loss of the existing open space.

Highways: No objection

Environment Agency: No objection subject to the use of SUDS (Sustainable Urban Drainage Scheme)

Environmental Protection: No objections, subject to conditions / informatives requiring a restriction on hours of construction, submission of a scheme for dust control and a contaminated land survey.

Flood Risk Officer: No objection subject to submission of a surface water drainage scheme.

Public Rights of Way Unit (PROW): No objection

Sport England: No objection

United Utilities: No objection subject to a surface water drainage condition.

CREWE TOWN COUNCIL:

No objection - The Town Council welcomes the investment in the Bentley plant and the employment that it brings to the town. Whilst it is important to protect the town's open green spaces, this has to be balanced against the benefits to the local economy of the continued success of Bentley Motors Ltd. In the case of this particular application it is felt that the balance is in favour of the proposed development, and so the principle of developing this area of land is accepted. However, in order to mitigate its impact on local residents, the Town Council would, subject to consultation with residents, like to see the applicant surface the rear access way, and provide off-street car-parking at the rear of Minshall New Road, and, if residents approve, install alley-gating to increase security.

REPRESENTATIONS:

20 representations have been made by neighbouring properties and a petition with 45 signatures on has been received expressing concern about the following:

- Bentley do not own all of the land as some of the roadway belongs to the residential properties
- Lack of consultation
- Loss of greenspace, recreational land and a place for dog walkers and children
- Impact on property values
- Loss of trees
- Loss of a view, sunlight and daylight
- Impact on wildlife
- Drainage and increased risk of flooding
- Bentley should resurface road at the rear and provide off street parking for residents and reduce dust
- Impact on residential amenity by loss of light, noise and light
- Impact on health and wellbeing
- Parking problems in the area
- Proposal should include alley gates
- Fencing will be unsightly
- Fence should include sound absorbing materials
- Fire risk from parked cars
- There should be a minimum 20/25 metres distance between the fence and neighbouring properties
- The council should not have sold this land to Bentley, as it was a gift bequeathed to the council and will have clauses. Sale of land may not have been legal
- CCTV may result in loss of amenity
- Would result in anti-social behaviour
- Alternative sites should be considered
- Grasscrete should be used as a surface

APPRAISAL:

Principle of Development

In terms of the local plan policy, the site is located within the settlement boundary of Crewe where development is acceptable, provided that it is compatible with surrounding uses and accords with other relevant local plan policies.

The area has a longstanding association with the manufacturing and the production of motor cars and as such, it is considered that the compatibility of the site and the area for such use is well established. However, the site directly abuts the edge of the residential development to the east of the site along Minshull New Road. Consequently, the impact on these neighbours will be explored further in this report.

The NPPF requires Local Planning Authorities to adopt a positive and constructive approach towards planning applications for economic development. Planning applications that encourage sustainable economic development should be treated favourably and this view is further reinforced in Policy EG1 of the Council's emerging Local Plan Strategy Submission Version.

This proposal would facilitate the storage of finished vehicles arising from the increase in production and product lines at Bentley. Thus, there are clear economic benefits arising from the scheme that would support job creation and the economic growth in the locality, the Borough and the region. It is considered that such benefits are in line with the growth agenda outlined within the local plan and the aims of the NPPF and accordingly, the development is highly sustainable in the economic sense.

In terms of local plan designation, the site is partly allocated as formal open space including designation as a school sports playing field and informal open space. The remaining part of the site is unallocated.

Local Plan Policy RT.1 seeks to protect open spaces which have recreational or amenity value from development. However, an exception can be made where there is an excess of playing fields or open space provision in the area and the site has no special significance. Policy RT.1 also cites a further exception that development may be permitted where the open space that would be lost would be replaced by a playing field or open space of equivalent or greater quality in the area. This advice is reflected in para 74 of the NPPF. Subject to this, the principle of such development can be acceptable.

Public Open Space

The proposal to provide car parking on an area of open space as identified in the Crewe Local Plan and Open Space Assessment would be contrary to policy RT.1. Development would not normally be permitted which would result in the loss of open space (including school playing field), which has recreational or amenity value. The Council also needs to consider what future potential the site may have as open space / sporting facilities.

Within Crewe, shortages exist in outdoor sports provision, with a usable adult supply of 0.64ha per 1,000 population - a lack of 67ha; and a lack of children's play provision, with a supply of 0.1ha per 1,000 population - a shortage of 34ha. Generally, open space provision is poorer in the north-eastern area of Crewe, the central area, the high density residential areas and parts of south

western Crewe. Recommendations within the Council's Open Space Assessment include upgrading existing open space, facilities for older children, upgrading children's play areas and looking at shortages in pitch's whilst upgrading pitch quality.

However, an exception may be made where the loss would be mitigated by the replacement of the open space / playing field in a suitable location including provisions for future management. The Council's Greenspaces section (ANSA) have confirmed that the enhancement / improvement of an existing open space / playing field via the payment of a commuted sum would serve to mitigate the loss of open space. The area of open space is presently under utilised and not of high quality therefore contributions towards a more valued area of open space within the vicinity of the site would perform a better function as amenity land.

In this case, ANSA have confirmed that there are works of enhancement and improvement identified on the 'James Atkinson Way play area' at a cost of £48,000 and works of enhancement at the allotments to the south of the site at a cost of £8,000 which would suitably mitigate against the loss of the open space. Subject to this, and in the absence of any objection from Sport England, it is considered that the proposed loss of a designated sports playing field and open space would not be detrimental in terms of social sustainability and should be balanced against the economic benefits of the proposal.

Design

The NPPF and local plan policies BE.2 and SE.1 emphasise the importance of securing high quality design appropriate to its context. NPPF paragraph 61 states that:

"Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment."

The site is presently under utilised and as a result, its value as amenity land is diminished. It does not have the appearance of a high quality open space and owing to the fact that the surrounding development turns its back on the area, the site is poorly overlooked. The contribution that the site makes to the character and appearance of the area is limited having regard to the context of the site.

To soften the visual impact of the proposals, the scheme would include a landscape buffer around the perimeter of the site. The site would be bound by a security fence; however, this would be of paladin style with a mesh which would be more lightweight in appearance than a solid boundary treatment. Coupled with the proposed landscaping buffer, the proposed fence would not appear over dominant and as such, the impact on the character and appearance of the area would not be significant. The application is therefore acceptable in design terms.

Trees and Landscaping

There are hedges and a number of trees within the site including several mature specimens. The proposal would require the removal of a length of mid field hedge and all of the existing trees would be removed in order to accommodate the proposed car park. However, the Council's Landscape

and Tree Officer has confirmed that none of the trees are of great amenity value and in the absence of any objection from the Council's Nature Conservation Officer, nor do they have any nature conservation value. As such, the proposal would have negligible impacts on trees.

With respect to landscape impact, whilst the proposal will result in the loss of a green space, the site is surrounded on all sides by existing development comprising of the existing Bentley plant and residential properties. The site is as a result, relatively self contained and therefore its loss would not impact on the wider landscape setting.

Ecology

The council's Nature Conservation Officer (NCO) has assessed the application and has confirmed that there are no significant ecological issues associated with the proposed development. Accordingly, subject to a condition requiring a breeding bird survey to be submitted if works are to be carried out during the nesting season, the proposal would harm species protected by law.

Drainage

The council's Flood Risk Team and the Environment Agency has considered the impact of the proposed development on the surface water regime in the area. It has been confirmed that the redevelopment of the site is considered to be acceptable with the use of appropriate conditions. Conditions requiring the use of sustainable urban drainage measures and a scheme to manage surface water are recommended. With the imposition of such conditions, the impact that the development would have on drainage and flooding would be acceptable.

Residential Amenity

With respect to the proposed use, given that the site would be used to store finished vehicles only, the intensity and scale of use would not result in material harm to the nearest neighbouring properties by reason of noise. There has been no objection from the council's Environmental Protection Unit.

Some objectors have expressed concerns regarding the potential loss of light caused by the proposed boundary fences. The proposed boundary fence would measure 3 metres in height at its tallest part and would be sited some 20 metres distance from the rear boundary of the properties fronting Minshull New Road with a landscape buffer in between. The proposed fence would be positioned at least 25 metres distance way from the rear elevations of the nearest properties. This distance is more than sufficient to ensure that there would be no loss of light.

In terms of light pollution, a detailed lighting scheme could be secured by condition to ensure that any external lighting does not result in material harm to neighbouring residential amenity. Subject to conditions, there are no issues with respect to land contamination. The proposal complies with local plan policy BE.1.

Parking, Highway Safety and Traffic Generation

The proposed car park would be used for the storage of finished vehicles and would not benefit from an external access. It would be served by the existing internal road within the existing factory plant. The car park would be used solely for storage and would not be used for the parking of staff

or visitors vehicles. Consequently, the proposal would not directly result in the generation of vehicle movements to or from the site and as such, there are no highways or parking issues. The proposal therefore accords with Policy BE.3.

Crewe Town Council and local residents have called for the development to include the resurfacing and provision of parking to the rear of the properties fronting Minshull New Road. Bentley has confirmed that they are prepared to carry out such works. However, it is important to note that these works would not be required in order to make the development acceptable in planning terms and would be a separate matter between Bentley and its neighbours. Thus, whilst this attribute of the scheme would offer some social benefit, it would fall outside of the remit of the planning process as it would not be required to offset harm from the proposed development. Accordingly, this is considered to offer limited weight in the overall planning balance.

S106 contributions Levy (CIL) Regulations:

Policy BE.5 of the Local Plan advises that the Local Planning Authority may impose conditions and/or seek to negotiate with developers to make adequate provision for any access or other infrastructure requirements and/or community facilities, the need for which arises directly as a consequence of that development. It is advised that such provision may include on site facilities, off site facilities or the payment of a commuted sum.

Policy IN1 of the Cheshire East Local Plan Strategy – Submission Version, advises that the Local Planning Authority should work in a co-ordinated manner to secure funding and delivery of physical, social, community, environmental and any other infrastructure required to support development and regeneration.

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The Council's Greenspaces Section (who deal with open spaces), have advised that the proposed development will need to offset the loss of the open space and playing fields as a result of the proposed development by contributing towards a local area of open space and the Hulme Street Allotments to the south of the site. Without such, the scheme would result in planning harm and would fail to address an identified need. As such, the proposed obligations are necessary and directly and reasonably related to the scale of development.

Other Issues

Objectors have made reference to the impact that the proposed development would have on property values and the fact that the original owner of the land gifted it to the Council on the proviso that it was not to be sold on. However, property values and matters relating to land ownership and land transactions are not material planning considerations and as such, would not sustain refusal of planning permission.

PLANNING BALANCE & CONCLUSIONS

The principle of the development is compatible with surrounding land uses and would facilitate the delivery of new jobs and economic growth for Bentley Motors, a large local employer. The proposal would thereby help to deliver significant economic and social benefits.

Whilst the proposal would result in the loss of an area of public open space (incorporating land designated as sports playing field), the area of land is not of great recreational amenity value and its loss would be offset by contributing towards a local area of open space comprising of the 'James Atkinson Way Play Area', which better serves the needs of the area. Additional social benefits would be realised through financial contributions towards the allotments to the south of the site.

The proposal would not materially harm the character or appearance of the area, subject to the proposed landscaping scheme. The proposal is considered to be acceptable in terms of its impact upon residential amenity, highways and parking, ecology, drainage and flooding and other environmental interests. The proposal is therefore considered to be sustainable in the environmental sense.

On this basis, the proposal is for sustainable development which would bring environmental, economic and social benefits and would be compliant with relevant policy. Subject to conditions and a s106 legal agreement, the proposal is therefore considered to comply with the relevant policies of the adopted Borough of Crewe and Nantwich Local Plan and advice contained within the NPPF and emerging local policy. The application is therefore recommended for approval.

RECOMMENDATION:

APPROVE subject to S106 Agreement making provision for:

- **Public Open Space contributions comprising of:**
 - **£48,000 towards the 'James Atkinson Way Play Area**
 - **£8,000 towards Hulme Street Allotments**

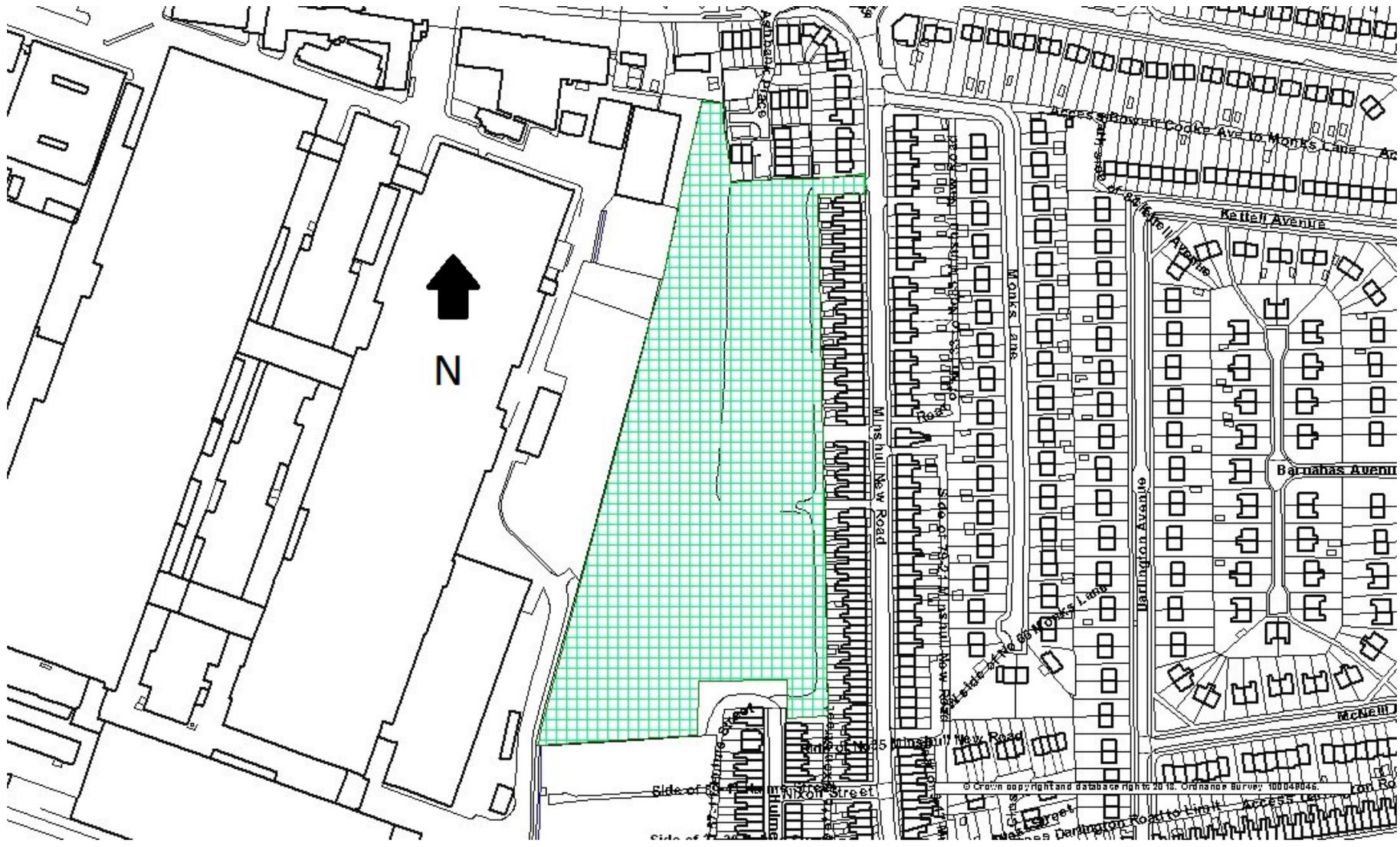
and for the following conditions:

- 1. Standard time limit (3 years)**
- 2. Accordance with amended plans**
- 3. Materials to be submitted and approved**
- 4. Notwithstanding submitted detail, fences to be no higher than 3 metres**
- 5. Survey for nesting birds to be submitted if development is carried out during the bird nesting season**
- 6. Details of sustainable drainage scheme to be submitted**
- 7. Surface water drainage strategy to be submitted**
- 8. Landscaping scheme to be submitted**
- 9. Landscaping scheme implementation**
- 10. Submission of a contaminated land survey**
- 11. Details of external lighting to be submitted**
- 12. Details of surfacing and car parking to the rear of Minshull New Road to be submitted**
- 13. Details of CCTV to be submitted**

14. Dust control scheme to be submitted

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regulation), in consultation with the Chair (or in his absence the Vice Chair) of the Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) 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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