

Application No: 15/5454N
Location: Land Off, BESWICK DRIVE, CREWE
Proposal: Variation of Condition 14 (Opening Times) on Approval 15/2007N
Applicant: Mr David Smyth, Swansway Garages Limited
Expiry Date: 01-Mar-2016

SUMMARY

This Section 73 application seeks to amend the wording of Condition 14 from planning permission 15/2007N to allow for longer hours of operation.

The Council's Environmental Protection Officer has reviewed the proposed changes and is satisfied that the revised hours of operation would not create any in relation to environmental disturbance.

No new issues in relation to; loss of land specific employment development, design, landscaping, amenity, accessibility, servicing and parking provision, public services, flooding, trees and woodlands and protected species would be created.

The variation of the condition is considered to be acceptable in this case and would not change the environmental, social or economic sustainability considerations previously assessed as part of the original application.

The application is therefore recommended for approval.

RECOMMENDATION

APPROVE Subject to conditions

PROPOSAL:

A variation of condition application (Section 73) is sought to vary Condition 14 on planning permission 15/2007N.

Planning permission 15/2007N was for the *'The erection of a Car Dealership and Showroom (sui generis) with associated landscaping (to be secured by condition), car parking and access arrangements.'*

Condition 14 reads;

'The development shall be subject to the following hours of operation restrictions;

Car Sales

Monday to Friday 08.30 - 19.00
Saturday and Sunday 10.00 - 16.00

Car Servicing

Monday to Friday 08.00 - 17.30
Saturdays 08.30 - 13.00

Reason: In the interests of residential amenity and in accordance with Policy BE.1 of the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.'

The applicant seeks to amend the hours of operation to the following;

Car Sales

Monday to Saturday **08.00 – 18.00**
Sunday 10.00 - 16.00

Car Servicing

Monday to Friday **08.00 – 18:00**
Saturdays **08.00 - 13.00**

SITE DESCRIPTION:

The application sites comprises of half of an irregular shaped parcel of land which is located to the northern side of Beswick Drive and the south-west of the Crewe Green Round-a-bout within the Crewe Settlement Boundary as defined by the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011.

The site lies entirely on land allocated in the Crewe and Nantwich Replacement Local Plan 2011 under Policy E.1.1 for Class B1 uses and uses required by Manchester Metropolitan University.

RELEVANT HISTORY:

- 15/2008N** - The erection of a petrol filling station with ancillary shop – Approved 28th October 2015
- 15/2007N** - The erection of a Car Dealership and Showroom (sui generis) with associated landscaping (to be secured by condition), car parking and access arrangements – Approved 28th October 2015
- P06/0964** - Extension of time period condition 2 attached to P03/0639 for mixed use development – Approved 16th October 2006
- P04/1475** - Reserved Matters Application for Construction of Three Storey Office Block With Related Parking – Approved 11th January 2005
- P03/1239** - Variation of Conditions 7 & 20 (P03/0639) – Withdrawn 24th March 2004

P03/0639 - Outline Application for Mixed use Development comprising Student Accommodation, Offices and Pub/Restaurant together with Access, Car Parking and Landscaping – Approved 3rd September 2003

P00/1130 - Manufacturing Building and Associated External Works (Class B2) – Approved 16th May 2001

P00/1133 - Screening Opinion In Respect Of New Manufacturing Building – EIA not required 21st February 2001

P96/0766 - Outline application for multiplex cinema bingo club, bowling alley, public house, restaurants and offices with associated car parking.

P94/0471 – Withdrawn 29th January 1997

7/19179 - O/a for business development (class B1) and a hotel (class C1) – Approved 10th January 1991

7/18607 - Outline clearance for an hotel – Approved 21st June 1990

7/16315 - Extension to Crewe Business Park – Approved 7th December 1988

7/13981 - New access road and sewers including new junction with improvement of A534 Crewe Road – Approved 19th March 1987

7/11951 - Development of a high technology site – Approved 2nd August 1985

Local Plan Policy

For the erection of a car showroom in this location, the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011 would apply; E.1 (Existing Employment Allocations), E.1.1 (Crewe Business Park/Crewe Green), E4 (Development on Existing Employment Areas), NE.5 (Nature Conservation and Habitats), NE.9 (Protected Species), NE.20 (Flood Prevention), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.6 (Development on potentially contaminated land) and TRAN.9 (Car Parking Standards) The National Planning Policy Framework (NPPF) is also a material consideration.

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development. Of particular relevance are paragraphs:

14 - Presumption in favour of sustainable development, 17 – Core planning principles, 18-22 Building a strong, competitive economy, 23-27 – Ensuring the vitality of town centres, 56-68 – Requiring good design

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy;

PG2 (Settlement Hierarchy), PG6 (Spatial Distribution of Development), EG3 (Existing and Allocated Employment Sites), SD1 (Sustainable Development in Cheshire East), SD2 (Sustainable Development Principles), SE1 (Design), SE2 (Efficient use of Land), SE3 (Biodiversity and Geodiversity), SE4 (The Landscape), SE5 (Trees, Hedgerows and Woodland), SE6 (Infrastructure), SE8 (Renewable and Low Carbon energy), SE9 (Energy Efficient Development), IN1 (Infrastructure), IN2 (Developer Contributions)

CONSULTATIONS (External to Planning)

Environmental Protection (Cheshire East Council) – No objections

Crewe Green Parish Council - No objections

OTHER REPRESENTATIONS:

Neighbour notification letters were sent to all adjacent occupants and a site notice was erected.

To date, no neighbouring letters have been received.

APPLICANT'S SUPPORTING INFORMATION:

Covering letter

OFFICER APPRAISAL

Principle of development / Amenity

The principal acceptability of the car dealership has already been established.

The only matters under consideration is;

A change in the hours of operation of the car sales business and the car servicing operations from;

Car Sales

Monday to Friday *08.30 - 19.00*
Saturday and Sunday *10.00 - 16.00*

Car Servicing

Monday to Friday *08.00 - 17.30*
Saturdays *08.30 - 13.00*

To;

Car Sales

Monday to Saturday *08.00 – 18.00*
Sunday *10.00 - 16.00*

Car Servicing

Monday to Friday *08.00 – 18:00*
Saturdays *08.00 - 13.00*

This condition was originally requested by the Council's Environmental Protection Officer (EPO).

The Council's EPO has reviewed these alternative times and advises that they have no objections to the revised hours of operation for car sales and servicing on environmental disturbance grounds.

It is therefore considered that the principle of the variation of Condition 14 is acceptable.

Other matters

The proposed changes sought will not have any significant knock-on impacts upon matters of; loss of land specific employment development, design, landscaping, amenity, accessibility, servicing and parking provision, public services, flooding, trees and woodlands and protected species.

CONCLUSIONS

This Section 73 application seeks to amend the wording of Condition 14 from planning permission 15/2007N to allow for longer hours of operation.

The Council's Environmental Protection Officer has reviewed the proposed changes and is satisfied that the revised hours of operation would not create any adverse impacts in relation to environmental disturbance.

No new issues in relation to; loss of land specific employment development, design, landscaping, amenity, accessibility, servicing and parking provision, public services, flooding, trees and woodlands and protected species would be created.

The application is therefore recommended for approval.

RECOMMENDATION

- 1. Time (3 years from 28 Oct 2015)**
- 2. Plans**
- 3. Materials as per application**
- 4. Landscape - Details**
- 5. Landscape – Implementation**
- 6. Protection of breeding birds**
- 7. Nesting features for birds – As per discharge**
- 8. Surface water storage and drainage scheme – As per discharge**
- 9. Drainage on separate system**
- 10. Hours of piling – As per discharge**
- 11. Piling method statement – As per discharge**
- 12. Floor floating method statement – As per discharge**
- 13. Lighting details - As per discharge**
- 14. Hours of operation**
- 15. Electric vehicle charging infrastructure - As per discharge**
- 16. Dust mitigation scheme - As per discharge**
- 17. Phase 1 and Phase 2 Contaminated Land Report - As per discharge**

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Planning Manager (Regulation) in consultation with the Chair (or in their 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.

