

Planning Reference No:	10/3903N
Application Address:	Richard Mullock & Sons Ltd, Wistaston Road, Crewe, CW2 7RL
Proposal:	Extension to Time Limit of P07/1478 - Residential Development Comprising Twelve Three Bedroom Town Houses
Applicant:	Richard Mullock & Sons Ltd
Application Type:	Extension to time limit
Grid Reference:	369694 355535
Ward:	Crewe South
Registration Date:	5 th October 2010
Earliest Determination Date:	10 th November 2010
Expiry Dated:	4 th January 2011
Date of Officer's Site Visit:	15 th October 2010
Date Report Prepared:	5 th November 2010
Constraints:	N/A

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 application site is located in a mixed commercial and residential area within the settlement boundary in Crewe, sited approximately 20-40m south of a railway line. The application site is currently occupied by a car sales business. There is an existing builder's yard located in between the application and the railway line to the north.

The north side of this area of Wistaston Road is characterised by commercial development and the south side comprises predominantly residential development including a few retail units inter-dispersed between the housing. The residential housing is characterised by traditional two storey terraced properties with long narrow rear gardens. The junction of Stewart Street and Wistaston Road, on opposite side of Wistaston Road to the application site, is an open, grassed area that provides a pedestrian pathway.

2. DETAILS OF PROPOSAL

This application is for the extension to the time limit condition to planning permission P07/1478. This permission relates to the erection of 12 three bedroom townhouses in the form of a 2.5 storey and 3 storey terraced row that would front Wistaston Road. The

proposed parking provision is sited to the rear of the development site along the rear boundary, and would consist of a row of parking spaces.

3. RELEVANT HISTORY

P07/1478 - Residential Development Comprising Twelve 3 Bedroom Town Houses – Approved 18th January 2008

P07/0782 - Twelve Town Houses and Two Flats – Refused 24th August 2007

P00/1100 - Extension of Existing Valeting Bay to Create Workshop – Approved 1st February 2001

P97/0846 - Erection of showroom and valeting bay and use of land for car sales – Approved 13th November 1997

P96/0613 - Retail Car Sales/ Construction of Valeting Bay Offices and car Wash – Approved 19th September 1996

P96/0111 - Retail car sales – Approved 4th April 1996

7/10135 - Change of Use from Workshop for pressing and packing light clothing to storage and textile workshop – Approved 14th July 1983

7/06363 - Use of premises for auto electrical repairs – Approved 21st January 1980

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)

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

5. CONSULTATIONS (External to Planning)

Highways: No objection

Environmental Health: Request conditions in relation to contaminated land, hours of construction and details of external lighting.

6. OTHER REPRESENTATIONS

No representations received at the time of writing this report. However publicity expires on 10th November, an update will be provided.

7. APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement (Produced by Dobson Chapman and dated October 2007)

- The character of existing residential dwellings in the area has been borne in mind;
- The dwellings are traditional terraced housing built to the back of the footpath;
- With the upgrading of accommodation and the essential need for the storage of motor vehicles, we decided that they should be located to the rear of the site with hopefully no on-street parking. This principle has allowed us to set the dwellings back slightly from the back of the footpath and to provide small areas of garden to the front, enhancing the proposal and softening its street appearance;
- The principle of terracing has been pursued but with vehicular access to the rear of the site this meant a break in the street elevation;
- The external materials will consist of an acceptable facing brick with a slate (or slate simulation) roof and UPVC windows;
- The site of the proposed development abuts existing buildings on both sides and has a boundary to the rail system to the rear;
- It has been decided to redevelop the site to provide accommodation for the local community and to reduce the commercial activity in this commercial area;
- Wistaston Road is a long established public highway, with an approximate carriageway width of 7m with footpaths to either side of the carriageway;
- The access for the parking of vehicles is to the rear of the site with access from Wistaston Road. It should therefore be possible for vehicles entering and leaving the site to do so with ease given the width of the entrance carriageway;
- All parking bays have been provided to the rear of the site ensuring good visibility for vehicles and pedestrians to the front of the building;
- The main vehicular exit does have the required visibility distance and splay;
- Access for trade and refuse collection to the rear of the property has been taken into consideration and ample access provided;
- The site is the subject of very active use as a car sales outlet and there are certainly no bats or owls on the site;
- There is no still water within 250 m of the site without crossing either the railway or the public highway. Therefore no surveys of the above have been pursued.

Noise and Vibration Survey (Produced by Acoustic Control Systems and dated August 2007)

- It would be advisable to install glazing that gives a noise attenuation of more than the standard double glazing units in order to reduce the peaks in noise levels. Special acoustic glazing is available for this purpose. It is suggested that the selected glazing units

have noise attenuation to traffic of at least 35dB. These units would only be necessary for bedrooms facing Wistaston Road

- The road noise would be much reduced at the rear of the properties and standard double glazing would be adequate. Very little rail related noise was heard during the monitoring
- Noise attenuation ventilation would be required to habitable rooms facing Wistaston Road. The ventilation could be in the form of trickle vents or acoustic wall vents having similar noise attenuation to traffic noise as the glazing
- Due to the barrier effect of the new build, noise levels in the rear gardens should not exceed the World Health Organisation recommended 55dBA. The two end properties may need acoustic fencing to meet these criteria.

8. 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 area.

Since the original application was determined the Council has adopted a SPD on Development on Backland and Gardens. It is not considered that the proposed development would cause any significant conflict with the SPD as to warrant the refusal of this application.

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.

In this case the only circumstances on the site that may have changed since the last application is the impact upon protected species, however the Councils Guidance on Biodiversity and Geological Conservation Statements which was adopted in March 2008

does not identify this proposal as requiring any supporting information in relation to protected species. As a result it is not considered that the development would have any impact upon protected species.

Although an updated Noise and Vibration Survey has not been provided. It is not considered that there has been a significant change in noise from the railway or Wistaston Road since planning permission was granted in 2007. Furthermore the Environmental Health Officer has not raised an objection on these grounds.

The original application was subject to amendments in relation to the layout of the dwellings, access, parking spaces following the refusal of planning application P07/0782. It is considered that the layout, design of the buildings, access and parking provision which was accepted in 2007 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.

9. CONCLUSIONS

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

10. RECOMMENDATIONS

Approve subject to conditions

- 1. Standard time limit 3 years**
- 2. Materials to be submitted and approved in writing**
- 3. Surfacing materials to be submitted and approved in writing**
- 4. Boundary treatment to be submitted and approved in writing**
- 5. Landscape to be submitted and approved in writing**
- 6. Landscape to be completed in accordance with the approved details**
- 7. Drainage Details to be submitted and approved in writing**
- 8. Contaminated land survey to be submitted and approved**
- 9. Development to be carried out in accordance with the approved plans**
- 10. Remove PD Rights**
- 11. The car parking provision shown on the approved plans is to be provided prior to the occupation of dwellings**
- 12. Details of external lighting to be submitted and approved in writing**
- 13. Construction hours (and associated deliveries to the site) shall be restricted to 08:00 to 18:00 hours Monday to Friday, 09:00 to 14:00 hours Saturday, with no working Sundays or Bank Holidays to safeguard the amenity of local residents**
- 14. Prior to the new dwellings first being occupied, the commercial buildings on the site shall be demolished and all material of demolition removed from the site**
- 15. Before the dwellings are occupied the noise attenuation glazing, ventilation and acoustic fencing shall be installed in accordance with the Noise and Vibration Survey received by the Local Planning Authority**

Location plan : Licence No 100049045

