

Planning Reference No:	10/4054N
Application Address:	Laurels Farm, Crewe Road, Walgherton
Proposal:	Extension to Time Limit - for Approved Planning Application P07/1076 for Storage Building Four Silos and Two Waste Liquid Tanks
Applicant:	Joseph Heler Ltd
Application Type:	Extension to time limit
Grid Reference:	368831 347136
Ward:	Doddington
Registration Date:	13 th October 2010
Earliest Determination Date:	17 th November 2010
Expiry Dated:	12 th January 2011
Date of Officer's Site Visit:	10 th November 2010
Date Report Prepared:	9 th November 2010
Constraints:	Open Countryside

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 Laurel Farm a cheese making business within the open countryside. The site is located approximately 120 metres to the east of Crewe Road along a private access drive. The existing complex contains a mix of brick and large green steel commercial buildings, with a number of silos and waste liquid tanks.

2. DETAILS OF PROPOSAL

This application is for the extension to the time limit condition to planning permission P07/1076. This permission relates to a new storage building which would have a width of 26 metres, a length of 39 metres and a ridge height of 10.5 metres. The building would be positioned on an existing area of hard-standing to the south-west of the application site. An existing waste liquid tank is to be relocated to the south of the site with a new tank being sited adjacent to the repositioned tank. Four silos of 10.5 metres in height are proposed to be sited to the north of the application site.

3. RELEVANT HISTORY

10/3546N - Extension To Time Limit - Extension to Form Cheese Grating Preparation Area, Plant Rooms and Extension to Vehicle Hardstanding Area – Approved 4th November 2010

P05/1064 - Extensions to Form Cheese Grating Preparation Area, Plant Rooms and Extension to Vehicle Hardstanding Area - Approved 30th September 2005

P04/0279 - Two Milk Product Silos - Approved 19th April 2004

P03/0610 - Demolition of Silage Store for Proposed Cheese Storage - Approved 22nd July 2003

P02/0402 - Extension to form Staff and Office Accommodation - Approved 25th June 2002

P01/0256 - Erection of a Visitor Centre and Additional Offices - Approved 22nd May 2001

P00/0182 - COU of agricultural buildings to cheese and ancillary storage, workshop and energy centre - Approved 14th September 2000

P98/0725 - Replacement effluent tank, hardstanding and earth mounding - Approved 28th October 1998

P96/0582 - Whey processing building four silos, cooling plant, conversion of silage shed to cold store, replacement cattle shed and electricity sub-station extension - Approved 19th September 1996

P95/0901 - Evaporator and drying plant with external silos - Refused 8th February 1996

P94/0677 - Office extension - Approved 6th October 1994

P94/0587 - Extension to form offices and laboratories - Approved 25th August 1994

7/18890 - Building to house new cheese making plant - Approved 29th November 1990

7/17705 - Cold store - Approved 16th November 1989

7/16908 - COU agricultural building to offices - Approved 18th May 1989

7/03134 - Steel framed cattle building and open silage clamp - Approved 1st September 1977

4. POLICIES

Local Plan policy

NE.2 (Open Countryside)

E.6 (Employment Development in the Open Countryside)

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

NE.9 (Protected Species)

NE.17 (Pollution Control)

National policy

PPS1 (Delivering Sustainable Development)

PPS4 (Planning for Sustainable Economic Growth)

PPS7 (Sustainable Development in Rural Areas)

PPS9 (Biodiversity and Geological Conservation)

PPG13 (Transport)

PPS23 (Planning and Pollution Control)

5. CONSULTATIONS (External to Planning)

Highways: No comments received at the time of writing this report

Environmental Health: No objection

Environment Agency: No objection

Public Rights of Way: The development does not appear to affect a public right of way

Mid-Cheshire Footpaths: No comments received at the time of writing this report

Open Space Society: No comments received at the time of writing this report

Ramblers Association: No comments received at the time of writing this report

United Utilities: No comments received at the time of writing this report

6. OTHER REPRESENTATIONS

No representations received at the time of writing this report. However publicity expires on 17th November, an update will be provided.

7. APPLICANT'S SUPPORTING INFORMATION

No supporting information received

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.

In terms of national policy, PPS4 has been published since the original application was determined. Policy EC10.1 of Planning Policy Statement 4 states that Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Policy EC10.2 provides a list of impact considerations that the application should be considered against. It is not considered that the contents of PPS4 would alter the view which was taken on this proposal as part of application P07/1076 because the proposals form only a minor part of a long established and much bigger commercial operation.

In this case the only circumstances on the site which 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.

It is considered that the position and design of the building, silos and tanks and the highway implications of the development which was accepted in 2007 are still acceptable in this location. They will not have a detrimental impact upon the character and appearance of the Open Countryside 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. Development to be carried out in accordance with the approved plans**
- 4. Buildings, silos and waste liquid tanks to be green in colour unless otherwise agreed**
- 5. Landscape to be submitted and approved in writing**
- 6. Landscape to be completed in accordance with the approved details**
- 7. Details of external lighting to be submitted and approved in writing**

Location Plan : Licence No 100049045

