

Application No: 11/1542C

Location: 131, CONGLETON ROAD NORTH, SCHOLAR GREEN, ST7 3HA

Proposal: Change of Use From Garage/Shop, Workshop/ Car Sales and Dormer Bungalow to Warehouse/Showroom/Retail/Tradecounter and 4 Employment Units

Applicant: Mr K Oliver, Wharf Plumbing and Heating Supplies

Expiry Date: 25-Aug-2011

SUMMARY RECOMMENDATION: Approve with conditions

MAIN ISSUES:

- Principle of the Development
- Design and Scale
- Amenity
- Highways and Parking
- Landscaping
- Protected Species

This application is before Southern Planning Committee as it is for a small scale major development.

DESCRIPTION AND SITE CONTEXT

The application site comprises a residential bungalow, two-storey former car repair garage and petrol filling station and outbuildings. The commercial part of the site is no longer operational and the dwelling is no longer occupied. The site covers an area of approximately 0.3 hectares and has residential properties to the north, south and east beyond the main road. To the west of the site there are open fields and to the south west is the curtilage of the Bleeding Wolf Public House. The site has a relatively flat topography across the frontage but there is a fall to the rear of the site to a small watercourse that forms the rear boundary of the site. Access to the site is from Congleton Road North.

The majority of the site is classified as part of the Village inset in the Green Belt; however a small area to the west and north is classified as being within the South Cheshire Green Belt.

DETAILS OF PROPOSAL

This application is for the change of use of this site from a garage and shop, workshop and car sales and dormer bungalow to a warehouse, showroom, retail and trade counter and two additional employment units. The warehouse/showroom element of the application is to be used by Wharf Plumbing, an existing business, currently operating from Kent Green Works a site on Station Road in Scholar Green, adjacent to the Macclesfield Canal.

RELEVANT HISTORY

07/1148/OUT 2008 Outline approval for demolition of existing disused/decommissioned petrol station, garage and single residential dwelling. Erection of new health care centre and pharmacy extension.

POLICIES

National Guidance

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| PPS1 | Delivering Sustainable Development |
| PPG2 | Green Belts |
| PPS4 | Planning for Sustainable Economic Growth |
| PPS7 | Sustainable Development in Rural Areas |
| PPS9 | Biological & Geological Conservation |
| PPG13 | Transport |
| PPS22 | Renewable Energy |
| PPS23 | Planning and Pollution Control |
| PPG24 | Planning and Noise |

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP3 Promote Sustainable Economic Development
DP4 Making the Best Use of Existing Resources and Infrastructure
DP5 Manage Travel Demand: Reduce the Need to Travel, and Increase Accessibility
DP7 Promote Environmental Quality
DP9 Reduce Emissions and Adapt to Climate Change
RDF1 Spatial Priorities
RT2 Managing Travel Demand
RT9 Walking and Cycling
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

Congleton Local Plan 2005

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|-----------|--|
| PS5 | Villages inset in the Green Belt |
| PS7 | Green Belt |
| GR1 | General Criteria for Development |
| GR2 | Design |
| GR4 & GR5 | Landscaping |
| GR6 | Amenity |
| GR7 & GR8 | Pollution |
| GR9 | Accessibility, Servicing and Parking Provision |
| GR18 | Traffic Generation |

GR19
NR2 & NR5
E4

Infrastructure
Nature Conservation
Employment Development in Villages

Other Material Considerations

Written Ministerial Statement: Planning for Growth (23rd March 2011)

The Minister of State for Decentralisation issued this statement on 23rd March 2011 and advice from the Chief Planner, Steve Quartermain states that it is capable of being regarded as a material consideration. Inter alia it includes the following:

“When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant – and consistent with their statutory obligations – they should therefore:

- (i) Consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after recent recession;*
- (i) Take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;*
- (ii) Consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased customer choice, more viable communities and more robust local economies (which may, where relevant, include matters such as job creation and business productivity);*
- (iii) Be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;*
- (iv) Ensure that they do not impose unnecessary burdens on development.*

The Government has also stated that there should be a presumption in favour of sustainable development. This states inter alia that: *“There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible.”*

CONSIDERATIONS

Highways:

This development requires an improvement to the existing points of vehicular access, with construction in accordance with Cheshire East Council Highways specification. This will include for radius kerbs and tactile paving on the pedestrian desire line.

Environment Agency

No objection.

Environmental Protection:

Recommend conditions relating to contaminated land and noise during the construction period.

VIEWS OF TOWN/PARISH COUNCIL

No Objections subject to:

- i) land decontamination
- ii) updated wildlife surveys show no cause for concern
- iii) Industrial units are restricted to B1 usage
- iv) comprehensive planting scheme including frontage and boundaries

OTHER REPRESENTATIONS

Two representations have been received relating to this proposal.

The occupier of 137 Congleton Road North expresses support for the proposal subject to the use of sympathetic materials that blend into the landscape, retention of more of the existing vegetation and screening of the site during construction works.

Councillor Rhoda Bailey states that she has no objection to the proposals subject to requests from residents that there is no floodlighting and lighting is only used when the business is operational and that the employment units are limited to B1 use only.

KEY ISSUES

Principle of the Development

The majority of the site is contained within the village inset of Scholar Green where Policy PS5 requires that development on land not otherwise allocated for a particular use will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance. A small element of the site is designated as being within the South Cheshire Green Belt where proposals for development for employment purposes can be acceptable if they are for a small scale enterprise appropriate to a rural settlement or relate to an existing business.

Having regard to this proposal, the initial submission proposed four employment units, two of which encroached into land that has not previously contained buildings and is designated as Green Belt land. Following negotiations with the applicants these two units have been removed from the application.

The proposed warehouse/showroom/retail/trade counter would be sited within the land designated as Village Inset in the Green Belt. The applicants currently operate part of their business from another site in Scholar Green, which no longer meets the needs of the business and is not a building that could be easily extended. This proposal would allow the business to remain within the village, whilst allowing it to expand to meet its future needs. Policy E4 states inter alia that proposals for employment development in villages will be permitted where it is a small scale enterprise appropriate to a rural area or relates to an existing business. It is considered that the proposal is small scale and whilst the existing business does not currently operate from this particular site it is a local employer that already operates from a nearby site. As such it is considered that the proposal meets the requirements of Policy E4.

Having regard to the two new employment units, they would be sited within land that is designated as Green Belt. They would however be sited where there is an existing building that was used in association with the former employment uses that operated from the site. As

such, it is not considered that these units would be harmful to the Green Belt and would therefore not conflict with the guidance given in PPG2 (Green Belts).

Some parking is to be provided within the area designated as Green Belt; however this land is already part of this former industrial site and could be used for parking vehicles should the former business still be operational. In addition consent was granted in 2008 for a new health centre at the site and this included parking in this position. It is therefore considered that parking on this part of the site would not have an adverse impact on the openness of the Green Belt.

PPS4 (Planning for Sustainable Economic Growth) states that *“Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.”*

Having regard to the issues that are outlined above, it is considered that the proposal is acceptable in principle.

Design and Scale

Policy GR1 requires that all development is of a high standard, to conserve or enhance the character of the surrounding area and not detract from its environmental quality, in addition Policy GR2 requires that proposals achieve a high level of design quality including the visual, physical and functional relationship of the proposal to neighbouring properties, the street scene and to the locality generally.

Having regard to this proposal, the main building would be 28 metres wide, 24.2 metres deep with a roof 8.3m in height at the highest part. The walls would be faced with powder coated metal sheet cladding with the front elevation having glazed smooth plaster style finished panels providing interest to this facade.

The employment units to the rear would be in a block of two, which would be 14 metres wide, 9 metres deep with a pitched roof, 6.5 metres in height at the ridge.

The site currently contains buildings that are in a poor state of repair and are detrimental to the character and appearance of the locality. It is considered that the design and scale of the proposed buildings are acceptable and would represent an appropriate design that would deliver an improvement to the visual amenity of the area. The proposal is therefore considered to be in compliance with Policies GR1 and GR2 of the adopted local plan.

Amenity

Policy GR6 requires that proposals should not result in loss of privacy, sunlight/daylight, visual intrusion, environmental disturbance or pollution or traffic generation, access and parking.

There are dwellings to either side of the site and consideration should be given to the impact on their residential amenities. Having regard to loss of light, there are secondary windows in the side elevations of both dwellings, which, it is considered would not suffer any significant adverse impact from the proposed development. Having regard to the previous use of the

site, it is not considered that the proposal would lead to any significant additional impact on these properties in terms of privacy, traffic generation, noise or environmental disturbance.

In order to protect the amenities of nearby properties, it is considered that the hours of construction and operation should be controlled by condition. In addition the new employment uses should be restricted to B1 (office/light industry) use.

Subject to the recommended conditions being imposed and complied with, the proposal is considered to be in compliance with Policy GR6 of the adopted local plan.

Highways and Parking

The development would be provided with 31 parking spaces and has adequate space to allow all vehicles, including large delivery vehicles to enter and leave the site in a forward gear. Given that the former use of the site was capable of generating many vehicle movements, it is not considered that the development would lead to any significant adverse impact on highway safety. The Strategic Highways Manager has no objections to the proposal, subject to conditions requiring improvements to the vehicular access points to the site. The proposal is therefore considered to be in compliance with Policy GR9.

Landscaping

The site contains existing buildings and large areas of hard standing with some trees and hedging plants to the rear and adjacent to the boundary with the Bleeding Wolf Public House. One large Ash tree has been identified as being a good specimen that should be retained and protected during construction. It is considered that in order to ensure that the development has suitable planting provided on the boundaries, especially to the rear, a detailed landscaping scheme should be submitted for written approval and tree protection measures should be required for the Ash tree. In addition a condition should be imposed requiring details of other boundary treatments to be submitted for written approval.

Ecology

Evidence of limited bat activity in the form of what is likely to be a 'feeding perch' of a relatively common bat species has been recorded within the buildings at the site. This is likely to be limited to a single bat using the buildings for short periods of time during the night rather than as a roost in the day. The submitted ecology report recommends that the installation of bat boxes and access features for bats as a means of compensating for the loss of the 'feeding perch'. It is therefore considered that a condition should be imposed requiring compliance with the recommendations in the ecology report. A condition should also be imposed to ensure that breeding birds are not disturbed whilst the development is implemented.

CONCLUSIONS

In conclusion, the proposed development complies with the relevant policies contained within the adopted local plan and national guidance, in relation to employment development, design, amenity, highway safety and ecology. It is therefore recommended that the application be approved subject to the following conditions.

RECOMMENDATION:

Approve subject to the following conditions:

- 1. Time limit**
- 1. Development in accordance with approved plans**
- 2. Submission/approval of external materials**
- 3. Submission/approval of details of vehicular accesses**
- 4. Hours of construction – 0800 to 1800 Mon – Fri, 0800 to 1300 – Sat, no working on Sundays and public holidays**
- 5. Submission/approval of details of any piling**
- 6. Hours of operation – as detailed in the application**
- 7. Submission of a Phase I contaminated land survey**
- 8. Tree protection**
- 9. Submission of a landscaping scheme**
- 10. Implementation of landscaping scheme**
- 11. Submission/approval of boundary treatments**
- 12. Compliance with recommendations in the ecology report**
- 13. Protection of birds during breeding season**

