

Application No: 11/2911N

Location: Basford Old Creamery, Weston Estate, NEWCASTLE ROAD, WESTON, CREWE, CHESHIRE

Proposal: Extension to Time Limit of Application P08/0782 for Renewal of Previous Consent (P03/0367) for Conversion to Office/Light Industrial Use and General Storage/Distribution

Applicant: Co-Operative Group (CWS) Limited

Expiry Date: 22-Sep-2011

SUMMARY RECOMMENDATION

Approve.

MAIN ISSUES The main issue is whether or not there have been any significant material changes in policy/circumstances since the application was previously approved.

REFERAL

The application has been referred to committee because it is over 1000sqm and therefore a major development

DESCRIPTION OF SITE AND DETAILS OF PROPOSAL

The site consists of a substantial range of vernacular traditional agricultural buildings that currently have consent for office / light industrial use and general storage / distribution.

The application seeks permission to renew planning permission P08/0782 (which was itself a renewal of planning permission P03/0367) for development of these rural buildings for office / light industrial uses with general storage and distribution. The submitted plans are the same as those considered in 2008 and 2003. However, there was no plan on the 2003 file to define the application area. Nevertheless that permission included a condition relating to the listed building (a dwelling) on the south of the site and plans showing the elevations and layout of the listed building were stamped approved. The location plan submitted in 2008 clearly excludes this dwelling located to the south of the site of the former dairy.

It was therefore debatable whether the 2008 application was strictly a renewal or not. This application, however, is clearly a renewal of the 2008 consent.

RELEVANT HISTORY

P03/0367	2003	Conversion to Office/Light Industrial Use and General Storage / Distribution
P08/0782	2008	Renewal of Previous Consent (P03/0367) for Conversion to Office / Light Industrial Use and General Storage / Distribution.

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles

DP7 Promote Environmental Quality

RDF2 Rural Areas

Local Plan Policy

GR1 – General criteria for development

GR9 – Highways and parking

H1, H2, & H6 – Housing

E10 - Employment

CONSULTATIONS

None received at the time of report preparation

OFFICER APPRAISAL

SCOPE OF THIS APPLICATION

Extensions to the time limits 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 application remains unchanged from the previous approval and there is considered to be no change in Local Plan policy that would warrant an objection to the proposal.

There have been no material changes in circumstances on site since the previous approval. An updated protected species survey has been provided which has been undertaken by an ecologist who is reliable and experienced in protected species work.

The survey has not identified any significant protected species issues at this site and there were no significant issues highlighted in connection with the original scheme. There was however some evidence of breeding birds recorded so the Council's ecologist has recommend that a condition is attached requiring a survey to be carried out prior to undertaking any works during nesting season.

A condition was imposed on the 2003 consent for the submission of a scheme for weather proofing and essential repairs to the listed building which is located outside but adjacent to the current application area. Since there was no action taken to implement the 2003 consent no details were submitted under that condition and the building continues to deteriorate. However, the scheme was clearly outside the application area on the 2008 submission. Whilst a Grampian condition could in principle be imposed, it would be necessary for the Council to demonstrate that the condition was directly related to the development to be permitted. It was considered at the time that application was determined that the listed building did not form part of the application site, or the proposals under consideration, the two matters were therefore not related and that the listed building should be dealt with as a separate issue.

Consequently the condition in question was omitted from the 2008 consent. There have been no material changes in circumstances in respect of this issue since 2008 and therefore it is not considered appropriate to re-impose the condition from the 2003 permission.

CONCLUSIONS

It is considered that other than issues relating to protected species, there have not been any significant, material changes since application P08/0782 was permitted. Therefore, it is recommended that the application to extend the period of permission should be approved, subject to the same conditions that were applied in 2008, including an additional condition relating to breeding birds.

RECOMMENDATION

APPROVE subject to the following conditions:-

- 1. Standard time limit**
- 2. Plans**
- 3. Submission of materials**
- 4. Submission of surfacing materials**
- 5. Submission of constructional details for doors and windows**
- 6. Submission of details of vehicular access**
- 7. Provision of Car parking**
- 8. Provision of cycle parking**
- 9. Submission of drainage details**
- 10. Submission of Scheme of landscaping**
- 11. Implementation of landscaping**
- 12. Only Building D to be used for Class B8 (storage and distribution)**

- 13. No external storage**
- 14. All buildings of other than Building D to be used for Class B1 Offices**
- 15. Restriction of hours of operations to 8am to 7pm on Monday to Saturday with no working on Sunday or Bank Holidays**
- 16. Submission of Structural survey of buildings**
- 17. Breeding Bird survey to be carried out prior to undertaking any works during nesting season.**

Cheshire West
and Chester

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Council

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THE SITE

Basford Dairy
Store

Basford
House

Oakleigh
Cottage

MP 155