

Application No: 11/2196N

Location: K M D Hire Services, LONDON ROAD, NANTWICH, CW5 6LU

Proposal: Extension and New Store

Applicant: Mr Dan Mellor

Expiry Date: 17-Aug-2011

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Principle of Development
- Impact on Character and Appearance of Streetscene
- Impact on Setting of Listed Building and Conservation Area
- Impact on the Amenity of Neighbouring properties
- Impact on Highway Safety
- Impact on Drainage

REASON FOR REFERRAL

This application has been deferred from Southern Planning Committee on 26th October 2011 to allow members to carry out a site visit.

DESCRIPTION OF SITE AND CONTEXT

The application site forms a detached single storey flat roof tool hire building located within the settlement boundary for Nantwich. The site is located adjacent to the Grade I Listed Building, Churches Mansion and adjacent to the Nantwich Conservation Area. The site has customer and staff parking to the front of the property and external storage to the rear, there are also containers sited to the rear of the property. The area is predominantly residential but is on the edge of the town centre for Nantwich.

DETAILS OF PROPOSAL

This application proposes the construction of a pitched roof to replace the existing flat roof. The unit would also be extended to the side and rear. The resultant unit would have an eaves

height of 3.3m and ridge height of 7.6m. The width of the unit would be 12m whilst the depth of the unit would be 14.8m.

The scheme also includes the creation of a store to the rear of the site. The store would be 15m in length and 5m in depth and would have a height of 3.3m to eaves and 5.3m to ridge.

RELEVANT HISTORY

P98/0783 – Planning permission approved for single storey extension and roof on 26th November 1998.

P95/0523 – Advertisement Consent approved for Illuminated advertisement on 28th July 1995.

P95/0274 – Split decision for Advertisement Consent on 1st June 1995.

P92/0496 – Planning permission approved for car showroom on 23rd July 1992.

P92/0293 – Planning permission refused for Motor vehicle showroom on 21st May 1992.

7/19620 – Advertisement consent approved for Various illuminated and non illuminated signs on 7th May 1991.

7/13109 – Planning permission approved for Extension to existing sales building to form office and Mess room, additional underground petrol storage tanks and additional pumps on 5th June 1986.

7/13107 – Advertisement Consent withdrawn for illuminated canopy fascia signs on 27th April 1988.

7/13106 – Advertisement Consent approved for illuminated shop fascia sign on 5th June 1986.

7/12604 – Planning permission approved for Extension and alterations to tool hire centre on 28th November 1985.

7/09418 – Advertisement Consent approved for Illuminated canopy fascia sign on 18th November 1982.

7/08898 – Planning permission approved for Sale and repair of vehicles light industrial use of buildings on 8th April 1982.

7/07077 – Planning permission approved for Extension to existing car compound on 21st August 1980.

7/05698 – Advertisement Consent approved for illuminated pole sign on 23rd August 1979.

7/05670 – Advertisement Consent approved for illuminated fascia signs on 23rd August 1979.

7/03986 – Planning permission approved for Portal frame building to be used as paint spray workshop on 1st June 1978.

POLICIES

Local Plan Policy

- BE.1 (Amenity)
- BE.2 (Design Standards)
- BE.3 (Access and Parking)
- BE.4 (Drainage, Utilities and Resources)
- BE.5 (Infrastructure)
- BE.7 (Conservation Areas)
- BE.16 (Development and Archaeology)
- E.4 (Development on Existing Employment Areas)
- E.7 (Existing Employment Sites)

Other Considerations

PPS1 – Delivering Sustainable Development

PPS5 – Planning and the Historic Environment

CONSULTATIONS (External to Planning)

English Heritage – The development will, to a certain extent, impact on the setting of Churches Mansion. To minimise impact it is important that development is not drawn closer to the street. Height may be a problem and recommend whether the design can be amended. Possibility of more than one gable to break the bulk. Recommend that the application be determined in accordance with national and local policy and on the basis of specialist conservation advice.

Environmental Health – No objection subject to conditions relating to hours of operation, acoustic attenuation and external lighting.

Strategic Highways Manager - There won't be any significant impact on the surrounding highways infrastructure as a direct result of this proposal. No highways objections.

United Utilities – No objection subject to draining surface water on a separate system with only foul sewage connected and either amending the scheme so that it is not within a 5m easement of a water main, or diverting the water main.

VIEWS OF THE PARISH COUNCIL

Proposal must be considered with great care and consideration.

OTHER REPRESENTATIONS

One letter of comments received from 13 London Road stating that careful consideration should be given to drainage.

Numerous letters of objection received from Oligra Planning/Churches Mansion, the relevant planning arguments are:

- Significant over development and intensification of site
- Located adjacent to Churches Mansion (Grade 1 Listed Building) impact on its setting
- Intensification of commercial operations will jeopardise long term prospects of Churches Mansion and would impact residential amenity
- Impact on trees and hedge outside the application site and within Conservation Area
- Insufficient parking to be provided
- Impact on residential amenity – proposals 7m away from first floor kitchen window. Middle kitchen window would be directly in front of this window
- They only have a right to access on access road, it is not in their ownership
- Design of storage building is not appropriate
- Impact on flooding – culvert running under the site
- Inconsistencies between indicative 3D visuals and submitted plans
- Land to side which falls outside the red edge of the application site, without which they cannot obtain access to the store to the back of the site.
- Ridge height is significantly higher than the adjacent apartment attached to Church's Mansion – that has a ridge height of 6.3m
- Trees and hedge are a wildlife habitat

APPLICANT'S SUPPORTING INFORMATION

Design and Access Statement

Indicative 3D drawings

OFFICER APPRAISAL

Principle of development

This application proposes an extension and new store building to an existing tool hire shop within the settlement boundary of Nantwich. Policy E.4 states that the intensification of the existing employment site would be permitted in accordance with other Policies within the Local Plan, relating to design, amenity, highway safety etc. The intensification of an existing employment site is therefore acceptable in principle.

Impact on the character and appearance of the streetscene, Conservation Area and setting of Listed Building

The existing structure is a flat roof building which is set back from London Road by 17m. The building is sited between a block of apartments in the recent Hastings Road development and a building attached to the Grade 1 Listed Churches Mansion. The building lies just outside the Nantwich Conservation Area which is to the west. The existing flat roof structure detracts from the character and appearance of the streetscene, and views from the Conservation Area and in the wider context of Churches Mansion. Views of the site when approaching the Conservation Area from the east are limited due to the building being set back from the edge of the public highway.

The application proposes an extension to the existing store to create a pitched roof to replace the existing flat roof, and extensions to the side and rear. The proposed pitched roof would increase the bulk of the unit. However, it is considered to be a significant improvement to that of the existing flat roofed structure which adds little to the character and appearance of the streetscene. Whilst the width and depth of the building would increase, it is considered that it would still sit comfortably in the plot between the adjacent properties.

Concern has been raised by the Councils Conservation Officer and English Heritage with regard to the bulk of the structure and the impact which it would have on the setting of the adjacent Grade 1 Listed Building. The proposed development would increase the height of the building to 7.4m whilst the eaves of the structure would be 3.2m. The design of the proposal introduces a roadside facing gable. The Council has been informed that the height of the adjacent two storey structure (which is attached to the Listed Churches Mansion) is 6.3m. The ridge height of the proposal would therefore be taller than this adjacent structure but would be lower than the adjacent 3 storey dwellings. Due to the low eaves and height and the front facing gable it is considered that the building would not appear as a bulky structure which would cause demonstrable harm on the streetscene or Listed Building. In the opinion of the Local Planning Authority is considered that the creation of a pitched roof, which fronts London Road, would be more appropriate than the existing flat roof. Furthermore, the building is set deeper within the plot from the edge of the public highway, behind the building line of both adjacent buildings and it is considered that this would not be as prominent as those adjacent buildings and it is therefore considered to cause little demonstrable harm to the setting of the Grade I Listed Building.

The scheme also proposes the erection of a store to the rear of the premises. The store would be 15m in length and 5m in depth and would have a height of 3.3m to eaves and 5.3m to ridge. The structure would be sited behind the unit to the front and would not be visible from the streetscene. The store includes floorspace within the roof and proposes dormer windows. These would reflect the dormer windows on the properties opposite and is considered to be of appropriate design.

It is considered that a condition for materials to be submitted is appropriate to ensure that those used, particularly for the extended store are appropriate in the setting adjacent to a Listed Building.

Impact on the Amenity of Nearby Properties

The application site is located within an area which is predominantly residential in character, as such there are residential properties located to the north and east of the site. It is also understood that there is an apartment at first floor level within the adjacent building attached to Churches Mansion.

The properties fronting onto London Road are flats within a three storey block. There are only three small windows within the side elevation of that block which face over the car park of the application site. The proposed development would cause no additional harm to these windows. The proposed development would be, at its closest, 8m from windows to the rear of that block. Given this distance, the angle to which the two buildings would be sited and the height of the proposed development it is considered that there would be no harm on these properties through over bearing or loss of daylight.

Those properties on the opposite side of London Road would be sited over 30m from the extended unit and there would be no harm caused to these properties.

With regard to the first floor apartment within the building attached to Churches Mansion, the proposed development would decrease the eaves height of the existing structure, from 4.8m to 3.2m. The eaves height would however increase to 5.4m to the rear of the building, however this would be sited 3m further away from the kitchen window than the existing building. Whilst the proposed development would be visible from windows within the kitchen on the adjacent apartment at first floor level the distance between the window and the development and the sloping nature of the roof away from the window(s), it is considered that there would be no significantly detrimental impact on the amenities of this property/room through loss of daylight.

Whilst the proposal could potentially increase the activity on the site, the use of the building as a tool hire shop, with storage, it is considered that the increased impact on neighbouring properties through noise and disturbance would be limited. The proposed scheme would provide for additional storage space which would remove much of the demand for the existing storage. Furthermore the site is immediately adjacent to London Road which is one of the primary vehicular routes into Nantwich. The proposal would result in the increase of one additional employee according to the application forms. Furthermore, it is suggested that a condition for acoustic attenuation for the proposed buildings would mitigate any increased amenity issues through noise and disturbance as suggested by the Councils Environmental Health department.

Impact on Highway Safety

The application proposals increase the size of the footprint of the main building and provide a storage building to the rear of the property. Objections have been raised that the proposed development would provide an unsatisfactory level of parking which would not satisfy the maximum parking standards contained within the Local Plan. It is acknowledged that an increase in floorspace requires an increase in parking provision. However, the standards contained within the Local Plan are maximum standards. The site is located close to the town centre in a relatively sustainable location. Furthermore, there has been no objection on parking provision grounds from the Strategic Highways Manager

In the light of the above it is considered unreasonable to refuse the application on lack of parking.

Impact on Trees

The development of the proposed store to the rear of the site would be sited immediately adjacent to three trees and a beech hedge. The proposed development would lead to increased pressure for their pruning and potential removal. The Council's Arboricultural Officer has stated that the two copper beech trees show signs of included fork unions, which is considered to be a structural instability, whilst the third tree is a poor specimen which shows signs of stress with dieback to the crown and cankerous to the main stem structure. It is therefore considered that, despite providing some amenity value, these trees are not worthy of protection.

An objection has incorrectly identified these trees as being within a Conservation Area.

Impact on drainage

The application proposes a store to the rear of the site, a culvert runs very close to this structure. United Utilities have identified that the proposed development would be very close to a water main and a 5m easement would be required from any main. The proposed development would be within 5m of this main and as such the layout will require amending. Alternatively, although an expensive approach, there is scope for the water main to be diverted to ensure that it would not be within 5m of the proposed development. As there is an option for the main to be diverted (at the cost of the applicant), it is considered that the development, if approved, could be carried out and an Informative should be attached to any permission to reflect this.

With regard to flooding it is considered that the satisfactory drainage of the site, which can be secured by condition, it is considered that there would be no increased impact on flood risk.

Other matters

Concern has been raised over land ownership. However the applicant has confirmed that, in their opinion the land contained within the red edge of the application site is entirely within their ownership.

The ownership to the side of the existing building is disputed. The applicants are currently using this access road for the purposes to access the rear of the site and this arrangement would not change. Any dispute over the use or ownership over this land outside of the application site is a civil matter and outside the remit of this planning application. Whilst the owner of this access road may not be aware of the proposed development this is outside of the red edge and there is no requirement for a Certificate B to be issued.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The proposed development within the settlement boundary for Nantwich is acceptable in principle. It is considered that the design of the proposed unit would not cause demonstrable harm to the character and appearance of the streetscene or the setting of the adjacent Listed Building or Conservation Area. Furthermore, there would be no harm caused to highway safety, or the amenity of nearby properties. The proposal is therefore in compliance with Policies BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.7 (Conservation Areas), BE.9 (Listed Buildings – Alterations and Extensions), BE.16 (Development and Archaeology), E.4 (Development on Existing Employment Areas), and E.7 (Existing Employment Sites) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.

RECOMMENDATIONS

Approve subject to the following conditions:

- 1) Commencement of Development**
- 2) Approved Plans**
- 3) Materials to be submitted and approved**
- 4) Car park to be made available prior to first use**
- 5) Details of any areas of external storage to be submitted**
- 6) Details of Boundary treatment to be submitted and approved**
- 7) Construction Hours**
- 8) Acoustic attenuation for proposed buildings.**



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