

Application No: 13/3724N

Location: MINSHULL COURT NURSING HOME, MINSHULL NEW ROAD,
CREWE, CW1 3PP

Proposal: Extension to Time Limit for Approved Application P07/1221 and 10/3210N
- for the demolition of Nursing Home and Construction of Fourteen
Dwellings.

Applicant: Mr Christopher Chawner, Keenrick Ltd

Expiry Date: 03-Dec-2013

SUMMARY RECOMMENDATION

Approve with conditions

MAIN ISSUES

- Principle of Development

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 on the eastern side of Minshull New Road and is currently occupied by Minshull Court Nursing Home. Minshull Court Nursing Home is a two-storey brown brick nursing home with a grey tiled roof. There is a large single storey flat roof extension to the south of the site and a 2 metre hedgerow and a row of trees form the front boundary to the site. Modern detached dwellings are located to the south and west of the application site, while a block of 2 apartments is located to the north of the site. The site is located within the Crewe Settlement Boundary with the open countryside located on the opposite side of the road.

1. DETAILS OF PROPOSAL

This application is for the extension to the time limit condition to planning permission 10/3210N which was an extension to application P07/1221. This is an outline permission for 14 residential units on the site with details of the access to be determined and all other matters are reserved for subsequent determination. The indicative site layout shows 14 dwellings in total which comprises of a 3-storey apartment block containing 3 apartments,

3 pairs of two and a half storey semi-detached dwellings, 3 two and a half storey detached dwellings and 1 two-storey block containing 2 apartments. The dwellings would mainly be served by a central vehicular access to serve the cul-de-sac although some parking would be provided to area to the north of the site via the existing service access to the nursing home.

2. RELEVANT HISTORY

10/3210N - Extension to Time Limit - Ref: P07/1221 (Outline Permission for Demolition of Nursing Home and Construction of Fourteen Dwellings) – Approved 23rd September 2010

P07/1221 – Outline permission for demolition of nursing home and construction of 14 dwellings – Approved 16th November 2007

P06/1455 – Demolition of nursing home and construction of 14 dwellings - Refused 9th March 2007

P06/0208 – Renewal of existing planning permission P05/0511 (Alterations and extensions to nursing home) - Approved 13th September 2006

P00/0511 – Amendments and extensions and alterations - Approved 7th March 2001

P98/0591 – Renewal of permission for extension to nursing home - Approved 4th February 1999

P94/0316 – Extension to nursing home - Approved 2nd June 1994

7/12323 – Change of use to nursing home - Approved 29th August 1985

3. 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

National Planning Policy Framework

Other Material Considerations

Supplementary Planning Document on Development on Backland and Gardens

Communities and Local Government Guidance: Greater Flexibility for Planning Permissions

4. CONSULTATIONS (External to Planning)

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

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

Environmental Health: Conditions are required relating to hours of operation, contaminated land, and dust control.

5. VIEWS OF THE PARISH COUNCIL

No comments received at the time of writing this report.

6. OTHER REPRESENTATIONS

One letter of objection received raising the following points:

- There is no demand for anymore housing in Leighton
- Additional traffic generation which will add to traffic congestion on Minshull New Road raising pollution and pedestrian safety issues

7. APPLICANT'S SUPPORTING INFORMATION

No supporting information submitted. (However nothing is required as this is an extension of time application).

9. OFFICER APPRAISAL

Principle of Development

Extensions to the time limit for implementing existing planning permissions was brought into force on 1 October 2009 and subsequently extended until 1st October 2010. 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 determination of the last application the national planning guidance in the form of the PPG and PPS documents has been replaced by the NPPF. It is considered that this development is consistent with the NPPF.

It is not considered that the abolition of the Regional Spatial Strategy will affect the determination of this planning application.

In this case the only circumstance 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.

The original application was subject to amendments in relation to the layout of the dwellings, access, parking spaces and landscaping on the site. It is considered that the access and indicative layout which was accepted in 2010 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 or the surrounding highway network.

11. CONCLUSIONS

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

12. RECOMMENDATIONS

Approve subject to conditions

- 1. Standard Outline 1 – the reserved matters**
- 2. Standard Outline 2 – time**
- 3. Standard Outline 3 – implementation /reserved matters submission**
- 4. Materials to be submitted and approved in writing**
- 5. Surfacing materials to be submitted and approved in writing**
- 6. Boundary treatment to be submitted and approved in writing**
- 7. Retention of garage space for the housing of a private motor car**
- 8. Landscape to be submitted and approved in writing**
- 9. Landscape to be completed in accordance with the approved details**
- 10. Tree and hedgerow protection to front boundary**
- 11. Drainage Details to be submitted and approved in writing**
- 12. Removal of trees/hedgerow outside the bird breeding season**
- 13. Contaminated land survey to be submitted and approved**
- 14. A Footway/cycle link shall be provided across the front of the site along the length of the Minshull New Road frontage**
- 15. Access to be carried out in accordance with the approved plans**
- 16. The hedgerow to the front boundary shall be retained and not replaced with fencing/walls or other means of enclosure**
- 17. Remove PD Rights**
- 18. Prior to the commencement of development details of the proposed garden outbuildings shall be submitted and approved in writing**

19. Dust Mitigation

20. Piling Hours

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