

Application No: 14/0066N

Location: 114, EARLE STREET, CREWE, CHESHIRE, CW1 2AQ

Proposal: DEMOLITION OF EXISTING DWELLING HOUSE; PARTIAL DEMOLITION OF FORMER BLOCKBUSTER STORE AND CHANGE FROM USE FROM CLASS A1 TO CLASS A3 AND A5; AND ASSOCIATED ACCESS AND LANDSCAPING WORKS

Applicant: UBS Global Asset Management (UK) Limited

Expiry Date: 13-Feb-2014

SUMMARY RECOMMENDATION: Approve subject to conditions

MAIN ISSUES:

- Principle of development;
- Design Standards;
- Amenity;
- Landscape;
- Highways; and
- Other Matters

REFERRAL

This application was to be dealt with under the Council's delegation scheme. However, Councillor Newton has requested that it be referred to Committee for the following reasons:-

'Residents in the adjoining area have expressed concerns about increased traffic congestion as a consequence of the operation of a Drive thru food outlet, in an area already suffering from traffic congestion problems; that there would be insufficient parking for both staff of the establishment and customers when the facility is open'.

'Residents in the nearby residential area are concerned also about potential loss of amenity as a result of an increase in smells/odours, a reduction in air quality, increased noise and potential disturbance in surrounding residential streets nearby, especially at night'.

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

This is a full application for the demolition of the existing dwelling and partial demolition of the former Blockbuster store and change of use from Class A1 to Class A3 and A5 and associated access and landscaping at 114 Earle Street, Crewe. The applicants property is a detached single storey building constructed out of facing brick under a concrete tile roof. The

building is located in close proximity to Grand Junction Retail Park and is located wholly within the Crewe Settlement Boundary.

2. PREVIOUS RELEVANT DECISIONS

P95/0519 - Illuminated advertisements – Approved – 18th March 1996

P97/0597 - Projecting box sign – Approved – 16th August 1997

P95/0439 – Retail Unit – Approved – 28th July 1995

P95/0724 – Retail Unit – Approved – 21st September 1995

P97/0583 - Installation of ATM – Approved – 1st August 1997

3. PLANNING POLICIES

National Policy

The application should be determined in accordance with national guidance set out in:

National Planning Policy Framework

Local Policy

The principle issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage Utilities and Resources)

TRAN.9 (Car Parking Standards)

NE.5 (Nature Conservation and Habitats)

Cheshire East Local Plan Strategy - Submission Version

SE1

SD2

SE2

SE3

SE4

SE6

CO2

EG3

The above Policies are consistent with the Crewe and Nantwich Local Plan

4. OBSERVATIONS OF CONSULTÉES

United Utilities: No objections subject to the following being conditioned

Interceptors and adequate grease traps are often required to protect the receiving sewer. Food outlets and producers must have grease traps installed and maintained.

Highways: No objections subject to the following condition and informative

Condition:- Prior to first use all parking and new/revised points of access will be properly constructed and available for use.

Informative:- Prior to first development the developer will enter into and sign a Section 184 agreement and construct the new access to CEC Highways specification.

Air Quality: No objection subject to conditions relating to dust control and electric vehicle infrastructure

Environmental Health: No objection subject to conditions relating to hours of use, odour control report submitted and odour control maintenance.

5. VIEWS OF THE PARISH / TOWN COUNCIL:

No comments received at the time of writing this application

6. OTHER REPRESENTATIONS:

1 letter of representation has been received. The salient points raised are as follows:

- Loss of earnings;
- Direct competition;
- Loss of revenue on both flats and business;
- The proposed plan includes parking for 15 cars. However they also state they will employ 16 staff and therefore there would not be enough car parking spaces for customers or visiting management, reps and other staff. Therefore, the over spill would have to be in front of my business and my small car park leaving no room for my customers.

7. APPLICANT'S SUPPORTING INFORMATION:

Scheme of Odour Abatement
Transport Statement
Acoustic Assessment

8. OFFICER APPRAISAL

Principle of Development

As the site is located within the Crewe Settlement Boundary the overarching principle of development is deemed to be acceptable subject to other local plan policies. Furthermore, this site has been earmarked for commercial development which this proposal would satisfy.

One of the core principles of the NPPF is that planning should; *“proactively drive and support sustainable economic development to deliver the homes, **business** and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made to objectively identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.”*

Given that the application site is currently vacant, is within the Crewe Settlement Boundary and would bring economic benefits to the area, it is deemed to be acceptable in principle.

Design Standards

Policy BE.2 of the Local Plan advises that planning permission will only be granted if a high standard of design is achieved, the development respects the pattern, character and form of the surroundings and would not affect the streetscene by reason of scale, height, proportions or materials used.

The applicant is proposing to utilise the majority of the former Blockbuster store. It is noted that a section of the building will need to be demolished so that the drive through lane, which sweeps around the building can be constructed. The building is in a fairly prominent position being a detached building located adjacent to the roundabout and near Grand Junction Retail Park. The building is of a simple utilitarian design being constructed out of facing brick under a concrete tile roof and containing a number of large glazed apertures.

The applicant is proposing to break up the existing façade by utilising a timber and corrugated steel facades. It is considered that the existing building appears quite stolid and typical of 1990's construction. The current proposal is more modern and is less stark. However, it is considered prudent to attach a condition regarding the submission and approval of materials, in the event that planning permission is granted. Overall, it is considered that the proposal will not appear as alien or incongruous feature within the streetscene and the proposal is in accordance with policy BE.2 (Design Standards)

In addition to the above, in order to facilitate the construction of the drive through lane an end terrace property will need to be demolished. It is not considered that the loss of this building, which is of no architectural merit will not cause any demonstrable harm to the character and appearance of the streetscene.

Amenity

Policy BE.1 of the Local Plan advises that development shall only be permitted when the proposal would not have a detrimental impact upon neighbouring amenity in terms of overlooking, overshadowing, visual intrusion or environmental disturbance.

The application site is located in a mixed use area where there are a number of commercial properties sitting in close proximity to residential dwellinghouses. Furthermore, the local highway network is heavily trafficked and as such the ambient noise levels in the locality are quite high, it is against this backdrop that the application needs to be assessed.

The applicant has submitted an Acoustic Assessment which was produced by Hann Tucker Associates, and it concludes that the proposal will not generate noise levels that will cause adverse impacts upon the nearest sensitive receptors (i.e. residential dwellings). A series of attenuation measures have been proposed to ensure noise emissions are limited and a condition is proposed to ensure these are installed as part of the development. Following the submission of this Assessment, the Environmental Health Officer has withdrawn her holding objection to the proposal.

In addition to the above, the application is submitted with a scheme of odour abatement which incorporates an electrostatic precipitator followed by an out of air stream UV odour control unit which is designed to ensure that odours associated with the use of the development (Burger King Restaurant) do not cause a significant loss of residential amenity in the vicinity. Colleagues in Environmental Health have been consulted and the scheme is accepted. Consequently, it is considered that the proposal will not have a detrimental impact on residential in relation to odour, subject to the imposition of a condition regarding that maintenance of the electrostatic precipitator. Colleagues in Environmental Health have been consulted and raise no objection and as such it is considered that the proposal complies with policy BE.1 (Amenity)

In terms of Air quality, the site lies within the Earle Street Air Quality Management Area (AQMA). As such, it has been advised that Electric Vehicle Infrastructure should be provided. Furthermore, a scheme to mitigate any dust emissions is also recommended to be submitted and approved, prior to commencement of development. Both of these conditions are considered to be reasonable given that the site lies within an AQMA.

Landscape

It is noted that there are a number of trees and areas of planting around the existing site. The vegetation is well established but not mature. Whilst retained trees and proposed landscape areas are shown on the site plan, the submission provides no detailed arboricultural data or landscape proposals.

However, the development will impact on one existing semi mature tree on the Earle Street frontage, adjacent to proposed disabled parking and some shrub planting beds will be affected. It may be possible to retain the tree with special construction for the proposed areas of hard surfacing. The tree is not located in a Conservation Area nor is it offered any statutory protection via a Tree Protection Order.

Consequently, in the event of approval it is considered prudent to attach conditions relating to tree protection measures, method statement for the construction of the area of hard surfacing if the aforementioned tree is to be retained and standard landscaping conditions. Overall, it is considered that the proposal accords with policy NE.5 (Nature Conservation and Habitats).

Highways

This application is for a change of use to fast food and drive through with parking on site. It is local to the retail park with good sustainable pedestrian links between the two. Indeed this site is in a sustainable town centre location.

According to the submitted plans there will be 17no. car parking spaces (2no. of these spaces will be for orders and 2no. disabled car parking spaces) The majority of the car parking will be located around the periphery of the site and will be screened from the wider environ by a landscaping buffer, which will be secured by condition. The existing access/egress arrangement will stay the same. However, a new egress will be formed following the demolition of a terraced property.

A Transport Statement was provided with the application detail which assessed the traffic generation from the site and considered the impact on the Earle Street roundabout. In response the Strategic Highways Manager required a revision to this document to better represent the actual traffic conditions on the ground. However it was recognised that the moving traffic queues which manifest themselves at this junction are difficult to replicate in industry recognised modelling programmes. The revised TS demonstrated with reasonable accuracy the on-site conditions.

In the final analysis it is recognised by the assessment and the S.H.M. that the actual traffic impact on the roundabout will be low in overall terms and on the worst (Manchester Rd arm) not more than 12 additional vehicles in the future assessment year of 2019. This is just one extra vehicle every 5 minutes on average.

The S.H.M recognises that this cannot reasonably be considered a severe impact from this development, especially in this sustainable location and to this end must find that there can be no sustainable objection to this development on the grounds of traffic impact on the local network. Therefore, it is considered that the proposal is in accordance with policies BE.3 (Access and Parking) and TRAN.9 (Car Parking Standards).

Other Matters

Whilst the concerns of the objector are noted, the potential impact on their business by the proposed development is not a material planning reason to refuse the application.

9. CONCLUSIONS

It is considered that the proposal would be sited in an acceptable location, would not have a detrimental impact upon neighbouring amenity and would not create any highway safety, rail or protected species issues. It would therefore adhere with the following policies within the Borough of Crewe and Nantwich Adopted Replacement Local Plan 2011: BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources) and BE.6 (Development on potentially contaminated land). The proposal would also adhere with the relevant policies within the NPPF.

10. RECOMMENDATIONS

Approve subject to the following conditions:

- 1. Standard Time Limit**
- 2. Plan References**
- 3. Materials to be submitted and agreed in writing**
- 4. Surfacing materials to be submitted and agreed in writing**
- 5. Landscaping scheme to be submitted**
- 6. Landscaping Implemented**
- 7. Tree Protection measures**
- 8. Method Statement for the construction to hardstanding to be submitted and agreed in writing**
- 9. Drainage scheme to be submitted and agreed in writing and to include information relating to interceptors and grease traps**
- 10. Prior to first use all parking and new/revised points of access will be properly constructed and available for use.**
- 11. Hours of Use (Restaurant)**

Sunday - Thursday	07.00 hrs	23.00 hrs
Friday - Saturday	07.00 hrs	24.00 hrs
- 12. Hours of Use (Drive Through Lane)**

Sunday - Thursday	07.00 hrs	24.00 hrs
Friday - Saturday	07.00 hrs	01.00 hrs
- 13. The electrostatic precipitator shall be installed and maintained in accordance with the manufacturers instructions**
- 14. Dust Controls**
- 15. The developer shall provide Electric Vehicle Infrastructure in the parking area proposed as part of this development.**
- 16. Noise Vibration Test to be submitted and Agreed in Writing**
- 17. External Lighting to be submitted and agreed in writing**
- 18. Pile foundations**

Monday – Friday	09:00 – 17:30 hrs
Saturday	09:00 – 13:00 hrs
Sunday and Public Holidays	Nil

Informative:- Prior to first development the developer will enter into and sign a Section 184 agreement and construct the new access to CEC Highways specification.

