

Application No: 14/2649N

Location: The Warehouse, Mary Street, Crewe, Cheshire, CW1 4AJ

Proposal: Variation of condition no.7 the hours of operation on application 12/2619N

Applicant: Dawn Read, Good Time Charlies Ltd

Expiry Date: 23-Jul-2014

#### **SUMMARY RECOMMENDATION**

Approve

#### **MAIN ISSUES**

Principle  
Impact upon residential amenity  
Highway Implications

#### **REASON FOR REFERRAL**

The application has been called-in to Southern Planning Committee by Cllr Thorley for the following reason;

“I share and understand Ms Flannigan's concerns and if there is the slightest chance of this application being approved I wish to call-in the application on the following grounds:-

1. Noise and disturbance.
2. Parking hazards for residents”

#### **DESCRIPTION OF SITE AND CONTEXT**

The application site is comprised of an indoor play centre known as ‘Good Time Charlies’. The site is located within the Crewe Settlement Boundary and is surrounded by residential development.

#### **DETAILS OF PROPOSAL**

This application is a section 73 planning application that seeks permission to vary existing conditions attached to planning consent 12/2619N.

The proposal seeks to vary conditions 7, relating to the hours of operation.

Condition 7 currently reads;

*The hours of operation of the use hereby approved shall be limited to Monday to Friday 08.00 - 21.00. Saturday and Sunday 09.00 - 18.00*

The proposed condition would read as

*The hours of operation of the use hereby approved shall be limited to Monday to Friday 0800 – 2100 and 0800 – 2000 on Saturdays and Sundays.*

The proposal seeks to extend the operating hours at the weekend.

## **RELEVANT HISTORY**

12/3501N	Removal of condition 6 on planning application 12/2619N Approved 2012
12/2619N	Variation of Conditions 5 and 9 on Planning Application P96/0483 Approved 2012
P96/0483	COU from industrial to fitness centre Approved 1996

## **POLICIES**

### **Local Plan Policy**

Crewe and Nantwich Replacement Local Plan 2011

BE.1	Amenity
BE.3	Access and Parking
TRAN.9	Car Parking Standards

### **Other Material Considerations**

National Planning Policy Framework

## **CONSULTATIONS (External to Planning)**

**Environmental Health:** No objections

**Highways:** No objections

## **VIEWS OF THE PARISH / TOWN COUNCIL**

Crewe Town Council: Strongly object to the application due to the impact of the existing operation on the area in terms of traffic, parking, noise, litter, odours, and to the extended hours that can only worsen parking problems currently faced by residents.

## **OTHER REPRESENTATIONS**

16 letters of objection have been received with regards to the application. A summary of the objections is provided below, however the full documents can be viewed on file.

- Location not suitable for this use, should be located on an industrial estate
- Business expansion has been done in an incremental way
- Proposal would not alleviate traffic in the area
- Parking issues – insufficient parking on site resulting in dangerous on road parking
- Noise disturbance from business – screaming children
- Pollution from traffic fumes and cooking food
- Overlooking and loss of privacy from the existing parking area
- Alleyway not suitable for a footpath
- Deliveries to the site cause problems
- Don't want additional building work and lighting
- Disabled residents unable to park outside front of their property due to on street parking

One resident within an objection letter requested an FOI for Cheshire Police which the Council cannot respond to.

## **APPLICANT'S SUPPORTING INFORMATION**

A Supporting Statement was submitted during the course of the application. The document states that the longer opening hours are to reduce the amount of parties held at weekends, from three time slots to two.

The statement also says that the building has been soundproofed.

The full document can be viewed on file.

## **OFFICER APPRAISAL**

### **Background Information**

Planning permission was granted for the change of use from Industrial to fitness centre in 1996. This permission was subject to a number of conditions relating to design, internal configuration and a condition restricting the use of the gym etc. A further application was submitted in 2012 to agree to the use of the site as a children's indoor play centre. Further consent was granted under planning application 12/3501N agreeing to the provision of a

hairdressers and stationary business on site, which run ancillary to the main business use on site.

## **Principle of Development**

This S.73 application seeks to vary condition 7 in order to lengthen weekend opening hours on site. The application seeks to increase the hours in the form of starting operations at 8am on site, and closure at 8pm. This would amount to an extension of 3 hours per day.

The principle of the indoor play centre on site has been established since 2012, therefore the principle of the development is accepted. The key issues in the assessment of the application are whether the extending operating hours would adversely affect residential amenity, or result in significant highway issues.

## **Residential Amenity**

The proposal seeks to increase the opening hours of the business during the weekend of between 8am – 8pm. The supporting statement submitted with the application states that the intention of the increased opening hours on a Saturday and Sunday is to stagger trade in order to alleviate some of the residents exiting concerns.

The statement highlights that the existing building has been soundproofed to the specification of Environmental Health, therefore the proposed opening hours should not adversely affect the amenities of neighbours in terms of noise. The existing noise control conditions attached to planning application 12/2649N would also remain in effect.

Environmental Health has assessed the application and raise no objections to the increase in opening hours.

Several objections have been raised regarding cooking odours emanating from the building, however, extraction equipment has been fitted.

The increase in opening hours is considered to be acceptable, and would not materially affect the amenities of neighbouring dwellings.

## **Highways**

The existing parking arrangements on site would remain unchanged, with 34 parking spaces provided on site.

The site is also a 10 minute walk from the Thomas Street car park that offers free parking within Crewe.

Given the level of parking available on site and the surrounding area, nuisance or illegal parking is not necessarily a matter which can be addressed within this planning application.

Due to the reasons above it is not considered that a refusal on highway grounds could be sustained.

### **Other Matters**

Many of the objections received relate to visitors to the play centre blocking local residents drives, parking on verges, and on street in front of other peoples properties. This is not a matter to be controlled by the Local Planning Authority, and is a matter for the Police.

Other objections received regarding the changes to the building have been noted, however no alterations are proposed under this planning application, the proposal seeks to extend the weekend opening hours of the business only.

### **CONCLUSIONS AND REASON(S) FOR THE DECISION**

The proposed extension of the business opening hours on Saturdays and Sundays in considered to be acceptable in principle, and would have an acceptable impact upon residential amenity and the highway. As such, a recommendation for approval is made.

In order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Southern Planning Committee, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

**Approve, subject to following conditions;**

- 1) No outdoor play areas**
- 2 Acoustic measures retained**
- 3 Doors and windows to remain closed at all times (play area and hairdressers)**
- 4 The hours of operation of the use hereby approved shall be limited to Monday to Friday 08.00 - 21.00. Saturday and Sunday 08.00 – 20.00**

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