

Application No: 15/3873N

Location: Site Of Bristol Street Motors, MACON WAY, CREWE, CHESHIRE

Proposal: Variation of Condition 13 (Range of Goods) on Application 12/0316N - Proposed new build, non-food retail unit, up to 3715 sq.m (Use Class A1), including access and associated infrastructure.

Applicant: Andrew Bird, Maconstone Ltd.

Expiry Date: 24-Nov-2015

CONCLUSION:

The proposal will contribute to economic sustainability through the provision of a new retail unit and creation of jobs. The amended condition would not prejudice the vitality and viability of the town centre. There would be no adverse social or environmental implications of the proposal. The scheme is considered to represent sustainable development and is in accordance with the relevant policies of the development and accordingly it is recommended for approval.

SUMMARY RECOMMENDATION:

Approve subject to Deed of Variation and conditions

REASON FOR REPORT:

The proposal is a variation of a condition relating to a major development requiring a Committee decision.

PROPOSAL:

Planning permission has been granted for the construction of a single Class A1 retail unit with associated parking, landscaping and infrastructure.

Condition 13 on the outline consent currently states:

"The range and type of goods to be sold from the non-food retail units hereby permitted shall be restricted to the following: DIY and/or garden goods; furniture, carpets and floor coverings; camping, boating and caravanning goods; motor vehicle and cycle goods; and bulky electrical goods."

Reason: To protect the vitality and viability of Crewe Town Centre in accordance with Policy S.1 (New Retail Development in Town Centres) and S.10 (Major Shopping Proposals) of the Borough of Crewe and Nantwich Replacement Local Plan 2011."

The site owner has had interest from a Builders Merchants to occupy the site and whilst it is considered that the Builders Merchant can operate within the restrictions of condition 13, for further comfort the applicant has nevertheless requested that the condition be amended as follows:

*“The range and type of goods to be sold from the non-food retail units hereby permitted shall be restricted to the following: DIY **and building supplies** and/or garden goods; furniture, carpets and floor coverings; camping, boating and caravanning goods; motor vehicle and cycle goods; and bulky electrical goods.*

Reason: To protect the vitality and viability of Crewe Town Centre in accordance with Policy S.1 (New Retail Development in Town Centres) and S.10 (Major Shopping Proposals) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.”

SITE DESCRIPTION:

The site consists of an 8.1 hectare area comprising of a cleared site formerly occupied by single storey general industrial, car dealership buildings, formerly known as Bristol Street Motors, and is bounded to the west by railway lines filtering into Crewe railway station, to the north and south by commercial premises. A number of residential properties stand on the opposite side of Macon Way.

RELEVANT HISTORY:

12/0316N (2012) Outline Planning Permission Approved for Proposed new build, non-food retail unit, up to 3715 sq.m (Use Class A1), including access and associated infrastructure.

14/4644N (2014) Approval of reserved matters for Proposed new build, non-food retail unit, up to 3715 sq.m (Use Class A1), including access and associated infrastructure.

14/4901N (2014) Variation of conditions relating to sale of bulky goods (withdrawn)

NATIONAL & LOCAL POLICY

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Development Plan:

The relevant Saved Policies are: -

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

TRAN.1 (Public Transport)

TRAN.3 (Pedestrians)
TRAN.4 (Access for the Disabled)
TRAN.5 (Provision for Cyclists)
TRAN.6 (Cycle Routes)
TRAN.9 (Car Parking Standards)
S.10 (Major Shopping Proposals)
S.12.2 (Mixed Use Regeneration Areas) Mill Street, Crewe
E.7 (Existing Employment Sites)

The saved Local Plan policies are consistent with the NPPF and should be given full weight.

Cheshire East Local Plan Strategy – Submission Version (CELP)

As the examination of this plan has now been suspended, its policies carry limited weight. The following are considered relevant material considerations as indications of the emerging strategy:

Policy MP 1 Presumption in Favour of Sustainable Development
Policy SD 1 Sustainable Development in Cheshire East
Policy SD 2 Sustainable Development Principles
Policy EG 1 Economic Prosperity
PolicyEG 5 Promoting a Town Centre First Approach to Retail and Commerce
Policy SE 1 Design
Policy CO 1 Sustainable Travel and Transport
Policy CO 4 Travel Plans and Transport Assessments

CONSULTATIONS:

None received at the time of report preparation.

REPRESENTATIONS:

One letter has been received stating that they fully support this long delayed development.

APPRAISAL:

The principle of retail development on this site has been established by the previous outline consent on this site. Consequently, the principle of the development has already been established and this application does not present an opportunity to re-examine those issues. The main issues in the consideration of this application is whether broadening the list of good permitted to be sold from the premises to including building supplies would be acceptable in sustainability terms.

Economic Sustainability

The condition was applied in order to protect the vitality and viability of the town centre. Sales of building supplies does not lend itself to town centre retail units due to the bulky nature of the goods and need for access by HGV's. Therefore the proposed modification would not impact on the vitality and viability of the town centre and would accord with the principles in the Local Plan policy and the NPPF.

Although the principle of the development has been established, the approval of the variation of the condition will give the potential tenant the comfort to occupy the building will allow the new retail unit to be realised which will be of economic benefit to the town through the provision of a new business with associated job creation.

Environmental Sustainability

There are no implications for environmental sustainability.

Social Sustainability

There are no implications for social sustainability.

S106 contributions:

The original outline consent was subject to a Section 106 Agreement provision of £40,000 for traffic management improvements in the local area. The variation of conditions permission will require a Deed of Variation to this Section 106 to reference the new consent.

Planning Balance

The proposal will contribute to economic sustainability through the provision of a new retail unit and creation of jobs. The amended condition would not prejudice the vitality and viability of the town centre. There would be no adverse social or environmental implications of the proposal. The scheme is considered to represent sustainable development and is in accordance with the relevant policies of the development and accordingly it is recommended for approval.

RECOMMENDATION

APPROVE subject to Deed of Variation to the Section 106 Agreement to reference the new consent and the following conditions:

- 1. Commencement of Development**
- 2. Reserved Matters**
- 3. Plans**
- 4. Details of Materials to be submitted and approved in writing**
- 5. Details of Surfacing Materials to be submitted and approved in writing**
- 6. Details of any external lighting to be submitted and approved in writing**
- 7. Landscaping to be submitted**
- 8. Landscaping Implemented**
- 9. Details of secured covered cycle parking to be submitted and approved in writing**
- 10. Details of bin storage areas to be submitted and approved in writing**
- 11. Details of boundary treatment to be submitted and approved in writing**
- 12. Restrict the Use of Unit to A1**
- 13. *The range and type of goods to be sold from the non-food retail units hereby permitted shall be restricted to the following: DIY and building supplies and/or garden goods; furniture, carpets and floor coverings; camping, boating and caravanning goods; motor vehicle and cycle goods; and bulky electrical goods.***

- 14. Access to be formed in accordance with the approved plans**
- 15. Car parking and turning areas to be constructed and made available prior to the unit being occupied**
- 16. No subdivision of the building**
- 17. Pile foundations**
- 18. Restrict Retail Floor Space to 3715sqm**
- 19. Contaminated Land Report**
- 20. Air Quality Assessment**
- 21. Noise Control – Hours of Construction**
- 22. Waste**
- 23. Floor Floating**
- 24. Hours of operation**
- 25. Travel Plan to be submitted and approved in writing**
- 26. Details of Car Park Opening Times to be submitted and approved**
- 27. Oil Interceptors**
- 28. Acoustic Enclosures**
- 29. Accesses to be constructed in accordance with the submitted plans**

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Principal Planning Manager (Regulation) has delegated authority to do so in consultation with the Chairman of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority is approved to enter into a S106 Agreement to secure a Deed of Variation to the Section 106 Agreement to reference the new consent.

