

Planning Reference No:	P09/0126
Application Address:	Sainsbury's Store/Fairway Suithouse, Middlewich Road, Nantwich, Cheshire, CW5 6PH
Proposal:	Erection of Replacement Store with Associated Café, Servicing Arrangements and Plant Following Demolition of Existing Store and Industrial Unit; Formation of New and Upgraded Car Parking Facilities with Alterations to Pedestrian Access and Upgrading of Landscaping to Site
Applicant:	Sainsbury's Supermarkets Ltd.
Application Type:	Full Planning Permission
Grid Reference:	353570 365632
Ward:	Birchin
Earliest Determination Date:	18 th March 2009
Expiry Dated:	15 th May 2009
Date of Officer's Site Visit:	19 th March 2009
Date Report Prepared:	30 th June 2009
Constraints:	Settlement Boundary Hazardous Installations Consultation Zone

SUMMARY RECOMMENDATION:

REFUSE for the following reasons

- Retail Impact
- Siting and Design
- Sustainability

MAIN ISSUES:

- The acceptability of the development in principle and its impact on the vitality and viability of Crewe and Nantwich town centres.
- Layout, design and street scene
- Sustainability,
- Impact on neighbour amenity
- Landscape and Ecology
- Crime and Disorder
- Public Consultation
- Highway Considerations
- Drainage and flood risk,

1. REASON FOR REFERRAL

The application has been referred to committee because it is a commercial building of over 1000 square metres in floor area.

2. DESCRIPTION OF SITE AND CONTEXT

The application relates to the existing Sainsbury's Store (6,702sqm gross external area) and a surface customer car park accommodating 397 spaces and a customer recycling area. The existing building is predominantly single storey, with gable roof features and is constructed of red brick with pitched tiled roofs around the perimeter. The shop front elevation has an extended gable roof entrance feature with shop front ATM units and trolley storage areas.

There is an existing petrol filling station adjacent to the site entrance road, which is accessed via a roundabout junction from Middlewich Road.

The application site also includes the former Fairway Suithouse industrial unit, to the west of the existing store, which is of portal framed construction and clad in red brick with grey corrugated sheeting above.

The site is bounded to the north by the A500 Nantwich Bypass, to the south by Nantwich Trade Yard, to the West by the Vauxhall Masterfit Centre and to the East by residential properties on the opposite side of Middlewich Road.

3. DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of the existing store and the adjacent warehouse unit and the erection of a new food store (providing a total of 9,407sqm of gross external floor space on two levels) with associated car parking, access, service yard and landscaping. As originally submitted the proposal also included a restaurant / café unit on the site frontage. However, in response to residents concerns, this has now been omitted by way of amended plans.

The car park will be re-laid and extended to increase the number and size of spaces and new covered trolley storage shelters will be provided. The existing petrol filling station will not be affected.

4. RELEVANT HISTORY

P93/0016	Retail store, petrol station, car park and service area – approved on Appeal
P98/0586	Extension to store – approved 17 th September 1998

5. POLICIES

North West of England Plan - Regional Spatial Strategy to 2011

Policy DP 5	Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility
Policy DP 7	Promote Environmental Quality
Policy DP 9	Reduce Emissions and Adapt to Climate Change
Policy RDF 1	Spatial Priorities
Policy W 1	Strengthening the Regional Economy
Policy W 5	Retail Development

Policy RT 1	Integrated Transport Networks
Policy RT 2	Managing Travel Demand
Policy RT 3	Public Transport Framework
Policy RT 9	Walking and Cycling
Policy EM9	Secondary and Recycled Agregates
Policy EM 11	Waste Management Principles
Policy EM 12	Locational Principles
Policy EM 15	A Framework For Sustainable Energy In The North West
Policy EM 16	Energy Conservation & Efficiency
Policy EM 17	Renewable Energy
Policy EM18	Decentralised Energy Supply
Policy MCR 4	South Cheshire

Cheshire Replacement Waste Local Plan

Policy 11 (Development and Waste Recycling)

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)
 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)

National policy

PPS 1: Delivering Sustainable Development
 PPS 6: Planning for Town Centres
 PPS 25: Development and Flood Risk
 PPG 13: Transport
 Department for Transport – Manual for Streets
 Proposed Changes to PPS6: Planning for Town Centres – Consultation

6. CONSULTATIONS (External to Planning)

Environmental Health

Environmental Health has looked at the application and have concerns regarding noise, odour and light from the premises. Therefore they request that the following conditions be attached:-

- Before the use commences the building together with any ancillary mounted equipment shall be acoustically attenuated in accordance with a scheme submitted to and approved by the Borough Council.
- Before the use commences a lighting scheme for the whole site should be submitted to and approved by the Borough Council due to the close proximity of local residents. The car park should be closed to all vehicles (except for staff vehicles) outside store opening times so as to protect the amenity of local residents. The recycling centre should be relocated to the opposite side of the car park to prevent loss of amenity to local residents due to noise from glass etc being dropped into the recycling banks.

Environment Agency

The Flood Risk Assessment explains that the surface water drainage system is to remain as for the existing development, which is acceptable in principle. The FRA demonstrates that attenuation can be included in the surface water drainage system that allows for future climate change. As a result there is no objection subject to the following conditions:-

- Scheme for the regulation of surface water to be submitted and approved
- Scheme for the management of overland flow from surcharging of the site's surface water drainage system is submitted and approved.
- The scheme shall include how safe access and egress to the site is to be provided in the event of flooding.
- The schemes shall be fully implemented and subsequently maintained in accordance with the timing and phasing arrangements embodied within the schemes or within any other period as may subsequently agreed in writing by the Local Planning Authority.

Highways Authority

Will support the application if the following is constructed as part of a section 106 agreement. The justification for this is the potential increase in vehicular movements that will result from this development and how that could adversely impact on pedestrian and cycle movements as a direct result of the Connect 2 scheme and the surrounding area.

- Two Toucan crossings, X1 at the (formerly) A500 and X1 on the (formerly) A530 Middlewich Road.
- A pedestrian refuge island between Sainsbury's entrance and the Barony traffic signals along Middlewich Road, with a footway link to tie in with Cheshire East Council's Connect 2 route at this location.
- A Traffic Regulation Order at Beam Heath Way to control the queuing of delivery vehicles.
- The existing footway along Middlewich Road to the side of the petrol filling station, will need to be widened to allow both pedestrians and cyclists to share this space and access Middlewich Road from the Connect 2 route and surrounding area.

- The expected cost for the above works is around 200k, and Cheshire East Council is asking for Sainsburys to carry out this works under a section 278 agreement.
- As well as the above, the Highways Authority recommends that your cycling facilities are increased from 10 Sheffield stands at the corner of the site, to at least 20 secured and covered facilities at the location of the previously proposed café facility. This will allow cyclists easier access into the site and make them less vulnerable within the site curtilage.

Sustrans:

The site lies on the outskirts of the Nantwich urban area, 1.5km from the town centre, 3km from the southern edge of Nantwich and 2.5km from the nearest residential area in Crewe. It also lies adjacent to the proposed Connect2 route between Crewe-Nantwich, which is intended to create a high quality, attractive greenway between Queens Park and Nantwich riverside, as an alternative to the busy Middlewich Road. The Connect2 scheme has already raised £1 million towards the estimated 1.5m cost but they and the partner Local Authorities are seeking additional funds to ensure that it is built within the timescale of March 2013.

Should the Sainsbury's proposal be granted planning permission, their particular comments are as follows:

- The current site is not easily accessible by Nantwich residents who would like to walk or cycle to the shop. There are, for example, no pedestrian or cycle crossing facilities on the town side of the store on Middlewich Road appropriate for the level of traffic carried on this road.
- The Nantwich store is not accessible to a Crewe residents wishing to cycle. The bypass is effectively a physical barrier and again there are no crossings by the store appropriate for the level and speed of traffic. The Middlewich Road itself toward Crewe carries high levels of fast moving traffic, is narrow, and only has a narrow footway. These are not conditions conducive to encouraging walking or cycling.
- The revised site has to comply with planning advice that it should be accessible on foot or bicycle. There is no evidence in this application that this subject has been considered in any depth. Sustrans suggest that it is more important to concentrate on improving local accesses within Nantwich with the following on-highway measures.
 - o A toucan crossing of the Nantwich bypass on the Connect2 network connecting the store to the Alvaston business park.
 - o A toucan over Middlewich Road on the Connect 2 network.
 - o A direct connection into the store from the Connect 2 network by the petrol station.
 - o Creating the peripheral greenway route at The Barony parallel to Middlewich Road and Barony Road.
- The Council should seek meaningful contributions to these works
- Cycle parking should be based on the Sheffield stand under cover at a convenient location close to the store entrance.

United Utilities

No objection to the proposal provided that a condition can be put on the application stating:

- Prior to any development taking place on site a survey of the existing public sewer passing beneath the site shall be undertaken and the results provided to the local planning authority. Should the survey reveal that the sewer within the site serves other properties beyond the application site a suitable scheme of sewer diversion shall be prepared, submitted to and agreed with the local planning authority prior to construction commencing."

Regional Development Agency

RSS development principle policies DP2, DP3, DP4, DP5 and DP7 are relevant, including promoting sustainable communities, promoting sustainable economic development, making best use of existing resources and infrastructure, increasing accessibility and promoting environmental quality.

DP4 directs development to existing built up areas, with a sequential approach directing development to previously developed land within settlements first, this proposal is in line with policy DP4 here as the site is occupied by a store at present. DP5 also states that development should be located so as to reduce the need to travel, and should be genuinely accessible by public transport, walking and cycling.

In relation to policy W5 in the RSS, 4NW note that the applicant has carried out an assessment of the impact of the development in terms of the PPS6 tests, including quantitative and qualitative need, impact of vitality and viability, sequential test etc. The applicant makes considerable use of the Cheshire Town Centre Study, which looks at the available capacity and development needs of centres within Cheshire. The study identifies a capacity for a further 3,540sq. m additional retail floorspace. It appears from the assessment that the applicant has ticked all the boxes in PPS6 terms. However a decision should be made by the Local Authority to determine the validity of the information and effects on neighbouring town centres. The effective doubling of retail floorspace size does appear considerable i.e. 3,392sqm to 5,778sqm, an increase of 2,386sqm. However this is still below the large scale extension as defined in Policy W5 as 2500sqm net floor space.

The existing store is within an out of centre location. Notwithstanding this, however, the principle for a development of this type has to an extent been agreed by the previous permission. The site is previously developed and even though not within the town centre is still within the urban area of Nantwich.

In relation to the loss of an existing employment site i.e. the vacant warehouse Policy W4 of RSS should be considered. From the applicants submission it is clear that the viability of the premises in their current form are no longer demanded by organisations of this sort and the site is viewed as being unsuitable. The applicant has undertaken a review of current commitments and concludes that there is a current employment land supply of 9 years based upon future land take up rates.

In terms of transport issues, the site is located adjacent to the A500, which has been identified as a route of regional importance. As such, it is important that the level of traffic generated by the development does not adversely affect this route. However, given that a store is already situated on this site we doubt this would be the case. The site is also located in the Nantwich urban area, so in line with policies DP5, RT2 and RT9 the development should be accessed by sustainable modes (i.e. walking/cycling/bus). A travel plan could be introduced to ensure this happens. However they note that there is not much detail on travel in terms of bus routes etc in the application documents. The amount of parking spaces provided also seems to be within the RSS standards.

Landscaping and open space are needed to contribute to a range of socio-economic objectives, as promoted in EM3. The NW Green Infrastructure Guide offers further guidance.

EM5, EM15, EM16 and EM18 establish a framework for sustainable design and construction, including water management, energy efficiency and use of decentralised, renewable or low carbon energy. It will be important to ensure that the sustainable design measures are incorporated in the development. In addition the requirements of policy EM18 should be considered i.e. the development should secure at least 10% of its predicted energy requirements from decentralised and renewable or low carbon sources, unless it can be demonstrated by the applicant that this is not feasible or viable.

In response to the amended plans they comment that they have no further comments to make (as the size of development has not been enlarged or significantly amended.)

South Cheshire Chamber of Commerce

Expresses it's concern about the negative impact that an extension to the Sainsburys Store at Nantwich would have on retail in Nantwich town centre particularly if this would result in the sale of more non food retail items.

Civic Society

- Are pleased to see that the revised application has made some significant changes in accordance with their comments and commend the applicants for that.
- Applaud the removal of the A3 unit, the re-location of the recycling facilities and the introduction of some trees in the car park.
- There is still a need to move towards more improvement of the building and surroundings in order for such a major application to meet a standard worthy of approval.
- The relocated recycling area makes sense from the point of view of the location, but further details would help in terms of the way the parking for vehicles dropping off materials for recycling will work. They also wonder if there is a chance to incorporate any further planting in this location.
- Welcome the tree planting, but consider one more line could be incorporated to the benefit of the overall scheme. Whilst pleased to see some trees added in to the scheme, there is still a need for more trees to be planted on

the car park. There is a need for shade as local councils and national government readily promote for healthy living.

- The redesigned shop canopy shows considerable improvement on the facade facing the car-park than on the earlier scheme. However the whole area of this design requires the details to be agreed with the local authority as a series of conditions.
- This is such a large and modern building that its effect on the surroundings will be immense, despite being set back into the former clothing factory site. Its uncompromising simple shape needs to be broken down into more pleasing and smaller elements with some rhythm to them.
- Whilst large enough to set its own stamp on the area, the design does not give any relevant acknowledgements in its materials or design to the town of Nantwich. The architects should consider how they could do this, if necessary, not by a complete redesign but by the judicious use of materials and colours and some minor detail changes:
- Already there are large portions of cladding panels that will be white, so why use a cedar colour of wooden boarding. This is used ubiquitously now but not successfully in places that are historic Cheshire market towns like this. Such alien boarding has been used on two recent buildings in the town - the Health Centre and Castle Court flats - and they have attracted lots of disappointment and criticism from many residents. They could be buildings "dropped in" from just about anywhere else but Nantwich.
- Using some local timber like oak, whether natural or black, would instantly give a visual clue to the local town's character and say: "this place is in Nantwich".
- There should be consideration given to using this better colour scheme to delineate the panels and possibly reduce the amount of timber boarding.
- Indeed the understandable charge of "pastiche or Tudorbethan tweeness" by using colours of black and white for this design could not apply on such a large modern building.
- The CGI illustration indicates quite spindly "Y"-shaped supports. (The sketch of the entrance seems to illustrate the supports as more robust). The supports should look substantial as they are an important part of the improved visual element to this façade.
- It is not clear from the illustrations where the active frontage is, i.e. where there are windows through which the shop can be viewed. The CGI is at variance with the illustration in the amended Design and Access Statement. Windows and views into the store should form an important part of the design of this elevation. Again this will need to be agreed as a condition.
- All other materials on this facade should be subject to condition as their quality and weathering abilities will be most important to the finished building.
- The entrance landscape works are a welcome change from the former A3 unit. The illustrations so far show an appropriate quality of landscape design. However as this will be part of the frontage /gateway to Nantwich, it needs to be constructed of high quality materials and have an agreement for regular maintenance in place. The sloping beds should not be left with an assumption that Nantwich in Bloom will take these on board without the proper arrangements in place. The applicants should be prepared to make a commitment to sponsor annually this and hopefully other sites in the town for

planting by Nantwich in Bloom. Can Sainsburys give a legal agreement or undertaking to this effect?

- Question the wisdom of having this entrance feature as a canopy at all here. Is there any need for such a prominent structure? – its purpose seems only to be to act as a support for the unnecessary and large sign on the top. We fear that a canopy could act also as a gathering place for people in the evenings, to the detriment of local residents.
- This is the wrong place for a pedestrian entrance to the site. More helpful to customers who will walk to the store would be simple narrow paths (to prevent vehicular access!) where the current 2 or 3 unofficial paths have been trampled down through the perimeter landscaping.
- The roundabout adjacent to the new entrance could benefit from improvement in terms of edge materials and wonder if Sainsbury's could be asked to include this in its overall landscape scheme, to provide continuity in materials etc at this entrance area?
- The signage is very important element of the overall visual attractiveness of the scheme. It is understood that the signage will form the basis of a separate application for advertisement consent. However the Civic Society are strongly of the view that conditions relating to the signage should be included in the response to this planning application.
- The signage should be an integral part of the design and should NOT float above the top of the building and the entrance feature. The building height is already high in comparison with surroundings (it has a flat roof; surrounding roofs are pitched). The sloping canopy, which we support in adding to the design interest, also adds to the overall height. Further height caused by the signage is neither necessary nor desirable. There are obvious locations on the building facade and on the entrance walls where the signage can be incorporated in an eye-catching way. This will not diminish the obviousness of the branding, but will make for a better integrated design approach.
- The sustainability of the building is still not dealt with in sufficient detail. The architect talked only about the sustainability of prefabricated materials and potential to reach BREEAM rating of very good through refrigeration and internal details. Rainwater collection and re-use was hinted at, but not confirmed. Since then the spring issue of the in-house magazine "Fresh Ideas" has described the green store in Dartmouth and in fact this application's referred to in the Design and Access Statement. The application is inconsistent with comments in the in-house magazine, where it states that a high % (95%) of people interviewed want to see "green" technology such as that at Dartmouth in their stores and the article implies ("*The green store revolution is coming to you*") that other stores will have the same or some of the same features. Sainsbury's should be encouraged to include many more features that will go towards a low carbon footprint for the building and that this should not just be about doing the minimum required to get a BREEAM very good rating, but should take the sustainable aspects of internal and external aspects of the building much further.

7. VIEWS OF THE PARISH / TOWN COUNCIL:

The Town Council are gravely concerned about this development and would urge refusal, as it considers that an enlarged supermarket, with free parking will

have a detrimental effect on traders in Nantwich and the viability of businesses in the market town.

The Town Council would make the following observations:-

Cheshire East are urged to commission an independent study of the impact of the enlarged store on the retail businesses and traders in the town centre. The Town Council consider this essential because 170 extra free car parking spaces and substantially enlarged retail space, selling a wider range of products, is certain to have a detrimental effect on the viability and sustainability of the town. If such a study provides no justification for refusal, then:-

1. Layout of the car park invites problems of racing and misuse, especially at night.
2. Traffic impact on Middlewich Road – already a hazardous and busy road – especially with ‘on line’ ordering of goods – must be studied with great care.
3. Roundabout on the site itself, near the garage is already unsatisfactory and too small. Design needs investigating.
4. Recycling bins need to be relocated
5. The proposed restaurant is likely to become “stand alone” and attract additional traffic and create noise and litter by operating late at night. It should not be permitted
6. The whole process of consultation and examination of the application seems to be hurried and “rushed through.”

8. OTHER REPRESENTATIONS:

Objection

A letter has been received from Peacock and Smith Planning Consultants acting on behalf of Wm Morrisons Supermarkets making the following points:

- **Introduction** - The proposal would make the store one of the largest in Nantwich, further increasing its attraction as an out of centre retail location. The implications of allowing such a large increase in floorspace need to be very carefully considered against the aims and objectives of planning policy, which aim to promote and enhance town centres.
- **Quantitative Need** – Whilst there is existing quantitative capacity for the proposed extension, a need for additional retail floorspace does not, in itself justify further floorspace in an existing out of centre location.
- **Qualitative Need** - If this is to be addressed it should be within the town centre. Improving the quality of retail provision in an out of centre location will only serve to increase the popularity of the store and draw trade away from the town centre to the detriment of its vitality and viability. The effect of this is likely to be exacerbated further given the recent closure of Somerfield. Furthermore, the existing out of centre Sainsbury’s has a much higher market share than Morrison’s within the town centre. The current proposal will make it more attractive and increase further its market share. The need for convenience retailing should be met in the town centre to claw back the market share.

- **Scale** – The Sainsbury's store is already the largest and main food retailer in Nantwich, despite being out-of-centre. An extension would further strengthen its position as a destination in its own right to the disbenefit of the town centre. It is also already one of the largest stores in Crewe and Nantwich.
- **Sequential approach** – Sainsbury's has failed to thoroughly assess the potential of the Snowhill Area of Nantwich town centre as a possible site for development. In November 2008 the Council consulted with the public on potential development opportunities in this area which included a medium sized food supermarket. Sainsbury's should consider the scope for disaggregation of the development to more sequentially preferable, centrally located sites, despite being a single retail operator. Both Tesco and Asda operate standalone non-food format stores. However, Sainsbury's have shown no flexibility in their approach to consider alternative sites, as deemed necessary by PPS6.
- **Impact** – The retail impact assessment has failed to properly consider the effect of the proposal on development opportunities at Snowhill and given that the Council is still preparing its LDF which includes redevelopment proposals for Snowhill; it is premature to approve major out of centre retail development at the present time.
- **Accessibility**. The existing store has poor linkages to shopping facilities within the town centre. It will attract a much greater proportion of car borne shoppers than those using the town centre facilities.

Letters of objection have been received from the following addresses: Madam's Farm, Alvaston Villa, Nantwich; 4,6, 14, 20, 30 36, 38, 40 and 42 Middlewich Road, Nantwich; 90 Whitehouse Lane, Nantwich; 57 Coppice Road, Nantwich; 15 Mercer Way, Nantwich; 1 and 4 Sycamore Close, Nantwich; making the following points:

A3 Unit

- The A3 unit on the road frontage is a backdoor means of getting a fast food takeaway
- A restaurant is not needed when there is a café in store.
- There are three other eating places within a mile of the site and within Nantwich town centre there are a wide variety of restaurants.
- Residents object to this on the grounds of late night nuisance, noise, traffic problems and cooking odours.
- Noise from cars using the roundabout which used to dissipate over the car park will now be echoed off the restaurant building back towards the houses.
- The proposed seating area will allow criminals to watch houses to take advantage of residents.
- The proposed restaurant does not fit with the local area which is mainly residential. The restaurant will cause noise pollution, and will cause smells from cooking and smoking on the outside deck
- The restaurant would be a distraction for drivers
- It will cause a loss of privacy and overshadowing to adjoining properties.
- The design is alien to the location particularly due to the expanse of glass.

- There is inadequate car parking.
- Poor quality architecture – glass would encourage vandalism and would create glare in neighbouring properties.
- No consideration given to orientation and energy efficiency
- It would be a magnet for antisocial behaviour.

Amenity

- The re-cycling bins create significant noise problems when they are emptied out of store opening hours and should be located or screened and sound proofed to remove this issue. Residents are not convinced the new location will achieve this without improved screening.
- The recycling bank will also create a health hazard.
- The ATM has not been relocated to the petrol station as requested
- Unloading and reversing HGVs at unsocial times will be damaging to the air quality and cause noise pollution.
- The whole development will result in increased litter which is already a huge problem – particularly carrier bags
- The positioning of illuminated signage should show consideration for the properties in the immediate vicinity of the store to avoid light pollution and nuisance. The backs of people's houses face the site, and residents feel that these would invade and restrict the use of their gardens.
- Noise from loading and unloading of HGV's and cages being moved around etc.
- Residents cannot open windows at night due to noise from traffic and HGV's
- HGV's have caused structural damage to properties from vibration.
- Whilst the building will be located further from Middlewich Road, it will be closer to residential properties at the rear.

Antisocial Behaviour

- The only people that would come from far and wide are the boy-racers who plague the unregulated car parks of the present Sainsbury's in the early hours.
- Boy Racers are a danger to pedestrians using the post box, cash machines and the recycling banks.
- Sainsbury's night shift management do nothing to prevent its occurrence. A physical barrier needs to be in place to prevent the car park being used after hours.
- One speed bump will not prevent late night activity.
- Speed tables are uncomfortable for drivers, cause damage to vehicles, increase pollution from acceleration / deceleration and inhibit emergency vehicles. They may also be seen as a challenge to boy racers.
- The landscape feature is designed in such a way that it will become a congregation point for local youth and a 'new street corner' which encourages anti social behavior. It should be redesigned.

Design

- The public art feature has not remained true to the description and will be an eyesore. It looks like a bandstand, mausoleum or a bus station and is a glorified billboard. The store is big enough to attract attention on its own. It will be a distraction to motorists. The gateway feature is a gateway to Sainsbury's not Nantwich.
- The timber and blockwork would provide a canvas for graffiti
- When they designed the original store they took into consideration Nantwich being an historic town and the existing store is quite pleasing. It has a lot in its favour and uses brick and tile and other local materials to anchor it in its location and give it a connection to the surroundings. It is sacrilege to pull down the existing store.
- The design of the new building does not fit with the local landscape. It looks like an aircraft hanger, a large shed, or a distribution warehouse. What happened to bricks and mortar?
- It would be more appropriate on a science park or at a university not in a suburban area of Nantwich
- The white colour is not attractive in this location and will cause nuisance to residents and motorists due to reflection.
- The design emphasizes the mass of the building.
- The proposed building is unsightly. It has two large signs at roof level which do not comply with local regulations, which state that they should not be above ground floor fascia level. Large unnecessary roof level signs are proposed, and a totem on Middlewich Road, these will all be to the detriment of the local landscape. The light pollution on Middlewich Road is already excessive due unnecessary back lit store signs and high level security lighting from TG Builders Merchants. There should be no more illuminated signs.
- The current landscaping is already insufficient to soften the impact of the current building and traps carrier bags and other wind borne refuse which pollute the neighbouring residential area.
- Any new development needs to be screened by raised banking and landscaping to reduce the impact of the building on the local landscape.
- Sainsbury's removed an ancient hedge when they built the original store and blocked off a right of way despite being told that they must not. Also the landscaping on the frontage was supposed to be 2m high but is only 1m in places and very patch. Will they comply with landscaping conditions this time?
- The expanse of car parking will overwhelm the landscape there is little proposed which would make it an attractive layout in compliance with Policy BE.2 of the Local Plan.
- The building has been placed in this position to maximize Sainsbury's use of the land and does not taken into account the need for energy efficiency.
- No consideration has been given to orientation to minimize energy use etc and materials are not locally made.

Need / Retail Impact

- There is no need for a larger store at this site as the current store is adequate

- Has the new Sainsbury's store in Crewe been taken into consideration?
- With 700 new houses to be built at Stapeley why not put a Sainsbury's Store in another part of Nantwich thus taking traffic from the Middlewich Road.
- The plan offers expansion of the present facility at both economic and social costs to the town. Local businesses would suffer and this would have a detrimental effect on Nantwich Town Centre. The town centre is will be home only to estate agent's and charity shops.
- Sainsbury's are geographically everywhere, including an already expanded site in Crewe (do we need another expanded one in Nantwich?). Some aspects of the town are already slipping out of character...ex-Woolworths and another big low cost shop/s...they do nothing to enhance the town...sensible planning may have attracted a small Marks and Spencer for example? We need to be more economically and community proactive.
- Do not be seduced by so called jobs arguments, or other usual spin...for jobs will go in the town and the town will suffer even more. The economy being in a state that it is at present, it will not take much to tilt this already precarious socio-economic balance.
- Nantwich is a beautiful and unique town in that it has many small independent shops and traders. These aspects to the local economy must be retained or we will see their demise and give in to urban economic sprawl and the death of a nice town centre. Many people come from far and wide to visit, see its small shops and markets...they do not come for Sainsbury's.
- The demolition of two fairly modern buildings to make space for one new one is surely not good for the environment in terms of waste and resources to produce and transport new materials.
- The size of the shop and the free parking will harm the vitality of Nantwich town centre
- In the light of this proposal Marks and Spencer have withdrawn their interest in Snow Hill.

Traffic

- Consideration needs to be given to the access to the store as the current access creates congestion and is clearly unsafe for pedestrians. The increased traffic at the entrance to the store will cause further congestion and delays on the Middlewich Road. The current volume of traffic means that exits on to Middlewich Road are already difficult to negotiate, especially at peak times because of the poorly designed access road.
- The proposal will exacerbate traffic congestion at the Coppice Road junction
- Increasing the size of the store will generate additional heavy goods traffic. There are already a number of HGVs using the Middlewich Road throughout the night despite assurance from Sainsburys in the previous planning that this would not be the case.
- Plans do not make adequate provision for pedestrian and cycle access.
- Does the access (especially the delivery access) need to be off the A530 as at present or could it be moved to be off the A500 By-Pass or Beam Heath Way?

- Pedestrians, especially elderly people, have great difficulty crossing Middlewich Road safely even when using the central island adjacent to the White House Lane roundabout. Increased traffic means that the Middlewich Road would be even more dangerous to cross than present
- It will take longer for residents to travel to and from work. The roads leading to the store will become congested due to the increased traffic not from Nantwich residents but from those living outside the town coming to do their shopping.
- Anyone who says the roads are not congested around the store in particular the roads leading to the A500/Middlewich Road roundabout during rush hour periods is being scarce with the truth. Any figures produced by experts that show that there is not a traffic problem require their methods to be examined.
- The growth areas in Nantwich are on the opposite side of town near Stapeley. Therefore the proposal will increase traffic on the bypass and through the town centre.
- There is inadequate cycle provision in an area where cycle use is above average.
- The A530 is a main route for emergency vehicles to Leighton Hospital.
- The painted circle should be raised to form a proper roundabout and the tight radius curve on the access road should be reviewed.
- Pedestrian routing round the site is not clearly indicated and a pelican crossing should be provided on Middlewich Road.
- The A530 is to be reclassified as the B5344 with a reduced speed limit and less road maintenance.
- There is a shortfall of 269 parking spaces when compared against standards in the local plan. Sainsbury's car park is also used by people using local bus services and the free parking should therefore be restricted.
- The rectangular shape of the service yard will force HGV's entering the store to reverse in which will cause conflict with similar vehicles in Beam Heath Way and Cobbs Lane which are accessing other businesses.

Support

Letters of support have been received from the following addresses: Builders Yard Cottage, Wrenbury Heath; 1 Barbridge Mews, Nantwich; 39 Birchin Lane, Nantwich; 52C Manor Road, Nantwich; 36 Swindale Drive, Crewe; 14 Malbank, Nantwich; and 26 Ashdale Close, Alsager; Mansion Cottage, London Road, Nantwich making the following points:

- The store is so busy that moving freely between the aisles is quite difficult.
- Sainsbury's is a first class store which has brought many people to the town to shop who then go on into the town centre.
- There were objections to the original store on noise grounds. This has not provided to the case. The new store is further from domestic dwellings and will cause even less trouble as loading etc. will be further away.
- People travel considerable distances to shop at the store because it is so pleasant. It is a great location and the staff are excellent.
- The proposed restaurant would be a great improvement on the current café

- The larger store would have no greater effect on the shops in Nantwich than the current shop does
- People who wish to shop in Nantwich will still do so and it may encourage more people in from other areas.
- More variety of goods will be available
- The car parking will be better with more spaces. The existing parking is stretched at peak times.
- People travel to Crewe or Chester to avoid congestion. Expanding the store and car park would alleviate these problems while encouraging local shopping.
- The store can be screened with the existing landscaping.
- The redevelopment will provide employment in the building trades, currently suffering greatly from the credit restrictions.
- More staff will be employed in the new store.
- The redevelopment can only benefit the area. With the expansion of new homes over the past number of years the existing store no longer meets the needs of the population and an injection of new jobs is needed.
- It will create healthy business competition
- Sainsbury's are a company who take care of customers and the standards are extremely high.

9. APPLICANT'S SUPPORTING INFORMATION:

Transport Assessment – Savill Bird and Axon

- The scope of the statement has been discussed with highways officers and Cheshire County Council.
- In conjunction with the development scheme it is proposed to increase the capacity of the existing car park to provide a total of 539 spaces including 22 parent and child spaces and 26 mobility impaired spaces.
- The proposed development would be accessible by non-car travel modes of walking, cycling and by public transport, in accordance with PPG13. The location of the proposed development would also facilitate both pass-by trips and diverted trips, again in line with objectives set out in national policy on reducing the need to travel.
- A travel plan will also be offered in conjunction with the development scheme.
- Consideration has been given to the likely changes in traffic that will occur on the local highway network as a result of the development proposals. Whilst the proposal is for a replacement store, the reason for the proposal is to provide enhancements more akin to a store extension. Therefore the traffic assumptions and impact assessed is based upon that of a Sainsbury's store extension rather than a new store, using a methodology for calculating the increase in traffic flows resulting from store extensions which has previously been accepted by Cheshire County Council.
- From this analysis, it has been concluded that whilst the development proposals would impact upon the site access roundabout with Middlewich Road, there would be no material increase in traffic at the other junctions included within the agreed study area.
- The site access roundabout has been assessed for 2009 and 2014 future year scenarios. The results of the assessments revealed that even allowing

for a robust estimation of background traffic growth, as well as traffic relating to the development proposals, the junction would be able to operate within capacity and without significant queuing.

- It has also been demonstrated that the increased level of car parking proposed at the replacement store would be sufficient to cater for the increased demand resulting from the development proposals.
- It has also been stated that despite the increased store area there would be no material increase in service vehicle movements and therefore no impact on the adjacent highway network in this regard. Furthermore the introduction of goods on-line would have no impact on the operation of the local highway network.
- It can therefore be concluded that there are no highways and transportation reasons for refusal of the planning application.

Consultation Statement – Dialogue

- The applicant has carried out a consultation exercise which has involved contacting 100 local residents, 30 key stakeholders, a press release and a public exhibition.
- Key issues which have been raised as a result are as follows:
 - o Concern that the proposed A3 unit would be a fast food restaurant
 - o Problems with boy-racers using the car park at night. The extension of the car park would increase this problem.
 - o Trolleys abandoned outside the boundary of the store.
 - o Increase in traffic adding to congestion at the entrance
 - o Illumination of the store and restaurant causing loss of amenity for residents.
- Design amendments in response include
 - o Relocating the recycling areas
 - o Removal of the A3 unit
 - o Inclusion of public art feature and further landscaping
 - o Traffic calming and CCTV
 - o Elevational changes

Sustainability Statement – Sainsbury's

- Sainsbury's aim to demonstrate their continued commitment to building sustainability into each development they undertake. The report shows their commitment to carbon dioxide reduction at Nantwich
- The Nantwich development will include the generation of an element of the site energy requirement from on-site renewable energy sources. During the design phase the project team will determine the predicted annual energy profile for the development, taking into account all incorporated energy efficiency measures and calculate the equivalent energy value to be provided from renewable sources
- The selection of the renewable energy sources to be incorporated will be made through consideration of the available technologies and their sustainability for adoption on the Nantwich site within reasonable cost limits.

Phase 1 Environmental Report – Wardell Armstrong

- The petrol station on site provides a potential source of contamination. The site already holds a LAPPC permit which will aim to minimise contamination. In addition to this it would be prudent to ensure that spillages are kept to a minimum with necessary precautions and mitigation measures in place should they occur (spill kits etc.). Furthermore, volumes of fuel should be monitored to ensure that any losses are noted and investigated as early as possible. It is likely that that any future purchaser of the site will require a site investigation to confirm that tanks have not leaked.
- Due to the presence of a land fill site within 250m of the site, it is possible that some gas monitoring or gas protection measures may be required as part of the planning process. Site investigation works may be needed to monitor ground gas at the site.
- The presence of saliferous beds beneath the site may have implications for building and foundation design of the new building and also for drainage. The design of the buildings and foundations should give consideration to the risk of future ground movement. Site investigation works will be required to assess the presence on saliferous deposits and determine ground strength and settlement characteristics.
- It is recommended that soakaways are not used within the drainage system on site. Soakaways may allow freshwater to infiltrate into any underground cavities which may result in further dissolution of the cavity and potentially lead to ground instability. Any drainage system on site should seek to minimise freshwater infiltration in the ground.

Planning and Retail Statement – Turley Associates

A Planning and Retail Statement has been provided which can be summarised as follows:

- The development is consistent with the key objectives of national and local planning policy to achieve sustainable mixed use development and to regenerate urban areas. In the context of retail development, this entails locating new shopping in the centre of the catchment that it seeks to serve, in areas that are easily accessible and well served by public transport.
- National and local planning policy are permissive of development outside town centres provided that a need for the development has been proven and it has been shown that need cannot be met by development on a sequentially preferable site. All potential sites within Nantwich town centre have been examined to ascertain whether they could meet the requirement and none are available.
- The retail assessment also addresses the issue of potential impact upon the viability and vitality of Crewe and Nantwich town centres. The principal trade diversions for competing stores will be from large supermarkets in the primary catchment area which are overtrading to a large degree. The levels of impact on the town centres is consequentially small and not material in terms of their potential affect on the vitality and viability of either Nantwich or Crewe town centre.
- The A3 unit is also acceptable in terms of design and format for its location and will not result in material harm to residential amenity.

- The proposals are also entirely acceptable in land use planning and policy in terms of design, accessibility / traffic levels; amenity; and environmental and ethical considerations and it does not conflict with the provisions of the development plan.

Design and Access Statement – Hadfield Cawkwell Davidson

Use

- The replacement store will provide an enlarged sales area to improve the customer offer and provide an improved café and toilets and on-line shopping facility.
- The number of parking spaces will be increase and the car park appearance improved and new trolley bays provided
- The existing petrol station will be unaffected

Amount

- The proposed store provides 9,047 sqm of gross external floor space on two levels. The majority is at ground floor with 966sqm staff area and café at first floor.

Layout

- The location of the store is at the rear of the site.
- This has been chosen for a number of reasons
 - No conflict between customer access and service access
 - Allows car parking to be provided in front of the store and to be accessed from a single point of entry
 - allows the new store to be built whilst the existing store continues to trade
 - avoids negative impact on properties in Middlewich Road
- Rectangular sales area provides a more spacious environment and improves customer circulation.
- First floor café is in a visible position overlooking the sales area
- Carpark extended and re-laid to improve circulation and number of spaces
- Signage renewed in line with current Sainsbury's band
- 26 disabled and 22 parent and child parking spaces close to entrance
- Cycle parking and recycling centre
- Retained and enhance perimeter landscaping.
- Service area enclosed on 4 sides and located below general ground level to minimise impact

Scale

- Height of building and length of frontage is similar to the Nantwich trade Depot alongside

Appearance

- Visual interest added to front elevation – including covered walkway, entrance lobby and stair
- Materials include white metal cladding, timber and brickwork
- Large areas of glazing to be used to bring in natural light

Landscaping

- Paved area in front of shop to be linked to pedestrian footpaths on Beam Heath Way and pedestrian routes throughout the car park allow easy access to the site
- Currently the store sits within a strong landscape context including roadside planting along the A500, remnant woodland to the east and car park boundary mature planting within the highway verge. This will remain intact
- As a consequence the proposal will have limited visual impact.
- The new scheme will retain most of the perimeter planting with new trees and shrubs planted in areas where opportunities arise.
- New soft landscape areas are proposed to the south of the new store and within the car park which compensate for vegetation lost due to the new development, in particular an area adjacent to the proposed car park entrance/ traffic island.
- Overall the landscape scheme will achieve visual improvement and enhancement.

Sustainability

- Sainsbury's are committed to reducing the environmental impact of the proposed store in Nantwich in its design and construction. This will be through sustainable sourcing of materials, reuse of redundant materials from the existing site, efficient use of energy and resources and site waste reduction programmes
- Modern off-site construction techniques will be incorporated where possible. Any components that can be assembled in a factory will be. This will significantly cut down the build time on site.
- The main benefit of this will be minimising the disruption to nearby businesses and residential properties, whilst simultaneously reducing carbon emissions, vehicle movements and waste.
- Sainsbury's will encourage an environmental aware supply chain and aim to use construction supplies that have accreditation to a recognised Environmental Management system such as ISO 14001.]A waste management hierarchy will be put in place as follows
 - o Eliminate waste at source wherever possible
 - o Reduce waste on site by employing good management systems
 - o Recycle waste on site wherever possible
- Water use will be minimised by harnessing rainwater and using more efficient appliances
- The following technologies will be considered
 - o Daylight linked dimming control for lights
 - o Energy efficient lighting
 - o Economical ventilations systems
 - o LED signage
 - o Screens on refrigerators
 - o Control systems to reflect building usage through the day
- Provision of on site recycling centre

Access

- Customer and service vehicle access are segregated
- Pedestrian routes are clearly defined with flush kerbs and dropped kerbs at crossings with tactile paving
- Compliance with Document M in terms of stairs and lifts

- Bollards to protect pedestrian areas
- Automatic doors
- Clear circulation spaces between gondolas
- Accessible tills and counters

Flood Risk Assessment / Drainage Strategy – Hadfield Cawkwell Davidson

Storm Water Run-Off:

- The site is within Zone 1 (low probability ie: flooding event of < 0.1%) of the EA indicative floodmap and the end use has a “less vulnerable” classification in PPS 25.
- Overland Flow – Due to the topography of the site and surrounding areas, it is considered highly unlikely that overland flow from surrounding land would be directed towards the store building or that significant flooding could be generated within the car park.
- Groundwater – The possibility of ground water levels rising to the ground surface level is considered unlikely due to the topography/hydrology of the site/surrounding land and ground conditions.
- Local failure of off-site sewers – Due to the topography of the site relative to the surrounding areas, it is considered highly unlikely that significant flooding could be generated by overflow onto the site in the event of local failure of the sewers.
- Local failure of on-site drainage system – Due to the relative levels on site, it is considered highly unlikely that significant flooding could be generated to affect the store unit in the event of local failure of on-site surface water drainage systems.
- Surface Water run-off – Impermeable areas of the development are similar to that of the existing development and therefore total surface water run-off from the site will be unaffected. However in order to mitigate increased run-off from the development due to climate change, it is intended that attenuation will be incorporated into the on-site drainage system.
- Local surcharge of drainage systems – In the event of surcharging of on-site surface water drainage systems and highway drainage/sewer systems adjacent the site due to extreme events, it is considered that any overflow would be directed towards the car park prior to any risk of inundation to the store building. There will be no significantly low areas within the car park that would put persons or vehicles at unreasonable risk.
- Rainfall run off from the development will be managed similar to the previous development in that run-off will be positively collected and directed into an underground piped on-site drainage system which would then discharge to adopted sewers. Surface water from external paved areas will be taken through petrol interceptors prior to discharge from site.
- A Phase I Environmental Assessment undertaken for the site indicates that salt beds may be present below the site which could be affected by water infiltration resulting in dissolution and ground instability. Therefore the use of soakaways is considered unlikely to be viable in this particular case. This should be confirmed by intrusive site investigation and infiltration tests.
- To allow for the effects of climate change, it is considered that a 20% increase in peak rainfall intensity should be catered for as a precautionary allowance. It is intended that this increase will be factored into the design

for the surface water drainage for the development. To allow for the effects of increased surface water run-off, it is intended that some attenuation will be incorporated prior to connection to the existing sewers.

- The design criteria for the storm drainage and attenuation will be as follows:
 - 30 year design storm – No flooding on site (below ground storage)
 - 100 year design storm – No flooding of building
 - Flooding contained on external site areas
 - Outfall from site restricted to flow calculated from existing impermeable drained surfaces based upon a rainfall intensity of 50mm/hr and using Modified Rational Method.
 - Future rainfall design intensities increased by 20% to allow for climate change over the life

Foul Water:

- Foul water from the development will be managed in a similar manner to the previous development in that it will be positively collected and directed into an underground piped on-site drainage system which would then discharge to adopted sewers.

10. OFFICER APPRAISAL

Principle of Development

The application site is located outside the Primary Shopping Area and in accordance with Government guidance contained in PPS 6: Planning for Town Centres it is necessary to address the following tests

- a) the need for the development;
- b) that the development is of an appropriate scale;
- c) that there are no more central sites for development;
- d) that there are no unacceptable impacts on existing centres; and
- e) that locations are accessible.

It is notable that PPS6 highlights (paragraph 3.5) that: *‘as a general rule, the development should satisfy all these considerations.’*

The Planning Statement prepared by Turley Associates, on behalf of the applicant seeks to address these issues, most notably quantitative need for the proposed development, and this has been summarised in Section 9 of this report.

The Council has employed White Young Green (WYG) who were the authors of the Cheshire Retail Study 2006 to carry out a Retail Audit to assess the supporting information provided by the applicant.

WYG have concluded that the replacement Sainsbury's store will create the largest foodstore in the Borough and would increase the size of the existing store by 40%. The replacement store would further reinforce Sainsbury's dominance on convenience goods shopping patterns in the Nantwich area. Indeed, the Cheshire Town Centre Study (CTCS) identified that the existing

Sainsbury's store (6,702 sq m) achieves double the market share of the next largest store in Nantwich (the existing Morrisons store within Nantwich Town Centre – 3,712 sq m gross).

Based on the retail evidence presented by Turley Associates, WYG is concerned that the proposal does not fully accord with the five key policy tests outlined in PPS6. In particular a clear need for the level of comparison goods floorspace proposed has not been demonstrated by the applicant and the current proposal for a new Sainsbury's store in Crewe has not been taken into account as part of the analysis undertaken. Crewe currently forms part of the catchment area of the existing store but if a new store is constructed within the town itself, this catchment area would inevitably be reduced. Furthermore, limited evidence has been presented with regard to the deliverability of the Snowhill area of Nantwich as a sequential alternative and a thorough impact assessment in line with guidance in PPS6 has not been undertaken in support of the proposal.

PPS6 (paragraph 3.5) states that local planning authorities should assess applications on the evidence presented and as a general rule the development should satisfy all the policy 'tests' outlined in PPS6. It is WYG's view that these tests have not been satisfactorily addressed. Without further justification being provided by the applicant to address the issues outlined above, WYG considers that there are reasonable retail planning grounds to refuse the application.

Additional information has been provided by the applicant's consultant in response to the Retail Audit undertaken by WYG on behalf of the Council which concludes that the tests in the existing PPS 6 have been met. PPS 6 is to be replaced with PPS 4 'Planning for Prosperous Economies' and this revised national policy will remove the 'need' test and the emphasis will be on sequential site selection and impact.

They argue that WYG have already confirmed that the test of sequential site selection has been addressed and that the key aspect of the impact test, on the vitality and viability of the town centre, has been met. They consider that they have carried out a more comprehensive review of the impact test/s which also confirms that all aspects of the emerging PPS 4 tests have been satisfied.

WYG has also assessed the additional retail evidence presented by Turley Associates, and remains concerned that the proposal does not fully accord with the five policy tests outlined in PPS6, which remains current planning policy. In considering these five policy tests, they do not accept, as put forward by Turley Associates, that the sequential test and impact on the vitality and viability of the town centre has previously been accepted by WYG.

After reviewing the additional evidence submitted, WYG consider that the level of need continues to be overstated. In considering need for the proposal it is acknowledged that emerging retail planning policy (i.e. draft PPS4) highlights that there is a change in emphasis from the Government with regard to the requirement for applicants to demonstrate need for development. However, this is not (as yet) adopted planning policy. Given this, based on current planning

policy, WYG do not consider that a clear need for the proposal has been demonstrated.

Although the Government is proposing to remove the needs test for applicants, given the relationship between the tests of quantitative need and impact, the lack of a clear demonstrable need is likely to result in the proposal having a greater impact than that identified by Turley Associates. Furthermore, by undertaking a cumulative impact assessment that takes into account recent developments and outstanding consents (which still has not been fully assessed by Turley Associates) the potential impact could be even greater.

Based on the evidence submitted to date WYG still consider that a full impact assessment has not been undertaken by Turley Associates in line with the issues raised in their initial consideration of the application.

Furthermore, with regard to the sequential approach, although the availability of the Snowhill site in Nantwich is uncertain, at least in the short-term, should it become available this site provides the opportunity to provide further retail floorspace in Nantwich within a sequentially preferable location without the need to increase the level of out-of-centre floorspace (as proposed by Sainsbury's).

Based on all the information submitted to date in support of the application, WYG still does not consider that the proposal fully accords with the relevant tests outlined in PPS6.

Layout, Design and Street Scene

The proposed store has been sited at the rear of the site, adjacent to the Masterfit Centre, and is separated from Middlewich Road, by the proposed car parking area.

It is considered that in this position the store would not relate well to the main approach road into the town, would not create satisfactory presence on the street, would fail to enclose the street, and would not provide a satisfactory landmark gateway development. The development form in which the building is set well back from the road and surrounded by space has a retail park character which undermines the urban character of the built form of Nantwich which is characterised by buildings defining and enclosing the space between them to create narrow, well overlooked public streets and spaces. The large parking area would lack interest and distinctiveness as the first major land use on the approach to the historic town centre.

Although the carpark would be bounded, as it is at present by a landscaped strip, this would not provide the sense of enclosure, overlooking of the street and visual interest that is required. Whilst it is acknowledged that other recent developments on the approach to the town centre have also failed to provide these qualities, these were permitted prior to recent guidance on design and layout such as By Design and PPS1 which now discourage development of this nature.

PPS1 now states that good design should integrate new development into the existing urban form and contribute positively to making places better for people. It goes on to state that design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted.

In an attempt to provide a form of “gateway feature” and frontage development, an A3 restaurant unit was initially proposed. However, following concerns from residents, this has been removed in favour of a landscaped area and “public art” on the corner approach. Originally this included a canopy but after concerns were raised about it attracting anti-social behaviour this has been omitted in favour of a more simple hard and soft landscape treatment. However, this lacks the presence, which is required of a gateway feature on this important approach to the town. It has been suggested that the feature could include Sainsbury’s signage, which it is considered would also be inappropriate given the purpose that it is intended to serve.

There is also concern in respect of the elevational design of the main store, in particular, the angled projecting canopy. Sloping lines such as this appear awkward, unless they terminate at a clear focal point, because the eye has difficulty in focusing on any point along a diagonal.

The present store sits comfortably within its surroundings due to its extensive use of traditional brickwork, and other detailing, including incorporation of information panels that relate the story of Nantwich. Although this approach to design is now considered by many to represent a pastiche of older styles, any replacement building needs to relate well to its context. In this case, the store would need to acknowledge and reference the small urban scale of Nantwich town centre as well as the domestic suburban nature of the immediate surroundings. The very high quality of detailing and locally sourced materials of the historic town should be reflected in the new building. The store should be broken down into much smaller elements to disguise its very large overall volume. This can be achieved in the same way as it is with the present store, albeit perhaps in a more contemporary manner, for example by stepping the elevations to achieve a sense of depth, and by creating focal points along the elevation, in particular, giving greater emphasis to the store entrance.

High level, internally illuminated signage above the roof of the store was initially proposed and would have been overly prominent. This aspect of the design has now been amended to include signage on the walls of the building itself.

The white coloured north elevation of the store would be highly prominent from the bypass, where it would appear larger and taller than the present store. On the original plans about half of the existing landscape strip between the site and the A500 would have been lost under this proposal. The layout has now been amended slightly to retain more of this landscaping. Lighting of the exterior of the store and loading bay would add to the light spill from recently constructed buildings. The overall result would be the urbanisation of the character of the bypass, which at present has the appearance of a mainly rural road.

In summary, this development would be one of the largest buildings in Nantwich. It is essential, therefore, that it is a high quality piece of architecture, which provides a gateway into the town and adds to its rich character. Recent amendments to the proposed plans including minor changes to elevational detail and the addition of landscape elements, fail to resolve the fundamental concerns with the layout currently proposed. The proposal therefore fails to comply with the provisions of policy BE.2 (Design Standards) and the provisions of PPS1.

The applicant has argued that the proposed layout is the only one which will allow the store to continue trading during the course of the construction works. The Council has provided a suggested alternative phasing plan which would allow an extension to the existing store to be constructed in a more appropriate location, whilst maintaining continuity of trade. Sainsbury's have provided a detailed response as to why this would suggestion would be unworkable. However, having considered their comments none of the difficulties appear to be insurmountable and furthermore, it is not considered that continuity of trade is a sufficient material consideration to outweigh wider concerns regarding the siting and layout of the proposed development.

Sustainability

The very large area of parking would disadvantage access by pedestrians relative to motorists, as it would require a longer walking distance than a store located close to the back edge of pavement. Its large linear extent and the absence of varied and changing visual stimulation and the absence of the reassuring presence of overlooking buildings along the frontage would fail to create a sufficiently interesting section of street particularly when taken in at walking speed. This would almost certainly discourage walking around the town.

The new Regional Spatial Strategy places considerable emphasis on achieving sustainable development, minimising waste and energy consumption. It also advocates provision within new development of micro-generation opportunities.

The Sustainability Statement and Design and Access Statement which have been provided with the application are extremely general in nature. They outline Sainsbury's corporate commitments to addressing climate change through measures such as reducing carrier bag usage as well as constructing more energy efficient buildings. According to the information a number of different design features which can be employed to minimise energy use and to generate energy on site will be considered and adopted "within reasonable cost limits". There is no guarantee that any of the measures will be adopted in the final scheme. Furthermore, the choice of measures will be reserved to the detailed design phase, whereas principles of sustainable development should be influencing the design and layout of the scheme from conception. For example, the orientation of the building and provision of glazing is crucial to achieving natural heating and ventilation.

The information supplied also states that consideration will be given to the use of off-site construction techniques and sustainable sourcing of materials without offering any guarantees or detailed proposals of how this is to be achieved, or

the extent to which the use of such materials will off-set the carbon footprint created by demolishing the existing store. Consequently, it is considered that the applicant has failed to demonstrate that they have met the RSS requirements to provide 10% of renewable energy on site and the proposal is therefore contrary to Policies DP 9 (Reduce Emissions and Adapt to Climate Change), EM 16 (Energy Conservation & Efficiency), EM 17 (Renewable Energy), and EM18 (Decentralised Energy Supply).

Sainsbury's also state that they will put in place a waste management hierarchy to eliminate waste at source wherever possible, reduce waste on site by employing good management systems and recycle waste on site wherever possible. The emphasis here is again on "where possible" and no indication is given as to how the huge amount of demolition waste from the existing store is to be dealt with. No evidence has been put forward to suggest that it can be utilised on site, especially in view of the fact that the new building will be substantially complete prior to the demolition of the old store. This is contrary to the principles set out in RSS Policies EM9 (Secondary and Recycled Aggregates) and EM11 (Waste Management Principles) as well as the provisions of Policy 11 (Development and Waste Recycling) of the Waste Local Plan

Amenity

The proposed store will be sited approximately 150m away from the dwellings on the opposite side of Middlewich Road, at the closest point, and further away than the existing store. As a result it is not considered that there will be any additional adverse effect on these properties as a result of noise, overshadowing or loss of privacy. It is slightly closer to the dwellings in Larkspur Close and Kingfisher Close, but would be well screened by the existing industrial units within the trade park. Furthermore, it would have no greater impact on these properties than the existing Suithouse building.

With regard to the operation of the building the Environmental Health section have raised concerns about noise, odour and light from the premises, but are of the opinion that these can be adequately mitigated through appropriate conditions and it is therefore considered that there are no sustainable amenity grounds for refusal.

Landscape and Ecology

Given that the proposal is mostly contained within the footprint and associated hardstanding of the existing store and suithouse, it is not considered that any threat will be posed to protected species. The majority of the existing landscaping and tree planting is confined to the periphery and this is to be retained and could be enhanced by planning condition. It will be necessary to remove a small amount of existing landscaping to facilitate the amendments to the carpark layout but again replacement planting could be secured by condition.

Crime and Disorder.

A number of residents and the Environmental Health Officer have raised concerns about car-related antisocial behaviour on the car park when the supermarket is closed. Such problems have been experienced at the existing store and it has been suggested that conditions should be imposed requiring the erection of gates at the site access. Sainsbury's have stated that they would be unwilling to accept such a condition following instances of people being injured by similar gates on other sites and difficulties which would arise in accessing the ATM machines out of hours. They have therefore proposed CCTV and speed humps as an alternative.

However, there are alternative physical measures such as rising bollards which could be installed at the site entrance, which would overcome the health and safety concerns and the ATM's could be moved to the petrol filling station forecourt. These could be made conditions of any planning permission.

Whilst it is acknowledged that the removal of the canopy will make it less attractive as a gathering place, the proposed public art feature raises some concerns regarding its susceptibility to vandalism.

Public consultation

In support of the application, the developer has submitted a Consultation Statement. The Borough Council's Adopted Statement of Community Involvement, which provides guidance on the production of Statements of Local Engagement states, at Paragraph 8.3, that such documents should show how applicants have involved the local community and where the proposals have been amended, as a consequence of involving the local community.

The Statement, submitted as part of this planning application, outlines the public consultation that has taken place and summarises those concerns and issues that were addressed. In response to the consultations, specific elements of the proposals that were changed, including the removal of the A3 restaurant unit, additional landscaping, amendments to the elevations and reposition of the recycling area, which demonstrates that the consultation that has taken place conforms to the procedure set out in the Borough Council's adopted Statement of Community Involvement (SCI).

Highways and Parking.

The proposed store will generate an increase in traffic movements as a result of both additional customers and HGV deliveries. A Transport Assessment has been submitted to demonstrate that the proposal would not have an adverse effect on the highway network. The Highway Authority have examined this and endorsed its conclusions. As part of the scheme the developer proposes to offset the increase in traffic through the provision of additional parking for both vehicles and cycles within the site.

In addition, the highway authority has negotiated a number of other improvements including a traffic regulation order, pedestrian and cycle crossings, footway widening, and new pedestrian and cycle links which can form part of the Connect 2 project.

Therefore, whilst the concerns of local residents are duly noted, in the light of the above and in the absence of any objection from the highway authority, it is not considered that a refusal on highway safety, parking, or traffic generation grounds could be sustained.

Drainage and Flood Risk

A Flood Risk Assessment and Drainage Strategy have been produced and scrutinised by the Environment Agency and United Utilities. No concerns have been raised in respect of the methodology and conclusions and both consultees have no objection to the scheme subject to the imposition of the relevant conditions.

11. CONCLUSIONS

In summary it is considered that the applicant has overstated the need for the proposal and in assessing its impact has failed to adequately take into account the cumulative effect with other existing and proposed developments. Furthermore insufficient regard has been given to sequentially preferable alternatives.

The proposed layout would result in this important gateway site being dominated by a vast expanse of parking and it is considered that the proposed public art feature would do little to compensate for this inappropriate layout. The applicant's issues with maintaining business continuity are not accepted as being insurmountable or sufficient material considerations to outweigh the provisions of development plan policies which seek to protect and enhance the built environment. The elevational detailing of the store in terms of its form, materials and signage are also considered to be inappropriate and would detract from the character and appearance of the site and surrounding area.

It is also considered that the developer has failed to adequately demonstrate how the proposal will contribute to sustainable development objectives through renewable energy, energy saving design and waste minimisation and recycling.

The proposal is considered to be acceptable in terms of its impact on crime and disorder, landscape and ecology, amenity of neighbouring properties, drainage and flood risk, and highways and parking. Furthermore, it is concluded that the developer has complied with the Statement of Community involvement. However, these are insufficient to outweigh the concerns in respect of the retail impact of the proposal, its design and layout and contribution to sustainable development.

Therefore, in the light of the above, and having due regard to all other matters raised, it is concluded that the proposal is contrary to policies S10 (Major Shopping Proposals) and BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011; Policies DP9 (Reduce Emissions and Adapt to Climate Change), EM16 (Energy Conservation & Efficiency), EM17 (Renewable Energy), EM18 (Decentralised Energy Supply) EM9 (Secondary and Recycled Aggregates) and EM11 (Waste Management

Principles) of the North West of England Plan – Regional Spatial Strategy to 2011; Policy 11 (Development and Waste Recycling) of the Waste Local Plan and the provisions of PPS6.

12. RECOMMENDATIONS

REFUSE for the following reasons:-

- 1. In the opinion of the Local Planning Authority the applicant has failed to demonstrate a proven need for the proposed development and that the proposal, either by itself or together with other shopping proposals or developments will not harm the vitality and viability of Nantwich town centre. Furthermore, the applicant has failed to demonstrate that the sequentially preferable alternatives to this site cannot be delivered, contrary to Policy S10 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and the provisions of PPS6.**
- 2. In the opinion of the Local Planning Authority the proposed development, by reason of its size, site layout and design would detract from the character and appearance of the street scene and this important gateway to the historic market town of Nantwich contrary to Policy BE.2 (Design Standards) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.**
- 3. In the opinion of the Local Planning Authority, the applicant has failed to demonstrate that they have met the RSS requirements to provide 10% of renewable energy on site and the proposal is therefore contrary to Policies DP9 (Reduce Emissions and Adapt to Climate Change), EM16 (Energy Conservation & Efficiency), EM17 (Renewable Energy), and EM18 (Decentralised Energy Supply) of the North West of England Plan – Regional Spatial Strategy to 2011. Furthermore, no clear strategy for waste management and recycling of waste materials on site has been put forward contrary to the principles set out in RSS Policies EM9 (Secondary and Recycled Aggregates) and EM11 (Waste Management Principles) as well as the provisions of Policy 11 (Development and Waste Recycling) of the Waste Local Plan.**