

Application No: 09/1160M
Location: LAND AT, BROOK STREET, KNUTSFORD, CHESHIRE, WA16 8BN
Proposal: DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW FOODSTORE WITH ASSOCIATED PARKING AND SERVICING FACILITIES

For ALDI STORES LTD

Registered 01-May-2009
Policy Item No
Grid Reference 375478 378468

Date Report Prepared: 7 July 2009

SUMMARY RECOMMENDATION	Approve
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MAIN ISSUES

- Whether the principle of retail development is acceptable and if so, whether the scale proposed is appropriate
- Whether the design and appearance of the proposed foodstore and associated development is acceptable having regard to the impact on the character and appearance of the area, including the Conservation Area
- Whether the proposal would adversely affect the setting of the adjacent listed building
- Whether the proposed access and parking facilities are adequate and acceptable
- Whether the proposed loss of trees from the site is acceptable
- Whether the proposal would result in any adverse impact on protected species and if so, whether adequate mitigation can be provided
- Whether the proposal has any adverse impact on the residential amenity of nearby residents
- Whether there are any other material considerations

REASON FOR REPORT

The proposal is for a small scale major retail development of gross floor area of 1621m².

DESCRIPTION OF SITE AND CONTEXT

The site is located on the northern side of Brook Street towards the south east of the town centre. The site area is 0.62 hectares and the site is bounded by an existing garage and the railway line to the north, by St Cross Church and residential properties on Branden Drive at an elevated level to the east and Brook Street and the listed nursery building to the south. The site currently contains a number of buildings including a two storey office building, a single storey industrial building, a residential property as well as areas of hardstanding for parking etc. Vehicular access to the site is currently available off King Street and Brook Street. The site contains a number of trees.

The applicants also own land to the south east of the application site. This additional land contains two residential properties.

Part of the site is located within the Knutsford Town Centre Conservation Area with other parts of the site adjoining both the Knutsford Town Centre Conservation Area and the Cross Town Conservation Area.

DETAILS OF PROPOSAL

Full planning permission is being sought for the demolition of the existing buildings and for the erection of a foodstore with associated parking and servicing facilities. The foodstore would have a gross floor area of 1621m² and a net sales area of 1125m². The foodstore building is to be sited towards the rear of the site, parallel to the railway embankment and behind the listed nursery building, with car parking towards the King Street frontage of the site and to the east of the store providing a total of 80 spaces, including 4 disabled spaces and 2 parent and child spaces. Cycle storage facilities are also proposed. The existing vehicular access to the site from King Street is to be closed, with vehicular access to the site being solely from Brook Street. The

service area would be located to the side of the store, on the northern part of the site.

The foodstore building is to be constructed primarily from red brick with sandstone detailing and a reconstituted slate tile roof. The design incorporates a pitched roof with eaves at 4.2m high and a ridge level of 10m with a full height gable to the entrance and four smaller gables along the elevation.

RELEVANT HISTORY

There are a number of previous applications on this site, none of which are directly relevant to consideration of this application.

POLICIES

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP4 Make the Best Use of Existing Resources and Infrastructure
DP5 Manage Travel Demand, Reduce the Need to Travel and Increase Accessibility
DP7 Promote Environmental Quality
DP9 Reduce Emissions and Adapt to Climate Change
RDF1 Spatial Priorities
W3 Supply of Employment Land
W4 Release of Allocated Employment Land
W5 Retail Development
RT2 Managing Travel Demand
RT9 Walking and Cycling
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets
EM2 Remediating Contaminated Land
EM5 Integrated Water Management
EM17 Renewable Energy
EM18 Decentralised Energy Supply
MCR3 Southern Part of the Manchester City Region

Local Plan Policy

NE11 Nature Conservation
BE1 Design Guidance
BE3 Conservation Areas
BE16 Listed Buildings
E1& E2 Employment Land
E2 Employment Land
E4 Industry
T1, T2, T3, T4 & T5 Integrated Transport Policy
T6 Highway Improvements and Traffic Management

S1 & S2 Shopping Developments
KTC1, KTC2, KTC4 Knutsford Town Centre
DC1 New Build
DC3 Amenity
DC6 Circulation and Access
DC8 Landscaping
DC9 Tree Protection
DC63 Contaminated Land

Other Material Considerations

PPS1: Delivering Sustainable Communities
PPS6: Planning for Town Centres
PPG13: Transport
PPG15: Planning & the Historic Environment

CONSULTATIONS (External to Planning)

Highways: no objection in principle subject to the imposition of a number of conditions and a S106 legal agreement to secure the implementation of a travel plan.

Environmental Health: no objections subject to conditions.

Environmental Health (contaminated land): no objections subject to conditions.

Environment Agency: Object to the application in the absence of a Flood Risk Assessment.

Network Rail: no objection in principle subject to a number of informatives.

United Utilities: no objection.

VIEWS OF THE PARISH / TOWN COUNCIL

Knutsford Town Council: no objection in principle subject to the highway authority being satisfied regarding traffic management provision, the highest quality materials being used in the construction including the proposed red brick being changed to paler Cheshire brick allowing the building to sit sympathetically within its surroundings and tree screening to be used along the main road.

OTHER REPRESENTATIONS

At the time of the report's preparation 48 representations had been received. Of these, 9 raise objections, 34 support the application and 5 make general comments. Full copies of these representations are available on the on-line application file. The comments are summarised below.

Grounds of objection

- The proposed development does not provide adequate or safe pedestrian access to the store
- No adequate means of vehicular access/egress to/from the store
- Would adversely affect traffic movements in the area
- Oppose proposed widening of Hollow Lane and Brook Street junction, would provide little traffic benefit & would have significant environmental impact and major disruptive effect on the town centre
- Concern about highway safety and traffic congestion
- Area being turned into non-residential and this already detracts from the area
- Concern about disruption to residential properties opposite
- Concern about loss of trees
- More favourable sites available elsewhere within Knutsford
- Concern about flooding
- Concern about impact on Conservation Areas and nearby listed buildings
- Concern about visual impact and design of the proposed store
- Involves the loss of a lovely cottage
- Proposed road markings would be unsightly
- Concern about the safety of children attending the adjacent nursery
- Would bring more people into the area and increase the chance of opportunist thieves
- Would devalue nearby residential properties

One of the letters of objection is from a transport planning consultancy based in Knutsford and contains very detailed comments with regard to the submitted transport assessment. A copy of the letter has been passed to the Highways Authority for their comment. Any additional comments received will be reported directly to Committee.

Grounds of support

- Satisfied that the traffic proposals will ease existing traffic problems
- Will reduce the need to travel out of town to other supermarkets
- Proposed site is ideal and within walking distance to many properties
- Building totally in keeping with the existing buildings
- In the current economic climate it will be good for Knutsford to have a good quality but cheaper foodstore
- Proposal will increase choice
- Will provide much needed additional parking in the town centre
- Site is accessible with a bus stop opposite
- Would enhance vitality and viability of the town centre
- Anything to generate more foot fall within the town centre is a good thing

A number of other letters have been received which make general comments about the proposal. These concern matters such as cycle provision, trees and traffic management measures.

APPLICANT'S SUPPORTING INFORMATION

A number of documents have been submitted in support of the application. These include a Planning Statement, a Retail Assessment, an Arboricultural Survey, a Transport Assessment, a Geo Environmental Assessment Report and a Protected Species Survey. A Flood Risk Assessment is also being prepared.

The Planning Statement concludes that the site is a sustainable location and is suitable to accommodate the scale of the proposed foodstore, which is appropriate for the location. It will enhance the retail offer of Knutsford and improve customer choice and will have no adverse impact on the centre. It will offer the prospect of linked trips, improve town centre car parking and will contribute to urban regeneration objectives. The building is of good quality, which respects urban design principles and is in keeping with the local context and will therefore significantly enhance the surrounding area and preserve the character of the Conservation Area. As part of the proposals, improvements to the existing highway network are included which will both deliver an access solution and significantly improve existing problems of congestion.

OFFICER APPRAISAL

Principle of Development

The majority of the application site is designated as an existing employment area where policies state that employment land should normally be retained. As such the principle of retail development on the site needs to be carefully considered in light of other relevant policies.

Policy

Part of the application site lies within the town centre, with the majority of the site designated as an existing employment area. The rest of the site is a predominantly residential area. Local Plan Policy E1 states that both existing and proposed employment areas will normally be retained for employment purposes and Policy E2 states that retail development will not be permitted on such land. Local Plan Policy E4 allows for B2 (general industry), B8 (warehousing) and B1 (High technology & light industry) to be permitted on the part of the site designated as existing employment land. Local Plan Policy S1 states that new shopping uses should normally be located in a specified number of centres which includes Knutsford. This is consistent with advice contained within PPS6: Planning for Town Centres which directs town centre uses, including retail uses to existing town centres.

Whilst the use of the site for retail purposes is contrary to policies E1, E2 & E4, in terms of retail policy, the submitted retail statement adequately demonstrates that there is a need for the development, that the development is of an appropriate scale, that there are no more central sites for the development, that there are no unacceptable impacts on existing centres and

that the location is acceptable. This view has been confirmed by an independent retail consultant employed by the Council to assess the proposal.

Although only in draft form, the new PPS4 gives a much wider definition of economic development which would include any development that provides employment opportunities and makes it clear that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development and support development which enhances the vitality and viability of market towns and other rural service centres. This relaxing of control over small-scale employment allocations is also a theme of the RSS.

It is accepted that in quantitative terms, there is sufficient employment land available in the Knutsford area (even though some is currently constrained). However, apart from the Stanley Road Industrial Estate, all of the allocated employment land in Knutsford is clustered to the northeast of the town at Parkgate, Longridge and Mobberley. The use of this site for retail purposes would result in the loss of an employment site close to the town centre. However, having regard to RSS policy, emerging policy in the form of PPS4, to the constraints of the town centre and to the clear benefits offered by the proposal in terms of increased retail choice, loss of existing leakage, reduction in the need to travel and employment generation, in this case the loss of employment land is considered acceptable.

Highways

Vehicular access to the site is to be taken from a new vehicular access off Brook Street. This would be formed by altering an existing residential access. An existing access off King Street is to be closed. All vehicles, including delivery vehicles would use the Brook Street access/egress. Manoeuvring space is incorporated within the site layout to facilitate access to the loading/back up area to the side of the store. Pedestrian access would be provided from King Street. A total of 78 car parking spaces are to be provided including 4 disabled spaces and 2 parent & child spaces. This number has been reduced slightly since original submission. Cycle storage facilities are also proposed.

The submitted Transport Assessment has considered the traffic implications of the proposal and has identified a need for improvements to address existing queuing and congestion at peak times. As part of the proposal the following improvements are proposed:

- A redesign of the A537 Brook Street/Hollow Lane junction to include pedestrian crossing facilities
- A dedicated right turn ghost island into the site
- A new pedestrian refuge on Adams Hill
- Linking the traffic signals at the junctions of A50 Toft Road/A537 Adams Hill and A537 Brook Street/Hollow Lane to improve performance.

The applicants state that the proposal would allow better management of traffic and increase the capacity of the road network meaning that the proposal would neither increase existing congestion nor queuing on the road network. Indeed, it is stated that the proposed changes would actually improve the current situation.

It is understood that the submission of the application follows extensive discussions with the Highways department, who raise no objection in principle to the proposal subject to a number of conditions and a S106 legal agreement regarding the operation of a Travel Plan. The Highways department notes that the proposed store is located within an existing town centre that has good transport links and alternative transport modes. It accords with current Planning Policy Statement 13 Transportation and Land Use. Significant improvements are proposed to the external highway network which provide improved links for pedestrians as well as optimising the coordination of traffic flow and capacity of the junctions. This will see improvements in the management of both the current and future traffic demand.

A large number of representations have been received regarding the highways implications of the proposal. Whilst it is accepted that there is currently queuing on the roads near to the site and that this is particularly pronounced during peak times, the Highways department are satisfied that the off site highways measures associated with this proposal would adequately deal with the additional vehicle movements associated with the development. On that basis it is considered that it would be difficult to sustain an objection to the proposal based on highways grounds.

Design & Impact on Conservation Areas and Listed Buildings

The proposed store is to be located on the north western part of the site. It would be set further back into the site than the existing two storey commercial building that is to be demolished, but would be wider than the existing building resulting in it overlapping the footprint of the existing nursery building in visual terms. The finished floor level of the proposed building would be approximately 2m below the level of King Street. The building has a rectangular footprint, with the narrower elevation facing towards King Street and the Grade II Listed nursery building. The height of the main ridge fronting towards King Street would be 10.4m with an eaves height of 5m. Two gable features on this elevation would reach a height of 9.3m. The highest part of the building would reach 10.8m and front the main car park. The proposed building would be approximately 4.4m higher than the existing two storey building that is to be demolished. It would be constructed from red facing bricks with sandstone detailing with the proposed roof material being stated as either concrete tiles or reconstituted slate. The building has been designed to incorporate a number of gable features.

As previously stated, part of the site falls within the Knutsford Town Centre Conservation Area, is adjacent to the Cross Town Conservation Area and is adjacent to a Grade II Listed building. The Unitarian Chapel, a Grade I Listed Building is located on the opposite side of Brook Street, to the south of the

site. Local Plan Policy BE3 requires development in or adjoining a Conservation Area to preserve or enhance the character and appearance of the Conservation Area. Policy BE16 states that development which would adversely affect the setting of a listed building will not normally be approved.

It is considered that the general siting and design of the building is acceptable and respects the site's location partly within and adjacent to two Conservation Areas and adjacent to a Listed Building. However, there is some concern with regard to the proposed roofscape of the building which is considered excessively high and dominant. Whilst the proposed siting of the building will serve to minimise its visual impact, the applicant has been asked to consider whether the height of the building can be further reduced. Subject to this, no objections are raised to the general form and design. The proposed materials are not considered acceptable and as an alternative the Council's Conservation Officer suggest the use of Cheshire brick and natural blue slate. The applicant's acceptance of this is being sought and this matter could adequately be dealt with by condition. It is considered that subject to the above amendments, the proposal would preserve the character and appearance of the Conservation Areas. As originally submitted there was concern regarding the proposed loss of an existing large Cedar tree and other landscaping adjacent to King Street and the impact that this would have on the visual amenity of the Conservation Area. However amended site layout plans have now been received which allow for the retention of the tree. This also helps to soften the impact of the development when viewed from Adams Hill and King Street. Similarly it is not considered that the proposal would adversely affect the setting of either of the nearby listed buildings.

Landscaping & Trees

The site contains a number of trees, some of which are to be removed as part of the proposal. Whilst the formal comments of the Council's Forestry Officer are awaited, following an initial site visit, some concern was raised regarding the proposed loss of a prominent Cedar tree on the King Street frontage. This is now to be retained. The Forestry Officer was also keen to ensure the retention of a group of trees close to the proposed car park. Once received, the Forestry Officer's comments will be reported directly to Committee.

Ecology

Protected species surveys have been submitted with the application and there was no evidence of bats recorded within any of the existing buildings. Bats were recorded foraging around the site and therefore the Council's Nature Conservation Officer recommends that the proposed development incorporates features suitable for roosting bats and that the proposed landscaping scheme incorporates the use of native species. An active badger sett was recorded outside the site boundary and whilst it will not be directly affected by the development, it is recommended that the mitigation proposals included in the report be carried out. These matters can adequately be dealt with by condition.

Amenity

Residential properties are located to the east of the site along Branden Drive and to the south of the site on Holford Crescent. An existing nursery is located adjacent to the site. Local Plan Policy DC3 states that developments should not significantly injure the amenities of adjoining or nearby residential property or sensitive uses.

In this case it is not considered that the proposal will significantly impact on amenity. The part of the site that is to contain the foodstore and parking area is already in commercial use and the properties on Branden Drive are some distance away at an elevated level. Whilst the service area would be located on the part of the site nearest to Branden Drive, it is considered that subject to appropriate control this would not cause significant noise and disturbance. The residential properties on Holford Drive are located on the opposite side of a main road and are set back from the road. With regard to the Day Nursery, whilst there would be vehicle movements to the side and rear of the nursery, this is no different to the existing situation. It is not therefore considered that there would be any significant impact on the users of the nursery. The Council's Environmental Health department has raised no objections to the proposal subject to conditions.

Other Matters

The Council's Environmental Control Officer notes that the site has a history of use as an engineering works and timber yard. It is also adjacent to a former petrol filling station and therefore the land may be contaminated. The ground investigation report submitted in support of the application recommends that further investigations are required to assess the extent of the contamination present on the site. Further investigations are also required to adequately identify what remedial works will be required to make the site suitable for the proposed use. A condition is therefore required to ensure that further investigations take place prior to development commencing.

At the present time the Environment Agency are objecting to the proposal as a Flood Risk Assessment has not been submitted. This is currently being prepared and should address concerns raised regarding the potential for flooding.

As a result of the proposal, a residential property would be lost and this would result in a reduction in the areas housing supply. No objections are raised to this loss as for the reasons outlined within the report, it is considered that the proposal offers wider benefits.

HEADS OF TERMS

A S106 legal agreement is required to produce and operate a travel plan for the development, which has been produced in accordance with local and national standards, guidance and best practice and has regard to the nature of the development, the accessibility of the site and local transport provision,

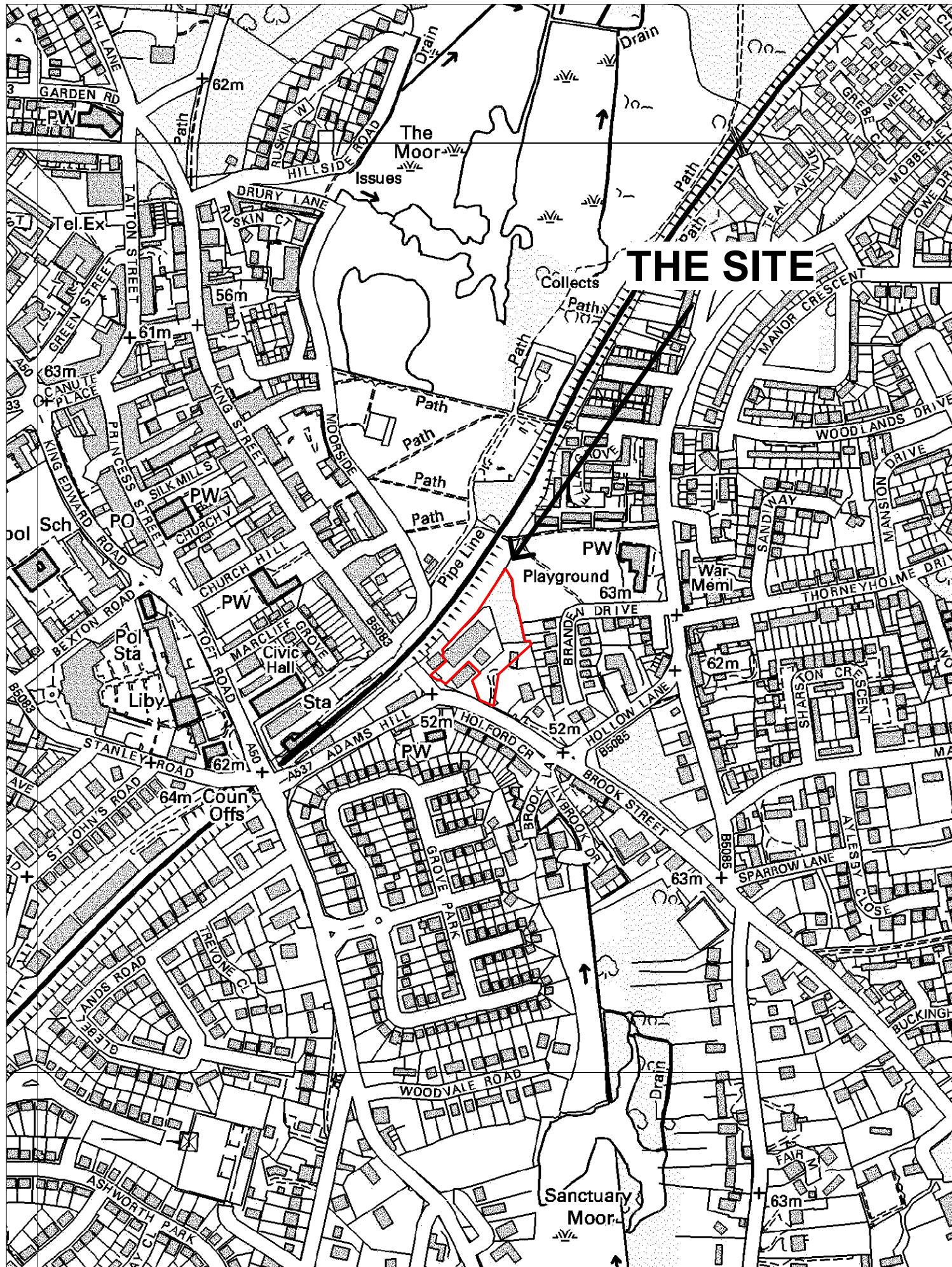
and the requirement to pay the Highway Authority's costs associated with the monitoring and review of the travel plan.

SUBJECT TO

The proposed amendments to the roof design, acceptance of the suggested materials, the receipt of views from outstanding consultees and the submission of an acceptable Flood Risk Assessment.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The principle of retail development on this site is considered acceptable. The proposed siting and design of the building is considered acceptable subject to the suggested amendments. The proposal would preserve the character and appearance of the Conservation Area and would not harm the setting of nearby listed buildings. The proposed development is therefore considered acceptable.



09/1160M - LAND AT, BROOK STREET, KNUTSFORD, CHESHIRE

N.G.R. - 375,490 - 378,460

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Application for **Full Planning**

RECOMMENDATION : Approve subject to following conditions

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. A02EX - Submission of samples of building materials
4. A13EX - Specification of bonding of brickwork
5. A22EX - Roofing material
6. A32HA - Submission of construction method statement
7. A30HA - Protection of highway from mud and debris
8. A26HA - Prevention of surface water flowing onto highways
9. A24HA - Provision / retention of service facility
10. A12HA - Closure of access
11. A07HP - Drainage and surfacing of hardstanding areas
12. A07HA - No gates - new access
13. A05HP - Provision of shower, changing, locker and drying facilities
14. A04HP - Provision of cycle parking
15. A01HP - Provision of car parking
16. A01LS - Landscaping - submission of details
17. A04LS - Landscaping (implementation)
18. A01TR - Tree retention
19. A02TR - Tree protection
20. A08MC - Lighting details to be approved
21. A20GR - Hours of deliveries
22. Provision of off site highways works prior to first use of the building
23. Revised Plans Required showing swept path analysis and revised configuration of the proposed junction layout of the A537/Brook Lane/Hollow Lane junction
24. Construction of the access prior to the construction of any part of the approved development (excluding the access)
25. Incorporation of features suitable for roosting bats
26. Development to proceed in strict accordance with the submitted protected species survey
27. Submission of an Environmental Management Plan
28. Submission of an acoustic report

29. Phase II Contamination Investigation required