

Planning Reference No:	09/1304N
Application Address:	Earl of Crewe Hotel, Nantwich Road, Crewe.
Proposal:	Demolition of existing building and construction of new foodstore with associated parking.
Applicant:	Aldi Stores Ltd.
Application Type:	Full Planning Permission
Grid Reference:	370238 354515
Ward:	Crewe South
Earliest Determination Date:	15 th July 2009
Expiry Dated:	11 th August 2009
Date of Officer's Site Visit:	22 nd July 2009
Date Report Prepared:	22 nd July 2009
Constraints:	Settlement Boundary Nantwich Road Shopping Area Locally Listed Building

SUMMARY RECOMMENDATION:

REFUSE for the following reasons

- Loss of Locally Listed Building
- Siting and Design
- Sustainability
- Traffic Impact

MAIN ISSUES:

- The acceptability of the development in principle
- Locally Listed Building
- 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 site of the proposed development lies on the south side of Nantwich Road and comprises lands currently occupied by the Earl of Crewe public house, a "pay and display" car park, a range of outbuildings and vacant land formerly occupied by garaging.

The Earl of Crewe is an imposing Victorian building which fronts on to Nantwich Road and has a sizeable mature garden between its east flank and a frontage to Sherwin Street. Within the car park there is a two storey range of outbuildings, now boarded up and an attached single storey range formerly used as lock up garages. The public house is included on the local list of buildings of historic and architectural interest.

Land uses along Nantwich Road in the vicinity of the site are predominantly commercial, with a mix of shops, financial and professional services, hot food takeaways, restaurants, cafes and public houses. Once away from the main road the area is almost entirely residential.

3. DETAILS OF PROPOSAL

Full planning permission is sought for the demolition of all the buildings within the site and the construction of a food store of 960sq.m sales area and 1,348sq.m gross internal area at ground floor level. Free customer car parking will be located to the western and southern parts of the site and a total of 85 spaces will be provided. 4 no. DDA compliant spaces, 2 no. parent and child spaces along with cycle parking facilities for customers and staff will also be provided. Servicing facilities and plant will be located to the southern elevation of the store.

4. RELEVANT HISTORY

P06/0868- Erection of eight terraced properties and conversion of outbuildings to three dwellings. Withdrawn

P06/1282 Erection of 7 two storey terraced properties and the conversion of barns to three residential properties. Approved 12th February 2007

5. POLICIES

North West of England Plan - Regional Spatial Strategy to 2021

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.9 (Nantwich Road)

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

Do not object to this application subject to the following comments
Supply general comments only

1. The site is adjacent to an Air Quality Management Area which has been declared due to the levels of nitrogen dioxide in the area. Therefore the applicant would have to undertake a comprehensive air quality impact assessment of the proposal before any permission is granted.
2. 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.
3. 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.
4. Hours of operation, including deliveries to the site, shall be restricted to those stated in the application form i.e. 8am-8pm Monday to Saturday and 10am-5pm on Sundays.

Highways Authority

The Highway Authority's response will be reported in the late information. However the Highway Engineer has stated verbally that he has concerns about a number of highway matters at the site.

United Utilities

No objection subject to the site being drained on a separate system with only foul drainage connected into the sewer

7. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

8. OTHER REPRESENTATIONS

Objection

Letters of objection have been received from the following addresses: 4 Sherwin Street, 19 Atholl Avenue and 203 Bedford Street, Crewe, making the following points:

- There are some serious questions to be raised regarding the traffic flow along Nantwich Road, particularly at weekends. At present it is extremely difficult to turn right from the adjacent side streets near the proposed new store;
- Have the highway department fully investigated this situation?
- Has consideration been given to turn left only signs, repositioning of traffic lights, any other measures to alleviate traffic chaos;
- Looks like a petrol station forecourt;
- Sandbach and Nantwich Aldi stores have a more interesting design, not the box shape of the Crewe building. Can we have similar?
- The trees need to be retained on the site;
- The building is not in keeping – there are no other single storey glass fronted, garage type showroom buildings in the area;
- 90% of the buildings in this area are two storeys with tiled sloping roofs. The only flat roof is the co-op which is dating back the 70's style like the town square which the Council are trying to change;
- The planned pedestrian entrance of Sherwin Street would be a bolt hole for vandals and thieves. As the Council have recently been securing the town alleyways and protecting the community and successfully reducing crime this certainly would not adhere to their policy;
- If they did not have this entrance they would not require the planned walkway. Then it would be possible to arrange the car parking spaces against the loading bay wall and therefore protect the precious long established trees. After all this is national Green Year;
- Would it be possible to compromise and incorporate the existing building in the new store?

Support

Letters of support have been received from the following addresses: 174 151, 208 Bedford Street, 23 St. Andrews Avenue, 38 St. Andrews Court 20, 42, 76 Ernest Street, 12, 26 Culland Street, 29, 159 Ruskin Road 20 Smallman Road and 239 Nantwich Road, Crewe making the following points:

- The store will be a great asset to the area;

- It would be convenient for local residents. There are a lot of elderly people who would gain from an accessible low cost store;
- It will be nicer to look at than the Earl of Crewe with its hideous painting and poor signage not to mention the untidy land in Sherwin Street;
- The public house is hardly open;
- The garages to the site have been demolished and are an eyesore with rubbish dumped there;
- There will be jobs created which are needed in a recession;
- Shopping at present is very limited and Aldi have something for everyone;
- Pensioners can walk to the store;
- Aldi staff are friendly, food is always organic, service the best and also low prices;
- There are a lot of problems at the pub due to youths fighting late at night, damaging cars and property;
- There are very few people who use the Earl of Crewe;
- There are also problems with loud noise and loud music from the pub;
- It will not affect the amount people spend in other Nantwich Road shops as they already use supermarkets in town.

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9. APPLICANT'S SUPPORTING INFORMATION

Transport Assessment

- The report has demonstrated that the proposed Aldi food store development would not have a detrimental impact on the operational performance and safety of the local highway network.
- It is concluded that there are no overriding reasons preventing the Local Planning Authority from recognising that the proposal is acceptable with regard to the local highway network.

Framework Travel Plan

- To achieve the initiatives in the Travel Plan, Aldi will encourage its employees and customers alike to take into account the benefits of sustainable forms of transport that are available to them given the highly accessible location of the site.
- Aldi will undertake local infrastructure improvements to further enhance sustainable transport options in the vicinity of the site. This allied with progressive management practices and the provision of adequate infrastructure will influence and encourage staff and customers to choose sustainable transport options in preference to the private car.
- The Travel Plan will seek to achieve significant reductions in car usage for journeys to and from the store. This will produce resultant benefits in terms of air quality and emissions and will also significantly reduce car parking demand and traffic generation associated with the development.

Consultation Statement

- Pre-application discussion has taken place with statutory bodies, stakeholders and elected members a press release was issued and a public exhibition was held
- A free post and free phone facility was also set up to enable people to make comments.
- A total of 79 responses were received, of which 68% were in favour, 13% made comments and 19% objected.
- The statement includes a summary of the comments.
- The applicant is committed to on-going community and stakeholder engagement through meetings and newsletters.

- All comments received have been reviewed by the project team and where changes could be made, they were. Feedback was also given at the exhibition and questions answered. Many of the issues raised are covered in the application documents which accompany this response.

- Following a review of the feedback received Aldi considered the comments raised and has responded as follows.

- A new Aldi food store on the site would assist in meeting a local need as the Cheshire Town Centre Study identifies capacity for additional convenience floor space in Crewe. Because Aldi stores only sell own brand products, the store can sit side by side with existing stores already in Nantwich Road. Aldi believe that the new store would attract local customers who currently travel to one of the larger supermarkets in Crewe. This would bring new life into the shopping area and complement the other shops.

- The Earl of Crewe public house has deteriorated in recent years and does not contribute to the Nantwich Road. The design of the proposed store would be high quality and would seek to provide a modern, lean and light store for the town. Aldi has carefully designed the scheme to incorporate certain features from the Earl of Crewe public house, such as the commemorative plaque to ensure that the new food store complements the existing streetscape and provides a feature on Nantwich Road.

- The new store would seek to bring a new landmark building to the street frontage with a sympathetic design to reflect the history of the site while creating a new use of the land to help draw customers to Nantwich Road.

- The principal means of access would be via the existing access off Nantwich Road. The access radii and width will be modified to provide easy access into and out of the site whilst maintaining the required visibility standards. There are no proposals for any access to be taken from Sherwin Street.

- The Earl of Crewe public house already has a private pay and display car park to the side and rear of the building. The new store would seek to continue to provide parking for customers of shops along Nantwich Road as well as customers of the new Aldi Store. The development is proposing a total of 85 car parking spaces, including four spaces for disabled customers and two parent / child spaces

- Aldi proposes that the new store car park would become free for visits up to 90 minutes giving customers time to complete their shopping in store and make further trips to the neighbouring shops. There would be no restrictions on parking out of store opening hours.

- Aldi is committed to ongoing public consultation by way of further meetings and a newsletter.

Retail Statement

- The Cheshire Town Centre Study identifies both a quantitative and qualitative need for additional convenience floorspace in Crewe.

- The site lies primarily within the defined Nantwich Road shopping area, which is a preferred location for new retail development and notwithstanding this there are no more central sites within Crewe Town Centre or Nantwich Road, which are suitable, available or viable to accommodate the proposal. It presents the most appropriate opportunity for additional retail investment of the scale proposed.

- The development is of an appropriate scale to the Nantwich Road location and the catchment area served by the centre.

- The site is well served by public transport and is readily accessible by a choice of modes of transport including, buses, rail, cycling and walking.

- The scale of the proposed store is modest and the predicted trading impact of the development is minimal and it will have no harmful effect on the vitality and viability of Crewe

Town Centre or the Nantwich Road shopping area, but rather it will enhance the retail offer, widen choice for consumers and therefore improve the activeness of the Nantwich Road shopping area.

- There are therefore no retail considerations contrary to national and local policies such that planning permission should be granted.

Design and Access Statement

- The scheme proposal is a contemporary modern design, which will replace a structure alien to its surroundings.

- The proposal will bring crisp materials to the streetscape whilst also enhancing existing public routes and servicing.

- The carefully chosen palette of materials will fit neatly into the urban landscape and create a sharp modern addition to Nantwich Road and the neighbouring areas.

- Enhanced landscaping levels will also be introduced to the streetscape, throughout the car park and to the boundaries

- To conclude the scheme fulfils the requirements of the policies set down at both National and Local levels and therefore should be treated in a favourable light by the Local Authority

Planning Statement

- The site is in 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 in the Nantwich Road shopping area and improve customer choice and will have no adverse impact on the centre, or on Crewe town centre. It will also offer the prospect of linked trips, improve the centre's car parking facilities 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.

- The Transport Assessment has confirmed that the traffic generation in respect of the proposed store can be satisfactorily accommodated on the highway network.

- No other issues have been identified which are adverse to the proposed development

- For all these reasons it is submitted that planning permission should be granted.

Geo-environmental Assessment

- No significant contamination of the soils has been identified on the site. However there is a slim chance that some contamination may be present in currently inaccessible areas of the site or in the former demolished garage area. However, gross contamination is not anticipated and a watching brief should be undertaken during development to ensure no areas of minor contamination are overlooked.

- At this stage no specific remedial measures are considered necessary. No sources of contamination have been identified at this stage and the development of the foodstore and associated car park will largely remove any pathway between potential contamination and site end users.

- Imported clean soils may be necessary to support plant growth in areas of soft landscaping. This will also prevent potentially undesirable soils coming to the surface. However, it may be possible to utilise the existing topsoil in the beer garden area if an area is available to stockpile it during construction.

- The most suitable foundations at the site are likely to be a combination of pad and strip foundation founding on the firm to stiff clays. Ground bearing floors slabs are likely to be suitable.

Bat Survey

- No evidence was found anywhere on site to suggest that bats ever roosted here.
- The barn looked to offer the most potential from outside but internally it was obvious that the fire 2 years ago had caused extensive damage and most of the timbers were severely charred. The barn was re-roofed after the fire and if bats had been present beforehand this major disturbance is likely to have, at the very least, caused them to relocate elsewhere. However, there was no evidence to suggest that they had ever roosted there.
- The pre-fabricated garages that have been demolished were unlikely to have been attractive to bats.
- Nor do the trees on the site show any signs of suitable roosting habitat, apart from one ivy clad tree, which in isolation within sub-optimal bat habitat is unlikely to be attractive to bats.
- However, bats do forage and roost in areas close to Crewe town centre and this site may be visited from time to time by the occasional bat or two but it is unlike to be significant.
- In view of this a license from Natural England regarding bats is not currently required before building work commences on site.
- Mitigation measures are not required for bats
- However, if the situation changes and bats are subsequently found on site, then a license for bats may be required and mitigation measures necessary.
- If in the unlikely event that a bat is accidentally discovered during building operations, work must cease immediately in that area. The bats should be left undisturbed and a bat consultant contacted for advice.

10. OFFICER APPRAISAL

Principle of Development

The site lies outside the town centres of Crewe and Nantwich, as defined in the Local Plan, where Policy S.10 states that major retail developments will be permitted only if all of a number of criteria are met. According to the supporting text major proposals for the purposes of this policy will be regarded as those with a gross floorspace of over 2500 sq. m. The proposed Aldi store would have a gross floorspace of 1407sq.m and therefore it is not necessary for the developer to demonstrate that there is a proven need for the development; a sequential approach to site identification has been followed; or that the proposal, either by itself or together with other shopping proposals or developments, will not harm the vitality or viability of another shopping centre.

Furthermore, the proposed store would be located partly within the Nantwich Road Shopping Area as defined in the local plan, although some of the parking area to the rear would lie outside this area. According to Policy S9 new retail development will be permitted on Nantwich Road (as defined on the proposals map), provided it is in accordance with policies BE.1 - BE.5. The proposal is therefore acceptable in principle, subject to the consideration of more detailed matters of amenity, design, access and parking, drainage and infrastructure and compliance with other relevant local plan policies.

Layout, Design and Street Scene

The proposed store has been sited at the front of the site but is orientated with the main frontage at 90 degrees to the road. Consequently the Nantwich Road frontage is formed by a long blank elevation with high level windows. In visual terms this will create a bland and uninteresting street scene, and will create a significant break in the retail frontage which will

discourage shoppers from continuing beyond it to other shops along Nantwich Road. This lack of active frontage will also reduce natural surveillance of the street leading to an increase in actual and perceived risk of crime.

The building also fails to address the Sherwin Street frontage, with a similarly blank elevation being presented to this street, albeit slightly softened with boundary planting. The building occupies a corner position at the junction of Nantwich Road and Sherwin Street, and yet no attempt is made to emphasise this with a landmark feature or architectural statement, none of which represents good urban design practice.

The majority of the development along Nantwich Road, including the properties to either side of the site, is of between two and three storeys in height with a vertical emphasis and rhythm created by fenestration patterns, stops in the building line, bay windows and gables. Buildings are generally traditional in style with pitched, tiled roofs and red facing brick walls. By contrast the proposed building is a single storey flat roofed "slab", with a strongly horizontal emphasis both in terms of its overall form and its fenestration. This would appear entirely alien and out of keeping with the character of the surrounding area and would be detrimental to the character and appearance of the street scene. Other than a small projecting canopy near to the entrance there is no articulation or relief in terms of the line of the building. The materials would be smooth grey concrete panels, with grey aluminium grey trim. Consequently, the building makes no reference to its surroundings and no contribution to local distinctiveness. The detail of the elevations only serves to emphasise the detrimental impact of its scale, form and siting on the character and appearance of the street scene. The development is therefore clearly contrary to Policy BE.2 (Design Standards) of the Local Plan.

Locally Listed Building.

The existing Earl of Crewe public house is listed in Appendix 5.3 of the Crewe & Nantwich Adopted Replacement Local Plan 2011 as a building of local interest. This is an important building within the street scene in this part of the Nantwich Road in Crewe.

It was built in 1897, in the year of Queen Victoria's Diamond jubilee, and is a good building of its type with symmetrical two storey bays to either side of the front elevation which terminate in jetted gables at the third / attic floor level which display detailed plasterwork and are supported on prominent consoles. To either side of each of these gables are tall brick external chimneys stacks each with detailed brick bands which reinforce the quality of detailing in this elevation, with a third chimney of the same style found towards the rear.

The brick and terracotta detailing in this building is particularly good, with a continuous moulded projecting string course between ground and first floor incorporating a Tudor rose frieze detail which is also copied vertically above. The stonework surrounds to the windows and their quoins are also striking.

The height, mass and style of this fine building complements the buildings to either side and its height in particular mirrors that of others in this part of the Nantwich Road. The building and its outbuildings are, therefore, an important part of the historic character of this road and its buildings and it is for these reasons that it has been incorporated on the local list.

Policy BE13 of the Adopted Replacement Local Plan 2011 states that buildings or structures included in the non-statutory list of buildings and structures of local architectural or historic interest will be protected from inappropriate development proposals affecting the reason for their inclusion in the list.

Clearly, complete demolition of a building would be considered inappropriate development and would affect the reason for its inclusion in the list. Therefore, the Council has a clear preference for the re-use of these locally listed buildings and structures unless that re-use is neither physically nor financially sustainable, or it can be clearly demonstrated that there are reasons for the development which outweigh the need to safeguard the building or structure.

The applicant argues that the original character of the building has been changed and diminished not least by the loss of the whimsical lantern tower destroyed by fire, which was original located between the two front gables. In addition the attic floor has been painted blue and a single storey extension has been added on the western side, which further detract from its appearance. The general condition of the building has also deteriorated and is in need of maintenance.

It is not considered that these are sufficient reasons to justify the demolition of the building. No evidence has been put forward that the building is structurally unsound or that it requires more than general maintenance. The painting of the attic is a cosmetic alteration, which could easily be reversed and a more comprehensive restoration, as part of a conversion to an alternative use could deal with the missing lantern and single storey extensions.

The applicant also argues that whilst presently operating, the owners of the building have been attempting to sell the business for over three years without success and have therefore sought interest for alternative uses. With a similar lack of enquiries, redevelopment has become increasingly attractive. Vacation of the building is increasingly likely in the short term leading inevitably to further deterioration and problems in respect of its appearance. However, no marketing evidence has been submitted to support these claims.

The scale and layout of the building, the applicant claims, are such that it does not lend itself easily to conversion and in the present economic climate costs are prohibitive. This argument is not accepted. It is considered that the building is suitable for a range of uses, which would be economically viable, particularly in conjunction with the implementation of the extant permission which exists on the land to the rear of the site. There have been recent examples within the Borough of Public houses being converted to a range of uses including flats, student accommodation and restaurants. It is not considered therefore that the developer has demonstrated that re-use is neither physically nor financially sustainable.

The supporting documentation states that notable features from the original building will be incorporated within the new development. However, other than reference to a commemorative plaque details of these features have not been forthcoming. The developer also considers that the proposal will bring a new landmark building to the street frontage which will enhance the area and incorporate features from the former building. As set out above Officers have very grave concerns regarding the design of the new building and do not consider that it in any way compensates or provides special justification for the loss of a locally listed building. The proposal is therefore contrary to Policy BE.13 of the Local Plan.

Crime and Disorder.

Large scale retail proposals often raise concerns about car-related antisocial behaviour on the car park when the supermarket is closed. Such problems have been experienced at other stores in the Borough and it is therefore suggested that in the event of approval conditions should be imposed requiring the erection of gates or other physical measures to secure the site access outside store opening hours, as well as the provision of CCTV and speed humps.

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 raised. The main issues appear to have been the need for the new store, loss of the historic building, car parking and access. Whilst the statement goes on to provide further justification for the proposal and reassurance that these matters are of no consequence, it does not appear that the scheme has been amended in any way to respond to public concerns.

Sustainability

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. Policy EM 18 states that "in advance of local targets being set, new non residential developments above a threshold of 1,000m² and all residential developments comprising 10 or more units should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable.

No information has been provided within the supporting documentation to explain how the new development will comply with this requirement or why it is not feasible to comply. Furthermore, no information has been provided about how energy saving features or sustainable construction techniques will be utilised within the development or how the carbon footprint arising from demolition and redevelopment, rather than re-use of the existing building will be off-set. The proposal is therefore contrary to Policies DP 9 (Reduce Emissions and Adapt to Climate Change), EM 16 (Energy Conservation & Efficiency), EM17 (Renewable Energy), and EM18 (Decentralised Energy Supply).

Furthermore, no indication is given as to how the demolition waste from the existing building is to be dealt with. No evidence has been put forward to suggest that it can be utilised on site. 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

Air Quality

The site is adjacent to an Air Quality Management Area which has been declared due to the levels of nitrogen dioxide in the area. Therefore, Environmental Health have stated that the applicant would have to undertake a comprehensive air quality impact assessment of the proposal before any permission could be granted. This has now been commissioned, although at the time of report preparation it had not been received. Any further information on this issue will be reported to Members at the meeting.

Amenity

The proposed store will be sited between 18 and 20m away from the properties on the opposite side of Nantwich Road and Sherwin Street, which will be sufficient to prevent any loss of light to those properties. Given the lack of glazing in the elevations fronting on to these streets, privacy is also not considered to be an issue. Distances in excess of 20 m will be maintained to all of the other neighbouring dwellings.

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. Furthermore, compared to the existing pub use, any disturbance resulting from customer or early morning delivery activity is considered to be minimal and it is therefore considered that there are no sustainable amenity grounds for refusal.

Landscape and Ecology

The proposal involves the loss of a number of mature trees from the middle of the site. However, these were to have been removed as part of the approved scheme for residential development and in view of this fall-back position and the fact that the trees are not protected by a Tree Preservation Order, it is not considered that a refusal on these grounds could be sustained.

A bat survey of the existing buildings on site has been undertaken but has not revealed any presence of bats on site. Whilst the comments of the Council's ecologist were still awaited at the time of report preparation, it is considered that this issue is unlikely to present further grounds for refusal and that any residual concerns can be adequately dealt with through appropriate precautionary conditions.

Highways and Parking.

This will be discussed in the late information report circulated to members. However, the Highway Engineer has concerns about a number of aspects of the development.

Loss of Community Facility

Policy CF3 seeks to protect community facilities which make a positive contribution to the social or cultural life of a community, unless suitable alternative provision is made. Previous appeal decisions which have considered schemes that would result in the loss of a public house, have established that where there are other facilities within easy walking distance then there are no planning objections to the loss in principle. Appeal decisions make it clear that the consideration is whether there are alternative establishments in the local area not whether

they offer exactly the same ambience / facilities as the one which has closed. Policy CF3 makes no reference to the need to market an establishment before it is lost or for any considerations regarding viability. Whereas the Council has used such a reason for refusal for other premises in villages, the same considerations do not apply to the loss of a public house in a town such as Crewe with other public houses within walking distance. It is therefore considered that the loss of this public house would not conflict with policy CF3 of the Replacement Local Plan 2011.

Other Matters

A significant number of letters have been received in respect of the proposal, paragraph 27 of PPS1 states that the members of the local planning authority are elected to represent the interests of the whole community in planning matters. When determining planning applications they must take into account planning considerations only. This can include views expressed on relevant planning matters. However, the paragraph concludes that local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission, unless it is founded upon valid planning reasons.

Therefore, in considering letters of representation, Members must consider the validity of the points that have been raised and not the number of letters received.

Residents complaints about antisocial behaviour relating to the pub do not provide justification for its demolition as these are a management issue and can be address through licensing and other legislation. Furthermore, the public house could be converted to another use which would eliminate these problems as well as addressing its appearance and the maintenance issue. The untidy land at the rear can also be dealt with through enforcement proceedings or the implementation of the extant residential permission.

The quality and price of Aldi products or the helpfulness of their staff are not material planning considerations.

11. CONCLUSIONS

In summary it is considered that whilst retail development would be acceptable in principle, the proposal would result in the loss of a locally listed building, the re-use of which the Local Planning Authority considers to be both physically and financially sustainable. The applicant has failed to demonstrate that there are any other reasons for the development which outweigh the need to safeguard the building and the proposal.

The layout, massing, and design of the proposal are wholly unacceptable and would be severely detrimental to the character and appearance of the street scene on this part of Nantwich Road. 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 applicant has also failed to demonstrate that the proposal will not exacerbate existing air quality problems on Nantwich Road and that an adequate and safe highway access can be achieved.

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 loss of the locally listed building, the highway and air quality impacts 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 BE.13 (Buildings of Local Interest), BE.2 (Design Standards) and BE.3 (Access and Parking) 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. The proposal would result in the loss of a locally listed building, the re-use of which the Local Planning Authority considers to be both physically and financially sustainable. The applicant has failed to demonstrate that there are any other reasons for the development which outweigh the need to safeguard the building and the proposal is therefore contrary to Policy BE.13 (Buildings of Local Interest) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.**
- 2. In the opinion of the Local Planning Authority the proposed development, by reason of its size, site layout and design would severely detract from the character and appearance of the street scene 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.**
- 4. In the opinion of the Local Planning Authority, the applicant has failed to demonstrate that the proposal will not exacerbate existing air quality problems on Nantwich Road, contrary to Policy NE.17 (Pollution Control) of the Borough of Crewe and Nantwich Replacement Local Plan 2011.**

Location Plan



09/1304N

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