

CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD

Date of meeting: 24th March 2010
Report of: Adrian Fisher, Head of Planning and Policy
Title: Sainsbury's Nantwich

1.0 Purpose of Report

- 1.1 To consider proposed amendments to the resolution passed by Strategic Planning Board in respect of applications P09/0126.
- 1.2 The report has been presented to Strategic Planning Board because the original application was approved by the Board in December 2009.

2.0 Decision Required

- 2.1 To agree to the amendments to the previous resolutions as stated in this report.
- 2.2 The principle of the supermarket redevelopment has already been established by the previous resolution and this report does not provide an opportunity to revisit that issue. This item relates solely to the proposed amendment to the requirements of the Section 106 Agreement.

3.0 Background

- 3.1 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.
- 3.2 There is an existing petrol filling station adjacent to the site entrance road, which is accessed via a roundabout junction from Middlewich Road.
- 3.3 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.

- 3.4 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.
- 3.5 In December 2009, Strategic Planning Board resolved to grant full planning permission 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.
- 3.6 The store is to be sited to the rear of the site, and at the time of the application concern was expressed that in that position it did not make the most of the opportunities of a frontage location and 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 therefore provide a satisfactory landmark gateway development.
- 3.7 The applicant argued that the proposed layout was the only one which would allow the store to continue trading during the course of the construction works and this argument was accepted. It was agreed that to compensate for the alternative position of the store, an artwork feature would be provided at the roundabout as a focal feature, and would also form the pedestrian entrance to the site and could incorporate the information panels that relate the story of Nantwich from the present store.
- 3.8 Consequently, the resolution to approve was subject to completion of Section 106 Agreement making a number of provisions, including, inter alia:

Prior to any development commencing on site:

- a scheme of Public Art to be located in the area identified on Site Plan ARCH / 2004-030/P12/C to be prepared and agreed by the Local Planning Authority
- The agreement of the scheme to take into account the views of Stakeholders through a consultation exercise, the scope of which is to be agreed with the Local Planning Authority

Prior to the first occupation of the site

- The agreed scheme of Public Art is to be commissioned and a delivery programme agreed with the Local Planning

4.0 Proposals

- 4.1 Since those resolutions were made discussions have been on-going with the applicants and their agents in respect of the detail of the agreement and a matter has arisen which requires consideration by the Board, namely, the issue of the timing in respect of provision of the public art.

- 4.2 Sainsbury's remains committed to developing an art feature on this site. However, they are concerned that the process for proper stakeholder consultation and agreement to the scheme will inevitably result in some delay to the programmed start on site; which is mid April, in order to achieve the target date for opening before Christmas.
- 4.3 Consequently, Sainsbury's wish to amend the timescale for submission and agreement of the art scheme from "prior to commencement of development" to "prior to the opening of the replacement store". The knock-on effect is that the timescale for delivery of the artwork scheme would also need to be changed from "prior to the first occupation of the site" to "in accordance with a timescale to be set out within the agreed scheme of public art."
- 4.4 It is considered that the requested amendments will not prejudice the delivery of the public art feature but will provide additional time to ensure appropriate public consultation in respect of the treatment of this important gateway site.

5.0 Conclusion

- 5.1 On the basis of the above, the proposed amendment to the wording of the resolution is considered to be acceptable.

6.0 Recommendation

- 6.1 That the Board resolve to amend the previous resolution in respect of application P09/0126 to read

Prior to the first occupation of the site

- a scheme of Public Art to be located in the area identified on Site Plan ARCH / 2004-030/P12/E to be prepared and agreed by the Local Planning Authority
- The agreement of the scheme to take into account the views of Stakeholders through a consultation exercise, the scope of which is to be agreed with the Local Planning Authority

The Public Art is to be commissioned and delivered on site In accordance with a timescale to be set out within the agreed scheme

7.0 Financial Implications

- 7.1 There are no financial implications.

8.0 Legal Implications

- 8.1 The Borough Solicitor has been consulted on the proposals and raised no objections

9.0 Risk Assessment

9.1 There are no risks associated with this decision.

10.0 Reasons for Recommendation

10.1 To allow negotiations in respect of the Section 106 to progress to signing, to enable the development works to commence in a timely fashion whilst ensuring that adequate consultation takes place in respect of the public art scheme.

For further information:

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Background Documents:

- *Application P09/0126*

Location Plan:

Due to the scale of the plan some of the details may not be clear. All plans for the application can be viewed on the council's website under Viewing Planning Applications.

