

Southern Planning Committee

Updates

Date: Wednesday, 28th November, 2018
Time: 10.00 am
Venue: Council Chamber, Municipal Buildings, Earle Street, Crewe
CW1 2BJ

The information on the following pages was received following publication of the committee agenda.

5. **18/3123N Land South East of Crewe Road Roadabout, University Way, Crewe: Erection of a new foodstore (Use Class A1), access, substation and associated car parking and landscaping for Mr George Brown, Aldi Stores Limited**
(Pages 3 - 6)

9. **18/4123N Weston Hall, commercial complex, Main Road, Weston: Change of use of buildings and areas of hardstanding to B8 (Storage & Distribution) use, replacement of redundant buildings and erection of new buildings and areas of hardstanding for B8 (Storage & Distribution) use, ancillary offices, and associated works for c/o Indigo Planning** (Pages 7 - 10)

11. **18/0775N The Rookery, 125 Hospital Street, Nantwich, Cheshire, CW5 5RU: 2no New build dwellings located within the yard/out building area(s) for Mr Craig Odams** (Pages 11 - 12)

Please contact Julie Zientek on 01270 686466
E-Mail: julie.zientek@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

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SOUTHERN PLANNING COMMITTEE UPDATE – 28th NOVEMBER 2018

APPLICATION NO: 18/3123N

PROPOSAL: Erection of a new foodstore (Use Class A1), access, substation and associated car parking and landscaping

ADDRESS: Land South East of Crewe Road Roundabout, University Way, Crewe

APPLICANT: Aldi Stores Limited

Update

A letter of objection has been received from an agent acting on behalf of the Cordwell Property Group which raises the following points;

- Cordwell and Peveril Securities have been selected as Cheshire East Council preferred development partner to deliver the £48 million Royal Arcade proposal and the plans are at an advanced stage.
- The Royal Arcade scheme (cinema, shops, restaurants and leisure uses alongside a new bus station and multi-storey car park) constitutes a vital step in the regeneration of Crewe.
- The proposed development poses as a threat to the ability to successfully implement the Royal Arcade development.
- The Royal Arcade scheme has been discounted as neither 'suitable' nor 'available'.
- The Royal Arcade could provide a unit of sufficient size given that it would be possible to amalgamate several of the proposed units to provide one larger store (in any event the current proposals for the scheme show a unit of over 2,000sqm which would be of a suitable size).
- In terms of a dedicated car park there are other instances where customers are required to use a shared parking facility. Dismissing the Royal Arcade on the basis that the sole use of a car park is not available is clearly not demonstrating a reasonable degree of flexibility on the part of the applicant.
- It is anticipated that the Royal Arcade development will be open for trading by late 2020 and this constitutes a 'reasonable period of time'. The applicant has not stated that the option of 'holding over' while waiting for a new unit to be delivered has been fully considered.
- The University Way scheme fails the sequential approach in relation to suitability and availability.
- The Cheshire Retail Study Update 2018 states that '*Anchor units are considered to represent units of 500sq.m and above in terms of convenience and comparison retailers and leisure uses. There are relatively few units of this size and to lose an occupier of that scale could have a significant adverse impact on the defined Principal Centre*' and that '*The health checks indicate that Crewe is particularly vulnerable to further competition*'

Two further letters of representation have been received from JLL (agent for Aldi) which raise the following points;

- There are no inaccuracies in the information provided by JLL
- Aldi has been proactive in identifying alternative sites across the retail park to retain a presence there. Savills have confirmed that there was no opportunity to relocate within the site. If the applicant was able to operate at a larger store from the retail park it would
- GJRP is not sequentially preferable for the proposed developer
- There is agreement that a store of the size required by Aldi can be accommodated on the GJRP in the corner location; because the site is 'available' does not necessary mean that it is also 'suitable'.
- Aldi cannot achieve a viable scheme as part of an extended store. Whilst the store is currently trading very well, it does not mean that it will continue to be a profitable store if extended.
- The problem with the GJRP is that the only 'available' site is located at the furthest corner of the retail park at its tightest corner with poor visibility from the highway.
- It is implausible that Savills would apply the car park survey to the whole of the car park. It is inconceivable that a shopper with a trolley would use empty spaces within the wider car park.
- The car park is 348m at its longest length from the store entrance to the furthest space fronting Frankie & Benny's.
- It is unrealistic to expect customers to make such trips.
- It is important that a supermarket customer can park as close to the store as possible and safely manoeuvre a full trolley through a busy carpark.
- Savills have ignored the significant queue s and congestion within the retail park.
- The Transport Assessment submitted by Savills is 4 year old and is out of date.
- The difference in rental levels between the current rent and that for an extended unit is £106,500 per annum; followed by an increase in rates of £72,028.80 per annum and an increase in service charge of £6,778.32 per annum.
- A store must be profitable. Aldi's stores have a very low margin at 2.4% for 2016/17.
- The additional costs of a new store as with the option to extend the GJRP means that additional turnover must be achieved to deliver a profitable store. Just allowing for the costs factored into the assessment means that an extended store would need an additional £7.72m of turnover per annum (£148,483.27 per week). This is an exceptional increase in turnover.
- An Aldi store cannot achieve these levels of increased turnover on an extended store. At best the extended store would achieve a 15% increase in turnover (a 20% increase would be exceptional and would not reach the additional turnover required).
- In order to achieve an uplift in turnover of £7.72m if all customers spent £45 per trip the retail park would need to accommodate an additional 3,300 additional trips per week (a lower spend of £15 would require an additional 9,899 trips and £30 would require an additional 4,949 trips). Each scenario would not happen as it would be impossible for an Aldi store to achieve such an uplift in turnover

- Cameron Rose Associates on behalf of Aldi have prepared a Transport note which concludes permission for an extended store would not be permitted on highways grounds if a new application was submitted now.
- WYG have concluded that the Royal Arcade site is not suitable for the proposed development.
- The proposal seeks to provide an upgraded store for its existing (and some new) customers who will require direct access to a surfaced car park. It cannot be expected that a separate car park on a separate level is suitable for the proposed development. The store will serve main food shopping trips and is not a small convenience store.

Officer comments

The second letter from JLL was received on 23rd November and WYG and the Highways Officer have not been able to provide comments before the update report was produced. A verbal update will be provided at the meeting.

There is no change to the recommendation

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SOUTHERN PLANNING COMMITTEE – 28 November 2018
UPDATE TO AGENDA

UPDATE PREPARED 26 November 2018

APPLICATION NO: 18/4231N

PROPOSAL: *Change of use of buildings and areas of hardstanding to B8 (Storage & Distribution) use, replacement of redundant buildings and erection of new buildings and areas of hardstanding for B8 (Storage & Distribution) use, ancillary offices, and associated works*

ADDRESS: *Weston Hall, commercial complex, MAIN ROAD, WESTON*

APPLICANT: *c/o Indigo Planning*

VIEWS OF THE PARISH/TOWN COUNCIL

Weston and Basford Parish Council

The following comments were received on Thursday 22nd November since the publication of the officer report;

..'Whilst recognising the established use of part of this site, the Parish Council raises considerable concerns relative to this proposal, particularly since any permission will relate to the land and not the applicant.

The Parish Council is totally opposed to any B2 (General Industrial) uses. The reason for this centres around the protection of the amenities of the occupiers of the 3 dwellings, two of which appear to be in the applicant's ownership within the site and one next to the former Weston Hall, the boundary of which abuts the NE of the site.

Should permission be deemed to be acceptable, the Parish Council urge the Local Planning Authority to impose and positively enforce the following restrictive conditions:

- No B2 Uses*
- Hours of operation of the business to be strictly limited and enforced*
- No public access to the site to reduce the frequency of comings and goings*
- That any large commercial vehicles associated with the use MUST NOT to be routed through Weston Village but confined to M6, A500 and A531.'*

OFFICER COMMENT

The majority of the issues raised have already been considered within the main officer's report, in relation to the use of the site, the amenities of nearby

dwellings (The Cottage and Nos. 1 & 2 Weston Hall Cottages) and the impact of traffic movements.

In particular during the course of the application the proposals have been revised with the originally proposed B2 use (general industrial use) being omitted. The site is now proposed for solely Class B8 use (storage and distribution). It is considered that further to advice of the Council's Environmental Health Officer, that the development will not have an adverse impact on residential amenity, in terms of noise or disturbance, subject to conditions being imposed requiring noise mitigation measures to be implemented and restricted operating hours.

The site is secured by a Security Gate with intercom access and perimeter fencing and there is no unrestricted public access to this employment site.

Concerns have also been raised by local residents that Main Road through Weston is not suitable for heavy HGV use. However, the Highway Engineer has advised that given the modest traffic generation arising from the development (Class B8) this would not have a severe impact on local road network to warrant planning approval being withheld on highway safety or traffic management grounds. Furthermore, Main Road is a public highway, and as such normal traffic use including that of large commercial vehicles cannot be restricted.

Nevertheless, the applicant has stated that HGV drivers will be instructed to enter the site by turning left off Main Road and exit the site by turning right (signage will be installed) onto Main Road, therefore avoiding travelling through the village of Weston. Also all HGV drivers will be advised of the access and egress requirements for the site in advance of journeys to the site. These details will be provided in a Site Management Plan (including site signage), and will be secured by condition.

It is therefore considered that the comments received from the Parish Council raise no new material planning issues.

REPRESENTATIONS

Further to the representation received from Weston and Basford Parish Council a letter has since been received from Cllr Janet Clowes. This requests that the original call-in request is cancelled and also makes the following points;

"I have been contacted by Cllr John Cornell (Weston & Basford PC: Planning Committee) and Cllr Graham Bennion (Chair: Hough & Chorlton Parish Council) over the weekend.

Both Parish Councils are pleased to see that their principal material concerns regarding this site have been addressed SINCE they asked me to call it in (as their Wybunbury Ward Councillor) The only outstanding matter is a response from HS2 Ltd (not received as of Friday last week).

In this context, Weston & Basford will NOT now be opposing this application on Wednesday and will not be speaking to it.

So too Hough & Chorlton Parish Council will also NOT now oppose this application or speak to this item on Wednesday subject to any approval being subject to CEC highways officers addressing any issues raised by HS2 Ltd.

Both Councils are pleased that their comments have been taken on board and the application altered to remove any B2 uses, and provide a traffic management plan that prevents Weston Hall traffic using Main Road, Weston.

With these developments in mind and subject to the proviso regarding HS2 Ltd stated above, Hough & Chorlton Parish Council have withdrawn their opposition and have asked that I withdraw the 'call-in' that they asked me to submit on their behalf when the application was first proposed."

OFFICER COMMENT

Notwithstanding the original call- in request, this application is required to be Southern Planning Committee as the site area exceeds 2 hectares and consequently falls outside the Scheme of Delegation.

It is still the case that no representations have been received from HS2 in respect of this application. However HS2 were only consulted on a precautionary basis given that the site lies outside the safeguarded zone. They have not replied within the time frame specified

Furthermore as HS2 construction is projected to take place well into the future, and over several years, the extent of cumulative traffic or highway impacts cannot as yet be accurately quantified. In these circumstances, this would not therefore be a reasonable basis on which to withhold approval of these proposals.

It is therefore considered that the comments received raise no new material planning issues and therefore the officer's recommendation of approval remains.

RECOMMENDATION:

No change to recommendation

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APPLICATION NO: 18/0775N

PROPOSAL: 2no New build dwellings located within the yard/out building area(s)

ADDRESS: The Rookery, 125 Hospital Street, Nantwich, Cheshire, CW5 5RU

APPLICANT: Craig Odams

ADDITIONAL COMMENTS

Additional representation has been received from 2 neighbours based on the amended plans and officer report. The material planning issues raised are;

- Lack of parking provision
- Impact on Trees due to proximity of car parking under the canopy
- Overdevelopment of the site
- Harm to the listed building
- Impact on neighbouring amenity due to proximity of new building 13.5m away from living room and bedroom windows
- Unneighbourly and overbearing development
- Object to bland design of elevation facing neighbours windows
- Concerns raised over height of Cycle stores
- Concerns that the cycle storage will be used as bin storage and potential amenity impact given its locality
- The wooden fence erected above the existing brick wall is unattractive and visually intrusive and should be removed, and coping stones replaced on top of wall

[full versions of the comments are available to view on the planning website]

OFFICER COMMENT

The majority of the issues raised have already been considered within the main officer's report, which addressed the amended scheme. The neighbour's original comments (as noted in the main report) were based on a previous scheme.

The impact of the development on the Listed Building and wider Conservation Area has previously been considered, and the Conservation Officer has raised no objections to the proposal.

Parking provision is considered suitable given the sustainable location in Nantwich Town.

With regards to neighbouring amenity, this has been assessed in the main report. The development meets the Council adopted separation distances for new residential development. Whilst the neighbours comments are noted in

relation to the design being 'bland' it is considered that the blank gables are more appropriate as it helps to create a subordinate outbuilding within the curtilage of the listed building.

Although a condition is already proposed for cycle storage details to be submitted; it is considered reasonable to specify that the cycle stores are no taller than 1.8m.

Condition 6 of the main officer's report proposed the removal of permitted development rights. As the proposed building will be for the construction of two flats, the building would not benefit from any Permitted Development Rights in any event and therefore no windows, extensions or outbuildings could be constructed without the need for planning permission.

Furthermore, as the building would be constructed within the curtilage of a listed building, there are no permitted development rights to alter the boundary treatment. Therefore, this condition is not necessary and should be removed as it does not meet the 6 tests for the imposition of considerations as set out in paragraph 55 of the NPPF.

Therefore the Officer's recommendation for approval with conditions remains unchanged, subject to the removal of condition 6 and condition 16 being amended to be more specific.

RECOMMENDATION - APPROVAL WITH CONDITIONS

Remove condition;

6. Removal of PD rights for extensions/outbuildings/fencing

With amended conditions;

16. Cycle stores to be submitted and approved, no taller than 1.8m