

Application No: 25/2214/FUL
Application Type: Full Planning
Location: Morrisons Petrol Filling Station Station Road, Nantwich, Cheshire East, CW5 5SB
Proposal: Demolition of existing car wash and proposed extension proposed extension to the existing petrol filling station's sales building including two food to go counters for mixed use sui generis including hot food takeaway, creation of an EV charging zone and erection of substation enclosure, LV panel, meter cabinet and jet wash bays, plant room, and associated works.
Applicant: C/o Agent, Motor Fuel Group
Expiry Date: 06 August 2025

Summary

The proposed development relates to a main town centre use which would be sited within Nantwich Town Centre. The proposed development is considered to be acceptable in principle.

The design is considered to be appropriate and complies with the relevant Development Plan policies and there would be a neutral impact upon the setting of the Listed Buildings and Conservation Area.

The development would not have a detrimental impact upon residential amenity (this includes noise, odour air quality and contaminated land). The proposal is considered to be acceptable in terms of its highways implications.

The proposed development complies with the Development Plan as a whole.

Summary recommendation

APPROVE with Conditions

1. Reason for Referral

1.1. This application is referred to Southern Planning Committee at the request of Cllr Priest for the following reasons:

- *The proposal includes drive in Burger King and Greggs fast food outlets. This will significantly increase traffic in an area which already suffers from heavy traffic congestion with the accompanying noise, anti-social behaviour and air pollution that this will generate. This runs counter to the environmental and sustainability policies of Cheshire East Council*
- *This is coupled with the additional waste that will be generated from drive in fast food sites and undermining existing independent food businesses which contribute to the unique heritage, character and appeal of one of Cheshire's most beautiful mediaeval towns.*

- Increased traffic in this location will increase risk of accidents to pedestrians
- The proposal promotes unhealthy eating of junk food contributing to the ongoing obesity epidemic in this country

2. Proposed Development

- 2.1. Full planning permission is sought for the following works:
- Extension to the existing petrol filling station sales building. The extended building would be subdivided to create two additional units (the occupiers are identified as Gregg Bakery and Burger King).
 - Demolition of existing car wash and the erection of three jet wash bays.
 - Creation of an Electric Vehicle (EV) charging zone.
 - Substation enclosure, LV panel, meter cabinet, plant room, and associated works.
- 2.2. This follows an earlier approved application 24/2730N.

3. Site Description

- 3.1. The application site is an existing petrol filling station which is located within the settlement boundary for Nantwich as defined by the Local Plan Policies Map.
- 3.2. The site adjoins the Nantwich Conservation Area, and this includes Grade II Listed Buildings at 94 and 96 Hospital Street which back onto the site.
- 3.3. The site is located within the Area of Archaeological Potential.
- 3.4. The site is located within the Nantwich Town Centre Boundary.

4. Relevant Planning History

- 4.1. Most recent planning history as follows:
- 4.2. 24/4520/CLEUD - Lawful Development Certificate for an existing use for petrol filling station - 24hrs use – Negative Certificate 19th June 2025
- 4.3. 24/2370N - Demolition of existing car wash and proposed extension to the existing petrol filling station sales building, creation of an EV charging zone, substation enclosure, LV panel, meter cabinet, three jet wash bays, plant room, and associated works – Approved 7th November 2024
- 4.4. 16/4726N - Proposed side extension to an existing petrol filling station kiosk. The extension will provide additional retail space. The proposed materials to be brickwork to match the existing PFS Kiosk, 3no. new parking bays, and 2no. parking bays relocated - Approved 3rd May 2017
- 4.5. P08/0383 - Extensions to Provide Additional Sales, Warehouse, Plant Rooms, Staff Facilities and New Customer Café - Approved 14th May 2008
- 4.6. P08/0123 - Retrospective consent for Replacement Signage on Canopy to Petrol Filling Station, New Panels to Car Wash, New Fascia Panel to Kiosk, New Price Clock Totem - Approved 31st March 2008
- 4.7. P07/0764 - Extension to Store (Renewal of P02/0351) - Approved 24th July 2007
- 4.8. P05/0288 - Replacement Signage and New Signage - Approved 4th April 2005

- 4.9. P02/0351 - Extension to Store - Approved 20th August 2002
- 4.10. P01/0266 - Advertisement Signage - Refused 30th April 2001
- 4.11. P01/0265 - Advertisement Banners - Refused 26th April 2001

5. National Planning Policy

- 5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration for the purposes of decision making.

6. Development Plan Policy

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.
- 6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

Cheshire East Local Plan Strategy

MP1 - Presumption in Favour of Sustainable Development
SD1 - Sustainable Development in Cheshire East
SD2 - Sustainable Development Principles
EG5 - Promoting a Town Centre First Approach to Retail and Commerce
SE1 - Design
SE3 - Geodiversity and Biodiversity
SE4 - The Landscape
SE5 - Trees, hedgerows and woodland
SE6 - Green Infrastructure
SE7 - The Historic Environment
SE12 - Pollution, Land Contamination and Land Instability
SE13 - Flood Risk and Water Management
CO1 - Sustainable Travel and Transport
CO2 - Enabling Business Growth Through Transport Infrastructure

Site Allocations and Development Policies Document

PG9 - Settlement Boundaries
GEN1 - Design Principles
ENV1 - Ecological Network
ENV5 - Landscaping
ENV12 - Air Quality
ENV14 - Light Pollution
ENV15 - New Development and Existing Uses
ENV16 - Surface Water Management and Flood Risk
RET1 - Retail Hierarchy

RET5 – Restaurants, Cafes, Pubs and Hot Food Takeaways
RET7 - Supporting the Vitality of Town Centres and Retail Centres
HER1 - Heritage Assets
HER3 - Conservation Areas
HER4 - Listed Buildings
HER8 - Archaeology
HOU12 - Amenity
INF3 - Highway Safety and Access

6.3. Neighbourhood Plan

There is no Neighbourhood Plan in Nantwich.

7. Relevant supplementary planning documents or guidance

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

7.2. Biodiversity and Net Gain SPD

7.3. Environmental Protection SPD

7.4. SuDS SPD

8. Consultation Responses

8.1. **Environmental Health:** No objection subject to the imposition of planning conditions.

8.2. **Archaeology:** No further archaeological recommendations for this current application.

8.3. **Head of Strategic Transport:** No objection.

8.4. **Flood Risk Manager:** No objection subject to the imposition of a drainage condition.

9. Views of the Town or Parish Council

9.1. **Nantwich Council:** No comments received.

10. Representations

10.1. Letters of objection have been received from 20 households which raise the following points:

- Support and endorse the objection from Sustainable Nantwich.
- The proposal would threaten the character of Nantwich.
- Traffic congestion.
- Pollution is harmful to health without any additional traffic.
- The site is located within a residential area.
- Litter.
- Anti-social behaviour at night.
- The development would be better suited on the outskirts of a town.
- The proposal encourages unhealthy eating especially for children.
- Cheapens the town.
- Boy racers already congregate on the Morrisons carpark.
- Increase in vermin.

- Cooking odours.
- There is no need for further eateries/takeaways in this area.
- The proposal detracts away from the independent restaurants and cafes in Nantwich which are struggling with high rental rates and rising operator costs.
- This will open the door to more chains settling in Nantwich.
- The country is in the middle of an obesity crises.
- The site is in proximity to schools and low-income areas.
- Queuing vehicles backing out onto Pratchetts Row.
- People are unlikely to walk to the site.
- Burger King is an unviable brand in the UK.
- No objection to the EV charging proposal.
- The proposal will be hazardous for pedestrians crossing the access road to the site/Morrisons.
- Lack of clarity in terms of hedgerows on the site.
- Negative impact upon wildlife.
- The introduction of fast-food outlets is not in-keeping with this character and would detract from the town's high-quality shopping and visitor experience, harming the town's unique character.
- Increase in the throw-away culture. Nantwich Town Council has signed up to the Plastic Free Nantwich campaign.
- Light pollution.
- The bin store is in close proximity to businesses/residents.
- The existing car-wash aids security and creates a barrier to the petrol filling station.
- Fire hazard.
- Noise pollution.
- The proposal should be sited away from the town centre.
- Concerns that the businesses will seek to operate 24-hours a day.
- Negative impact upon property values.
- Inconsistency in terms of local retail policies.
- Policy EG5 promotes a town centre first approach to retail/leisure development.
- Policy RET2 confirms that Nantwich has sufficient retail capacity up to 2030 with a focus on supporting small-scale independent provision. Allowing multi-national operators would displace local enterprises.
- The site lies within the Conservation Area and the proposal would be visually intrusive and incompatible with the character of the town and the Conservation Area.
- The proposal is inconsistent with LPS47 which requires a mixed-use development that supports small independent retailers. The current proposal is a formulaic, high-street chain with minimal architectural merit.
- The proposal would set a precedent for further out-of-centre retail development in Nantwich (contrary to Policy EG5).
- The proposal conflicts with the Council's eat well messaging.

10.2. A letter of objection has been received from Sustainable Nantwich which raises the following points:

- Deep concerns over the environmental, social and economic impacts of the proposal.
- No objection to the EV charging which supports the shift away from fossil fuels, but the fast-food outlets undermine and contradicts the environmental credibility of the project.
- The fast-food outlets will significantly increase traffic in the area particularly around the junction with Pratchetts Row. This junction is challenging and hazardous during peak times.
- The layout would be hazardous to pedestrians crossing the road at the junction into Morrisons.

- Increased air and noise pollution.
- Lack of clarity in terms of the hedgerows around the site. These have benefits in terms of biodiversity and carbon capture.
- The proposed fast-food outlets are not in-keeping with the character of Nantwich and would detract from the town's high quality shopping and visitor experience. It would negatively impact upon the town's economic offer.
- The proposal would encourage drive-in junk food throw away culture.
- The fast-food outlets will compete with the town's small businesses, diverting trade and undermining economic vitality.
- The proposal would attract drive in custom and generate litter in the town and beyond.
- The proposal will help to fuel the obesity epidemic.
- Impact upon the quality of life of the adjacent residents by encouraging anti-social behaviour, light pollution, urbanisation and commercial homogenisation.
- Waste and cooking odours.
- The proximity of the bin storage area to existing businesses along Hospital Street.

10.3. A letter of support has been received from 1 household.

11. Officer Appraisal

Principle of Development and Key issues

- 11.1. A large proportion of the development currently proposed has been approved as part of application 24/2370N. This application proposes an additional extension to the petrol filling station building measuring 70sqm and the subdivision of the resultant building into 3 units including two fast-food units. The fast-food units are currently identified as Burger King and Greggs Bakery.
- 11.2. The site is located within the Nantwich Settlement Boundary and also within the defined Town Centre Boundary for Nantwich.
- 11.3. Policy EG5 identifies that within Key Service Centres such as Nantwich there will be a focus on the improvement of the convenience and comparison retail offer, with the potential to strengthen and enhance the retail offer, where suitable, as well as diversification to other uses such as offices, services, leisure, cultural and residential, as appropriate. It is also identified that Town Centres will be promoted as the primary location for main town centre uses (a main town centre use includes restaurants and drive through restaurants).
- 11.4. Policy EG5 then states that proposals for main town centre uses should be located within the designated town centres. Policy RET7 also identifies that town centre locations are the primary location for main town centre uses.
- 11.5. Within the objections reference is made to LPS47 (Snow Hill) of the CELPS. This application site does not fall within the boundary of the Snow Hill site and this policy is not applicable.
- 11.6. The proposed works to re-develop the wider petrol station site have previously been approved and given the existing town centre location this is considered to be acceptable.
- 11.7. As a result, it can be concluded that the proposal relates to a main town centre use and that the development is located within the defined town centre boundary for Nantwich. The proposal is therefore acceptable in principle and complies with policy EG5 of the CELPS and policies RET1 and RET7 of the SADPD.

Health

- 11.8. Policy RET5 of the SADPD identifies a 'hot food takeaway restriction zone' in Crewe. The reason for this is that the Cheshire East Joint Strategic Needs Assessment Excess Weight Report (June 2019) identified that initiatives aimed at reducing adult excess weight should be targeted at Crewe, and particularly within the six wards which perform worst across a range of indicators when compared with all wards nationally. These six wards comprise Crewe South, Crewe West, Crewe Central, Crewe North, Crewe East and St Barnabas.
- 11.9. The NPPF has been revised since the publication of the SADPD and paragraph 97 states that Local Planning Authorities should refuse applications for hot food takeaways and fast-food outlets where they:
- a) within walking distance of schools and other places where children and young people congregate, unless the location is within a designated town centre; or
 - b) in locations where there is evidence that a concentration of such uses is having an adverse impact on local health, pollution or anti-social behaviour.
- 11.10. In terms of paragraph 97a of the NPPF, the proposal is located within the designated Nantwich Town Centre Boundary and as such there would be no conflict with this part of the NPPF.
- 11.11. In terms of paragraph 97b of the NPPF there is no evidence to show that the concentration of fast-food outlets is having an adverse impact upon local health in Nantwich (as noted above the Cheshire East Joint Strategic Needs Assessment Excess Weight Report (June 2019) identified that initiatives aimed at reducing adult excess weight should be targeted at Crewe).

Design & Built Heritage

- 11.12. S66(1) of the Listed Buildings and Conservation Areas Act 1990 (the Act) requires the decision maker to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses
- 11.13. The site is bound by the Nantwich Conservation Area, and this includes a Grade II Listed Building at 94-96 Hospital Street.
- 11.14. The main elements of the proposed development comprise the removal of the existing car wash, the creation of an EV charging zone together with the provision of 3 new jet wash bays in an area of open car park and a single storey extension to the existing petrol station sales building. The area for development is to the north of the existing Morrisons supermarket building.
- 11.15. There are open views of the Conservation Area and the backs of the buildings along Hospital Street, the historic roofscape to the area with the church tower of Grade I listed Church of St Mary in the distance across the site. The buildings to this part of Hospital Street are 19th century or earlier, characterised by long outriggers with a distinctive, undulating roofscape all of which makes a positive contribution to the Conservation Area. The Methodist Chapel, which is in close proximity, is considered to be a Non-Designated Heritage Asset. The pair of Grade II listed town houses at 94/96 back directly on to the Petrol Station shop and site for the proposed extension.
- 11.16. As part of application 24/2730N the Councils Built Heritage Officer originally objected to the application due to the very large industrial appearance of the jet wash bays and the

canopy to the proposed EV charging bays (over 5m in height and 24.5m wide). The Built Heritage Officer was specifically concerned when approaching from the east and viewing the Conservation Area from the south, across the carpark, she was of the view that the EV canopy and jet wash bays would be highly obtrusive in the context of the adjacent buildings and historic Conservation Area. This would cause harm to the setting and character and appearance of the adjacent Conservation Area with the tower of the Grade I listed St Marys in the background, due to the scale, design and location of the structures in proximity to the Conservation Area.

- 11.17. In terms of the extension to the petrol station shop, it was accepted that the proposal as part of application 24/2730N would not cause harm to the setting of the Conservation Area or the adjacent listed buildings, given that there is an existing car wash building which is to be removed, in this corner of the site, to facilitate the building's extension.
- 11.18. As part of application 24/2730N the scheme was revised to remove the EV charging canopy, reduce the jet wash bays from 5 to 3, reduce the height of the screen to the jet wash bays, relocation of the substation, LV enclosure and meter cabinet and additional landscaping provision. These alterations addressed the Built Heritage Officer concerns.
- 11.19. This proposal would differ from the approved scheme as part of application 24/2730N in that an additional extension is proposed to the petrol filling station. This extension would have a floor area of 70sqm and would be sited to the opposite side of the building and further away from the Listed Buildings and Conservation Area. This would have a neutral impact upon the setting of the Conservation Area or the nearby Listed Buildings.
- 11.20. In addition to the above, the height of the previously approved extension would be increased by 0.5m, the glazing design would alter and there is the provision of an extract system to the east facing elevation (maximum height of 5.2m and 0.8m above the height of the flat roof),
- 11.21. The changes in terms of the height increase and the glazing design would be minimal and would not have a greater impact upon the setting of the Conservation Area or the nearby Listed Buildings.
- 11.22. In terms of the street-scene when viewed from Pratchetts Row the extensions would be seen in the context of the existing petrol filling station. The extensions would also be consistent with the earlier approved scheme and would be partially screened by the existing landscaping which would be retained. The impact on the street-scene is considered to be acceptable.
- 11.23. The extract system would be sited to the eastern elevation facing Pratchetts Row and would be visible above the retained vegetation. Given the context of the existing petrol filling station site the impact is considered to be acceptable subject to the imposition of a condition to ensure that the extract is black in colour.
- 11.24. Concern has been raised in terms of the impact from lighting/advertisements. Any lighting would not be significant given the existing petrol filling station use at the site. The plans indicate that any advertisements would be sited to the petrol filling station forecourt elevation only. In any event advertisements at the site would need to be assessed as part of a separate application for advertisement consent.
- 11.25. The siting, scale and location of the proposed development as amended would have a neutral impact upon the setting of the heritage assets which adjoin the site, there would be no harm to the character and appearance of the locality or street-scene given the existing use of the site.

Archaeology

11.26. The application sits within the area of archaeological potential. Having reviewed the supporting documentation along with the information held on the Cheshire Historic Environment Records, the Councils Archaeologist states that this current application is unlikely to disturb significant below ground archaeological deposits and therefore there are no further archaeological recommendations.

Amenity

11.27. To the north of the site is a mix of residential and commercial premises which front Hospital Street.

11.28. The extensions to the petrol filling station kiosk would not impact upon residential amenity and there would be a separation distance of 28m to the properties to the north and 27m to the nearest property to the east.

11.29. The proposed jet wash bays would have a maximum height of 2.9m and would be sited between 9m-6.5m from the boundary with the properties to the north (the shorter distance is to the boundary with the Boot and Shoe PH Beer Garden). Although the jet wash bays may be visible from the rear windows of the properties fronting Hospital Street it is not considered that the proposal would cause any harm in terms of over-bearing impact, loss of light or loss of outlook. This is due to the separation distances involved and the height of the proposed development.

11.30. The remainder of the proposed development (EV charging bays, plant room, meter cabinet, substation etc) may be visible from the rear windows of the properties fronting Hospital Street, but it is not considered that the proposal would cause any harm in terms of over-bearing impact, loss of light or loss of outlook. To the west of the EV charging bays is a car-parking area to the rear of Chapel Court and there would be no harm caused to this side.

11.31. The ancillary meter cabinets, substation and other ancillary plant is all of a small scale and would not cause any harm to residential amenity.

11.32. It is not considered that the proposal would amount to harm in terms of overshadowing, overbearing or loss of daylight and the development complies with Policy HOU12.

Noise

11.33. The letters of objection make reference to the noise implications from this development.

11.34. The application site includes an existing petrol filling station and carwash. The existing car-wash building would be replaced by 3 jet wash bays, a new EV charging area would be provided (8 EV charging bays) and two fast-food units would be provided.

11.35. A Noise Impact Assessment (NIA) has been provided, and this indicates that the existing noise environment includes traffic noise, activity on the existing forecourt, the existing carwash and noise from customers of the adjacent public house (The Boot and Shoe). The nearest residential properties are 1-23 Pratchetts Row and properties on Hospital Street.

11.36. The submitted assessment states that during the daytime and nighttime operation that there will be a low impact upon the nearest receptors when considering the existing activities around the site. This assessment is based on the assumption that the jet wash

bays will only be open between the hours of 07:00-22:00 and the EV charging bays will be operational over a 24-hour period.

- 11.37. In terms of the hours of operation of the petrol filling station there was no objection to the previous application from colleagues in Environmental Health and it is no restrictive condition was imposed as part of application 24/2370N.
- 11.38. In terms of the fast-food units, the impact from the impact from the extraction units/air conditioning units has been considered. The report states that duct-mounted attenuators would be installed on all ventilation fans. The NIA states that there will be a low impact from the proposed development and there will be no adverse impact even during lulls in the background noise (existing ambient noise is significantly higher than the calculated noise from the proposed plant operation).
- 11.39. In terms of noise and disturbance from the operation of the fast-food units and the impact upon residential amenity, it is noted that this is a town-centre location, and the noise environment is already influenced by the existing use of the site, road noise and a nearby public house and its beer garden, and bars and restaurants. In addition, the orientation of the units is such that they face into the existing petrol filling station forecourt and face away from the properties on Pratchitts Row. This means that noise from patrons, servicing and delivery would be screened by the proposed building.
- 11.40. In terms of the residential properties on Hospital Street, these are already impacted by the nearby public house, petrol filling station, a bar (Six), and a restaurant (St Martha). As such the impact upon the nearby residential properties on Hospital Street is considered to be acceptable.
- 11.41. The hours of operation of the fast-food units will be controlled via the imposition of a condition, and the hours of operation will be as referenced within the NIA:

Burger King Unit – 11:00-23:00 Monday-Sunday

Greggs Unit – 06:00-18:00 Monday to Saturday and 07:00-16:00 on Sundays

- 11.42. The report has been assessed by the Council Environmental Health Officer who has raised no objection on noise grounds.

Odour

- 11.43. The application includes details of an extraction system that would control cooking odour from the proposed units. The Council's Environmental Health Officer has considered the information and confirmed that the scheme has been designed to ensure that odours associated with the use of the development food outlets do not cause a significant loss of amenity to occupiers of properties within the locality. These details will be controlled via the imposition of a planning condition.

Air Quality

- 11.44. The Hospital Street Air Quality Management Area has now been revoked. This is the redevelopment of an existing petrol filling station associated with an existing Morrisons Supermarket and Petrol Filling Station. The Environmental Health Officer has raised no objection in terms of the impact upon air quality and the proposal is considered to comply with policies SE12 of the CELPS and ENV12 of the SADPD.

Contaminated Land

11.45. The application area has a history of depot, builder's yard, smithy and works use and therefore the land may be contaminated. This site is currently a petrol filling station therefore there is the potential for contamination of the site and the wider environment to have occurred. No information relating to land contamination has been submitted in support of the application and the issue of contaminated land could be controlled via the imposition of planning conditions.

Highways

11.46. The previous application was initially subject to an objection from the Highways Officer due to a lack of information (the impact on parking and any potential highways impact relating to the blocking back of vehicles from the car wash). A highways note was then provided which detailed the overall floor area and the total number of parking spaces available on site. After the removal of the spaces to provide for application 24/2370N the total number of spaces across the site still exceeded CEC parking requirements and was therefore acceptable.

11.47. There are no material highway implications associated with this proposal, as pedestrian and vehicular access to the site remains unchanged. It is noted that the proposal will result in the loss of two car parking spaces when compared to the consented scheme under planning reference 24/2370N, this would not result in a material impact on off-street parking availability on the highways surrounding the site, which are subject to no waiting restrictions.

11.48. Concern has been raised in terms of the impact upon pedestrian safety for pedestrians crossing the Morrisons access junction. This junction already serves the existing supermarket, carpark and petrol filling station and any increase in vehicle movements would not be detrimental to pedestrian safety given the existing use of the junction.

11.49. The proposal raises no highways concerns, and the Highways Officer has confirmed that he has no objection.

Ecology

11.50. Concern has been raised in terms of the loss of hedgerow/planting and the impact upon biodiversity (nesting birds). The existing planting on site is landscaping which was implemented as part of the development of the supermarket/petrol filling station. There is no objection to the small loss of planting as part of the southern extension and replacement planting would be provided to the north-west corner of the site. A condition will be imposed to ensure any vegetation is removed outside the bird breeding season and details of the landscaping are provided and implemented.

Other Issues

11.51. Concern has been raised in terms of the siting of the bin store. This is the same location as was approved as part of application 24/2370N and is considered to be acceptable.

11.52. The concerns regarding anti-social behaviour and the use of the site by car enthusiasts is noted. As the proposal is closely associated with a petrol filling station where there will be existing CCTV provision to deter any anti-social behaviour and as such it is not considered that the issue of anti-social behaviour would represent a barrier to this development.

11.53. The proposed use has the potential to create an issue in terms of litter. To prevent this issue and in accordance with Policy RET5 a Waste Management Plan will be secured via the imposition of a planning condition.

11.54. The impact upon property value is not a material planning consideration.

12. Planning Balance/Conclusion

12.1. The proposed development relates to a main town centre use which would be sited within Nantwich Town Centre. The proposed development is considered to be acceptable in principle.

12.2. The design is considered to be appropriate and complies with the relevant Development Plan policies and there would be a neutral impact upon the setting of the Listed Buildings and Conservation Area.

12.3. The development would not have a detrimental impact upon residential amenity (this includes noise, odour air quality and contaminated land). The proposal is considered to be acceptable in terms of its highways implications.

12.4. The proposed development complies with the Development Plan as a whole.

13. Recommendation

Approve subject to following conditions

- 1. Standard Time**
- 2. Approved Plans**
- 3. Materials as application**
- 4. Contaminated land 1**
- 5. Contaminated land 2**
- 6. Contaminated land 3**
- 7. Contaminated land 4**
- 8. Landscaping to be submitted**
- 9. Landscaping implementation**
- 10. Hours of operation – jet wash bays limited to 07:00-22:00**
- 11. Birds – timing of works**
- 12. Extraction flue to be black in colour**
- 13. Waste Management Plan to be submitted and implemented**
- 14. Implementation of the scheme of odour control**
- 15. Hours of operation:**
Burger King Unit – 11:00-23:00 Monday-Sunday
Greggs Unit – 06:00-18:00 Monday to Saturday and 07:00-16:00 on Sundays

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chair of the Southern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Location (map)

