

Application No: 11/4149N

Location: EARL OF CREWE HOTEL, NANTWICH ROAD, CREWE, CHESHIRE, CW2 6BP

Proposal: DEMOLITION OF EXISTING BUILDINGS AND CONSTRUCTION OF NEW FOODSTORE WITH ASSOCIATED CAR PARKING AND SERVICING FACILITIES

Applicant: ALDI STORES LTD

Expiry Date: 07-Feb-2012

SUMMARY RECOMMENDATION:

REFUSE for the following reasons

- **Loss of Locally Listed Building**

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 land 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, which are 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 at total of 85 spaces will be provided. 4no. 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.

Members may recall that an identical proposal submitted in 2009 was refused by Southern Planning Committee for the following reason:-

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.

This application has been submitted in order to address this reason for refusal.

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 12 th February 2007
09/1304N	Demolition of existing building and construction of new foodstore with associated parking – Withdrawn
09/4043N	Demolition of existing building and construction of new foodstore with associated parking –Refused 18 th February 2010.

5. POLICIES

North West of England Plan - Regional Spatial Strategy to 2011

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 Aggregates
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 4: Planning for Sustainable Economic Growth
 PPS 25: Development and Flood Risk
 PPG 13: Transport
 Department for Transport – Manual for Streets

6. CONSULTATIONS (External to Planning)

Highways Authority

No comments received at the time of report preparation

United Utilities

No comments received at the time of report preparation

Environmental Health

This section recommends that the following conditions are attached to any planning permission granted:

- Hours of construction of the development (and associated deliveries to the site) shall be restricted to; Monday – Friday 08:00 to 18:00 hrs; Saturday 09:00 to 14:00 hrs; Sundays and Public Holidays Nil
- Should there be a requirement to undertake foundation or other piling on site it is recommended that these operations are restricted to: Monday – Friday 08:30 – 17:30 hrs; Saturday 08:30 – 13:00 hrs; Sunday and Public Holidays Nil
- Lighting details to be approved
- Hours of operation, including deliveries to the site, limited to Monday – Friday 08.00hrs - 20.00hrs; Saturday 08.00hrs - 20.00hrs; Sunday 10.00hrs - 17.00hrs
- The car park shall be closed to all vehicles (apart from staff vehicles) outside the store opening times so as to protect the amenity of the local residents.
- Revised air quality assessment to address the following outstanding points:-
 - The assessment uses 2008 monitoring data as its baseline year. This should be updated considering the most current annual data available (i.e. 2010).
 - The report should acknowledge the identified disparity between measured NO_x and NO₂ concentrations and the projected decline associated with emission factors which form the basis of air quality modelling.
 - The report does not make reference to the number of additional trips going to be made to the site post development.
- The discussed mitigation methods for both the construction and operational phases are implemented and agreed with the local authority prior to commencing works alongside implementing the identified mitigation measures to minimise any impact on air quality alongside ensuring any dust related complaints are kept to a minimum.
- The Travel Plan implemented and focus on low carbon transport and infrastructure and monitored in terms of take up.

This section has no objection to the above application subject to the following comments with regard to contaminated land:

- The application area has a history of commercial use and therefore the land may be contaminated.
- The applicant provided a geo-environmental report which, although out of date with current guidance, reveals there to be a low risk with respect to the proposed site use. The report recommends that soil be imported for areas of landscaping.

- As such, and in accordance with PPS23, this section recommends that the following conditions, reasons and notes be attached should planning permission be granted:
 - If any unforeseen contamination is encountered during the development, the Local Planning Authority (LPA) should be informed immediately. Any investigation / remedial / protective works carried out in relation to this application shall be carried out to agreed timescales and approved by the LPA in writing.

7. VIEWS OF THE PARISH / TOWN COUNCIL:

N/A

8. OTHER REPRESENTATIONS:

Objection

Letters of objection have been received from the following addresses: 256 Nantwich Road, 101 Bedford Street, Crewe; 34 Gresty Terrace, 5 Wistaston Avenue; 14 Culland Street; 30 Furnival Street; 29 Barker Street; 44 Marsh Lane and 217 Bedford Street making the following points:

- Strongly object to the demolition of this historic building. Although it has been advertised for sale, without success, it should be possible to find a use for the building without resorting to demolition.
- Object to the design of the replacement building. Although it is an improvement of the previous design, with traditional pitched roofs, most of the elevation facing Nantwich Road is blank brick wall, which will ruin the historic aspect of the streetscape.
- There are already 5 supermarkets from Wells Green to the Railway station, (Spa, Co-op, Sainsbury and 2 Tesco Direct)
- Nantwich Road is already bumper to bumper with traffic all day and evening and another supermarket will mean added traffic. The side roads have a park/play area and nursery school and are already log jammed with traffic all day long (including articulated lorries) cutting down to avoid Nantwich road/deliver to Co-Op/Sainsbury).
- The proposed development is additionally not in keeping with the Victorian high street.
- The Earl has always been a local landmark.
- The building could be used for better purposes such as a restaurant or converted to residential.
- There is also a large Aldi supermarket less than 1.5 miles away which is easily accessible with ample parking.
- Why has a 3rd planning application has been submitted as 2 have already been rejected.
- Crewe is not an old town and therefore has very few buildings of historical importance - The Earl of Crewe building is one of these. It was erected in 1897 to celebrate Queen Victoria's Diamond Jubilee.
- No objection to any internal changes residents are horrified that Aldi have asked for permission to demolish this well known and loved landmark.

- Why is yet another historic building in Crewe under threat for the building of yet another supermarket?
- By all means redevelop the site and improve amenities but why not incorporate the original building in the plans.
- The Earl of Crewe is part of Crewe Heritage
- Why is history never considered in all these new ideas.
- The actions of previous Council have left Crewe impoverished of important historic buildings. The town cannot afford to lose another
- The Earl of Crewe is of unique character as one of the few remaining Victorian hotels. It is a landmark on the western gateway to the town and having been visited by Queen Victoria herself possesses great importance to the town saving a plaque designed after the visitor would be no substitute for the original structure.
- Culturally, Crewe needs this building and its surroundings. With funding promises for Crewe Station this area is bound to prosper and the potential for the building is immense. A gastro-pub or other amenity would be ideally placed there
- Environmental, the gardens with mature trees not only help wildlife but lessen the harmful pollution which is one of the drawbacks of Nantwich Road. To have green oasis in such a built up area must be envy of other towns.
- It is vitally important that this building survives to give continuity to future generations who will appreciate its remarkable properties.
- The application for this development was accompanied by a professionally produced Transport Assessment. This document contains factual errors regarding local bus services and since the availability of bus services plays such a big part of their submission these errors should be corrected.
- A large list of services are shown to be within the 400 metre threshold, and residents would challenge that list. Only routes 84 and 9 have stops within 400 metres of the proposed store. The 84 is right outside and will clearly be a valuable feeder service for the store. The 9 stops at the junction of Lunt Avenue and Ruskin Rd, the stops being around 270 metres from the store, it may be of use to people of Wistaston who do not have a car but the circuitous route means it is unlikely that anyone with access to a car would consider using it and walking the extra distance.
- Of the other services, the 39 (which is a very limited service anyway) gets no closer than the junction of Manor Way and Brookhouse Drive, the walk to the stop being a distance of 550 metres if you know the short cut through St Andrews Avenue. It is unlikely that anyone would carry shopping that far, they certainly wouldn't use it if they didn't know the short cut.
- The other services listed get no closer than the junction of Nantwich Road and Edleston Rd which is 400 metres away - but the stops are not at the junction, the nearest south/eastbound stop is 450 metres from the store and the northbound stop is 500 metres away. Traditional attitudes to bus usage in Crewe suggest that few people would carry shopping to these stops to continue their journey -what the Institute of Highways and Transportation believe happens elsewhere is not relevant.
- This is not the first time that the Council has accepted one of these professionally produced Transport Plans with exaggerated bus levels to support the case. Given these errors the Council should verify all other claims made in the document.
- There is concern about the infrastructure of the town, and any one of the following options would be better for Crewe than another ALDI supermarket :-

- For a pub chain (like Wetherspoons) to re-furbish The Earl, add an Orangerie, retain the beautiful green-space beer-garden and trees, and to market it as a Restaurant / Wedding Reception venue.
- Demolish The Earl and build 4 off tasteful shop units, to be designated non-fast food outlets (as has been done in Tarporley). The off-road parking that could also be offered would greatly add to the vibrancy of Nantwich Road as a place for shopping.
- Demolish The Earl and build a Medical Centre (a mini Eagle Bridge) to serve the high-density population around the Nantwich Road.
- Demolish the Earl and build an old people's complex (perhaps like 'Belong'). This could include a row of modern terraced cottages on the South side of Sherwin Street – these could be designated for independent living but would be within walking distance of the (Warden) facilities.
- This Application would not even be entertained in Germany.
- This application seems to be the same as the previous application which was refused because it involved the demolition of a locally listed building. This is still the case.
- Neighbours have concern about having the security of the back of the house breached, as well as privacy, due to the fact that the outbuildings are significant in size.
- Neighbours cannot see on the plans how these concerns are going to be alleviated. It will bring public noise nuisance due to car doors opening/closing, trolley noise etc on the back of the garden. Neighbours have animals and small children that are very secure in the garden at present. This will not be the case once Aldi start to build, as well as once the store is built, up and running.
- A substantial replacement that should incorporate security and noise pollution. Whilst will not be at the level it is now, it should be at least significant enough to avoid neighbours concerns, not just a flimsy fence that can be climbed over easily

Support

245 Walthall Street; 49, 173 Ruskin Road; 38 St. Andrews Court; 23, 35, 41 St. Andrew's Ave; 16, 106, 170 174, 176, 209 Bedford Street; 4, 23 Swinnerton St; 25 Swington St; 24, 34 Furnival St; 8 Merebank Road; 10 Tynedale Avenue; 14 Brooklyn St; 29 St. Andrew Ave; 8, 12 Carlisle St; 245, 228, 229, 192a, 239, Nantwich Road; 100, 106 Ernest Street; 26 Tynedale Avenue; 3, 4, 22 Athol Avenue; 245, 290 Walthall St; 11 Sherwin St; 8, 25, 19, 33 Madeley St' 40 Bedford Gardens; 16 St. Andrews Drive; 1 Westminster Place; 20 Nelson St; 12, 20 Smallman Road; and 176 Nantwich Road, Crewe making the following points:

- The Earl of Crewe and land around is an absolute disgrace; it is a general dumping ground for all manner of rubbish and vandalism is evident on the actual buildings.
- It has been standing derelict for a long time and looks a complete eyesore especially now that the hoarding has gone completely around it.
- Householders have to look at the mess
- The Council have no intention of tidying it up.
- The proposal by Aldi to develop the site can only enhance the Nantwich Road area and would make a welcome change from the food take away shops and letting agencies.

- There is little or no choice for shopping at this part of town. With so many residential properties around this area it would reduce the need to use the already congested roads to the other supermarkets. Many residents would be able to walk to the store
 - This is a Crewe site which serves a quality building and the support of the local planning department
 - The Council spent millions of pounds a few years ago revamping Nantwich Road and as a result of the work, lots of businesses closed, and they would rather have a boarded up derelict place with rubbish on one side and unsightly hoardings all around than a lovely modern store with parking and shrubbery.
 - This part of Crewe is far from affluent. A supermarket of the likes of Aldi is needed around the area. There is large population who could use this supermarket for their main shop thereby easing traffic congestion
 - An architectural and no doubt well maintained building like Aldi will do this to a road that already has 2 supermarkets with their windows blocked out and a takeaway that is painted in green and yellow stripes. Aldi will be preferable
 - It would encourage more people to use smaller businesses at this end of Nantwich Road and would provide short term parking when using them.
- (Parking
- The site currently attracts vermin and trespassers
 - The proposed building takes on a similar design to the Ear of Crewe and would improve the area
 - It would benefit the elderly who cannot travel to Aldi on the retail park
 - With the current state of the economy as it is various shops in the area have the monopoly of prices. Aldi would give a larger choice and also the prices will be more reasonable
 - When it was pub music was played very loud until early hours of the morning and in the summer windows were open and the noise could be heard in Swinnerton St.
 - How it can be called a listed building is beyond residents because it was allowed to be painted a horrible colour when the original black and white building was very pleasing to the eye.
 - Planners should be sympathetic to the building of a new store to match in with the surrounding area.
 - There are enough pubs on Nantwich Road
 - Other shops in the area would benefit
 - It would create jobs
 - More choice would be a positive move
 - The Earl of Crewe is not an attractive building.
 - The building is deteriorating and of no further use to the people of Crewe
 - Many goods in Aldi are not in other supermarkets
 - We cannot live in the past and must look to the future.
 - The Co-Op prices are terrible and people cannot afford to shop there.
 - The traffic will not be a problem because cars have been coming out of there and had no trouble.
 - The new store should incorporate a post office as the existing ones on Nantwich Road have closed and pensioners have to travel into town which is inconvenient.

- The building should have been properly maintained
- The sooner it is built the better.
- The way public houses are at the moment, if it was re-opened it would shut down within 6 months.
- Resdie4tns currently travel to Aldi in Nantwich because it is quicker than going to the Crewe store because of the road system
- If this was Macclesfield or Sandbach it would have been approved by now
- We have to have growth to get this country going again.
- Can looking at an old building put food on the table and roof over people's heads and money in their pocket? The Council should take off its blinkers and look what is happening to Crewe. Let the people have jobs and respect for themselves.
- Aldi offers good quality cheap fruit and veg which have health benefits.
- Several years ago the residents in this area were blighted by the eyesore that was once the old Bedford St. School. People who were not affected and from other areas wanted the building saved and after a long period sense prevailed. It was knocked down and houses built which improved the whole area. The same seems to be happening with the Earl of Crewe. What sort of a message does this eyesore send out? Nobody will buy it because it needs flattening and a beautiful new store building on it.
- There is no traffic problem. If the traffic moved that slowly cars would be able to enter and exist with no problem.
- Cheshire East Council should listen to the residents not the do-gooders.
- It will fill a need for a medium size supermarket in this area.
- Nobody was against the previous application
- Nantwich Road is designated as a shopping area but it has too many estate agents / fast food outlets to serve the requirements of the local community.
- The new plans submitted are the best to date and would really fit in with other premises in fact a real improvement compared to some.
- Cars and brewery traffic have been suing the Earl without any problems
- The appearance of the proposed store will be quite attractive and will be an improvement on the present decrepit public house which sticks out like a sore thumb. It will certainly be a higher quality building than any commercial premises between Bedford Street and Crewe Railway Station.
- At the last planning meeting regarding the previous proposal and regardless of the views from the local residents and people living in the Nantwich Road area, their views counted for nothing!

9. APPLICANT'S SUPPORTING INFORMATION:

- Transport Assessment
- Design and Access Statement
- Planning Statement
- Geo-environmental Assessment
- Marketing Report
- Building Survey Report
- Air Quality Impact Assessment
- Framework Travel Plan

- Bat Survey
- Report on Potential Uses

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 Local Plan policies have been saved. As a result it is concluded that the proposal is in accordance with the up-to-date development plan.

It should however be noted that PPS4, which sets out Government Planning Policy in respect of retail development has been published after the adoption of the Local Plan and is therefore a material consideration. PPS.4 sets out a number of tests which must be met in respect of retail proposals in out-of-centre locations. However, these only apply to those developments which are not in accordance with an up-to-date plan, which is not the case with the current proposal.

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.

Locally Listed Building.

The existing Earl of Crewe public house is included 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 jettied gables at the third / attic floor level. These 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. A third chimney of the same style can be 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 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.

As the building is included on the Local List it is also classed as an undesignated Heritage Asset as set out in PPS5. As such there is a general presumption in favour of retention and re-use as opposed to demolition and re-development.

Policy HE1 of PPS5 "Heritage Assets and Climate Change" *states that "keeping heritage assets in use avoids the consumption of building materials and energy and the generation of waste from the construction of replacement buildings."* (Para HE 1.1) Policy HE7 sets out the Policy Principles guiding the determination of applications in relation to all heritage assets. It states at para 7.2 that: *"In considering the impact of a proposal on any heritage asset, local planning authorities should take into account the particular nature of the significance of the heritage asset and the value that it holds for this and future generations..."* Policy HE8: Additional Policy principles guiding the consideration of applications for consent relating to heritage assets that are not covered by Policy HE9 states at para HE8.1 that *"The effect of an application on the significance of such a heritage asset or its setting is a material consideration in determining the application"*

The application is accompanied by a Building Survey Report, Marketing Report and Report on Potential Uses to justify the proposed demolition.

The structural report has submitted with the application concludes that the building requires considerable works internally and externally due to its age and lack of maintenance. Roofing windows and guttering require replacement, brickwork should be

re-pointed and the chimney stacks rebuilt. Internally the building requires redecoration, rewiring, new heating and plumbing and some ceilings need replastering. Some alternative uses may require sound insulation, improvements to floor loadings, thermal insulation, a lift and improved fire precautions. Further surveys of drains, timbers and lintels are also recommended.

In terms of the building survey, nothing in it seems to relate to an inherent failure of the fabric of the building that necessitates demolition. The issues mentioned in the report are predominantly what would be expected in regard to ongoing maintenance and repair associated with a building of this age and type and as a consequence of it not being used and maintained for a prolonged period. The other issues mentioned relate to the buildings upgrade to accommodate a new use, some of which may not be essential in order to secure a sympathetic re-use.

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. 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.

Having reviewed all of the submitted information, it is not considered that the building is beyond economic repair. There is nothing to suggest that the building is unsafe or has major structural problems such as subsidence or major cracking to walls. The only significant structural problem which has been identified is the need for the roof to be replaced. This, like all of the other works required, can be considered routine maintenance, and in any event would probably be carried out as a matter of course as part of a conversion to an alternative use.

In essence therefore the application hinges on the issue of whether the harm caused by the loss of the heritage asset is outweighed by the findings of the Marketing and Potential Uses Reports, which conclude that there has been no meaningful interest in rejuvenating the retained building and that the only viable scheme is the demolition of existing buildings and development for retail use.

The marketing report concludes that there have not been any offers for the property on the basis of keeping the building and refurbishing it for either the licensed trade or any alternative issue. A great deal of time and effort has been wasted in aborted discussion which always conclude that the purchasers are unable to fund a refurbishment of the property and to make it a viable development opportunity. There are a number of pubs on the market at the present time in Crewe (and a letter for Lamonts has been provided to illustrate this point) which have been on the market for several years and some of which have been demolished and developed as alternative uses. There is unlikely to be any other short or medium term change unless some quango organisation with a very

large grants required the building and converted it to some public use. Given the present climate, there is an extremely low chance of this happening.

The potential uses report concludes that due to changes in drinking patterns resulting from the availability of cheap alcohol from supermarkets etc and the conditions of the general economy, pubs are continuing to close nationwide. The report states that the building is in need of significant capital expenditure on repairs. In addition, further expenditure on refurbishing the accommodation would be required before it could be brought back into a licensed use. A number of the pub operating companies are reducing the size of their retail chains. It is not considered that there is a demand from an operator for a continuation of the established licensed use.

The potential returns which could be achieved in the current market would not support redevelopment of the property for alternative commercial uses including offices or the redevelopment of the property or its site for residential use. The only viable scheme, for which a demand is identified, is the demolition of the existing building and the development of the site for retail use, particularly if it could be combined with the neighbouring property to the rear.

The findings of the marketing report are viewed with an element of scepticism, in that, given the longstanding interest of Aldi in the site, there could have been a policy of non-investment in the building and the use over several years leading up to its closure, with the intent of disposing of the site for re-development. Whilst on face value, the marketing seems to have been extensive and over a relatively long period, that could also have been undertaken with the same outcome in mind.

Layout, Design and Street Scene

The proposed store has been sited at the front of the site and is orientated with the main frontage at 90 degrees to the road. Consequently the Nantwich Road frontage is formed by a long blank elevation. However, efforts have been made to add interest and detail to this elevation by wrapping the entrance around the corner and incorporating gables, brick modelling and elements of structural glazing in order to create the illusion of an active frontage.

A similarly blank elevation is presented to Sherwin Street, although the impact will be softened by proposed tree planting and again brick modelling has been introduced to the gable end.

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, steps in the building line, bay windows and gables. Buildings are generally traditional in style with pitched, tiled roofs and red facing brick walls. These are features which have been replicated on the proposed store which is similar in overall height to the adjacent buildings and includes a steeply pitched roof, a vertical emphasis to the glazing and gables. Overall, therefore, it is considered that its scale, form and siting are acceptable in terms of their impact on the character and appearance of the street scene. However, it is not considered that the design of the

building is of such exceptionally high quality that it in any way compensates or provides special justification for the loss of a locally listed building.

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 previous application, the developer submitted a Consultation Statement. The Crewe & Nantwich Borough Council 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 the previous, identical, 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.”

The applicant has previously provided a supporting statement which explains that on previous new build Aldi schemes, where there has been a planning requirement to provide 10% renewable energy, one of two solutions have been adopted. These are either an air source heat pump to provide the required 10%, or a heat recovery system, whereby the waste heat energy from the refrigeration condensers has been utilised to provide heating to the store, which is substantially in excess of the 10%. On similar sized stores to the one proposed, the predicted annual energy consumption would be in the order of 438,240kWh resulting in a 10% figure of 43,826kWh. The proposed heat

pump system would generate approximately 50,483kWh per annum, with the heat recovery providing approximately 120,000kWh per annum. The provision of these systems can be secured by planning condition and on this basis it is considered that the requirements of policy EM18 (Decentralised Energy Supply) will be met.

In accordance with 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 a statement has previously been submitted explaining that any material derived from demolition works will be reused where possible on site. The most obvious application is reclaiming aggregates for use in pedestrian and car parking areas. Waste taken from the site will be closely monitored by the site manager. A detailed Waste Management Plan can also be conditioned.

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. A comprehensive air quality impact assessment of the proposal has been carried out and the Environmental Health Section are now satisfied that, subject to appropriate conditions to secure the submission of an updated assessment and the implementation of mitigation measures, permission can be granted without any adverse impact on air quality within the area.

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 20m 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. Furthermore, a number of replacement trees are proposed within the new development and these can be secured through an appropriate landscaping condition.

The application is supported by a bat survey. The Council's ecologist has commented that the consultant who undertook the bat survey is known to him and is suitably experienced to undertake work of this kind. Whilst the survey appears to have been undertaken to a high standard the site was visited too early in the season for the ecologist to perform an emergence/activity survey.

However, considering the lack of suitable bat foraging habitat and the lack of evidence recorded during the latest and previous surveys and the likelihood that there will be abundant alternative roosting places in surrounding buildings I recommend that the submitted bat survey is acceptable to assess the impacts of the proposed development upon bats.

As no evidence of bats was recorded during the survey no further action is required in respect of protected species.

Highways and Parking.

The developer has submitted a Traffic Impact Assessment with the application. Although no comments had been received at the time of report preparation, the Traffic Impact Assessment and the proposal are identical to those which have been previously examined by the Strategic Highways Manager. At the time of the previous application he raised no objection in principle to the proposed development and therefore, whilst the comments of local residents are noted, it is not considered that a refusal on traffic generation grounds could be sustained. With regard to the detail of the scheme, the Strategic Highways Manager has raised a number of concerns regarding the layout of the carpark. However, it is considered that these issues can be adequately addressed through the submission of amended plans, which have now been sought from the applicant.

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.

Resident's 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 elevate 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.

Notwithstanding the concern about the loss of the existing building on site, the layout, massing, and design of the proposal are now considered to be acceptable and would not, in themselves, adversely affect the character and appearance of the street scene on this part of Nantwich Road. It is also considered that the developer has adequately demonstrated how the proposal will contribute to sustainable development objectives through renewable energy, energy saving design and waste minimisation and recycling.

The proposal will not exacerbate existing air quality problems on Nantwich Road and 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. Subject to suitable amendments it is considered that the highways and parking issues can be resolved. 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.

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),

of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and accordingly it is recommended for refusal.

12. RECOMMENDATIONS

REFUSE for the following reason:-

- 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.**

