

Application No: 12/0384C

Location: Grove Inn, MANCHESTER ROAD, CONGLETON, CW12 1NP

Proposal: Replacement of Vacant Public House with Convenience Retail Outlet store

Applicant: Seven Ten (Cheshire) Ltd

Expiry Date: 22-Mar-2012

SUMMARY RECOMMENDATION: Refuse due to insufficient information

MAIN ISSUES:

- Principle of the development
- Design
- Highway Safety
- Amenity

REASON FOR REFERRAL

This application is before the Southern Planning Committee as it has been called in by Councillor G Baxendale on the grounds of : *Highways issues not attended to, over intensification of the site and inappropriate development of convenience store next to ambulance station.*

DESCRIPTION AND SITE CONTEXT

The application site comprises the Grove Inn public house, and the associated beer garden and parking, located on the traffic island bounded by Macclesfield Road and Manchester Road. Congleton Ambulance Station is to the north and there are residential properties to the east and west, with an existing convenience store also to the west.

The site is designated as being within the settlement zone line of Congleton in the adopted local plan.

DETAILS OF PROPOSAL

Full planning permission is sought for the erection of a convenience store on the site of the existing Grove Inn public house. The store would be of a more or less triangular shape. It would have 213sqm of floor space on the ground floor, with store, cold store, staff room and office above.

The main entrance would be from the rear, next to the car park, with a secondary entrance on the front corner of the building. A variety of materials are proposed for the construction including extensive glazing, glazed blockwork, steel mesh panels and zinc cladding.

RELEVANT HISTORY

12/0381C 2012 Prior determination for demolition of existing building

08/0536/FUL 2008 Approval for retention of smoking shelter

33208/3 2001 Approval for new patio doors and landing

5371/3 1977 Approval for alterations

POLICIES

National Guidance

PPS1 Delivering Sustainable Development
PPS4 Planning for Sustainable Economic Growth
PPS9 Biological & Geological Conservation
PPG13 Transport
PPS23 Planning and Pollution Control
PPG24 Planning and Noise

Regional Spatial Strategy

DP1 Spatial Principles
DP2 Promote Sustainable Communities
DP3 Promote Sustainable Economic Development
DP4 Making the Best Use of Existing Resources and Infrastructure
DP5 Manage Travel Demand: Reduce the Need to Travel, and Increase Accessibility
DP6 Marry Opportunity and Need
DP7 Promote Environmental Quality
DP9 Reduce Emissions and Adapt to Climate Change
RDF1 Spatial Priorities
W5 Retail Development
RT2 Managing Travel Demand
RT9 Walking and Cycling
EM1 Integrated Enhancement and Protection of the Region's Environmental Assets

Congleton Local Plan 2005

PS5 Towns
GR1 General Criteria for Development
GR2 Design
GR4 & GR5 Landscaping
GR6 & GR7 Amenity & Health
GR9 & GR10 Accessibility, Servicing and Parking Provision
GR17 Car Parking
GR18 Traffic Generation
GR19 Infrastructure

OTHER MATERIAL CONSIDERATIONS

Written Ministerial Statement: Planning for Growth (23rd March 2011)

The Minister of State for Decentralisation issued this statement on 23rd March 2011 and advice from the Chief Planner, Steve Quartermain states that it is capable of being regarded as a material consideration. Inter alia it includes the following:

*“When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, **economic** and other forms of sustainable development. Where relevant – and consistent with their statutory obligations – they should therefore:*

- (i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after recent recession;*
- (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;*
- (iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased customer choice, more viable communities and more robust local economies(which may, where relevant, include matters such as job creation and business productivity);*
- (iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;*
- (v) ensure that they do not impose unnecessary burdens on development.*

The Government has also stated that there should be a presumption in favour of sustainable development, this states inter alia that: *“There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible.”*

CONSULTATIONS (External to Planning)

Highways:

Due to the proposed location of this development and the arrangements for access – in particular that for pedestrians - it is necessary that full and thorough information is provided so that the Strategic Highways Manager can make an accurate assessment of likely traffic issues and highway safety. There have been significant pre-application discussions in which the S.H.M. has expressed his concerns over pedestrian access to this development.

The proposal to add two new PUFFIN crossings to accommodate pedestrian movements is crucial to the development however the location of the two crossings must remain under debate as the proposed locations do not necessarily align with the considerations of the S.H.M.

In addition Road Safety Audits should be provided for both new installations, and in particular for the PUFFIN crossing proposed for the eastern frontage of the site which should be re-positioned to the south of the bus stop lay-by – after the lay-by has been moved to the north. The Traffic Statement also mentions the potential to ‘link’ the proposed crossings which the S.H.M. would require.

The traffic statement does not mention the operation of the existing PELICAN crossing which currently serves the existing shop and how that will interact with the two new crossings or indeed whether it is recommended that it be removed. The S.H.M. considers that this crossing should be upgraded to a PUFFIN crossing if assessment would allow it to remain in conjunction with and linked to the new crossings. The down side to this is that there would be two PUFFIN crossings in close proximity to and affecting both legs of the gyratory and this in itself may cause congestion which should be examined in the Traffic Statement.

A delivery management plan will be required to address the likely issue of access for articulated delivery vehicles so that there can be a control in place for that management need.

There is therefore a lack of information and a need for additional information together with an amended plan to show the revised positions for the bus-stop and PUFFIN crossing on the eastern frontage. As a result the Strategic Highways Manager can not support this application and requires that the above related information be addressed by the applicant.

If the application remains in its current form the S.H.M. would consider the recommendation of refusal on lack of information however he is mindful that a potential solution may be available.

Environmental Protection:

None received at the time of report writing.

VIEWS OF TOWN/PARISH COUNCIL

None received at the time of report writing.

OTHER REPRESENTATIONS

At the time of report writing, representations have been received relating to this application. 7 against and 2 in favour.

The representations express the following concerns expressed the following concerns:

Design

- Building is twice the size of the existing one
- Not in keeping with the surrounding area
- The metal bollards will look unpleasant and commercial/city like
- The structure would be an eyesore and an abomination

Retail Issues

- There are enough similar facilities nearby such as Barn Road
- Store is not designed to serve the local community but to make profit at its expense
- The existing store serves the area adequately already

Amenity

- Additional traffic and noise from people using the store
- Loss of light to homes
- Noise pollution
- General disruption

Highways

- Highway safety, in particular for school children and the elderly crossing to the store
- Inadequate parking provision leading to dangerous on-street parking
- There are already many near misses on the nearby roads
- Would increase traffic on already busy roads
- The site is unsuitable as it is effectively on a roundabout
- Traffic delays caused by the Puffin crossings
- Danger from delivery vehicles

Other Matters

- Litter generation
- Loss of pleasant views

The representations in favour of the proposal, including one from the local MP, put forward the following arguments in its favour:

- It will save the elderly and disabled having to go further afield to shop
- Good to have such a store close by
- Safer crossing areas
- Will provide a more comprehensive range of products

KEY ISSUES

Principle of the Development

PPS4: Planning for Sustainable Economic Growth, states that the Government's aim is to *"promote the vitality and viability of town and other centres as important places for communities. To do this the Government wants:*

- *New economic growth and development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities*
- *Competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community (particularly socially excluded groups)*
- *The historic, archaeological and architectural heritage of centres to be conserved and, where appropriate, enhanced to provide a sense of place and a focus for the community and for civic activity*

Policy EC10 of this PPS states that:

Local Planning Authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.

All planning applications for economic development should be assessed against the following impact considerations:

- Whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change*
- The accessibility of the proposal by a choice of means of transport including walking, cycling, public transport and the car, the effect on local travel levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured*
- Whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions*
- The impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives*
- The impact on local employment*

Local Plan policy PS4 states that within the settlement zone lines there is a general presumption in favour of development provided that it is in keeping with the town's scale and character and does not conflict with other policies.

Policy S2 states that new shopping or commercial development within the settlement zone line of a town, of an appropriate scale intended to serve the needs of a locally resident community, will be permitted, provided it accords with other relevant policies in the adopted local plan.

The Cheshire Retail Study Update (WYG, April 2011) concludes that in Congleton, there appears to be an undersupply of convenience goods floor space.

In terms of accessibility, the site is located in close proximity to residential properties, which is considered to be a sustainable location.

The development is in accordance with the requirements of Policies PS4 and S2 , and therefore are acceptable in principle. In addition it should be noted that the existing building could undergo a change of use to retail without the need for planning permission.

Design, Appearance and Visual Impact

Local Plan policies GR1 and GR2 relate to the design of new development and state that all development will be expected to be of a high standard, to conserve or enhance the character of the surrounding area. Matters such as height, scale, form and grouping, materials, the visual, physical and functional relationship of the proposal to neighbouring properties, the streetscene and to the locality generally need to be considered. Additionally proposals should respect existing features and provide for hard and soft landscaping as an integral part of the scheme. PPS1 & PPS4 also promote high quality and inclusive design.

The design consists of a modern triangular building constructed from a variety of materials, which would have a contemporary appearance. It would be different from the surrounding development, however given the prominent position of the site, it is considered that the bold design would provide a landmark building that would give a positive contribution to the character of the area.

The proposal is therefore considered to be in compliance with Policies GR1 and GR2 of the adopted local plan and the advice given in PPS1 and PPS4.

Amenity

Local Plan policy GR6 deals with amenity and health and states that any development adjoining or near to residential property will only be permitted where the proposal would not have an unduly detrimental effect on their amenity due to amongst other things, loss of privacy, loss of sunlight and daylight and traffic generation, access and parking.

The proposed store would be in excess of 20m away from the nearest residential properties. It is therefore considered that there would be no significant adverse impact on the residential amenities of these properties.

Highways

A Transport Assessment has been submitted with the application, which has been assessed by the Strategic Highways Manager. His detailed comments have been included above, and they conclude that there is a need for additional and amended material to be submitted. This includes the location of the proposed Puffin crossings and road safety audits relating to them. In addition a delivery management plan is required to address the issue of deliveries, and in particular, articulated lorries.

The proposal has therefore failed to demonstrate that it would be satisfactory in highway safety terms, contrary to the requirements of Policy GR9 of the adopted local plan.

CONCLUSIONS

It is considered that the principle of retail development on the site is acceptable. The scale of retail development proposed by this application is also considered acceptable. The design of the proposed convenience store would make a positive contribution to the area. The relationship between the development and surrounding residents is considered to be acceptable.

There is insufficient information to demonstrate that the proposal would not have an adverse impact on highway safety and it is therefore recommended for refusal.

RECOMMENDATION:

Refuse:

1. Insufficient information has been submitted with the application relating to the existing Pelican crossing, the proposed Puffin crossings, a revised position for the bus-stop and the management of deliveries to the store, in order to assess adequately the impact of the proposed development having regard to highway safety. In the absence of this information, it has not been possible to demonstrate that the proposal would comply with Development Plan policies and other material considerations.

