

Planning Reference No:	11/3089N
Application Address:	Land on Nantwich Road, Calveley
Proposal:	Erection of Three Buildings. Use of One Building for Retail Purposes (Class A1) and the Other Two for Commercial / Industrial Purposes (Class B1/B2/B8) plus Associated Landscaping, Car parking and Servicing.
Applicant:	Union Pension Trustees Ltd
Application Type:	Outline planning permission
Ward:	Bunbury
Consultation Expiry Date:	19 th October 2011

SUMMARY RECOMMENDATION:

Approve subject to conditions

REFERRAL

This application is to be determined by the Strategic Planning Board as the cumulative floor area of the proposed buildings exceeds 1000msq and the application due to its size and location is of strategic importance.

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

The application site is located on the north side of the A51 Nantwich Road, Wardle and is located directly opposite North West Farmers.

The site itself is relatively flat and is broadly rectangular in shape. The boundaries to the site are shared with surrounding fields apart from the south facing boundary, which fronts directly onto the A51.

The perimeter of the application site comprises a number of mature / immature trees many of which are self seeded. The Shropshire Union canal is located to the south of the application site and runs parallel to Nantwich Road. The site is located wholly within the open countryside.

This is an outline application with all matters reserved apart from access, appearance, layout and scale. The only matter which is reserved for future consideration is landscaping. The proposal is for the erection of three standalone commercial buildings. One of the proposed units will be used for retail uses (restricted), whilst the other two units will be used for commercial/industrial uses. In addition, there will be areas of landscaping, car parking and associated servicing areas and drainage.

2. PREVIOUS RELEVANT DECISIONS

1st March 2001

P00/1013 – Approved - Proposed Restaurant and Associated Parking

6th October 2000

P00/0681 – Withdrawn - Proposed Restaurant (Amended) and Associated Vehicle Parking.

21st March 1997

P96/0583 – Withdrawn – Mixed Development of 400 berth marina including ancillary buildings, clubhouse, pub/restaurant, heritage centre, hotel, holiday flats, caravan park and factory warehouse.

6th December 1989

7/17846 – Approved - Restaurant and Travelodge including parking and sewage treatment plant.

3. PLANNING POLICIES

Borough of Crewe and Nantwich Replacement Local Plan 2011

NE.2	(Open Countryside)
NE.5	(Nature Conservation and Habitats)
NE.9	(Protected Species)
NE.17	(Pollution Control)
NE.20	(Flood Prevention)
BE.1	(Amenity)
BE.2	(Design Standards)
BE.3	(Access and Parking)
BE.4	(Drainage, Utilities and Resources)
BE.5	(Infrastructure)
BE.6	(Development on Potentially Contaminated Land)
E.4	(Development on Existing Employment Areas)
E.6	(Employment Development within Open Countryside)
TRAN.1	(Public Transport)
TRAN.3	(Pedestrians)
TRAN.5	(Provision for Cyclists)
TRAN.6	(Cycle Routes)
TRAN.9	(Car Parking Standards)

Other Material Considerations

National Planning Policy Framework (NPPF)

4. OBSERVATIONS OF CONSULTEES

British Waterways

No objection to the proposed development, subject to a condition relating to foul and surface water drainage. In addition, an informative should be added to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways standards.

Regeneration

No objection – At this time they have no sites available, that would meet the applicant's specific needs in the Wardle, Crewe or Nantwich.

Environment Agency

No objection, subject to conditions relating to a scheme for the provision and implementation of surface water regulation system and a scheme for the management of overland flow. In addition an informative will be attached relating to use of waste for construction purposes.

Highways

No objection, subject to the following comments:

- This site is for a mixed use development and has an existing right turn lane in situ. Turning movements have been provided and approved by the H/A.
- The highways authority has no objections to this proposal providing that a commuted sum of £10000 is provided via a section 106 agreement for the future maintenance of the right turn lane.

Sustrans

No objection, subject to the following comments:

- It will create additional traffic on the A51 corridor.
- The provision of a footway on the NE side of the A51 is welcome, connecting to the traffic lights at NWF to allow pedestrians to cross the road and use the 84 bus service.
- The Singleton Clamp study summary claims the site is accessible to cycling, in section 5.5. This is clearly not the case for a trunk route such as the A51 carrying significant volume of HGVs. It would only become 'accessible' to cyclists if safer conditions were provided in the vicinity of this employment area. An example is making the proposed footway a shared footway/cycle track and extending it to connect to the minor road network such as Calveley Hall Lane, and then potentially onto the Shropshire Union Canal towpath leading to Barbridge and Stoke Hall Lane.

Network Rail

No objection, subject to the following comments:

- Whilst there is some distance between the proposal and Network Rail land and the operational railway we are still concerned over any water discharge, pumping stations situated in the vicinity of the railway. Therefore, we would request that the plans for the pumping station and consent process also includes the Network Rail Asset Protection Engineer and that any plans are subject to his approval.

Environmental Health

No objection, subject to conditions relating to hours of use, noise, external lighting and an informative relating to the hours of construction.

Contaminated Land

No objection, subject to a contaminated land condition.

5. VIEWS OF THE PARISH / TOWN COUNCIL

Have the following comments to make:

Land Use

- It is not clear from the plans or the Design and Access Statement who will be occupying Unit 1;
- Is the site likely to gain any further expansion approval;

Highways

- It is considered that the report by Singleton Clamp (Highway Consultants) is not clear and underestimates the expected traffic increase associated with the proposal;
- The trunk road has been de-trunked in 2001 or 2002 and is NOT a trunk road;
- The road is at capacity and there is no mention of possible increase to vehicular flow on the road from NWF / Bougheys site;
- What is the measured effect of the traffic light control of access onto that site? These lights seem to hold the A51 stationary for a considerable time;
- The transport statement drafted in August 2011, has apparently omitted all 2011 data, including accidents;
- There is a major assumption made by the Transport Statement by Singleton Clamp, that the extant planning permission for a Little Chef and Travelodge is already generating some volume of traffic using the site. However, the site was never finished and these uses are not currently being generated;
- The figures of vehicle movements which the site will generate is not considered to be reasonable and it is possible that the site will generate a lot more traffic;
- The traffic data for unit no. 1 is apparently missing. Therefore, it is impossible to come to a proper and validated judgement about total impacts of traffic;
- The footpath to the bus stop does not extend north passed the petrol station and onto Calveley village. Nor is there any provision to increase the safety for cyclists on or around the A51. As there is substantial provision for cycle racks on site it would seem appropriate to improve public safety by adding a designated cycle way between Calveley and Wardle. This stretch of the A51 is particularly dangerous for the individual cyclist.

6. OTHER REPRESENTATIONS:

One letter of representation has been received from the occupiers of Bluestones.

The salient points are as follows:

- The proposed development is too large and in particular units 1 and 3 will have a significant impact on the character and appearance of the area;
- There is little space for and landscaping to screen the proposal;
- The proposal will appear out of place;
- The increase in vehicular movements will cause congestion and obstruct the highway as they enter/leave the site; and
- The materials used to construct the proposal will appear alien and are not sympathetic to the locality.

7. APPLICANT'S SUPPORTING INFORMATION:

- Drainage Report
- Design and Access Statement
- Transport Statement
- Arboriculture Assessment
- Protected Species Survey
- Sequential Test Assessment
- Various emails/letters from the applicant/agent

8. OFFICER APPRAISAL

Key Issues

The main consideration is whether the proposals are appropriately designed and of a scale to not have a detrimental impact on the open countryside, of amenity nearby residents, highways safety, protected species, trees or in any other material consideration.

Policy Position

The proposal is located within the Open Countryside and will be assessed against Policy NE.2 (Open Countryside) which restricts development other than that required for agriculture, forestry, outdoor recreation or other uses appropriate to the rural area.

Policy E.6 (Employment Development within Open Countryside) allows for 'small scale' employment development in rural areas in order to diversify the rural economy. However, due to the cumulative floor area of the proposed buildings measuring approximately 2518.5sqm (including the external display area), the proposal falls within the major application category and therefore cannot be described as small scale. As such, the proposal is clearly contrary to Policy E.6 (Employment Development within the Open Countryside) and therefore constitutes a departure from the development plan.

Consequently, there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined:

"in accordance with the plan unless material considerations indicate otherwise".

Therefore, the application turns on whether there are any other material considerations, of sufficient magnitude, to outweigh the Development Plan presumption against the development.

Local Plan Policy/Government Guidance

As previously stated, the application site is located outside of the settlement boundary, as defined on the Crewe and Nantwich Replacement Local Plan Proposals Map, and is therefore situated in Open Countryside.

Policy NE.2 (Open Countryside) of the Crewe and Nantwich Replacement Local Plan restricts development other than that required for agriculture, forestry, outdoor recreation or other uses appropriate to the rural area. Whilst Policy E.6 of the Local Plan (Employment Development within the Open Countryside) restricts employment development to 'small scale' employment development in rural areas in order to diversify the rural economy. Small scale development should be adjacent to existing buildings or other existing employment areas. All new development should also meet the requirements of policies BE.1 – BE.5 as contained within the Local Plan.

According to the NPPF:

'The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system' (para 19).

The guidance goes on to state that:

'To help achieve economic growth, local planning should plan proactively to meet the development needs of business and support an economy fit for the 21st Century'.

In relation to supporting a prosperous rural economy:

'planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development'.

The NPPF still sets its face against the development of new greenfield industrial developments in rural areas, and brownfield sites should be utilised in the first instance. The National Planning Policy Framework is more up to date than the Local Plan which does not have policies with regards to large scale developments of this type and size within the Open Countryside.

The National Planning Policy Framework also promotes sustainable modes of transport. Transport policies have an important role to play in facilitating sustainable development, but also in contributing to wider sustainability and health objectives. The NPPF goes on to state that smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.

In practical terms, this means that new industrial development should be located where the number of vehicle journeys generated is minimised. This means that an employment site should be accessible by a realistic choice of transport, walking and cycling. However, the NPPF recognises that this aim may not be wholly achievable in rural areas. It specifically states:

‘The Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas’.

Site History

The site has an extant permission for the erection of a Restaurant and Travelodge (application ref 7/17846). Therefore, this is another significant material consideration as the applicant could construct the hotel and restaurant.

Before this, the site was formerly used by Calveley Nurseries and is therefore considered to be a previously developed site.

At the time of the site visit the site was covered in hardcore and overgrown. The road junction which will serve as the access point for the proposed units is in situ.

Sequential Test

Policy S.10 of the Crewe and Nantwich Replacement Local Plan 2011 relates to major shopping proposals outside the centres of Crewe and Nantwich. The National Planning Policy Framework requires:

‘Local Planning Authorities to apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale’ (para 24).

According to paragraph 26 of the National Planning Policy Framework, when assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500sqm).

According to policy S.10 (Major Shopping Proposals) proposals with a gross floorspace of over 2500sqm will require a sequential test. Consequently, the applicant has submitted a sequential test assessment to accompany the application.

The Proposal

The retail element (Unit no. 1) of the proposed mixed use development involves the construction of a single Class A1 (Restricted) Countryside Store with a gross internal floor area 873sqm, comprising a retail sales area of 715sqm (including ancillary office and staff accommodation) and a warehouse of 158sqm. In addition, an external sales and display area for bulkier goods, extending to 176sqm is proposed. The applicant goes on to state that the proposed retail unit will be occupied by Countrywide Farmers Plc, who have confirmed their intention to sign a long lease on the property. Countrywide Stores currently operate from an existing unit on the North West Farmers Employment Site. The applicant stresses that the current unit has significant operational difficulties and their lease will not be renewed by NWF. NWF has confirmed this via a letter.

The applicant states that the range of goods which may be sold to the public at the proposed Countrywide store (Class A1) will be restricted by planning condition and will consist primarily of:

- agricultural / garden machinery and equipment,
- animal feed,
- fertilisers,
- equestrian products,
- outdoor sports,
- pet products,
- safety and outdoor clothing and footwear,
- garden and leisure goods,
- LPG and associated items.

The Sequential Test

The area of search for the sequential assessment was defined by the three towns of Tarporley, Winsford and Nantwich, which is accepted generally define the catchment of the existing Countryside Store.

A preliminary review was undertaken of sequentially preferable in-centre, edge of centre and out of centre sites in each of the three perimeter towns, based upon an operator requirement for approximately 900sqm gross internal floorspace, together with up to 200sqm of external display space and associated parking and delivery areas.

According to the applicant's sequential test, there were no sequentially preferable sites at either Tarporley or Winsford.

In Nantwich there were no sequentially preferable sites in either the town centre or in an edge of centre location. At the out of centre Nantwich Retail Park, all of the retail units were occupied, with the exception of the former focus unit on Beam Heath Way. The applicant states that, although the former Focus unit is vacant, it

is not currently being advertised either for sale or to let and therefore cannot be considered available.

In addition, the applicant goes on to state the former Focus unit at Beam Heath Way extends to approximately 2100sqm, which is double the Countrywide Store requirement. The building is therefore unsuitable in its present form. In the event that the unit was available, there is no indication that it would be suitable for subdivision or that subdivision would be viable.

The applicant concludes that there are no sequentially preferable sites occupying in-centre, edge of centre or out of centre locations in Tarporley, Winsford or Nantwich that are available, suitable and viable for the proposed Countrywide Store. In addition, the proposal would not have a significant adverse impact upon existing centres, either in isolation or cumulatively, since it involves the relocation of an existing retail use to alternative premises in the same general location with no material impact on current expenditure or shopping patterns.

The applicant states in their sequential test that the former Focus unit is unsuitable in its present form and there is no indication that the unit could be subdivided. However, it should be noted that planning application 11/1010N - approved in October 2011 - related to the subdivision of the Focus unit. This proposal was to subdivide the existing unit to create two separate units.

In a letter dated 22nd December 2011, the applicant's agent accepts that an application was submitted and approved for the aforementioned development at the former Focus store, Nantwich. However, the applicant contends that unit one extends to approximately 1680sqm (gross internal floorspace), together with an outdoor garden centre sales (1120sqm) located to the rear of the property, whilst unit two extends to 464.5sqm (gross internal floorspace) with no outdoor sales area.

The applicant acknowledges that, whilst unit one provides both an internal sales area and external display area, the internal sales area is double Countrywide's requirement and the external display area is seven times the requirement. Moreover, unit two is slightly smaller than Countrywide's existing retail sales area and does not include any provision for warehousing or external display. Furthermore, the applicant has contacted the agent acting on behalf of the former Focus unit and there has been no commitment to implement this consent. Therefore, the applicant insists that the conclusions of the submitted sequential assessment remain valid.

Notwithstanding the above, the case officer was concerned whether the new unit which will be occupied by Countrywide is similar in footprint terms to the existing unit at North West Farmers. The applicant states that the existing Countrywide Store extends to approximately 750sqm, plus an external display area. The existing store is cramped with narrow aisles and the goods displayed in a confined manner. The existing office space is restricted. Furthermore, the limited size of the existing warehouse adversely affects stock control.

The proposed new unit will provide an internal retail floor space extending to 715msq, (including improved office and staff welfare facilities), a warehouse of 158msq and an external display area. Therefore, the proposed development will

result in an increase in internal retail floorspace of approximately 200msq. Consequently, the application is not a direct like for like replacement.

The agent contends that the proposed development will allow on site storage to be increased, which will allow improvements to stock control and management and there will be increase in the width of aisles and how the products will be displayed. The agent states that there will not be any significant increase in the range of products sold, which will be controlled by condition.

Colleagues in spatial planning have been consulted and they consider that the submitted sequential test and accompanying letters are satisfactory and the proposal is in accordance with the provisions of National Planning Policy Framework.

Furthermore, colleagues in Regeneration have also been consulted. They state that at this time they have no sites available which would meet your specific needs in the Wardle, Crewe or Nantwich areas.

It is a concern that if Countrywide ceased to operate from this store, it may leave an open ended A1 use within the countryside. Therefore, conditions restricting the sale of goods and a personal condition to Countrywide will be attached to any decision, in the event, that planning permission is approved.

Design

The application site is located directly opposite North West Farmers. North West Farmers is a large industrial/commercial enterprise and this site comprises a number of large buildings. Therefore, the proposed development will be seen in this context and will not be viewed as an isolated or divorced site, within the open countryside.

The proposed development will comprise of three stand alone units of varying sizes. The existing access point into the site roughly divides the site into 1 and 2 thirds. The agent has located the larger unit to the north east of the application site and the other two B class units to the south east. The proposed buildings are separated by parking and servicing areas which are connected by a single un-adopted spine road running along the northern boundary. Located at each end of the central spine road is an area for larger vehicles to manoeuvre so that they can access/egress the site in a forward gear. Amended plans have been received moving the built form away from the boundary with the A51 by approximately 1m, which will provide additional space for improved landscaping.

The applicant states that the pavement has been maintained alongside the A51 and extended it to reach the nearby bus stop to the south. It is envisaged that the majority of the surfacing materials will comprise a mixture of tarmacadam and paving sets, details of which will be secured by condition.

Located to the south east of the application site, the applicant has left a large parcel of land measuring approximately 28m wide by 40m deep undeveloped. According to the submitted ecological report a pond will be excavated and the area landscaped to provide a suitable habitat for local wildlife. No information has been submitted regarding this landscaped area. As such, it will be subject to a condition.

Furthermore, located in the north west corner of this land, is an underground sewage treatment plant. The applicant has not submitted any details in relation to the treatment plant and a condition requesting further information will therefore be attached to any permission.

The design and scale of the buildings are typical of modern industrial units with shallow pitched roofs and simple portal frame construction. The footprint of the proposed units are rectilinear in form.

Unit 1 measures approximately 26.5m deep 39m wide and is 6m high to the eaves and 8m high to the ridge. Located to the north of the unit is an external display area which measures 5.5m wide by 32m deep. The perimeter to the display area is enclosed by 3m security fence.

Unit 2 measures 15m deep by 17m wide and is 6m high to the lowest point of the roof increasing to 7m.

Unit 3 measures 34m deep by 32m wide and is 6m high to the eaves and 8.5m high to the ridge. Roof definition has been incorporated through the use of over sailing eaves.

The office block incorporates a butterfly roof form which distinguishes this building from the other two proposed units. This unit is located immediately adjacent to the access point and, due to its unusual roof form, acts as a focal point. It is noted that all of the buildings incorporate a high eaves height. The applicant states that this required so that they may be able to accommodate future mezzanine floors.

The general scale of these buildings has been broken down through the use of contrasting façade materials. The facades have been composed using horizontal order broken vertically with contrasting materials such as rain water pipes, which will be controlled by the imposition of a condition. Glazing elements have been restricted to areas such as entrances and shop fronts on Units 1 and 3. However, Unit 2 due to the nature of the building, incorporates much larger amounts of fenestration, including wrap around windows, which help to break up the elevations.

It is considered that units 1 and 3 are uniform and utilitarian in form and are designed for functionality rather than form. The buildings are similar in design and size to other units within the area and across the Borough and it is considered that they will not appear as alien or incongruous features within the streetscene. As such, the proposal complies with policy BE.2 (Design Standards). Furthermore, it is noted that Unit 2 with its butterfly roof arrangement will act as a focal point and will not have adverse impact on the character and appearance of the area.

Amenity

Policy BE.1 (Amenity) states that development will be permitted provided that the development:

- is compatible with surrounding land uses,
- does not prejudice the amenity of future or neighbouring occupiers,
- does not prejudice the safe movement of traffic
- does not cause an increase in air, noise, water pollution

which might have an adverse impact on the use of land for other purposes.

It is considered that the redevelopment of the site for industrial/retail/commercial is considered to be compatible with the surrounding land uses. The proposals are unlikely to result in noise, air or water pollution. However, a principle consideration in determining this application is its effect upon the amenity of adjacent occupants and in this respect Policy BE.1 requires that development does not have a prejudicial impact on the amenity of occupiers in an adjacent property.

The nearest residential properties are located in excess of 100m to the north west of the application site. Given the separation distances, intervening vegetation / buildings and boundary treatments, it is considered that any negative externalities caused by the proposed development will be minimised. Furthermore, colleagues in Environmental Health have not objected to the proposals but have suggested a number of conditions to help reduce noise and disturbance impact that could be caused by this development. These include:

- hours of operation,
- details of noise reduction measures,
- hours of construction
- details of any external lighting.

Sustainability

The NPPF identifies that there is a presumption in favour of sustainable development and that significant weight should be attached to proposals which enable economic growth and the delivery of sustainable development. With regard to the rural economy, the Framework identifies that the support should be given to the sustainable growth of rural businesses.

It is noted that the application site is located in a remote rural location far away from any established settlements. However, the site is located adjacent to the A51 and there is a bus stop in close proximity to the application site with a regular and frequent bus service. Provision has been made on site for secured covered cycle parking and this will be required by condition. Furthermore, it is considered that, in order to encourage some sustainable forms of transport, a condition relating to a travel plan should be attached to any permission. The NPPF advocates the use of Travel Plans stating:

‘All developments which generate significant amounts of movement should be required to provide a Travel Plan’ (para. 36).

The main customer base for the Countrywide Store reside within the rural community and it is considered that the location of the store will serve its clientele.

The applicant advises that the majority of the customers turn up to the store with trailers and stock up and on produce and there are very few linked trips, as they then go home to unhook the trailer.

It is accepted that Countrywide Store generally sells agricultural and equestrian products. The majority of the products are sold to small holders, hobby farmers

and equestrian users who tend to reside in rural locations. If the unit was to be located within a town, this could mean people have to travel further into the town.

Policy EM18 of North West England Plan Regional Spatial Strategy (RSS) which outlines that, in advance of the setting of local targets for decentralised / renewable / low-carbon source energy supply, at least 10% of predicted energy requirements should be from such sources unless it is demonstrated not to be viable.

As the proposed development is for major industrial development in a relatively unsustainable location, it is considered that an element of renewable energy should be incorporated into the scheme to offset any harm. Consequently, it is recommended that conditions be added to any approval to ensure compliance with RSS Policies DP 9 (Reduce Emissions and Adapt to Climate Change), EM 16 (Energy Conservation & Efficiency), EM 17 (Renewable Energy), and EM18 (Decentralised Energy Supply).

Contaminated Land

Although an industrial use is not a sensitive end use, there is potential for contamination on the land given the historic use of the site. It is suggested that a Phase I Contaminated Land survey be carried out in line with the advice contained in NPPF. This can be secured by condition.

Drainage

Development on sites such as this generally reduces the permeability of at least part of the site and changes the site's response to rainfall.

The NPPF states that in order to satisfactorily manage flood risk in new development, appropriate surface water drainage arrangements are required. The guidance also states that surface water arising from a developed site should, as far as possible, be managed in a sustainable manner to mimic the surface water flows arising from the site prior to the proposed development.

It is possible to condition the submission of a satisfactory drainage scheme in order to ensure that any surface water runoff generated by the development is sufficiently discharged. This will probably require the use of Sustainable Drainage Systems (SUDS) which include source control measures, infiltration devices as well as filter strips and swales which mimic natural drainage patterns.

Flood Risk

According to the Environment Agency flood map, the application site is located in flood zone 1, which is considered to have a low annual probability of flooding from rivers. The flood maps do not show the risk of flooding from canals (i.e. The Shropshire Union Canal)

The application area is approximately 0.99 hectares in scale. Development proposals that are greater than 1 hectare in scale should be supported and informed by the results of a site specific Flood Risk Assessment.

In this case the applicant has submitted a drainage report which addresses the feasibility of draining the site. It acknowledges that the proposal has the potential

to increase flood risk in the area if not effectively managed. Therefore, colleagues in the Environment Agency have suggested that a number of conditions be attached to any permission, which include details of disposing of surface water and a scheme for the management of overland flow and a surface water drainage system. It is considered that the proposal is acceptable and complies with policies NE.20 (Flood Prevention) and BE.4 (Drainage, Utilities, Resources) of the Local Plan.

Highways

As previously stated, the site has an extant planning permission (ref 7/17849) for a restaurant and hotel. In relation to this existing permission, a right turning lane has been proposed at the new access onto the A51. This section of Nantwich Road is single carriageway in width and is subject to the national speed limit.

The applicant has submitted a transport statement as part of their application. A speed survey was carried out on the 10th June 2011. It shows that the measured 85th percentile dry/wet weather journey speed of vehicles in free flow approaching the access in either direction was

Northbound:	46.3mph (Dry Weather) and 43.8mph (Wet Weather) (AM)
	46.0mph (Dry Weather) and 43.5mph (Wet Weather) (PM)
Southbound:	49.4mph (Dry Weather) and 46.9mph (Wet Weather) (AM)
	47.7mph (Dry Weather) and 45.2mph (Wet Weather) (PM)

It is considered that the existing junction arrangement and the realignment of the hedges and verges, will secure visibility splays of 160m to the left and right from a 2.4m set-back point from the edge of the carriageway. The agent states that there is considered a safe level of visibility available at the site access.

The edge of the site is located around 300m from the bus stop located adjacent to the Northwest Farmers employment site. These bus stops are served by the no. 84 bus route. Currently, there is a verge and the applicant is proposing that it is replaced by a new footway provision along the north side of the A51 from the site access to the bus stop to the south east. This will be secured by condition if planning permission is to be approved. It is considered that this new footpath will improve accessibility to the site by bus. This has the potential of reducing the reliance on the private car to access the site.

The author of the report states that there would be a total provision of 135 parking space for the entire site including 8 disabled spaces. 64 spaces are allocated to the Class A1 use to the north west of the site and 71 for the Class B1/B2/B8 uses. Secure parking for a total of 20 cycles would be provided, which are shown on the submitted plans.

The applicant goes on to state that it is not envisaged that the scheme will attract large articulated HGV's, due to the size of the units. However, it has been demonstrated by swept path analysis that large HGV's up to 16.5m in length can enter and leave the site within a forward gear.

The traffic generated by a development of the scale proposed would have no material impact upon the operation of the adjacent highway network and there will be no access capacity issues. It is considered, given the limited amount of

vehicular movements associated with the proposal, that it will not significantly increase congestion in the locality.

In light of the factors cited above and given that Highways have not objected to the proposed development, there is insufficient justification to warrant a refusal on highway safety grounds and sustain it at any future appeal. It is therefore considered that the proposal is in accord with policies BE.3 (Access and Parking) and TRAN.9 (Car Parking Standards) and advice advocated within the National Planning Policy Framework.

Ecology

The application is supported by an ecological assessment.

According to the assessment, a single Great Crested Newt was recorded on site in 2009. The surveys undertaken in connection with the proposed development have identified a number of ponds and confirmed the possible presence of breeding Great Crested Newts. However, each of these ponds is a considerable distance from the proposed development. Moreover, further surveys of the application site undertaken this year have not recorded any further activity on the site.

The Councils Ecologist advises that the proposed development does pose the risk of disturbing or killing Great Crested Newts and that there is likely to be some loss of habitat for the species. However, the impacts of development are likely to be low. The ecologist concludes that, to mitigate the adverse impacts of the development, the submitted ecological assessment recommends the implementation of Reasonable Avoidance Measures to mitigate the risk of killing / injuring newts and also recommends the provision of a new pond and small wildlife area in the south western corner of the site, which will be conditioned accordingly. Furthermore, it is considered prudent that, if the application is to be approved, a condition stipulating building works should take place outside of the bird breeding season is imposed. The Councils ecologist raises no objection and as such the proposal complies with policy NE.9 (Protected Species) and the National Planning Policy Framework.

Landscaping

This matter will be addressed at the reserved matters stage. If planning permission is to be approved, a condition relating to landscaping of the application site will be attached to the decision notice.

Other Matters

The Highways Officer has requested that a commuted sum payment of £10000 is provided for the future maintenance of the right hand turn lane. However, the case officer noted that the right hand turn lane was already in situ and maintenance of the Highway network is already the responsibility of the local authority as the highway agency. Therefore, it is considered unreasonable to request this commuted payment.

The Parish Council are concerned that, if the application is approved, it could lead to much expansion. Whilst the concerns of the Parish Council are noted, the current application must be determined on its own individual merits. The possible expansion of the site would require a further planning application and the refusal of

the planning application on a hypothetical situation would be difficult to justify and sustain at any future appeal.

9. CONCLUSION

It is accepted that the application site is located in a remote location and in an unsustainable location. However, the proposal serves a specific local need and will generate further employment.

It is considered that the design, scale and form of the buildings would sit comfortably with those in the locality. The development can be accommodated on the site without causing significant harm to the character and appearance of the open countryside or the amenities of nearby residential properties.

The proposed development can be satisfactorily accessed without significant harm to highway safety.

There are no significant concerns relating to protected species or loss of trees.

The proposal is therefore in compliance with Policies NE.2 (Open Countryside), NE.9 (Protected Species), BE.1 (Amenity), BE.2 (Design Standards), BE.3 (Access and Parking), BE.4 (Drainage, Utilities and Resources), BE.5 (Infrastructure), BE.6 (Development on Potentially Contaminated Land), E.6 (Employment Development within the Open Countryside), TRAN.9 (Car Parking Standards) and S.10 (Major Shopping Proposals) of the Borough of Crewe and Nantwich Replacement Local Plan 2011, and guidance contained within the National Planning Policy Framework.

10. RECOMMENDATION

a) Approve subject to conditions:

- 1. Commencement of Development**
- 2. Reserved Matters**
- 3. Plans**
- 4. Details of the boundary treatment around the periphery of the site and the external display area to be submitted and approved in writing**
- 5. Surfacing Materials**
- 6. Materials**
- 7. Details of any external lighting to be submitted and approved**
- 8. Landscaping submitted**
- 9. Landscaping implemented**
- 10. Drainage scheme to be submitted and approved in writing**
- 11. Details of secured covered cycle parking to be submitted and agreed in writing**
- 12. Details of bin storage areas to be submitted and agreed in writing**
- 13. Details of the underground sewage treatment plant to be submitted and agreed in writing**
- 14. Details of the wildlife area to be excavated and landscaped to be submitted and agreed in writing**
- 15. Incorporation of sustainable features to be submitted and approved**
- 16. All noisy works to be inside with doors and windows closed**

17. Details of the footpath to the site frontage to be submitted and agreed in writing
18. Unit 3 restricted to B1 or B2 uses only
19. Unit 2 restricted to B2 office use only
20. Notwithstanding the plans hereby approved no permission is granted for the subdivision of Unit 1
21. Hours of use of the units to be submitted and agreed in writing
22. Details of the noise levels generated by the private wastewater treatment plant to be submitted and approved in writing
23. Details of the noise reduction measures for all of the units shall be submitted and approved in writing
24. Contaminated land report
25. The A1 unit hereby permitted shall be used for non food retail only and for no other purpose, including any other purpose within Class A1 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Furthermore, unless otherwise authorised in writing by the LPA, the unit shall not be used for retailing other than those genuinely associated with a country store, and shall not be used for the retailing of any of the following goods:
 - Fashion clothing and footwear (other than country, equestrian and leisure clothing and footwear normally retailed within a country store);
 - Fashion accessories, including jewellery, cosmetics, toiletries and pharmaceutical products; books, newspapers and magazines (other than specialist publications or animal health products normally retailed within a country store);
 - Electrical goods (other than those which would normally be retailed within a country store);
 - Kitchenware or goods associated with cookery.
26. Unit 1 shall be occupied by Countrywide Stores
27. No outside storage for unit no. 3
28. Travel Plan
29. Car parking and turning areas to be made available prior to the first occupation of the buildings

b) In the event of any changes being needed to the wording of the committee's decision (such as to delete, vary or addition conditions / informatives / planning obligations or reasons for approval / refusal) prior to the decision being issued, the Development Management and Building Control Manager, in consultation with the Chair of the Strategic Planning Board is delegated the authority to do so, provided that he does not exceed the substantive nature of the Committee's decision.

INFORMATIVES:

The applicant/developer is advised to contact British Waterways' Third Party Works Team (01606 723800) in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' "Code of Practice for Works affecting British Waterways".

Hours of Construction

Monday to Friday	0800 hours to 1800 hours
Saturday	0900 hours to 1400 hours
With no Sunday or Bank Holiday working	

