

Planning Reference No:	09/4043N
Application Address:	Earl of Crewe Hotel, Nantwich Road, Crewe.
Proposal:	Demolition of existing building and construction of new foodstore with associated parking.
Applicant:	Aldi Stores Ltd.
Application Type:	Full Planning Permission
Grid Reference:	370238 354516
Ward:	Crewe South
Earliest Determination Date:	27 th January 2010
Expiry Dated:	5 th March 2010
Constraints:	Settlement Boundary Nantwich Road Shopping Area Locally Listed Building

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 a 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.

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 12th February 2007

09/1304N - Demolition of existing building and construction of new foodstore with associated parking. Withdrawn

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)

Environmental Health

Do not object to this application subject to the following comments

- The discussed mitigation methods for both the construction and operational phases implemented and agreed with the local authority prior to commencing works alongside implementing the identified mitigation measures to minimize any impact on air quality within the AQMA and surrounding area.
- Before the use commences the building together with any ancillary mounted equipment shall be acoustically attenuated in accordance with a scheme submitted to and approved by the borough council.
- The car park should be closed to all vehicles (except for staff vehicles) outside store opening times so as to protect the amenity of local residents.
- Hours of operation, including deliveries to the site, shall be restricted to those stated in the application form i.e. 8am-8pm Monday to Saturday and 10am-5pm on Sundays.

Highways Authority

The unofficial zebra crossing at the entrance with Nantwich Road (A534) will have a detrimental impact on highways safety. Vehicles turning into the Aldi site will have to stop to allow pedestrians to cross the unofficial zebra crossing, resulting in the A534 becoming blocked. This is not acceptable and will also conflict with the proposed yellow boxed marking. This unofficial zebra crossing needs to be moved and relocated further away from the entrance. It will also require a footway connection from Nantwich Road on the Nantwich side.

The maximum number of parking spaces permitted for a GFA of 1000sqm is 71 spaces, which should include 4% disabled. There are concerns with the location of the first four car parking spaces and a potential backing up of vehicles towards and on the A534. The nearest car parking space should be no less than 15 meters from the entrance with the A534 to reduce the risk of queuing. This will require the removal and relocation of two disabled and two standard parking spaces. This area would be the preferred location for cycle stands as it will reduce any conflict between disabled parking space users and cyclists.

The highways authority recommends that the parent and child spaces are relocated in the area that links the second unofficial zebra crossing with the car park. The radius near to the second unofficial zebra crossing (on the car park side) should be redesigned to accommodate pedestrians crossing over a reduced over run area.

The access must be constructed to CEC specification through a section 278 agreement and include the provision for a yellow boxed marking.

United Utilities

- No objection to the proposal in principle.
- In accordance with PPS25 surface water should not allowed to discharge to foul/combined sewer. This prevents foul flooding and pollution of the environment.
- This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities. All surface water drains must have adequate oil interceptors.

Sustrans

- The developer's notes refer to reducing the need to travel for food shopping by providing a retail opportunity within walking distance of residential areas of Crewe. This is a principle we very much support but we question how the developer can justify it for this particular store even with the reduced level of car parking at 85 spaces.

- Are pleased to see the inclusion of a pedestrian access off Sherwin Street and cycle parking under cover with Sheffield stands.
- Travel Planning is discussed by the developer. This has the potential to reduce some car journeys but only if it has targets, is monitored regularly, and has to report back to the local authority. It would be very useful for this to be carried out for the shoppers as well as staff to gauge how people do actually travel to the store, and whether they are opting to walk or cycle or use public transport.
- There will be an increase in vehicular manoeuvres into and out of the store on Nantwich Road at a very busy location. We suggest the footway should maintain continuity over the entrance as a raised crossing.
- T junctions on the 20 mph Nantwich Road zone.
- Prefer to see a planting strip in front of the store to soften the street scene.

Ecologist

- The ecologist who undertook the bat survey 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 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.

7. VIEWS OF THE PARISH / TOWN COUNCIL:

N/A

8. OTHER REPRESENTATIONS:

Objection

Letters of objection have been received from the following addresses: 5 Wistaston Avenue, 152 Manor Way Crewe, making the following points:

Loss of locally listed building

- The Earl is a locally listed and historically significant building
- There is no other building in the country that has the look, design, and character of 'The Earl'.
- This would not be permitted in other towns and cities in Europe
- Crewe should retain its heritage for the sake of future generations
- The Police Training College and Technical Institute are good examples of sensitively regenerated buildings. They also were in a condition similar to that of 'The Earl'.
- Saving a small commemorative 'Victoria Jubilee' plaque rescued from 'The Earl' is simply not enough and inadequate if we are to maintain a proper cultural link to our

past. Neither can this small token gesture be considered to be 'Incorporating certain features'.

- An immense amount of artwork, detail and design which has been put into 'The Earl' i.e. the ridge tiles, brick work patterns etc. (Nearly all of which are still in good condition and in site despite the supposed lack of maintenance to the property)
- Cheshire East Council need to press for full 'Listed' status for this building, with immediate effect.
- Even if the current buildings are no longer viable as a pub, there are many opportunities to develop the site which would not require demolition- such as using it for low cost housing- the main building could be converted to apartments, with the surrounding land being developed for houses or apartments as, or if necessary. Other possibilities could be: Start up units for new small businesses, a 'design zone', where local designers could be close together, a high class restaurant or hotel ('The Earl' was originally a hotel, and there is currently no hotel accommodation at this end of Nantwich Road), a head office for a local business i.e. a solicitors, architects, or consultancy. The possibilities are endless
- There will be a loss of green space around the building
- The site should be placed on the open market

Highway Safety

- There will be an increased risk of accidents and traffic congestion
- Nantwich Road has already undergone traffic calming, and so further traffic use would undermine the benefits this gives.
- It would mean more HGV's using an already busy road.
- The number of car park spaces planned when compared to the existing number is an indication of the amount of extra traffic expected at the development.
- Many of the expected cars will have a short stay, whereas currently, most are parked for longer periods
- There also will be long queues of traffic heading east, as cars wait in line to cross on-coming traffic in order to access the car park.
- Customers will use Aldi as a supplement to their existing shop visits- there will be an even bigger increase in traffic as people make two shopping journeys instead of one

Quality of proposed building

- The application if passed will simply bring a bland, clone of many other shops around the country to the streets of Crewe. A resident or visitor will quite possibly be able to see a very similar uninteresting, faceless building in any western country.
- The building materials and type of building as planned (Aluminium windows and doors,) are not in keeping with traditional Cheshire building materials, surrounding buildings, or even the existing building which is "on a completely different, grander scale" (Applicants own assessment), such as red brick mouldings, render, pitched roof, carved wood bargeboards, chimney stacks.
- Simply adding some pitched roof areas to what is basically a cheap flat roof does not improve the overall poor aesthetics of the original application nor improve or retain the quality of this part of Nantwich road from what we currently have.
- The developer's claim of an "Incoherent street scene" will only be worsened by this development.
- The applicant intends to "re-establish the broken building line". It can be seen from old maps that there has never been a continuous building line along Nantwich Road

- The developer has not taken account of: 'By Design: Urban Design in the Planning System'

Pollution

- This development will create disturbance, noise, and light and air pollution to the local residents.
- The landscaping is not enough to mask the sounds of cars, delivery lorries, and the noise of the "servicing facilities and plant" located to the south of the planned building.
- The current 'Earl' has a much wider belt of trees and green open space ("an imposing and mature garden") which masks any noises and pollution much better,

Loss of community facility

- The Earl has a significant number of regular customers and is a community facility

Impact on town / other retailers

- The town will become characterised by supermarkets, charity shops and fast food outlets
- The size of the proposed store is disproportionately large for the catchment
- It will kill off other shops in the area
- There are already several supermarkets in the immediate vicinity, selling the same types of items
- New Tesco and Sainsbury's Stores have recently been approved
- There is also an existing 'Aldi' shop not far away in the town, so any jobs created by this development would likely be lost elsewhere. The applicants say "it will draw the majority of its trade from existing food stores...particularly in Crewe town centre"
- Crewe is dying already, having many empty shop units.
- If people are no longer visiting the town centre for even a small amount of grocery shopping, there will be an impact on comparison goods retailers

Other matters

- Additional hardstanding may increase risk of flooding
- Further investigation is required for lead contamination
- There is no indication in the application of how the developers intend to use renewable resources in the construction or running of the building.

Support

Letters of support have been received from the following addresses: 290 Walthall Street, 8 Tynedale Avenue, 5, 23 Swinnerton Street, 11, 25 Madeley Street, 20, 42, 44, 76 Ernest Street, 176, 282, Nantwich Road, 26 St. Andrews Court, 146 Bedford Street, 3 Atholl Avenue, 14 Brooklyn St, 60 Bedford Gardens, 29 Ruskin Road, 1 Westminster Street, Crewe making the following points:

- It is a wonderful idea
- It will give the local population more choice of where to shop and better value
- Value for money is needed in the economic climate
- It is in a central location and car transport will not be required
- The Earl of Crewe does not do much trade
- It would not impact on the other retailers such as the co-op, which sell other products
- The new plans are a big improvement over the previous application.

- It will improve the appearance of Sherwin Street.
- It will bring more trade in for other shops at the same time
- It will be very useful for old people especially in bad weather
- The site is currently full of rubbish and breeds vermin
- It will brighten up the area and bring jobs for young people
- Nantwich Road has lost a lot of retail units to fast food outlets and new ones are needed
- A larger supermarket in the area would be beneficial for workers at nearby businesses
- It has a large catchment area encompassing a lot of Wistaston as well as the immediate area.
- Other shops in the area are too expensive
- The plans have taken into account other buildings and there would be sufficient parking.
- The pub has generated problems of antisocial behaviour
- Aldi on the retail park is out of the way.
- The Earl is of little historical value

9. APPLICANT'S SUPPORTING INFORMATION:

Transport Assessment

- The report has demonstrated that the proposed development promotes accessibility by all modes of travel, in particular public transport, cycling and walking by virtue of its sustainable location and the physical infrastructure that would be put in place cycle parking at the front of the store, as well as the Travel Plan which would be used to influence travel behaviour.
- It has also been demonstrated how the development would reduce the need to travel, especially by car with regard to the element of pass-by diverted and transferred trips – i.e. the majority of vehicular trips to the proposed development would not be new trips on the network and may well be shorter given the more convenient location of the store to the catchment.
- The impacts of residual trips from the proposed development have been assessed and it is evident that these would not have significant impact on the operational performance and safety of the local highway network.
- It is concluded that there are no overriding reasons preventing the Local Planning Authority from recognising that the proposal is acceptable with regard to the Local Highway Network.

Framework Travel Plan

- To achieve the initiatives in the Travel Plan, Aldi will encourage its employees and customers alike to take into account the benefits of sustainable forms of transport that are available to them given the highly accessible location of the site.
- Aldi will undertake local infrastructure improvements to further enhance sustainable transport options in the vicinity of the site. This allied with progressive management practices and the provision of adequate infrastructure will influence and encourage staff and customers to choose sustainable transport options in preference to the private car.
- The Travel Plan will seek to achieve significant reductions in car usage for journeys to and from the store. This will produce resultant benefits in terms of air quality and

emissions and will also significantly reduce car parking demand and traffic generation associated with the development.

Consultation Statement

- Pre-application discussion has taken place with statutory bodies, stakeholders and elected members. A press release was issued and a public exhibition was held
- A free post and free phone facility was also set up to enable people to make comments.
- A total of 79 responses were received, of which 68% were in favour, 13% made comments and 19% objected.
- The statement includes a summary of the comments.
- The applicant is committed to on-going community and stakeholder engagement through meetings and newsletters.
- All comments received have been reviewed by the project team and where changes could be made, they were. Feedback was also given at the exhibition and questions answered. Many of the issues raised are covered in the application documents which accompany this response.
- Following a review of the feedback received Aldi considered the comments raised and has responded as follows.
- A new Aldi food store on the site would assist in meeting a local need as the Cheshire Town Centre Study identifies capacity for additional convenience floor space in Crewe. Because Aldi stores only sell own brand products, the store can sit side by side with existing stores already in Nantwich Road. Aldi believe that the new store would attract local customers who currently travel to one of the larger supermarkets in Crewe. This would be new life into the shopping area and complement the other shops.
- The Earl of Crewe public house has deteriorated in recent years and does not contribute to the Nantwich Road. The design of the proposed store would be high quality and would seek to provide a modern, lean and light store for the town. Aldi has carefully designed the scheme to incorporate certain features from the Earl of Crewe public house, such as the commemorative plaque to ensure that the new food store complements the existing streetscape and provides a feature on Nantwich Road.
- The new store would seek to bring a new landmark building to the street frontage with a sympathetic design to reflect the history of the site while creating a new use of the land to help draw customers to Nantwich Road.
- The principal means of access would be via the existing access off Nantwich Road. This access radii and width will be modified to allow easy access into and out of the site whilst maintaining the required visibility standards. There are no proposals for any access to be taken from Sherwin Street.
- The Earl of Crewe public house already has a private pay and display car park to the side and rear of the building. The new store would seek to continue to provide parking for customers of shops along Nantwich Road as well as customers of the new Aldi Store. The development is proposing a total of 85 car parking spaces, including four spaces for disabled customers and two parent / child spaces
- Aldi proposes that the new store car park would be free for visits up to 90 minutes giving customers time to complete their shopping in store and make further trips to the neighbouring shops. There would be no restrictions on parking out of store opening hours.

- An addendum has been submitted which states that Aldi is committed to on going public consultation by way of further meetings, press releases and a newsletter, which will be issued following submission of the revised application.

Retail Statement

- The Cheshire Town Centre Study identifies both a quantitative and qualitative need for additional convenience floorspace in Crewe.
- The site lies primarily within the defined Nantwich Road shopping area, which is a preferred location for new retail development and notwithstanding this there are no more central sites within Crewe Town Centre or Nantwich Road, which are suitable, available or viable to accommodate the proposal. It presents the most appropriate opportunity for additional retail investment of the scale proposed.
- The development is of an appropriate scale to the Nantwich Road location and the catchment area served by the centre.
- The site is well served by public transport and is readily accessible by a choice of modes of transport including, buses, rail, cycling and walking.
- The scale of the proposed store is modest and the predicted trading impact of the development is minimal and it will have no harmful effect on the vitality and viability of Crewe Town Centre or the Nantwich Road shopping area, but rather it will enhance the retail offer, widen choice for consumers and therefore improve the attractiveness of the Nantwich Road shopping area.
- There are therefore no retail considerations contrary to national and local policies such that planning permission should be granted.

Design and Access Statement

- The scheme is a contemporary modern design, which will replace a structure alien to its surroundings.
- The proposal will bring crisp materials to the streetscape whilst also enhancing existing public routes and servicing.
- The carefully chosen palette of materials will fit neatly into the urban landscape and create a sharp modern addition to Nantwich Road and the neighbouring areas.
- Enhanced landscaping levels will also be introduced to the streetscape, throughout the car park and to the boundaries
- To conclude the scheme fulfils the requirements of the policies set down at both National and Local levels and therefore should be treated in a favourable light by the Local Authority

Planning Statement

- The site is in a sustainable location and is suitable to accommodate the scale of the proposed foodstore, which is appropriate for the location. It will enhance the retail offer in the Nantwich Road shopping area and improve customer choice and will have no adverse impact on the centre, or on Crewe town centre. It will also offer the prospect of linked trips, improve the centre's car parking facilities and will contribute to urban regeneration objectives.
- The building is of good quality which respects urban design principles and is in keeping with the local context and will therefore significantly enhance the surrounding area.
- The Transport Assessment has confirmed that the traffic generation in respect of the proposed store can be satisfactorily accommodated on the highway network.

- No other issues have been identified which are adverse to the proposed development
- For all these reasons it is submitted that planning permission should be granted.

Geo-environmental Assessment

- No significant contamination of the soils has been identified on the site. However there is a slim chance that some contamination may be present in currently inaccessible areas of the site or in the former demolished garage area. However, gross contamination is not anticipated and a watching brief should be undertaken during development to ensure no areas of minor contamination are overlooked.
- At this stage no specific remedial measures are considered necessary. No sources of contamination have been identified at this stage and the development of the foodstore and associated car park will largely remove any pathway between potential contamination and site end users.
- Imported clean soils may be necessary to support plant growth in areas of soft landscaping. This will also prevent potentially undesirable soils coming to the surface. However, it may be possible to utilise the existing topsoil in the beer garden area if an area is available to stockpile it during construction.
- The most suitable foundations at the site are likely to be a combination of pad and strip foundation founding on the firm to stiff clays. Ground bearing floors slabs are likely to be suitable.

Bat Survey

- No evidence was found anywhere on site to suggest that bats ever roosted here.
- The barn looked to offer the most potential from outside but internally it was obvious that the fire 2 years ago had caused extensive damage and most of the timbers were severely charred. The barn was re-roofed after the fire and if bats had been present beforehand this major disturbance is likely to have, at the very least, caused them to relocate elsewhere. However, there was no evidence to suggest that they had ever roosted there.
- The pre-fabricated garages that have been demolished were unlikely to have been attractive to bats.
- Nor do the trees on the site shown any signs of suitable roosting habitat, apart from one ivy clad tree, which in isolation within sub-optimal bath habitat is unlikely to be attractive to bats.
- However, bats do forage and roost in areas close to Crewe town centre and this site may be visited from time to time by the occasional bat or two but it is unlikely to be significant.
- In view of this a license from Natural England regarding bats is not currently required before building work commences on site.
- Mitigation measures are not required for bats
- However, if the situation changes and bats are subsequently found on site, then a license for bats may be required and mitigation measures necessary.
- If in the unlikely event that a bat is accidentally discovered during building operations, work must cease immediately in that area. The bats should be left undisturbed and a bat consultant contacted for advice.

Building Survey Report

- The property is a Victorian brick constructed public house.
- Due to its age and lack of maintenance it has deteriorated significantly
- Externally, the building has the following problems:
 - The pitched roof appears to be suffering due to numerous slipped and missing tiles, with rotten fascias and bargeboards all requiring replacement. This will require the entire building to be scaffolded, the roof stripped and the tiles re-fixed / partially replaced with new fixings.
 - All the flat roofs are nearing the end of their lives and are likely to require replacement within the next two years
 - There are areas of brickwork requiring re-pointing and isolated renewal. Chimneystacks are a health and safety risk and should be rebuilt or capped.
 - The gutters and down pipes are heavily corroded and silted requiring replacement.
 - The windows have been poorly maintained and the seals have failed with signs of advanced stages of rot to the timber frames and mullions, and will need replacement throughout.
 - Damp investigations and potential damp proofing works are required
- Internally the majority of the fittings are tired and dated. The following works are required:
 - The electrics and the plumbing comprise both old and new installations and it is likely they do not comply with current regulations. As such, they have limited life expectancy and will need to be stripped out and renewed.
 - The floorboards on the second floor are starting to fail, requiring replacement.
 - Repairs to water damaged and cracking plastered ceilings and walls.
- If the building is to be used for anything other than its current use, significant works will be required including
 - Upgrading the loading capacity and sound insulation of the floors.
 - Upgrading fire compartmentalisation both vertically and horizontally including doors, floors and staircases
 - Installation of a lift should residential conversion be considered
- The building does not comply with the Disability Discrimination Act and it is likely that the following works will be needed
 - Installation of a ramp to the main entrance
 - Upgrading the fire alarm system
 - It is understood that all asbestos has been removed from the building,
- Considerable expenditure will be required to this building to bring it up to an acceptable standard of repair internally and externally. If the use of the building is to be changed the expenditure will increase further. This is likely to be in the region of £335,000.

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 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 jetted 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.

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 originally 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.

A structural report has also been submitted with the application which 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.

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.

The applicant also argues that the owners of the building have been attempting to sell the business for over three years without success and have therefore sought interest for alternative uses with a similar lack of enquiries such that redevelopment has become increasingly attractive. Vacation of the building is increasingly likely in the short term leading inevitably to further deterioration and problems in respect of its appearance.

In support of these claims, a letter from the Management Company responsible for the building has been submitted. It states that due to deteriorating profitability as a public house, the Earl has been on the market since December 2007 through 3 commercial agencies. No meaningful proposal has been received either to continue use as a public house or for alternative purposes. Whilst there have been some enquiries these have been very limited in nature, due not least to the economic recessions. Further information is also provided to illustrate falling revenues from the pub and to explain that on the basis of these an estimated £366,000 refurbishment cost could not be justified. The company has 140 pub outlets across the country, but

on the basis of their industry expertise they have concluded that the Earl is no longer commercially viable and inevitably will have to close in the very near future.

Whilst the contents of this letter are noted, it is not considered that this is evidence of a concerted marketing campaign. No information has been provided as to how it was marketed, to whom it was marketed and for what uses or the intensity of the campaign. It does not provide convincing evidence that all potential alternative uses have been thoroughly investigated. The site has the benefit of being located within a mixed use area where retail, office, residential food and drink uses would be appropriate.

The scale and layout of the building, the applicant claims, are such that it does not lend itself easily to conversion and in the present economic climate costs are prohibitive. This argument is not accepted. It is considered that the building is suitable for a range of uses, which would be economically viable, particularly in conjunction with the implementation of the extant permission which exists on the land to the rear of the site. There have been recent examples within the Borough of public houses being converted to a range of uses including flats, student accommodation and restaurants. It is not considered therefore that the developer has demonstrated that re-use is neither physically nor financially sustainable.

The supporting documentation states that notable features from the original building will be incorporated within the new development. However, other than reference to a commemorative plaque details of these features have not been forthcoming. The proposal is therefore contrary to Policy BE.13 of the Local Plan.

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, stops 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 application, the developer has 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 this 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 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 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 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.

A bat survey of the existing buildings on site has been undertaken but has not revealed any presence of bats on site. The Council's ecologist has examined the survey and commented that it has been carried out to a very high standard and that no further action is required in this case.

Highways and Parking

The developer has submitted a Traffic Impact Assessment with the application, which has been examined by the Strategic Highways Manager. He has 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.

Residents 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 -

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.

