

<b>Planning Reference No:</b>	10/0665N
<b>Application Address:</b>	Former George Hotel West Street Crewe
<b>Proposal:</b>	Two Retail Units Including Associated Parking, servicing and Site Access. A unit of 371 sq. m to be used for Class A1 and a Unit of 93 sq. m to be Used for any Use Within Use Classes A1, A2, A3 or A5.
<b>Applicant:</b>	Pochin Developments & Malahat Properties
<b>Application Type:</b>	Full Planning Permission
<b>Grid Reference:</b>	368135 355944
<b>Ward:</b>	Crewe West
<b>Earliest Determination Date:</b>	30 March 2010
<b>Expiry Dated:</b>	19 April 2010
<b>Date Report Prepared:</b>	9 April 2010
<b>Constraints:</b>	Settlement Boundary

#### **SUMMARY RECOMMENDATION:**

**APPROVE** subject to conditions

#### **MAIN ISSUES:**

- Impact on the vitality and viability of West Street/ Crewe town centre
- Impact on Highway Safety
- Impact on Nature Conservation
- Impact on Neighbouring Amenity
- Impact on the Character and Appearance of the Area

## **1. REASON FOR REPORT**

This application is included on the agenda of the Southern Planning Committee because it has been called in by Councillor Cartlidge due to concerns regarding highways issues, over domination and the impact of the hours of business on neighbouring residential amenity.

## **2. DESCRIPTION OF SITE AND CONTEXT**

The application relates to the site of the former George Hotel located on the northern side of West Street which is within the built up area of Crewe. The site is a little over 2km to the west of Crewe town centre. To the north of West Street is an extensive area of housing. To the south there is King George V Playing Fields. There is also a Fitness First gym and Leisure Centre. Further to the south of Coppenhall Lane there is a further area of housing. Marshfield Bank Employment Park lies further to the west. There is also an extensive employment area, including the Bentley car plant, located to the north of the residential area adjacent to the application site.

The site itself measures 0.41ha and did comprise a vacant public house, its car park and beer garden. This building has however since been demolished. The site is bounded by a low boundary wall to the front, with concrete panelling to 2a Sunnybank Road and shrubs and hedging to 639 West Street. There is a prominent willow tree located in the former beer garden area,

### **3. DETAILS OF PROPOSAL**

The proposals relate to the erection of two retail units; one of which is anticipated to be a convenience store measuring 279 sq. m and a smaller unit of 91 sq. m floor area. The site layout shows a new point of access and a car parking and servicing area. The site is subdivided into three sections; the corner closest to Sunnybank Road and adjacent to 639 West Street are the subject of a separate planning application for residential development which is included elsewhere on this agenda.

### **4. RELEVANT HISTORY**

None relevant

### **5. POLICIES**

#### **Development Plan Policies**

##### **Regional Policy**

DP2 Promote Sustainable Communities  
DP3 Promote Sustainable Economic Development  
DP5 Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility  
DP7 Promote Environmental Quality  
DP9 Reduce Emissions and Adapt to Climate Change  
W5 Retail Development

##### **Local Plan Policy**

The principal issue surrounding the determination of this application is whether the development is in accordance with the following policies within the Borough of Crewe and Nantwich Replacement Local Plan 2011:

NE.5 Nature Conservation and Habitats  
BE.1 Amenity  
BE.2 Design Standards  
BE.3 Access and Parking  
BE.4 Drainage, Utilities and Resources  
BE.6 Development on Potentially Contaminated Land  
TRAN.9 Car Parking Standards  
S.8 Existing District and Local Shopping Centres

#### **Other Material Considerations**

PPS1 Delivering Sustainable Development  
PPS4 Planning for Sustainable Economic Growth  
Cheshire Town Centre Study 2006-2021

### **6. CONSULTATIONS (External to Planning)**

**Cheshire Fire and Rescue Service:**

Recommends conditions in respect of access for fire service, water supplies, means of escape and recommends that the applicant consider the inclusion of an automatic water suppression system.

### **Environmental Health:**

No objections but recommends conditions in respect of acoustic attenuation, odour extraction, hours of operation, lighting scheme, storage of waste material and car park closure at night. An advisory note in respect of construction hours was also attached.

### **Strategic Highways Manager:**

No highways objections subject to the following conditions;

-The location of tactile pave, droppers and surface materials to be agreed prior to construction.

-No development shall take place until detailed drawings outlining the site's access arrangements have been submitted to and approved by the LPA and no part of the development shall be occupied until the access has been constructed in accordance with approved drawings.

And the following informative:

- The applicant will need to obtain the consent of the highways authority (CEC) for any work in, or that may affect the public highway. The applicant should contact Crewe area office (CEC) before constructing or altering any access. This work should be carried out under a section 184 licence.

### **7. OTHER REPRESENTATIONS:**

Letters of representation have been received from the occupiers of 7 Bilton Way and 2B Sunnybank Road, 3,18 & 24 Coppenhall Lane, 627 West Street, 14 Deva Road, 4 Merrills Avenue, of 639 West Street, 2B, 18 Sunnybank Road, 9 & 11 Primrose Hill, 5 Bilton Way, 15 Burlea Close, 3, 16 Coppenhall Lane and 4 Merrills Avenue making the following points:

- Positive use of space
- Convenience store would help
- In need of quick development
- Need to restrict parking for residents and double yellow lines
- Pavement curbs need realigning
- Highway safety; concerns regarding additional on street parking
- Amenity; litter, conflict between use of smaller unit and residential properties,
- Request removal of willow tree due to anti social behaviour
- Request houses no more than 2 storeys
- Request provision of post office
- Will enhance the area
- Opening hours need restricting
- Houses should be no more than 2 storeys
- Houses are too close to the retail units
- Will need policing in the evenings

- Drainage issues need to be addressed as during heavy rain flooding occurs along the road
- Concerns about noise and volume of traffic
- Concerns about antisocial behaviour at night time
- Problems with speeding traffic will be exacerbated.

## **8. APPLICANT'S SUPPORTING INFORMATION:**

### **Design and Access Statement**

Provides details on the pre-application discussions undertaken and information on the use, amount, layout, scale, landscaping, appearance, access and sustainability of the proposals. The pertinent points made are that the proposals will provide a neighbourhood convenience store which will enable people who currently drive to food stores to carry out their shopping on foot. The site is located on a bus route and provision will be made for cyclists.

### **Report on Retail Issues**

Sets out a justification for the proposals including an assessment against the relevant criteria in PPS4 which includes sequential testing and an impact assessment. The sequential site selection process was based on the catchment area agreed with the LPA and is based on suitability, availability and viability. The impact assessment looked at quantitative need, qualitative need and the impact upon existing retail commitments and future investment opportunities. The estimated turnover of the store, available expenditure within the catchment area and likely trade draw indicate that there would be a limited impact upon existing nearby foodstores. As the store would serve an unmet localised convenience goods need there is a qualitative need for the development and the scale, nature and location of the proposed development would negate any impact upon existing retail commitments in or close to Crewe town centre.

## **9. OFFICER APPRAISAL**

### **Retail Planning Issues**

The proposals relate to the provision of a 371 sq. m convenience store/ small supermarket and a 93 sq. m retail unit. The site lies approximately 190m from the nearest retail unit along West Street; West Street is defined as a local centre within the Local Plan.

Policy S10 deals with shopping proposals and sets out a number of criteria which must be met for "major" developments, which the plan defines as those exceeding 2,500 sq.m, situated in out of centre locations. This proposal is for the creation of 464sq.m and therefore there is no requirement to meet the tests set out in Policy S10. The Local Plan covers the period to 2011 and the policies have been saved. As a result it is concluded that the proposal is in accordance with the up-to-date development plan.

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

the case with the current proposal. Notwithstanding this point, the applicant has submitted information to address these tests.

Policy EC.14 of the PPS states that for all applications outside of a centre and not in accordance with the development plan a sequential assessment is required. Policy EC.16 requires a need assessment to be undertaken for proposals either over 2,500 sq. m or where they have an adverse impact on an existing centre. Policy S.8 defines West Street as a local centre and given the decline in the retail offer along West Street due to the closure of several businesses and the conversion of shop units to residential properties, it is considered that West Street represents a vulnerable centre. Furthermore given that the proposed convenience store is significantly larger than the vast proportion of retail units along West Street the applicant has sought to address any concern that the provision of the supermarket would have a disproportionate impact upon West Street.

### *Sequential Assessment*

The applicant has submitted a Retail Impact Assessment which indicates that the convenience store would serve a predominantly local need and the vacant units along West Street could not accommodate the type of retail offer proposed even allowing for flexibility in store format. Sites in Crewe town centre have been discounted because of the distance from the town centre and the size of the store with reference to its likely trade draw.

In respect of the smaller unit, whilst this could be accommodated within one of the vacant units along West Street, these units lie outside of the defined catchment area and therefore these vacant units would not be able to fulfil the localised need surrounding the proposed location.

### *Impact Assessment*

Taking into consideration the estimated turnover and available expenditure from the catchment area there will be only limited trade draw from Morrisons (Dunwoody Way) Asda (Crewe town centre) and the existing Co-operative stores (Badger Avenue and West Street). The proposals would have a limited impact upon existing retail commitment or future investment due to the scale and nature of the proposals.

PPS4 states that quantitative needs assessments should be based upon up to date town centre health checks. The Cheshire Town Centre Study 2006-2021 was undertaken in 2005 and a recent appeal decision (APP/R0660/A/08/2086349) at Grand Junction Retail Park for a mezzanine floor indicated that as the economic climate has changed significantly since the study was published it would be unsafe to base an assessment on the earlier expenditure forecasts which were produced before the significant downturn in the economy. Rising unemployment, lack of credit to existing businesses, falling house prices and less disposable income all affect the retail sector. As such, the assessment of these proposals has been based on the suggested methodology within the companion guide to PPS4 rather than the figures suggested within the Cheshire town centre study.

To further protect West Street the use of the larger A1 unit could be restricted to convenience goods shopping to prevent other types of retailers who could potentially have a significant adverse trade draw from occupying the unit.

## *Other Retail Matters*

It should also be noted that an existing retail unit (albeit A5 use) stood on the site previously, which could have been converted to an A1, A2 or A3 without consent. Whilst this building was demolished earlier this year, it did nevertheless have a floor area of approximately 240 sq. m and therefore the convenience goods store proposed, represents only a small increase in retail floorspace. The additional impact of the proposals in the context of what could have been undertaken at the site without planning permission is a material consideration. However as noted above, based on the criteria within PPS4 the impact of the proposals on the vitality and viability of West Street as a local shopping centre would be limited.

## *Summary*

It is considered that having due regard to the provisions of Policy S10, the proposal is in accordance with the development plan. Therefore there is no requirement under PPS4 to undertake a formal impact assessment. Notwithstanding this point, mindful of local concerns about the impact on the West Street local centre, the developer has provided a retail statement which demonstrates that the proposal complies with the tests contained within PSP4. It is therefore concluded that there are no sustainable retail impact grounds for refusing the application.

## **Nature Conservation**

There is a large and prominent willow tree located in the north east corner of the site. This is outside the site boundary for the retail element of the proposals and therefore this issue will be considered in more depth in the accompanying application 10/0947N. However it would be prudent to impose a condition in respect of tree protection measures given that the site is within the applicants control and may be utilised by contractors, during the construction phase of the development, when the tree could be vulnerable to damage.

## **Highway Safety**

The Design and Access Statement indicates that the former pub car park had 55 spaces and the retail units will have 16 new spaces including dedicated spaces for disabled and parents with children. The new car park will be laid out to provide adequate space for delivery vehicles to reach the service areas

Dropped kerbs are to be provided and bollards which will prevent vehicles encroaching onto the pavement area. It is possible for customer cars and normal service vehicles to enter the site, turn around, and exit the site in a forward gear and the proposals do not affect the existing kerb line. All units will benefit from level access for wheelchair users.

The site has excellent public transport links with an existing bus stop immediately adjacent to it on Sunnybank Road providing access links to Crewe town centre and the local and national rail network.

Whilst the concerns of neighbours in respect of the proposals exacerbating existing on street car parking problems are noted, given the highly sustainable location and the nature of the goods sold, which would be predominantly 'convenience' goods, a refusal on parking grounds could not be sustained. Moreover PPG13 seeks to promote

diminished levels of car parking in sustainable locations to promote sustainable travel patterns and linked trips. However, the details of surfacing materials and construction of the access will be conditioned accordingly.

Whilst it is acknowledged that a convenience store would generate more vehicle movements than the former public house, the number of vehicles on site at any one time will be considerably less. Vehicle movements to and from the site are more likely to be spread throughout the day whereas the public house would be subject to “peak” flows at opening and closing times. The unit is within a walkable radius of the catchment area and West Street, and will serve predominantly local needs, particularly if the recommended “comparison goods only” condition is applied. Furthermore, the access and visibility splays are considered to be up to an appropriate standard to accommodate the additional vehicle movements.

## **Design Standards**

PPS1 seeks to encourage high quality, inclusive design which takes the opportunity to improve the character of the area.

Policy BE.2 adds to this that proposals should respect the character, pattern and form of the surroundings, not adversely affect the streetscene and deter vandalism and crime.

The existing buildings surrounding the site are mostly residential and are of varying ages and architectural styles. Most of the houses are two storeys high with some single storey properties along West Street. There are more utilitarian buildings such as the Fitness First leisure centre within the locality.

There is a functional need for the building to be single storey with minimal structural intrusion to maximise the retail floor area. The mono pitch roof will keep the massing of the building low to allow the new proposals to sit comfortably within the context of the surrounding built environment.

Articulation of the elevations is provided through horizontal insulated metal panels which seek to break up the bulk and massing of the building. Following recommendations made during preapplication discussions, the corners will be enhanced with projecting parapets. These will provide strong architectural features at the most visible points on the front elevation. Vertical emphasis is created with projecting piers and the choice of facing materials seeks to reduce the mass of the elevations.

The buildings are proposed directly opposite the convergence of Sunnybank Road and West Street, thereby creating a focal point, whilst the layout of the store with the entrance at the front creates an active frontage. There is also minimal parking proposed at the front of the site which ensures the development does not appear to be car dominated.

The provision of security measures coupled with the likely natural surveillance occurring due to the provision of an active frontage and the adjacent residential proposals will deter vandalism and anti social behaviour.

## **Amenity**

Policy BE.1 states that proposals should be compatible with surrounding land uses. Environmental Health has raised no objections to the provision of a retail use adjacent to

residential properties. However they have recommended conditions in respect of acoustic attenuation, odour extraction, hours of operation, a lighting scheme, storage of waste material and car park closure at night. These are considered reasonable conditions as acoustic attenuation, odour extraction, hours of operation and storage of waste material for the convenience store and retail unit will minimise disturbance to residents and the conditions in respect of a lighting scheme and closure of the car park will minimise opportunities for anti-social behaviour and vandalism.

Whilst they have indicated that they would be willing to accept a condition limiting the use of the large unit to A1 retail, the applicant has requested that permission be given for use Classes A1, A2, A3 or A5 (shops, financial and professional services, restaurants, and hot food takeaways) in respect of the smaller unit. Whilst this will be adjacent to the new residential properties, the scale of the unit coupled with the requirement via condition for acoustic attenuation, odour extraction and the restriction of the hours of operation should ensure that any of the requested uses would not have an adverse impact upon residential amenity.

The buildings are sited in the middle section of the site, 18m from 2a Sunnybank Road and 55m from 639 West Street. This is considered to be sufficient to avoid visual intrusion, overlooking or overshadowing. Whilst the proposed dwellings will be close to the retail units a combination of the change in topographical levels, staggered building height and the provision of two storey properties on the site will ensure that the new dwellings proposed will not be adversely affected by reason of overdomination or overshadowing.

### **Other Matters**

Access for fire service and means of escape are covered by Building Regulations Legislation and therefore it is not considered necessary to condition these details in accordance with circular 11/95. The recommendation that the applicant consider the inclusion of an automatic water suppression system shall be added as an informative and the condition in respect of water supplies will be included within the condition relating to the drainage details to be submitted.

## **10. CONCLUSIONS AND REASONS FOR DECISION**

The applicant has demonstrated that whilst the site lies in an edge of centre location the provision of a convenience store and a smaller retail unit would not have an adverse impact on the vitality and viability of nearby centres. In addition the proposals will not raise any concerns for neighbouring amenity, highway safety or nature conservation and the design and scale of the buildings and the proposed layout will not have an adverse impact on the character and appearance of the area. The proposal therefore complies with the requirements of Local Plan policy and PPS4 and accordingly is recommended for approval.

## **11. RECOMMENDATION**

**APPROVE subject to conditions**

- 1. Standard Time Limit – 3 years**
- 2. Materials**
- 3. Approved plans**



4. Restriction of large unit to convenience goods retail only
5. Restriction of small unit to use classes A1, A2, A3 or A5 only
6. No subdivision of units
7. Provision of cycle parking
8. Submission, approval and implementation of acoustic attenuation
9. Submission, approval and implementation of odour extraction
10. Opening hours to be restricted to 7am to 11pm – Monday to Sunday
11. Delivery times to be restricted to 8am to 7pm Monday to Saturday with only newspapers to be delivered (via the front door) before 8am on any day.
12. Submission and approval of external lighting scheme
13. Disposal of construction waste
14. Details of recycling / bin storage
15. Details of physical means of car park closure at night
16. Carpark to be closed 1 hour after store closing and opened 1 hour before opening
17. Drainage and water system
18. Implementation of approved access and parking
19. Surfacing materials
20. Submission, approval and implementation of boundary treatment
21. Submission and approval of landscaping
22. Landscaping Implementation
23. Submission and approval of tree protection measures
24. Implementation of tree protection

Location Plan: Cheshire East Council Licence No. 100049045



The Site

