

# Strategic Planning Board

## Updates

---

<b>Date:</b>	<b>Wednesday, 1st August, 2018</b>
<b>Time:</b>	<b>10.30 am</b>
<b>Venue:</b>	<b>Council Chamber, Municipal Buildings, Earle Street, Crewe CW1 2BJ</b>

---

The information on the following pages was received following publication of the Board agenda.

**Planning Updates** (Pages 3 - 12)

---

Please contact	Sarah Baxter on 01270 686462
E-Mail:	<a href="mailto:sarah.baxter@cheshireeast.gov.uk">sarah.baxter@cheshireeast.gov.uk</a> with any apologies, requests for further information or to arrange to speak at the meeting

---

**This page is intentionally left blank**

**APPLICATION NO: 18/2153N**

**ADDRESS: DODDINGTON ESTATE, BRIDGEMERE, NANTWICH**

**PROPOSAL:** Outline application for development of 12 no. sites for residential development for 112 no. dwellings with means of access and layout included, but with all other matters reserved, for a 10 year phased release and delivery period and associated community betterment (parking overspill next to School, enhanced parking next to Church permissive pedestrian paths, play space, public access, community orchard, educational contribution and affordable housing). [Re-submission of 16/5719N : addition of extra 2.81 ha of land and 10 no. dwellings]

### **CONSULTEE COMMENTS**

**ANSA Green spaces** – Issues raised have generally been addressed, however issues remain that the statement restricts the access to POS to only residents from a particular area. This is not acceptable and the applicant beed to remove any restriction and confirm that the POS is available for all.

### **ADDITIONAL COMMENTS**

One additional letter of support has been received, main issues raised;

- Important that the Hall is restored
- New housing will bring new life to the community, more children for the school, and church

### **POLICY UPDATE**

Since the main report was written an updated version of the NPPF (July 2018) was published. References to paragraph numbers have changed with some emphasis changed in relation to policy context.

### ***Amended relevant paragraphs of the NPPF***

Paragraph 11. Presumption in favour of sustainable development,  
Paragraph 74 Housing Land Supply  
Paragraph 59 – 76 Delivering a sufficient supply of homes  
Paragraph 79 Rural Housing  
Paragraph 124 -132 – Achieving well designed places  
Paragraph 163 – 165 – Planning and Floodrisk  
Paragraph 170 - Conserving and enhancing the natural environment  
Paragraph 174 – 177 Habitats and biodiversity  
Paragraph 181 Air Quality,  
Paragraph 189 – 193 Proposals affecting Heritage Assets,  
Paragraph 196 Less than substantial harm

### Paragraph 202 Enabling Development.

Paragraph 202 Enabling Development (previously 140) has not changed and therefore the assessment of the application remains the same in relation to the enabling development.

The amended NPPF puts a greater emphasis on design. The inclusion of a Design Code with the application will ensure a high standard of design is maintained across all development sites as developed.

The proposed development is considered to have low levels of less than substantial harm to designated heritage assets and therefore the development should be weighed against the public benefits of the proposal (para 196). This remains the same as previous.

It is therefore considered that the changes to the NPPF have not made any policy implications in the assessment of this application. The assessment remains as set out in the main report.

### Updated Housing Supply

On 27th July 2017 the Council adopted the Cheshire East Local Plan Strategy. Accordingly the Cheshire East Local Plan Strategy forms part of the statutory development plan.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. This is the test that legislation prescribes should be employed on planning decision making. The 'presumption in favour of sustainable development' at paragraph 11 of the new NPPF means: "approving development proposals that accord with an up to date development plan without delay"

The Cheshire East Local Plan Strategy is a recently adopted plan. Upon adoption, the Examining Inspector concluded that the Local Plan would produce a five year supply of housing land, stating that *"I am satisfied that CEC has undertaken a robust, comprehensive and proportionate assessment of the delivery of its housing land supply, which confirms a future 5-year supply of around 5.3 years"*.

The Cheshire East Local Plan Strategy (LPS) was adopted after a lengthy examination and was produced through engagement with stakeholders who have an impact upon housing delivery. The adopted plan incorporated the recommendations of the Secretary of State. In accordance with paragraph 74 of the NPPF and footnote 38, the LPS should be considered 'recently adopted' until 31 October 2018 and full weight should therefore be given to the findings of the Inspector in confirming that the Local Plan would produce a five year supply of housing land.

The Council continues to monitor housing delivery and housing land supply, publishing its annual assessment through the Housing Monitoring Update. This report provides information on the delivery of sites and the supply of housing land to an annual base date of the 31 March. The most recent Housing Monitoring Update (base date 31 March 2017) was re-published in December 2017 and this confirmed a housing land supply of 5.45 years. The Housing Monitoring Update (base date 31 March 2018) is currently being produced and this is likely to show a continued positive direction of travel in relation to completions and commitments since the previous annual assessment.

The Council's published housing land supply position has been subject to thorough scrutiny at a number of planning appeals since the LPS was adopted. The most recent of these to report involved an appeal by Gladman Developments for 46 homes at New Road Wrenbury. Here the Council's housing land supply assessment was fully updated, looking afresh at the latest position on key sites and the housing sector generally. This appeal was dismissed on the 10th April 2018 with the Inspector finding that the Council could demonstrate a deliverable 5 year housing land supply.

In the light of the above, relevant policies for the supply of housing should be considered up-to-date – and so consequently the 'tilted balance' of paragraph 11 of the NPPF is not engaged.

### **Other Matters**

Although the recommendation state that the application will be referred to the SOS if approved, this is no longer required under legislation. However the SOS have requested the application be referred to them for consideration if approved under the call in procedure.

### **Officer Appraisal**

Clarification will be sought from the applicants to ensure the POS is available to all and not restricted to people of the local area, this would not be enforceable. Full details will be required by condition and tied to the Legal Agreement as set out in the heads of terms in the main report.

There are no other new issues raised that have not already been addressed in the main report and therefore the recommendation for approval remains.

### **RECOMMENDATION**

**The recommendation as stated of APPROVAL subject to a legal agreement and conditions.**

**This page is intentionally left blank**

**APPLICATION NO: 17/6470M**

**LOCATION:** Land at, Parkgate Industrial Estate, Knutsford

**PROPOSAL:** Erection of 16no. units with access and servicing arrangements, car parking, landscaping and associated works (Use Classes B1(c)/B2/B8)

**CONSULTEES**

Strategic Infrastructure Manager – No objections

**REPRESENTATIONS**

Four additional letters of representation have been received objecting to the proposal on the following grounds:

- No proposals to alleviate current traffic problems on Mobberley Road
- Will result in increased traffic
- Impact on road safety
- Case of maladministration by the Council as Gardens Trust and National Trust not consulted on the application and there are landscape impacts on Tatton Park, A Registered Grade 2\* Parkland
- Committee report does not give adequate consideration of previous objections covering:
  - Cycle parking is proposed, but no guarantee of showering and locker storage
  - Condition of existing footways will not help to promote walking
  - No cycle ways in the vicinity
- Application must make some contribution to sustainable transport and promote alternatives forms of access routes such as walking and cycling as required by LPS 37
- Knutsford Neighbourhood Plan policies on walking and cycling support lockers and showers and the footpath.
- Opportunity to improve the cycle / pedestrian access by upgrading FP11 nearby to a bridleway and supporting with a financial contribution the new section from Parkgate to Dog Wood. Any highways improvements should also include cycle and footpaths.

**KEY ISSUES**

**Highways**

Further details relating to the proposed car parking have now been submitted. The recommended car parking standards within the local plan relevant to the current proposal are:

B1 – 1 per 30sqm

B2 – First 235sqm – 1 per 30sqm, then 1 per 50sqm

B8 - Warehouse storage – 1 per 80sqm and 1 lorry space per 200sqm

Warehouse distribution – 1 per 60sqm and 1 lorry space per 50sqm

However, as noted in the Local Plan, the Council will accept representations to vary from car parking standards on a site-by-site basis with reference to evidence obtained locally or from a suitable data source (e.g. TRICS) outlining predicted parking profiles that would allow departures from the Standards set out.

As this is a speculative commercial development, the specific breakdown of uses is not currently known. When the original application was submitted, the parking was proposed on a basis of 1 space per 70sqm, as this fell halfway between the B8 storage standard and B8 distribution standard.

The floorspace has been subsequently reduced and the parking provision is now provided at a standard of 1 space per 66sqm. As noted in the original report, the Strategic Infrastructure [Highways] Manager was satisfied with this level of parking for B2/B8 uses.

However, B1(c) uses are also proposed and the applicant has now provided information from the TRICS database for similar sized industrial estates comprising B1(c), B2 and B8 uses.

Four similar sites were found, and one was subsequently dismissed as not being characteristic of the proposed development

The recorded maximum parking accumulations at each of the remaining 3 sites comprised:

Falkirk - 21,250sqm - 162 vehicles

Birmingham - 23,480sqm - 122 vehicles

Leeds - 24,980sqm - 156 vehicles

The average trip rates of the 3 TRICS sites were then compared to the trip rates adopted in the TA for the proposed development. This is to ensure that the sites are suitable for comparison with the proposed development. The average trip rates for the TRICS sites, and those adopted in the TA comprise:

	AM	PM
TRICS Average Trip Rates (2-Way),	0.502	0.455
TA Average Trip Rates (2-Way),	0.564	0.427

Overall the trip rates are similar in the peak hours, which confirms that the parking accumulations for the TRICS sites provide a reasonable basis for evaluating the parking requirements of the proposed development. The TRICS data suggests that the parking demand for the proposed development is likely to be much lower than the proposed 371 spaces.

The Strategic Infrastructure Manager is satisfied with the proposed parking provision, subject to a condition to prevent a full B1 use on the site as this would have higher parking demands. This condition is already listed as condition 27 on page 103 of the original report.

Further details on lorry parking are awaited and will be reported verbally.

Given that the floorspace has reduced and that there will be an associated reduction in traffic generation, the required contributions towards the off-site highways works has also changed. The relevant proportionate contribution for the proposed development is now £286,222.

This is considered to meet the tests of the CIL Regulations for the reasons set out in the original report.

With regard to the comments received in representation, as noted in the original report the provision of a roundabout at Mobberley Road will be a condition of any planning approval and s106 contributions will be secured to mitigate for the impact of the development at 2 other nearby junctions in Knutsford.

In terms of the provision of shower / changing facilities this is covered by draft policy T2 within the Knutsford Neighbourhood Plan, and whilst this is only a draft policy at this stage, it is agreed that the provision of these facilities would help to support alternative transport modes to the site. An additional condition is therefore recommended.

As the original report notes there are footways on both sides of Haig Road that provide good pedestrian access to the site. The Highways Authority has also confirmed that Haig Road carriageway is suitable for cyclists without further improvements being made. FP11 crosses the residential site to the north and is therefore in third party ownership. No improvements to this footpath are required as part of the current application.

### **Tatton Park Grade II\* Registered Park**

One of the letters of representation highlights the lack of consultation with the Gardens Trust and National Trust, and suggests this is a case of maladministration by the Council. Whilst these comments are acknowledged it is not considered that the proposed development will affect the special historic interest of Tatton Park, given that the site is located between existing industrial development and a sewage works, and maintains a similar distance to / relationship with the Park as these existing developments. In addition the proposed employment site is buffered by the approved residential development which sits between the Park and the proposed commercial development. Consultation with the specified bodies was not considered to be necessary.

### **Revised National Planning Policy Framework**

The revised Framework was published on Tuesday 24 July 2018. The following paragraphs are of particular relevance to the current proposal, and add new detail to the Framework:

#### Paragraph 80

*“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed*

*on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development...”*

Paragraph 107

*“Planning policies and decisions should recognise the importance of providing adequate overnight lorry parking facilities, taking into account any local shortages, to reduce the risk of parking in locations that lack proper facilities or could cause a nuisance. Proposals for new or expanded distribution centres should make provision for sufficient lorry parking to cater for their anticipated use.”*

These issues are reflected in the original report or above. Other relevant policy matters highlighted in the original also remain consistent with the revised Framework.

**CONCLUSION**

As in the original report a recommendation of approval, subject to the following additional conditions that was omitted from the original report:

- 29. Existing and proposed levels to be submitted
- 30. Shower and changing facilities to be provided

**APPLICATION NO:** 17/6486M

**LOCATION:** Land to West of, Coppice Way and South of Lower Meadow Way, Handforth

**PROPOSAL:** Erection of buildings to be used as car dealerships including workshops, bodyshops, offices, car parking, external display areas, showroom and new accesses along with associated works.

## **APPLICANTS SUBMISSION**

The applicant has submitted a Tree Constraints Report

## **KEY ISSUES**

### **Trees**

The submitted Tree Constraints Report comprises a tree survey together with a tree constraints plan. The document provides no assessment of the impact of the development upon existing trees, or any details of appropriate mitigation, compensation, enhancement or offsetting. The issues raised with regard to trees in the original report therefore still remain.

### **Revised National Planning Policy Framework**

The revised Framework was published on Tuesday 24 July 2018. The following paragraphs are of particular relevance to the current proposal:

#### Paragraph 120

Paragraph 22 of the previous version of the Framework required planning policies to avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

Paragraph 120 now applies this to a wider range of land uses. It states:

*“Planning policies and decisions need to reflect changes in the demand for land. They should be informed by regular reviews of both the land allocated for development in plans, and of land availability. Where the local planning authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan:*

- a) they should, as part of plan updates, reallocate the land for a more deliverable use that can help to address identified needs (or, if appropriate, deallocate a site which is undeveloped); and*
- b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.”*

Policy EG3 of the Local Plan provides the criteria that need to be met for alternative uses to be considered on employment land, which is still considered to be consistent with paragraph 120 of the revised Framework. The policy position on the loss of employment land therefore does not change.

Other relevant policy matters highlighted in the original report and the policies referred to in the reasons for refusal also remain consistent with the revised Framework.

### **CONCLUSION**

As in the original report a recommendation of refusal is made.