

CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD

Date of meeting: 9 November 2011
Report of: Development Management & Building Control Manager
Title: Mill Street/Lockitt Street, Crewe

1.0 Purpose of Report

- 1.1 To consider proposed amendments to the resolution passed by Strategic Planning Board in respect of application P07/0639.
- 1.2 The report has been presented to Strategic Planning Board because the original application for a mixed use development comprising residential, retail (food and non food), pedestrian/cycle link and associated car parking, landscaping, servicing and access was approved by the Board on 24th March 2010.
- 1.3 A further determination was made by Strategic Planning Board on 25th August 2010 to alter Heads of Terms with respect to the delivery of the pedestrian/cycle link.

2.0 Decision Required

- 2.1 To agree to the amendments to the previous resolutions as stated in this report.
- 2.2 The principle of the mixed use development has already been established by the previous resolution and this report does not provide an opportunity to revisit that issue. This item relates solely to the proposed amendment to the requirements of the Section 106 Agreement.

3.0 Background

- 3.1 The application relates to a 3.95ha site which comprises a mixture of vacant and occupied single storey general industrial and warehouse buildings.
- 3.2 The site is bounded to the north and east by railway lines, residential properties to the south and Mill Street to the west. The site wraps around the existing Wickes DIY store which is excluded from the application site.
- 3.3 The site is allocated under Policy S.12.2 of the Borough of Crewe and Nantwich Local Plan as a mixed use regeneration area, and also forms

part of the Mill Street/Pedley Street sub area of the Crewe Rail Gateway Adopted Development Brief.

- 3.4 In March 2010, Strategic Planning Board resolved to grant outline planning permission for the redevelopment of the site for a mixed use development to include 1,329sqm retail food development, 2,787sqm comparison goods, 1,858sqm bulky goods, 53 dwellings (of which 35% affordable), a restaurant, the provision of a pedestrian/cycle link through the site connecting the train station to the town centre, landscaping, car parking, servicing and access.
- 3.5 The food retail store has indicatively been shown to be sited fronting onto Mill Street with the comparison/bulky goods retail unit backing onto Waverley Court. The scheme shows the residential properties to be predominantly located between the railway lines and the Wickes DIY store. The route of the proposed pedestrian/cycle link will pass the proposed retailing unit at the south eastern corner of the site, pass the front of the proposed restaurant over an “urban square” (which will be a shared surface) and will continue through the proposed residential development connecting to Mill Street at the north western corner of the site
- 3.6 The resolution to approve on 25th August 2010 is subject to completion of Section 106 Agreement making a number of provisions, including, inter alia:

The provision of on site open space and equipped children’s playspace in accordance with Policy RT.3 of the Local Plan with any shortfall in provision to be made up by way of a developer contribution in lieu of public open space calculated at £1000 per house (index linked),

Also

Affordable housing provision, which shall include a requirement that:

- 35% affordable housing
- 23% shall be social rented housing
- 12% shall be shared ownership

Also

Details of phasing of development to include, inter alia, provision of the pedestrian/cycle link in three sections to correspond with the first three phases of development

Also

A scheme of public art to be agreed for the site

4.0 Proposals

Affordable Housing

- 4.1 Since those resolutions were passed discussions have been held between the developer and a Registered Provider (in this case Wulvern Housing), and the developer proposes to sell the affordable units on to Wulvern Housing.
- 4.2 Wulvern Housing are keen to progress the development of affordable housing on the site. However, the current mix required by the existing resolution to approve raises some concern over the viability of the development. As such it is proposed that there should be no mix in affordable housing tenure and that the scheme should include solely affordable rented properties.
- 4.3 The Strategic Housing and Development Manager has confirmed that, in the light of concerns over viability, a scheme comprising only affordable rented units is acceptable in this instance.
- 4.4 It is suggested that the heads of terms for the legal agreement in the resolution to approve should be amended from:

“Affordable housing provision, which shall include a requirement that:

- 35% affordable housing*
- 23% shall be social rented housing*
- 12% shall be shared ownership*

To:

“Affordable housing provision, which shall include a requirement that:

- 35% affordable housing be provided, of which 100% shall be affordable rented*

Phasing

- 4.5 An amended phasing plan has also been submitted which has implications on the wording of phasing element of the heads of terms. The approved resolution requires the pedestrian walkway to be provided in three sections to correspond with the first three phases of development.
- 4.6 The amended phasing plan shows four phases of development:

Phase 1: The provision of the Food Retail Store, 19 affordable housing units and the provision of the pedestrian/cycle link from Waverley Court to the public square, and from the public square to Mill Street;

Phase 2: The provision of the comparison and bulky goods retailing;

Phase 3: The provision of the market dwellings; and,

Phase 4: The provision of the restaurant and public square (which would complete the pedestrian/cycle link.

4.7 As the link would not be fully completed until the construction of the public square as part of phase 4, the phasing would not be in compliance with the approved heads of terms. However the amended phasing scheme is preferable in that it would deliver the majority of the link under the first phase of development.

4.8 It is suggested that the heads of terms for the legal agreement in the resolution to approve should be amended from:

“Details of phasing of development to include the provision of the pedestrian / cycle link in three sections to correspond with the first three phases of development”

To:

“Details of phasing of development to include, inter alia, the provision of the pedestrian / cycle link”

5.0 Conclusion

5.1 On the basis of the above, the proposed amendment to the wording of the resolution is considered to be acceptable.

6.0 Recommendation

6.1 That the Board resolve to amend the previous resolution in respect of application P07/0639 to read:

The provision of on site open space and equipped children’s playspace in accordance with Policy RT.3 of the Local Plan with any shortfall in provision to be made up by way of a developer contribution in lieu of public open space calculated at £1000 per house (index linked),

Also

Affordable housing provision, which shall include a requirement that:

- *35% affordable housing be provided, of which 100% shall be affordable rented*

Also

Details of phasing of development to include, inter alia, the provision of the pedestrian / cycle link

Also

A scheme of public art to be agreed for the site

7.0 Financial Implications

7.1 There are no financial implications.

8.0 Legal Implications

- 8.1 Revisions to the pedestrian/cycle link phasing previously approved should be confirmed in a new resolution so that the Borough Solicitor has authority to execute a s106 Agreement in those revised terms.

9.0 Risk Assessment

- 9.1 There are no risks associated with this decision.

10.0 Reasons for Recommendation

- 10.1 To allow negotiations in respect of the Section 106 to progress to signing, to enable the development works to commence in a timely fashion whilst ensuring that the quality of this key section of a quality cross centre route from Train Station to Town Centre is not compromised.

For further information:

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Background Documents:

- *Application P07/0639*