

Strategic Planning Board

Updates

Date: Friday 13th January 2023

Time: 10.00 am

Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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

5. **19/0623M - Land East of the A34 and South of A555, Handforth: Hybrid planning application proposing a new mixed-use settlement for the Garden Village at Handforth (Pages 3 - 6)**

This page is intentionally left blank

APPLICATION NO: 19/0623M

LOCATION: Land East of the A34 and South of A555, Handforth

PROPOSAL: Hybrid planning application proposing a new mixed-use settlement for the Garden Village at Handforth. It comprises two parts: (1) Outline planning application, including: demolition works (unspecified); around 1500 new homes (class C3); new employment uses (class B1 & B2); new mixed-use local (village) centre (classes A1-A5 inclusive, B1(a), C1, C2, C3, D1 & D2); new green infrastructure; and associated infrastructure. All detailed matters (appearance, means of access, landscaping, layout & scale) reserved for subsequent approval. (2) Full planning application for initial preparation and infrastructure works (IPIW), including ground remediation, re-profiling and preparation works; highway works; drainage works; utilities works; replacement A34 bridge works; green infrastructure works; and other associated infrastructure.

CONSULTATIONS

Public Rights of Way (PROW) – The comments from the British Horse Society have been discussed with the PROW Team and they have responded as follows:

“In relation to specifics mentioned within the document:

- the Society believes historical and user evidence indicates routes within and adjacent to the site are unrecorded:

We have had no indication that Footpath No. 127, the route through the centre of the development site indicated in the objection letter, is considered to be of a higher status than recorded. This route was not included in the walking survey documents which led to the creation of the Definitive Map, the legal record of Public Rights of Way, because of it crossing the airfield and therefore having been closed during wartime. There was an objection to the subsequent Draft Map and this was considered by the various Committees and added at the Provisional Map stage, the final stage before the publishing of the Definitive Map. Given there has also been a Side Roads Order legal process for the construction of the A34, it could be concluded that there has not been equestrian use here since pre 2nd World War. Further, the legal status of Blossoms Lane to the south east of the site was examined through a Public Inquiry process, the result of which was the recording of a public footpath, so all available evidence has been considered already regarding the status of this route. For these reasons any Definitive Map Modification Order application submitted to ‘claim’ these routes may not be considered valid.

The other routes indicated within the objection letter are outside of the development site, partly in Cheshire East and partly in Stockport.

- Blossoms Lane

Due to the existence of the cul-de-sac bridleway which runs partly along Blossoms Lane, the Public Rights of Way team discussed with the HGV project team options to include within the development proposals a bridleway route parallel to Blossoms Lane, the lane itself being considered too narrow to safely accommodate equestrian and cyclist use in addition to the existing vehicular use. These options were examined by the project team but were not pursued within final designs due to the impact of the width of a multi-user route on green infrastructure within the site.”

REPRESENTATIONS

The Emerson Group/Jones Homes write:

“I can confirm that, following the applicant submitting amended landscaping and planting plans, any comments and objections made in relation to these matters can be treated as being satisfied and thus withdrawn.”

APPLICANTS SUBMISSION

The applicant has responded to a number of points within the main report which are highlighted and discussed below:

KEY ISSUES

Public Open Space/Sport Provision – ANSA have raised some concerns about how the range of open space/sport uses can be accommodated in the areas of Green Infrastructure, and how all the required facilities can be accommodated on the school site. The applicant has highlighted that these matters were discussed at length and addressed in the Spatial Design Code Addendum and Green Infrastructure Strategy Document which was produced in conjunction with consultees. It is considered that these documents demonstrate how the range of uses can be accommodated, although the detail would need to be approved at the Reserved Matters stage. These will be in the list of approved documents should planning permission be granted.

With regards to the school site, a proving drawing has been submitted to show how the various playing pitches could be accommodated on site, although again the detail would need to be agreed through a reserved matters submission.

PROW – The PROW Team have confirmed that there are no Bridleway routes across the site, only footpaths as discussed in the report. Whilst there was a desire to separate users of the bridleway on Blossoms Lane to the south of the site, this was considered inappropriate as it would have resulted in a significant land take from the green area in this location and was considered

unnecessary as Blossoms Lane is a very lightly trafficked route, and that is unlikely to change in the future.

Village Centre/Floorspace – The applicant has highlighted that they have tested the 3,500 sq.m figure and not the 2,500 sq.m figure quoted in the Officers report, as set out in the addendum. They set out a robust set of conditions that would ensure that the floorspace could be controlled to that tested whilst also providing the applicant with sufficient flexibility to allow tenants to take space.

The position of the local centre at the Growth Village was considered by the Inspectorate in the SADPD main modification, which states:

With regards to Sequential and Impact Tests, Paragraph 210 of the Inspector's Report states that Cheshire East's approach to Sequential Tests was not consistent with national policy and so needed modifications. The Inspector said:

“Policy RET 3 applies the sequential approach in Cheshire East to proposals that are not in a ‘defined centre’, which footnote 22 defines as centres in the first four tiers in the retail hierarchy in Policy RET 1. However, it does not also allow priority to be given to proposals that accord with an up to date plan, meaning that applications for main town centre uses on sites allocated for this in the LPS would also have to satisfy the sequential test. This is not consistent with national policy or the LPS. Therefore, to rectify this, the amendment to criterion 1 of Policy RET 3 in MM54 is necessary.”

Criterion 1 of Amended Policy RET 3 saying “a sequential test will be applied to planning applications for main town centre uses that are neither in a defined centre nor in accordance with an up-to-date Plan [...]”.

Criterion 2 of RET 3 adds: “Development proposals for retail and leisure uses that are located on the edge or outside of a defined centre, are not in accordance with an up-to-date Plan and that exceed the floorspace thresholds set out in the table below, will have to demonstrate that they would not have a significant adverse impact [...]”

The proposed village centre is clearly in full compliance with the SAPPD. This was put forward by the applicant, as such because the local centre proposals accord with the local plan and therefore, they consider they do not need to apply the sequential or impact tests. However, they have tested the 3,500 sq.m on the parameter plan and put forward the controlling planning condition, as such they consider that the Officers report should be updated to reflect what has been submitted and justified to the LPA.

The Officer Report under the heading of retail/village centre proposals does reference 2,500sq.m which was referenced in the addendum to the retail statement (para 2.0, first bullet, point ii) and refers to E(a) and F.2(a) floorspace. Point i above refers to 3,500sqm.m for a wider range of (mainly) town centre uses.

In terms of compliance with the SADPD Policy RET 3 'Sequential and impact tests', this policy requires a sequential test for applications in excess of the defined thresholds that are neither in a defined centre nor in accordance with an up to date plan.

SADPD Policy RET 1 sets the retail hierarchy and the garden village is not a designated local centre in the plan. This is deliberate, as at the time of preparing the SADPD, The Council could not be certain of the form of the development, nor the boundaries of any future local centre to show on the policies map. Once development is underway, a future update of the Local Plan will consider the new centre's position in the retail hierarchy.

However, the site specific policy at LPS 33 requires the site to deliver a new mixed-use local centre(s) – and as officers are satisfied that the scale and type of development proposed is consistent with a local centre, then the proposal is in accordance with an up to date plan and the sequential text is therefore not required.

As discussed above, the floorspace will be controlled by the condition regarding the accommodation schedule.

Amenity – The officers report discusses the possible impact of the new A34 bridge crossing on the amenity of adjoining residents, and the Emerson Group (the developers of the adjoining housing development) have now confirmed they are satisfied with the revised proposals.

CONCLUSION:

There are no proposed changes to the recommendation.

For clarification:

Condition 4. Approve Accommodation Schedule would cross reference with the retail assessment and restrict the floorspace accordingly.

Condition 5. Compliance with the EIA (& Addendum) and mitigation could be combined with condition 3 approving a list of documents but it is considered it should be left as a separate condition here to draw attention in particular to the mitigation works highlighted in the EIA.