

Application No: 13/0765C

Location: OLD FODEN WORKS, TRAINING CENTRE, HILL STREET,
SANDBACH, CHESHIRE, CW11 3JE

Proposal: Extension to Time Limit of Outline Planning Application 09/3337C for
Demolition of Existing Industrial Unit, Clearance of Site and
Redevelopment by the Erection of Residential Units

Applicant: CIC: Community Integrated Care

Expiry Date: 22-May-2013

SUMMARY RECOMMENDATION

Approve.

MAIN ISSUES The main issue is whether or not there have been any significant material changes in policy/circumstances since the application was previously approved.

REFERAL

The application is included on the agenda of the Southern Planning Committee as the proposal is likely to comprise of more than 10 dwellings and is therefore a small-scale major development.

DESCRIPTION OF SITE

This application relates to site of the former Foden's factory-training centre located on the southern side of Hill Street in Sandbach. The site is rectangular in shape, measures approximately 0.253 ha. The industrial units that previously occupied the site have now been demolished.

In respect of the surrounding development, the former Elworth Wire Mills is located directly to the northwest, which has also recently been demolished. Residential properties are located to the northeast and southwest and a residential care home is located directly to the southeast. The site is situated within the settlement zone line of Sandbach as designated in the adopted Congleton Borough Local Plan First Review (2005).

DETAILS OF PROPOSAL

This application seeks permission to extend the time limit attached to outline approval 09/3337C, which was a scheme allowed at appeal. This granted outline planning permission, with all matters reserved, for the erection of residential units at the site.

RELEVANT HISTORY

08/2013/OUT - Demolition of existing industrial unit & redevelopment by erection of residential units that may include semi-detached/terraced dwellings – Refused

09/3337C - Demolition of existing industrial unit & redevelopment by erection of residential units – Allowed at Appeal

POLICIES

Regional Spatial Strategy (RSS)

| | |
|------|--|
| DP1 | Spatial Principles |
| DP2 | Sustainable Communities |
| DP 3 | Promote Sustainable Economic Development |
| DP 4 | Make the Best Use of Existing Resources and Infrastructure |
| DP 5 | Manage Travel Demand; Reduce the Need to Travel |
| DP 6 | Marry Opportunity and Need |
| DP 7 | Promote Environmental Quality |
| L4 | Regional Housing Provision |
| EM11 | Waste Management Principle |

Local Plan Policy

| | |
|------|--|
| PS4 | Towns |
| GR21 | Flood Prevention |
| GR1 | New Development |
| GR2 | Design |
| GR3 | Residential Development |
| GR5 | Landscaping |
| GR6 | Amenity & Health |
| GR7 | Amenity & Health |
| GR8 | Pollution |
| GR9 | Accessibility, servicing and parking provision |
| GR18 | Traffic Generation |
| GR19 | Infrastructure |
| GR22 | Open Space Provision |
| H1 | Provision of New Housing Development |
| H2 | Provision of New Housing Development |
| H4 | Residential Development in Towns |
| E10 | Re-use or Redevelopment of Existing Employment Sites |
| SPG1 | Provision of Public Open Space in New Residential Developments |
| SPG2 | Provision of Private Open Space in Residential Developments |
| SPD4 | Sustainable Development |

Other Material Considerations

National Planning Policy Framework

ODPM 05/2005 Planning Obligations; and 11/95 'The use of Conditions in Planning Permissions'.

CONSULTATIONS

Sandbach Town Council:

No objection

Strategic Highways Manager:

No objection subject to repeating previous highway conditions, agreements and informatives.

Environmental Protection:

No objection subject to conditions restricting hours of construction / piling and conditions relating to land contamination.

Other Representations:

Two letters have been received from a neighbouring occupier raising the following concerns:

- Demolition of the buildings has left the site looking like an eyesore
- Who owns the site and why has the development not been completed?
- How will the boundaries with neighbours be treated?
- Would appreciate some notice as to when building works will take place

OFFICER APPRAISAL

SCOPE OF THIS APPLICATION

Extensions to the time limits for implementing existing planning permissions was brought into force on 1 October 2009. The new system was introduced in order to make it easier for developers to keep planning permissions alive for longer during the economic downturn. It includes provisions for a reduced fee and simplified consultation and other procedures.

The Government's advice is for Local Planning Authorities to take a positive and constructive approach towards applications that improve the prospects of sustainable development being brought forward quickly. It is the Government's advice for Local Planning Authorities to only look at issues that may have changed significantly since that planning permission was previously considered to be acceptable in principle.

In short, it is not intended for Local Planning Authorities to re-open debates about principles of any particular proposal except where material circumstances have changed, either in development plan policy terms or in terms of national policy or other material considerations such as Case Law.

MATERIAL CHANGES IN POLICY/CIRCUMSTANCES SINCE PREVIOUS APPLICATION

The application remains unchanged from the previous scheme that was allowed at appeal. The National Planning Policy Framework has been introduced but does not make any significant changes to the original policy position. Whilst there has been a change in position in terms of housing land supply, with the recent update to the Strategic Housing Land Availability Assessment (2013) and the Cheshire East Draft Strategy, this would not preclude this site from being brought forward. This is because the site is in a sustainable location within

the Settlement Zone Line of Sandbach and is previously developed. There is a presumption in favour of such development. Consequently, it is considered there has been no change in Local Plan Policy that would warrant an objection to the proposal.

There have been no material changes in circumstances on site since the previous approval except that the site has already been cleared. However, this does not have any implications that would require further consideration or that would require amendment of the conditions that were originally imposed by the Inspectorate.

Other Issues Raised by Representation

A neighbouring resident has commented that they have no objection to the proposal, but are concerned that the site has not been brought forward and its derelict state detracts from the appearance of the area. Whilst such concerns are appreciated, the Council cannot force developers to implement planning permissions.

With respect to how the boundaries of the site will be treated, this would be something that would be considered and secured at the detailed reserved matters stage.

CONCLUSIONS

It is considered that there are no materials changes since application 09/3337C was permitted that would warrant a refusal to extend the time limit of the permission. Therefore, it is recommended that the application to extend the period of permission should be approved, subject to the same conditions that were applied by the Inspectorate.

RECOMMENDATION

APPROVE subject to the following conditions:-

- 1. Reserved to be submitted**
- 2. Time limit for Submission of Reserved Matters**
- 3. Standard time limit for implementation**
- 4. Contaminated Land Investigations to be carried out**

(c) Crown copyright and database rights 2013. Ordnance Survey 100049045, 100049046.

