

Application No: 13/3041M

Location: LAND AT JUNCTION OF, EARL ROAD AND EPSOM AVENUE,
HANDFORTH

Proposal: Extension to Time Limit of 03/2155P - Erection of 2 No. Three/Four Storey
Office Blocks (resubmission of 02/1973P)

Applicant: Orbit Investments (Properties) Ltd

Expiry Date: 15-Oct-2013

Date Report Prepared: 27 September 2013

SUMMARY RECOMMENDATION

Approve subject to conditions and s106

MAIN ISSUES

- Whether there have been any material changes in policy or circumstances since the previous application

REASON FOR REPORT

The proposed floor area is over 10,000 square metres. As such under the terms of the Council's constitution the proposal needs to be determined by the Strategic Planning Committee.

DESCRIPTION OF SITE AND CONTEXT

The application site comprises existing warehouse and office buildings on the corner of Earl Road and Epsom Avenue. The site is located within an Existing Employment Area as identified in the Macclesfield Borough Local Plan.

DETAILS OF PROPOSAL

This application seeks to extend the time limit on application 03/2155M for the erection B1 use class units.

The proposal involves the demolition of the existing warehouse building and the erection of two, four-storey office buildings containing 11,333 sqm of office floorspace with associated car parking and landscaping. Access would be provided via Earl Road.

RELEVANT HISTORY

03/2155P - ERECTION OF 2NO. THREE/ FOUR STOREY OFFICE BLOCKS – Approved
04.08.2008

POLICIES

Local Plan Policy

NE9 (River corridors)
NE11 (Nature conservation interests)
BE1 (Design principles for new developments)
E1 (Employment land)
E3 (Employment land – business)
E4 (Employment land – industry)
T3 (Improving conditions for pedestrians)
T5 (Provision for cyclists)
IMP1 (Provision for infrastructure)
IMP2 (Need for transport measures)
DC1 (High quality design for new build)
DC2 (Design quality for extensions and alterations)
DC3 (Protection of the amenities of nearby residential properties)
DC5 (Natural surveillance)
DC6 (Safe and convenient access for vehicles, special needs groups and pedestrians)
DC8 (Requirements to provide and maintain landscape schemes for new development)
DC9 (Tree protection)

Other Material Considerations

National Planning Policy Framework (the Framework)

CONSULTATIONS (External to Planning)

Strategic Highways Manager – No objection subject to the same conditions on 03/2155P

Environmental Health – No objection subject to contaminated land condition

Manchester Airport – No objections subject to informative relating to the use of cranes

Stockport MBC – No objections on planning or highway grounds to an extension to the time limit for implementation, subject to rolling through the conditions and obligation previously imposed.

VIEWS OF THE PARISH / TOWN COUNCIL

Handforth Parish Council – Do not support the application. Councillors considered that there is already a considerable amount of empty office space in the Handforth Dean area. Also, that this development would add to the existing car parking difficulties close to this site.

OTHER REPRESENTATIONS

One letter of representation has been received from a resident of Handforth objecting to the proposal on the grounds that the Government is urging the redevelopment and re-designation of commercial sites that have been standing empty for years. The rejection of this application is an ideal opportunity for CEC to back up their initiatives and prove to the general public that they will not develop on Green Belt land until all other underutilised sites have been appropriately developed first. Given that Epsom House has stood empty for some years now is this an appropriate time to consider using this site for something that is urgently required in Handforth - flats and houses.

APPLICANT'S SUPPORTING INFORMATION

A brief supporting letter has been submitted which outlines that the previous application was approved at the beginning of one of the country's worst recessions, which is only just showing signs of improvement. Orbit wishes to extend the existing permission to help attract a tenant without significant delay.

OFFICER APPRAISAL

Principle of development

For an extension to time limit application such as this, 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. The development proposed will, by definition, have been judged acceptable in principle at an earlier date. It is the Government's advice that Local Planning Authorities should only look at issues that may have changed significantly since that planning permission was previously considered to be acceptable in principle.

The development was previously approved in 2010 and was extant at the time the application was submitted to the Local Planning Authority. The previously approved scheme was considered to have an acceptable impact on the character and appearance of the surrounding area, neighbouring amenity, nature conservation interests, open space and highway safety.

No changes have occurred to Local Plan policy since the application was previously approved. Changes have occurred to regional planning policy however this is not considered to have any implications for this application. Similarly, the Framework has been introduced, which outlines the Government's commitment to secure economic growth. The proposed employment use is consistent with this objective.

The previous permission was also subject to a s106 planning agreement requiring:

- Financial contribution for bus stops in the vicinity
- Financial contribution for improvements to provision for pedestrians and cyclists in the vicinity
- Financial contribution towards public transport improvements
- Financial contribution towards junction improvements in the Borough of Stockport.

In order to comply with the Community Infrastructure Levy (CIL) Regulations 2010 it is now necessary for planning applications with legal agreements to consider the issue of whether the requirements within the S106 satisfy the following:

- (a) necessary to make the development acceptable in planning terms;
- (b) directly related to the development; and
- (c) fairly and reasonably related in scale and kind to the development.

The contributions towards sustainable transport initiatives are necessary, fair and reasonable in order to provide a sustainable form of development and to comply with local and national planning policy.

The junction improvements within Stockport are required to mitigate for the highways impact of the development, necessary to make the development acceptable, and fair and reasonable.

In addition, the applicant is seeking some variation to the timing of the contributions to the Council. Paragraph 205 of the Framework advocates flexibility on the part of local authorities, with regard to s106 agreements, to prevent planned development from being stalled. The principle of the variation of the timing is therefore considered to be acceptable in principle, but at the time of writing discussion regarding timescales was ongoing. Members will also be updated on this issue prior to the Committee.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The previously approved application was considered to comply with relevant local, national and regional planning policy. Whilst the Framework has been introduced since the previous approval, no changes have occurred to planning policy that would result in a different decision.

Therefore the application is recommended for approval subject to conditions and a s106 planning agreement with the following heads of terms:

Heads of Terms

- Financial contribution of £17,728 to CEC for bus stops in the vicinity.
- Financial contribution of £17,728 to Stockport MBC for bus stops in the vicinity.
- Financial contribution of £65,372 to CEC for improvements to provision for pedestrians and cyclists in the vicinity
- Financial contribution of £65,372 to CEC towards public transport improvements
- Financial contribution of £200,548 to Stockport MBC towards junction improvements in the Borough of Stockport.

1. A03FP - Commencement of development (3 years)
2. A01AP - Development in accord with approved plans
3. AEX41 - Materials to be as stated within the application
4. ALSA1 - Submission of landscaping scheme
5. ALS21 - Implementation of landscaping scheme
6. ALS61 - Landscaping - details of boundary treatment to be submitted
7. Approved access provided prior to occupation
8. Access - visibility splays
9. No Gates to be erected across approved access
10. Pedestrian routes to be provided into the site
11. service vehicle car parking to be provided prior to occupation
12. Car parking to be provided for all buildings within the site
13. Cycle stores to be provided
14. Short-stay / visitor cycle parking
15. Parking of 20 motorcycles
16. Access drive surfaces
17. Pedestrian visibility splays
18. Surface water drainage system
19. Shower and drying facilities to be provided
20. Public transport to be provided
21. External lighting details to be approved
22. Phasing for car parking and travel planning
23. Interim Travel Plan to be submitted
24. No occupation before Interim Travel Plan
25. Detailed Travel Plan to be submitted
26. Revised Detailed Travel Plan every 2 years
27. Building to be occupied under terms of travel plan

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