

Planning Reference No:	10/1659N
Application Address:	Bombardier Transportation, West Street, Crewe, CW1 3JB
Proposal:	To Erect Two Storey 81 Bed Care Home (Class C2: Residential Institution) Following Site Removal of an Existing Car Park.
Applicant:	Keenrick Care Homes & Seddon
Application Type:	Full Planning Permission
Grid Reference:	369453 356042
Ward:	Crewe North
Consultation Expiry Date:	16 th June 2010
Date for determination:	4 th August 2010

SUMMARY RECOMMENDATION

Approve subject to conditions and completion of Section 106 Agreement.

MAIN ISSUES

- Principle of Development
- Affordable Housing
- Amenity
- Design and Built Environment
- Drainage and Flood Risk
- Highways
- Section 106

REFERRAL

The application has been referred to planning committee because it is over 1000sq.m in Floor Area and is therefore a major development.

1. SITE DESCRIPTION

The application relates to part of the existing Bombardier Railway Maintenance Facility at Dunwoody Way in Crewe. The area is currently utilised as a large surface car park. The surrounding development comprises the railway works to the south and west, and residential and retail development to the north and east.

2. DETAILS OF PROPOSAL

Planning permission is sought for the erection of an 81 bed care home. The building would be 2 storeys in height, located at the eastern end of the site and arranged around a central courtyard garden, with parking, servicing and further garden areas to the western end of the site

3. RELEVANT PLANNING HISTORY

P06/0754 – Outline application for Mixed Use Redevelopment including the Retention of Existing Offices, Residential Development and Employment Development for B1/B2/B8 Uses with Associated Highway Works and Landscaping. Withdrawn 4th September 2006

P07/0173 Mixed Use Redevelopment Including the Retention of Existing Offices, Residential Development and Employment Development for B1, B2, B8 Uses with Associated Highway Works and Landscaping - Withdrawn

4. PLANNING POLICIES

National Policy

PPS 1: Delivering Sustainable Development

PPS 3: Housing

Local Plan Policy

Built Environment Policies

BE.1 (Amenity)

BE.2 (Design Standards)

BE.3 (Access and Parking)

BE.4 (Drainage, Utilities and Resources)

BE.5 (Infrastructure)

BE.6 (Development on Potentially Contaminated Land)

Employment Policies

E.4 (Development on Existing Employment Areas)

E.7 (Existing Employment Sites)

Housing Policies

RES.2 (Unallocated Housing Sites)

RES.3 (Housing Densities)

RES.7 (Affordable Housing within the Settlement Boundaries of Crewe, Nantwich and the Villages Listed in Policy RES.4)

Transport Policies

TRAN.3 (Pedestrians)

TRAN.5 (Provision for Cyclists)

Other Material Considerations

5. OBSERVATIONS OF CONSULTEES

Sustrans

- They are pleased to see a commitment to travel planning for staff. This should have targets and be monitored regularly for its effectiveness.
- There should be secure cycle parking places under cover at a convenient location for staff. A few Sheffield stands near the entrance for visitors will be useful.
- The application refers to the adjacent cycle track on Dunwoody Way. This is opposite the site; a comment we have made often about this facility is that it is not connected properly at either end to the public highway. It actually encourages cyclists to continue their journey on the pavement!
- For a development of this scale, they expect the planners to negotiate for a contribution to ensure that the cycle track at the West Street end of Dunwoody Way is joined properly to the public highway. This may be, for example, by ensuring there is a refuge crossing suitable for cyclists along with a short section of cycle track on the west side of Dunwoody Way.

Cheshire Fire Service

- Access and facilities for the fire service should be in accordance with the guidance given in the Building regulations
- The applicant is advised to submit details of the water main installations in order that the fire hydrant requirements can be assessed
- Means of Escape should be in accordance with current Building Regulations.
- The applicant should consider the inclusion of an automatic water suppressions system to enhance any proposed design.

Housing

- There is no requirement to provide affordable housing as part of this development. As such the Housing Strategy team have no comments to make on this application.

Highways

- The proposed access and alterations to the existing pedestrian refuge island will need to be constructed under a section 278 agreement. The refuge island will need to be sited safely and should be designed to accommodate both wheel chair and mobility scooter users.
- A footway link to the right of the proposed access should be provided and connect up to the existing roundabout that serves both Bombardier and Morrisons. This should include the provision for cyclists to exit the existing cycle lane and enter onto the highway at this point.
- The south west corner of the roundabout that serves both Bombardier and Morrisons has a poor visibility for both pedestrians and cyclists when waiting to cross towards Morrisons. This should be improved as part of this development under the same 278 agreement. A small portion of the Bombardier site may need alterations to the existing fence line to achieve better forward visibility at this location.
- Providing that all of the above can be achieved and a suite of plans is provided and approved by the LPA prior to approval, the Highways Authority has no objections.

Network Rail

- No objection

Environmental Health

- Any proposed external lighting of the site shall be submitted to and approved in writing by the Borough Council before it is installed to protect the amenity of local residents.
- The recommendations in the Environmental Noise Study conducted by Red Acoustics dated 27th April 2010 shall be included in any approval, in summary these are:
 - Recommended Glazing configuration of 4/12/6mm
 - Acoustically rated trickle vents on the north, east and south east elevations
 - Standard trickle vents on the south west elevation
 - Plant, and associated plant noise generators to be located to the north or north east elevations
- Where piling of foundations is necessary this is to be undertaken between 9am – 5pm Monday to Friday and no works of this nature to be undertaken on Saturday, Sunday or Bank Holidays.
- Construction hours (and associated deliveries to the site) shall be restricted to 08:00 to 18:00 hours Monday to Friday, 09:00 to 14:00 hours Saturday, with no working Sundays or Bank Holidays.
- This site forms part of a wider area currently utilised as a locomotive repair works and therefore there is the potential for contamination of the site and the wider environment to have occurred.
- A contaminated land condition should be attached to the planning permission to ensure the development is suitable for its end use and the wider environment and does not create undue risks to site users or neighbours during the course of the development.
- Reading the transport assessment an air quality impact assessment is not required. The Travel Plan should be implemented as part of the development and then consequently monitored in terms of take up.

6. VIEWS OF THE PARISH / TOWN COUNCIL

N/A

7. OTHER REPRESENTATIONS

One letter of objection has been received making the following points

- The conclusions reached in the Transport Statement of this Planning Application in respect of Public Transport/Infrastructure are unfounded, being based on erroneous information.
- The failure to provide Bus Stop/Shelters adjacent to the proposed Residential Care Home is in contravention of Government Guidelines and needs to be addressed.
- The Transport Statement and Transport Plan should be revisited before Planning Approval is given.
- The accuracy and detail contained in the sections below leaves a lot to be desired. Although the documents are dated April 2010 I cannot reconcile, in particular the accuracy of the Bus Services shown to be operating in the area at that time. It is even more disturbing that this information was supplied by Cheshire East!
- The letter lists a number of inaccuracies in terms of the stated timetable information
- It also lists a number of important services which operate in the area and were omitted
- The computer generated map showing 30min journey times from the site by Public Transport, from which the conclusion is made that public transport is easily accessible is flawed. Faced with either a 10min walk to the nearest Bus Stop or 20min walk to the Bus Station it is impossible to reach many of the destinations shown within the 30min. Indicated.

- Before using any software to make claims of this nature it needs to be verified by other means. (In this case by making actual journeys). I recommend that the developer liaises with Cheshire East and West Integrated Transport Service at Ellesmere Port who have the expertise to make accrued judgment on journey times from the proposed Care Home.
- The documents state that Bus Stops can be found on Dunwoody Way and West Street, which are within 400m of the site. This may be the case “as the Crow flies” but certainly the walking distance to any of the stops suggested in the documents are all more than 400m actual walking distance, which should be measured from the proposed building entrance not site.
- Service 45A is the only service to serve the Eagle Bridge Bus Stops to the east of the site. Unfortunately there are no Footways anywhere on the southern (site) side of Dunwoody Way. Any intended user of these stops will find themselves having to negotiate the circuitous northern Footways, including crossing the vehicular access to the Morrison Store car park, and if using the outward stop (non DDA compliant as the rear of the Shelter is only approximately 1m from the edge of carriageway, making it impossible to use the Bus Ramp for Wheel Chair and Scooter users), access is via the ghost island at the Eagle Bridge Centre itself. Both stops estimated to be well outside 400m.
- Service 42 only serves the Morrison’s Bus Stop and Shelter (no raised kerb) en-route to Congleton, situated adjacent to their main store entrance. Again it is questionable if it is within 400m of the proposed Care Home main entrance. Bus Stops and Shelters exist in West Street and Frank Webb Avenue for the 42, 45 and 45A Bus services at the western end of the site. Estimated distances from the stops to the proposed Care Home main entrance are: Inward 420m and outward 460m. Both routes include negotiating the northern Footways and signalised traffic junction of Dunwoody Way with West Street.
- Services 6/6E and 31/31A. It is difficult to comprehend how any one could consider that these services are easily accessible for this development, as it entails detailed knowledge of the area, involving a rear pedestrian access to Goddard Street adjacent the Morrison Store access road. It is certainly well over 400m to the Bus Stops for these services in West Street by foot from the proposed Care Home main entrance. (NB: These services operate via Underwood Lane and do not operate along the northern end of West Street)
- The documents suggest that Crewe Bus Station is only 10 minutes walk from the development, again this is erroneous. As a regular able bodied pedestrian in this area and knowing the shortcuts, I would not expect to complete this distance “door to door” in less than 20 minutes! The documents own “Walking Accessibility Map” places the Bus Station at 800m-1200m distance from the development.
- Considering this development is an 81 bed Care Home it is reasonable to assume that it will attract a considerable number of elderly visitors many of which will be reliant on Public Transport. The walking distances to Bus Stops for this type of establishment are given in the Department of Transport document “Inclusive Mobility” Section 6 and I quote *“Where there are places that will be used by disabled people, such as residential care homes, day centres etc, bus stops should be sited as close as possible and should have a pedestrian crossing (with dropped kerb) in reasonable proximity”*. This section also recommends “on route” bus stops at 250m for able bodied.
- The continued use of 400m in these documents is used out of context. The actual wording of the Department of Transport Guidelines state. *“In residential areas bus stops should be located ideally so that nobody in the neighbourhood is required to walk more than 400 metres from their home”*. Nothing at all to do with this development!
- It would not seem unreasonable to ask for a “developer contribution” for the provision of DDA compliant Bus Stops and Shelters adjacent to the proposed pedestrian access to this Care Home in line with Government Guidelines PPG13. Cheshire East to consider with the operators extending the service time of operation of the 45A now that service 46 has been withdrawn to accommodate this establishment and also to cater for extended Doctors surgery

times at the Eagle Bridge Centre. Cheshire East along with Cheshire West to consider a Service to operate on Sundays

- The documents state that the site is 2km as the crow flies from Crewe Railway Station and is accessible by foot or Bus.

- This statement is unfounded. The documents own "Walking Accessibility Map" shows the walking distance to Crewe Railway Station well in excess of 2km. The inference that the site is readily accessible by Bus from the Railway Station is far from the truth. Only Bus Service 42 (hourly) serves the site by a very circuitous route, the journey taking in the region of 20min to cover this short distance and runs only Mon - Sat.

- Given the size of this care home, it is conceivable, that a number of visitors will be generated arriving by rail as the documents suggest. Cheshire East along with Cheshire West to consider a Service to operate on Sundays from Crewe Rail Station along this route extended to Winsford/Middlewich/Northwich (No through services on Sundays) via Leighton Hospital as these conurbations are in Leighton Hospitals catchment area.

- This development is only a fraction of that proposed for the south side of Dunwoody Way, both east and west of this development. This will in turn further increase demand for Public Transport. However it is difficult to envisage that any additional bus stops required on Dunwoody Way could be located anywhere other than adjacent to the proposed Care Home development. The stops would of course also bring the Bombardier main entrance into walking distance (Southern Footway required) and the major housing developments underway opposite this site, the existing local population and future developments. Cheshire East Planning Authority, Highways and Transportation need to work together in a more unified approach and where Public Transport is concerned use the expertise of the shared Integrated Transport Service at Ellesmere Port. Cheshire East Planning needs to exercise more care ensuring that it includes provision for public transport/infrastructure to be included at an early stage in line with PPG13. If we do not; we miss out on developer contribution to improve our services and at worse create another Eagle Bridge scenario where public transport provision was omitted entirely, hence the ad-hoc/inadequate bus stop provision at this facility.

- It would appear that the Transport Strategy and Transport Plan have been treated to nothing more than a "Desk-Top" exercise which has little credibility to actual site conditions. Cheshire East needs to exercise more care in providing information to consultants in order that errors of this kind are not repeated. Cheshire East Planning need to liaise more with Cheshire Integrated Transport shared service when dealing with new developments within 400m of a Bus Route, especially as in this case actually on two Bus Routes.

- Developer Contributions are seen by most Councils and Government as an integral way of improving public transport to avoid a repeat of the "Eagle Bridge" fiasco which opened with no public transport or infrastructure. It seems that no lessons were learnt.

8. APPLICANT'S SUPPORTING INFORMATION:

Design and Access Statement

- The C2 care home use for the site fits well into the existing urban use of the town, both in the sense of being immediately in a housing area, and in providing care for the whole town and beyond.

- The care home is part of a relocation package, the aim of which is to provide a new facility to replace an existing care home. The new facility will be better located, on main routes and close to the town centre, in a high profile location, larger and up to date.

- The relocation means that the care home will already be substantially provided for with residents relocating from the existing home, as well as staff. The larger scale of the facility will provide spare capacity to meet the needs of the town as well as new job opportunities.

- The care home owners have sought to provide a new care home with excellent facilities, both in terms of accommodation and external amenity spaces. In addition, the layout of the building has been carefully designed to provide the following to the residents

Interesting common areas with varied characteristics and aspects (main lounges, quiet lounges, options for dining in different areas etc.)

Corridors have been designed to maximise staff supervision, but also to avoid long institutional lengths. This has been achieved by introducing additional turns, often with wider areas benefitting from views out

A racetrack corridor system, important for patients with dementia to allow residents to circulate around the building without coming to dead ends. The care home has been designed to a high standard with particular attention given to the following

- The way in which the external treatment echoes the earlier Victorian architecture of Crewe.
- This is done with more contemporary interventions.

The building is strongly articulated towards the main roundabout, acting as a gateway to the new development area opening behind the site.

The interaction of internal and external spaces, providing a number of options for residents. The internal courtyard also includes looped path systems allowing for perambulation around the garden by residents

- In summary the care home will be a much needed new facility for the local community and the town as a whole, whilst also providing some new employment opportunities. The site is well located for transport links and services. The design addresses both the unique location of the site, on a major gateway into and out of the town, as well as the challenges and opportunities presented by the site itself. The architectural language of the building is strongly linked to the architectural history of Crewe, whilst also representing a contemporary flavour to endorse the aspiration that this building is for now, and for the future of the town and the community.

Acoustic Report

- Using measured survey data for the existing background noise and manufacturer's data for plant noise, an assessment of potential impact in accordance with BS4142 can be undertaken for the nearest noise sensitive receptor.
- The nearest noise sensitive receptors are the dwellings at Grand Central, off Dunwoody Way to the north west of the site
- At this stage the location and type of plant is unknown and an assessment will be carried out when data becomes available. However, it is recommended that plant is located along the northern / north eastern façade of the development (facing Dunwoody Way and roundabout) as potential impact will be negligible compared to the existing traffic noise on Dunwoody Way. Locating the plant within the internal courtyard of the development should be avoided where practical as impact will be greater given the reduced background noise level within this enclosed space.

Vibration Impact Assessment

The assessment of ground borne vibration due to train and HGV movements has indicated that no special measures need to be taken into consideration in the design of the building to reduce levels of structure born noise and vibration due to trains and HGV movements

Transport Statement

- The new access has been designed in line with guidance in TD42/95 which states that minimum junction separation should be 50m where ghost island right-turn lanes exist. The right turn lane itself is 35m long which is adequate given the low level of traffic predicted to use the access.
- The capacity assessments of the proposed new site access have revealed that there will be no capacity issues for any of the peak hours either in the opening year of 2011 or the future. The proposed ghost island right turn ensures that there will be no delay to vehicles travelling south east and provides a safe place for vehicles to store, if they need to wait for a gap in the traffic.
- The site is located in a sustainable location on the edge of Crewe Town Centre. Their investigations have revealed that the site is within close distance of a large residential population which makes it suitable for walking and cycling to the site for staff and visitors living further afield, there are regular bus services along Dunwoody Way and West Street and train services to Crewe Railway Station. For the reasons set out above, there are no traffic, transport or highway related reasons for withholding planning consent for the proposed care home.
- A draft travel plan has been included within the submission.

Ground Investigation

- Overall the only potentially unacceptable risks to future residents come from substances in the shallow granular made ground namely metals. In all cases the risk driving exposure pathways are from direct contact such as soil ingestion, dermal contact or consumption of home grown produce
- Contaminative substances are limited to granular made ground soils in the upper 1m at the site. It is likely that some form of remedial work is required prior to the site being redeveloped for a residential care home with gardens.
- It may be possible to mitigate these risks via a number of methods including

Revise redevelopment plans to allow only properties without gardens

Remove contaminated shallow soils from the site and replace with a break layer and clean fill

Add a break layer and then import additional clean materials to a thickness of 1m.

Flood Risk Assessment

- The site is at low risk of flooding but requirements for the surface water drainage system and mitigation measures to minimise the impact of an event in exceedence of the design storm or a blockage of the site's drainage systems or systems elsewhere have been identified. The detailed design of the surface water and foul drainage systems and connections to sewer will be made at the appropriate stage of the development, particularly once foul volumes are known, but the outline drainage strategies present in the report provide a commitment to minimise flood risk to the site and elsewhere through the design and layout of the proposed development and the adoption of suitable mitigation measures.

9. OFFICER APPRAISAL

Principle of Development

The main consideration in respect of the principle of the development is the extent to which it complies with the provisions of Policy E.7 (Existing Employment Sites) of the Local Plan. This policy seeks to resist the loss of employment sites close to local centres of population as this can result in higher local unemployment and increased commuting, both of which are contrary to the principles of sustainable development.

The policy does allow for the loss of employment land to other uses in certain circumstances. The first of these is where the existing use harms the character or amenities of the surrounding area. There is no evidence to suggest that the current site operations conflict with residential amenity or the character of the area. Furthermore, the site could be redeveloped for a range of employment uses which would not impact on residential amenity, particularly those falling within use class B1, which by definition are appropriate in residential areas.

Secondly, the loss of the site for employment purposes is permitted where it is demonstrated that the site is no longer capable of satisfactory employment use and where the re-development would bring overriding local benefits. Equally there is no evidence to suggest that this site is incapable of further employment re-use. Nevertheless, there is an identified and growing need within the Borough for accommodation for older people, and therefore it could be argued that there would be some wider community benefit to be derived from the proposed development.

Finally the policy allows other uses where it can be demonstrated that there would be no detrimental impact on the supply of employment land or premises in the Borough. In resolving to approve the previous application on the site, the Council accepted the argument that the majority of the 7,438 m² of lost employment land is either underused, empty or used for car parking. It was therefore argued that the proposals represented a rationalisation of the existing operations and that all existing operations carried out within the site would be relocated to the company's retained site with no job losses.

As stated above, there is nothing to suggest that the site could not be redeveloped for an employment generating class B1 or B2 use. However, in resolving to approve the

previous application, the Council has already accepted that the loss of the site to residential development would not result in a detrimental impact on the overall supply of employment land or premises in the Borough and is therefore compliant with Policy E7.

Furthermore, it must also be acknowledged that according to the applicant the current care home proposal would secure and generate 89 full time jobs. Whilst this would not generate as many jobs as an office redevelopment, for example, it does bring more economic benefit than the previous residential scheme or retention as a surface car park would do

In summary, the proposed development would not result in a direct loss of existing employment land or premises in the Borough and would generate more employment opportunities than the previously proposed residential scheme. Consequently, it is concluded that there is no conflict with policy E7 of the Local Plan.

Affordable Housing

The proposal is for a close care residential institution falling within Class C2, consequently, there is no affordable housing requirement.

Amenity

The impact of the development upon the amenity of nearby residential properties is a key consideration. The nearest residential properties to site 1 are located on the opposite side of Dunwoody Way to the north. The proposed development is 2 storeys in height with a pitched roof, whilst the flatted development on the opposite side of the road is 4 stories. Consequently, only the ground and first floor flats are likely to be affected by the new development. For the most part the application site is separated from these properties by a distance of approximately 25m and accordingly the site is more than capable of accommodating residential development without resulting in undue loss of amenity by either overlooking or over domination to adjacent properties. Indeed it is considered that the proposed residential uses would be more compatible with the surrounding dwellings than the current and historic uses of the site.

Another key consideration is the requirement to ensure that the amenity of future occupants would not be prejudiced by the operation of the existing railway works. The applicant has submitted a noise and vibration report and this demonstrates that whilst the site is subject to moderate levels of environmental noise, appropriate glazing and ventilation can be installed to enable a comfortable internal environment and that vibration from the railway line would not significantly affect the development site. The Environmental Health section have analysed this data and have confirmed that provided the mitigation measures identified in the report are adhered to then they are satisfied with the proposals for the site.

Design and the Built Environment

The site layout provides for a frontage development to Dunwoody Way and the Bombardier Roundabout, whilst retaining an element of “defensible space” between the boundary with the public highway and the elevation of the building to reflect the fact that this is a residential use and to respect residents’ privacy. The parking areas would be in a

less prominent location to the rear of the building to avoid creating the appearance of a car dominated development. The service areas and utilitarian parts of the site would be located to the rear of the building, adjacent to the existing industrial uses, where they would not be visible and would provide an element of separation between the industrial and residential areas. The building would be arranged around a courtyard garden area, which would provide a private and peaceful area for residents which would be screened from the noise of the road and railway by the building and would create a pleasant outlook. A further secure residents' garden would be provided to the rear of the building, where it will be enclosed by the service yard, railway buildings and the care home itself. Careful attention would need to be given to the boundary treatment in this area, as well as to the road frontages and accordingly it is recommended that these details be conditioned. Overall, however, it is considered that this represents a high quality of layout which would provide a good standard of residential amenity for future occupiers as well as a high quality of urban design.

To turn to matters of elevational treatment, the building would be two stories in height with a steeply pitched roof. This reflects the traditional nature of the original railway workshop buildings and railway workers houses and is considered to be more in keeping with the general character and appearance of the surrounding area than the much taller flatted development on the opposite side of Dunwoody Way. Efforts have also been made to reflect the architecture of the Victorian and Edwardian railway houses, in the detail of the building, albeit in a modern way. For example, projecting gable features have been added to the Dunwoody Way elevations, as well as projecting bay windows, which are typical of the larger traditional Crewe dwellings to be found in West Street, and other nearby areas.

At the pre-application stage officers expressed concern that the central courtyard garden area would be overshadowed by the surrounding building for much of the day. Furthermore, they wished to create a focal point at the Dunwoody Way Roundabout. The architects have responded to these challenges by creating a "split" gable feature, with a projecting flat roofed entrance fronting on to the roundabout. Not only does this create an interesting and unusual aesthetic feature, but it also serves to reduce the building height at the eastern end of the courtyard to allow morning sunlight into the garden area.

Overall it is considered that the proposal is a good quality of design which meets the Council's aspirations for this site and subject to the use of an appropriate material, which can be secured by condition, it complies with the relevant local plan design policies.

Drainage/Flood Risk

The site is less than 1ha in area and does not meet any of the other criteria for the commissioning of a flood risk assessment. However, the proposal would result in a reduction in the extent of hard surfacing within the site and therefore a reduction in the potential for surface water run-off from the site itself. Consideration must also be given to how overland flow from neighbouring land uses would be managed during event exceedence. A full flood risk assessment was submitted with the previous application (due to the larger site area involved) and the Environment Agency were satisfied that any potential problems could be adequately mitigated through the use of appropriate conditions, and it is therefore recommended that the same conditions should be applied to any new planning permission.

Highways

The main access to the site would be via a new junction onto Dunwoody Way, whilst service access would be via the existing main roundabout access to the Bombardier site.

The application is accompanied by a Transport Statement which details the impacts of the development upon the local highway network. The Highway Authority have considered the data submitted and accept that the scheme would operate satisfactorily without undue pressure on the existing infrastructure and junctions around the town. However a number of recommendations have been put forward by the Highway Authority and these include certain works within Dunwoody Way in order to ensure that there are sufficient pedestrian and cycle links to serve the development. This includes upgrading the refuge island to accommodate both wheelchair and mobility scooter users, a footway link to the right of the proposed access to connect up to the existing roundabout that serves both Bombardier and Morrisons, and improvements to visibility at the roundabout.

In accordance with normal practice and in line with Policy TRAN.5 (Provision for Cyclists) a condition is recommended to ensure that covered secure cycle parking is provided at convenient locations throughout the development.

The redevelopment of the site would involve the loss of car parking areas and the applicant has accepted that there would be a need to replace these spaces. There is ample space to accommodate up to 250 car parking spaces within the retained site. This would have to be secured by virtue of a planning obligation

An objection has been received from a local resident claiming that the Transport Statement is based on flawed public transport information and that the site is unsustainable. In particular he takes issue with the accuracy of bus information, in his view the development is not providing sufficient additional infrastructure such as a bus stop, the bus stops / town centre are not within walking distance, routes and bus stops are not DDA compliant, and it is an excessive distance to the bus station. In his opinion, additional bus services and infrastructure should be provided through developer contributions.

According to PPG.13, walking distance is considered to be 2km. Even using main roads in order to avoid the steps adjacent to the cinema development, which are not DDA compliant, the site is located only, 1.93km from the town centre and bus station, which is within the PPG13 radius. Furthermore, the supermarket and medical centre at Dunwoody Way are 215m away and 572m respectively and the nearest bus stop is a similar distance from the site. Furthermore, there are no sequentially preferable sites, in terms of proximity to the town centre and main public transport hubs. That are available and could accommodate a development of this nature.

With regard to further developer contributions, Circular 05/2005 (Planning Obligations) sets out key tests that must be met in order to require a developer to deliver off site works or contribute towards them. These include the requirement for the works to be necessary to make the proposed development acceptable in planning terms. In this instance the works necessary to ensure that the development complies with the Development Plan are those which have been requested by the Strategic Highways Manager and if these are secured then the proposal would not conflict with the local plan policies. Accordingly it is not therefore considered necessary or reasonable to require the applicant to provide

additional contributions in this instance as aside from the specified works the contribution would not be directly related to the application site.

The Strategic Highways Manager has not raised any concerns regarding the accuracy of any of the information within the Transport Statement, and therefore it is not considered that a refusal on these grounds could be sustained.

Section 106 Matters

The proposed development raises a number of issues and must be assessed against all the relevant Development Plan policies. In making this assessment a number of measures and works are required in order to ensure that the proposal complies with the local plan policies. Whilst some minor elements may be secured by planning conditions there are more fundamental requirements which must be secured via a planning obligation (section 106 agreement). These include off site highway works and provision of replacement car parking within the retained employment site.

10. CONCLUSIONS

The proposal would not result in a detrimental impact upon the supply of employment land or premises in the Borough given that much of the site is underused and that the proposal also allows for the creation of over 80 new jobs. The redevelopment of both sites would not result in a loss of amenity to existing or future occupiers and the development would deliver considerable local environmental enhancements. A satisfactory access arrangement can be provided and the proposal would not result in a threat to highway safety or excessive impacts upon the local highway network. The proposal would deliver much needed older peoples housing and any lost car parking can be reinstated on land within the remaining part of the railway works.

9. RECOMMENDATION

APPROVE subject to completion of a Section 106 agreement to secure replacement car parking and also off site highway works and the following conditions:

- 1. Standard 3 year time limit**
 - 2. Compliance with approved plans**
 - 3. Submission and approval of materials**
 - 4. Submission and approval of cycle parking within scheme**
 - 5. Submission and approval of contaminated land mitigation measures**
 - 6. Piling hours to be restricted**
 - 7. Construction Hours to be restricted**
 - 8. Submission and approval of boundary treatment**
 - 9. Submission and approval of noise mitigation measures**
 - 10. Submission and approval of landscaping**
 - 11. Implementation of landscaping**
 - 12. Submission and approval of travel plan**
 - 13. Provision of Parking**
 - 14. Access works to be carried out prior to first occupation**
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Location Plan: Cheshire East Council Licence No. 100049045

