

# CHESHIRE EAST COUNCIL

## REPORT TO: Strategic Planning Board

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**Date of meeting:** 25<sup>th</sup> August 2010  
**Report of:** Adrian Fisher, Head of Planning and Policy  
**Title:** Mill Street/Lockitt Street, Crewe

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### 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 24<sup>th</sup> March 2010.

### 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 was 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 within the first phase of development

Also

A scheme of public art to be agreed for the site

#### **4.0 Proposals**

- 4.1 Since those resolutions were made discussions have been ongoing with the developer in respect of the detail of the agreement and a matter has arisen which requires consideration by the Board, namely, the issue of the phasing in respect of provision of the pedestrian/cycle link as part of the first phase of development.

- 4.2 The developer has stated that the first Phase of development will be the provision of the food retail unit to the Mill Street frontage of the site. In delivering the whole of the proposed pedestrian/cycle route under the first phase of development, with the food unit, there would be a threat that the proposed quality surfacing materials would be harmed by the movement of construction vehicles during later phases of the development. In addition it would prove to be extremely difficult to build the development around the completed link. Therefore it is considered that the delivery of the whole of the pedestrian link with the first phase of development would be unreasonable and would compromise the quality of the link.
- 4.3 A 4 phase (1, 2A, 2B and 3) development for the whole of the site has been suggested by the developer, and it is proposed to complete the link in 3 sections to correspond to the first 3 phases.
- Phase 1 to include the provision of food retail unit, and the link from Waverley Court to the public square.
  - Phase 2A to include the provision of part of the residential development to the north of the site, and the remaining majority of the link from the public square to Mill Street.
  - Phase 2B for the provision of the remainder of the residential development to the east of the site and the link across, and provision of the public square.
  - Phase 3 to include the comparison and bulky goods retailing and restaurant.

It is considered that a phased approach to the delivery of the pedestrian/cycle link, with the first three phases of development, as suggested would deliver a high quality route without it being compromised through the construction of latter development.

- 4.4 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, inter alia, provision of the pedestrian /cycle link within the first phase development”*

To:

*“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”*

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

*Also*

*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*

*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*