

Strategic Planning Board

Updates

Date: Wednesday, 22nd March, 2017
Time: 10.30 am
Venue: The Capesthorne Room - Town Hall, Macclesfield SK10 1EA

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

Planning Updates (Pages 3 - 10)

Please contact Sarah Baxter on 01270 686462
E-Mail: sarah.baxter@cheshireeast.gov.uk with any apologies, requests for further information or to arrange to speak at the meeting

This page is intentionally left blank

APPLICATION NO: 16/1824M

LOCATION: Land to the north of the Radnor Park and Land at Back Lane, Congleton

PROPOSAL: Demolition of the existing building and an outline planning application with all matters reserved except for means of access for a mixed use development comprising residential dwellings (use class C3) and employment development (use classes B1, B2 and B8) incorporating an element of leisure uses (use classes A3 and A4), together with associated woodland buffer, ecological mitigation and enhancements, open spaces and infrastructure.

APPLICANTS COMMENTS:

The applicant has written with a series of points they wish to raise regarding the proposed conditions, and a point of clarity as set out in the report. In summary they are as follows:

1. Condition 2 as suggested requires the length of Back Lane works to be completed and adopted (before Phase 1 commences). They feel this is onerous and the reference to adoption should be replaced by reference to “open to public use”.
2. Condition 5 the same point is repeated here.
3. Condition 6. They make the point here that they can only make the footpath link to the Russell Homes site to the site boundary, and as such there is no guarantee the linkage can be made if works are not at the relevant stage on the other side of the boundary.
4. With regards to the Section 106 contributions, the applicant wanted to clarify that the difference between the cost of the roundabout which would have been implemented were it not for the CLR and the actual cost of implementing the CLR roundabout is to be deducted from the total contribution to be made towards the CLR. A detailed costing exercise will be undertaken to establish the cost difference figure.
5. Condition 12. They feel that requiring the footpath/cycle link to the CLR prior to occupation, is impractical and unduly onerous. They feel the wording should be changed to require provision prior to occupation of 50% of the dwellings.
6. Condition 13. This point is repeated with regards to the footpath link down to the River Dane on the eastern boundary.
7. With regards to the commercial development proposed, as referred to at Page 42 in the report as a matter that required clarification, they

have highlighted that firstly the wording in the LPS is “around” 7 + 1 which they feel is consistent with the policy, and that the housing contribution is a very positive contribution to the Local Plan and will make a per dwelling contribution to the CLR.

8. For clarity they agree to give the full Education contribution as set out in the report.
9. On the subject of the Time Limit Condition (No.1), they feel the standard 3 years for submission of Reserved Matters is unworkable as their site is inextricably linked to the delivery of the CLR over which they have no control over. They therefore suggest two alternatives:
 - a. The 3 years is linked to the completion of Phase 1 for the Back Lane works, and 3 years from the completion of the CLR for the balance.
 - b. Change the timings from 3 years to 5 for Phase 1 and 7 for the balance of the site.

Finally two additional plans have been submitted showing the footpath/cycle links.

CONSULTATIONS:

Highways – They have confirmed that they are happy for the changes in relation to points 1-4, and have no objection in principle to changing the “prior to occupation” to completion of a % of the units. With regards to the time Limit Condition, they feel the condition should be more closely linked to the works for the CLR.

KEY ISSUES

Highways Conditions

In line with Highways comments it is not considered there are any issues with making the changes in relation to points 1-4.

Footpath/Cycleway Conditions

Whilst it is accepted that prior to occupation could result in issues in delivery of access routes when all the internal roadways, from which they will link, are not yet in place, there are concerns that 50% occupancy is too late for its implementation. A compromise is considered appropriate and a verbal update will be given at the meeting.

Commercial Development

As set out in the report, it is considered that the proposals are in line with the policy requirements.

Time Limit Condition

Whilst again it is accepted that there needs to be some flexibility in the start time, this matter is being discussed with Highways in terms of delivery of the CLR and a verbal update will be given at the meeting.

Footpath/Cycle links Plan

Whilst useful as an indication of proposals, both would require some amendments and as such it is considered that these matters should be addressed through conditions rather than seeking approval of these details.

CONCLUSION:

There are no proposed changes to the recommendation, however as noted above the relevant highway/footpath/cycleway and start conditions referenced above will need to be worded accordingly.

This page is intentionally left blank

APPLICATION NO: 15/5678M

LOCATION: Land off Earl Road / Epsom Avenue, Handforth Dean

PROPOSAL: Demolition of existing buildings and erection of five units to be used for Class A1 (Non-food retail) purposes and two units to be used for Use Class A1 (Non-food retail or sandwich shop) and/or Use Class A3 and/or Use Class A5. Creation of car park and provision of new access from Earl Road, together with landscaping and associated works. (Resubmission

15/0400M)

REPRESENTATIONS

A letter of representation has been received on behalf of Peel Holdings noting that Peel's previous objections are still relevant:

- Applicant has not explained how it has been flexible in approach to sequential test.
- No assessment of Unit 6 The Peel Centre or the gas holders site to the rear of the Peel Centre. No justification for the size of site the applicant claims to require.
- Catchment area takes no account of SEMMMS link road which will bring material changes to the extent of the catchment.
- No health check has been undertaken from the designated centres in the catchment.
- Level of trade draw from Stockport has been underestimated and the amount of trade draw from centres that are further away has been overstated.
- If more trade is drawn from Stockport Town Centre, particularly The Peel Centre, the impact level will be higher than that shown and would harm the vitality and viability of the Town Centre.
- No consideration of whether or not the proposed development will impact upon committed or planned investment at the Peel Centre or elsewhere in the Town Centre.
- List of existing commitments is incomplete – 5110sqm of retail floorspace in Heaton Mersey has been missed.
- Predicted cumulative impact is therefore understated.
- No justification for the sales density rate used in applicant's retail assessment.

KEY ISSUES

Retail Impact

The sequential test was found to be satisfied during the previous application and there is no known material change in circumstances that would lead to an alternative conclusion now being reached with the current application. Similarly, in terms of impact, an identical proposal was previously assessed using significantly higher sales density figures as a worst case scenario for robustness and was found to be acceptable.

CONCLUSIONS

As in the original report a recommendation of refusal is made.

APPLICATION NO: 17/0223N

LOCATION: LAND SOUTH OF, WESTON ROAD, CREWE

PROPOSAL: Full application for a proposed new warehouse unit with ancillary office/welfare, associated landscaping, parking, service yard and access. External works to existing 'Crewe 2' unit to south of site

CONSULTATIONS

Highways

Strategic Infrastructure (Highways) had not provided comments regarding the relevant legal contribution. There is now a requirement for a s106 contribution for £5,000 towards the monitoring of the travel plan, to cover a 5 year monitoring period

LEVY (CIL) REGULATIONS

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 financial contributions towards the travel plan monitoring are directly related to the development and are fair and reasonable.

Recommendation

Approve subject to the completion of a Section 106 Agreement or Unilateral Undertaking to secure

Heads of Terms:

1. The monitoring of the travel plan

and the following conditions:

2. Time (3 years)
3. Plans
4. Materials as per application
5. Prior approval of detailed design, management and maintenance of surface water drainage
6. Prior submission / approval of staff travel plan
7. Electric charging points for cars
8. Land contamination

9. Landscape – Details
10. Landscape – Implementation
11. Boundary treatment – Details
12. Development in accordance with FRA
13. Sustainable drainage management/surface water drainage
14. Nesting birds
15. Newt mitigation strategy for adjacent land
16. Breeding birds
17. Habitat management plan
18. External lighting
19. Construction Management Plan
20. Bus stop upgrades
21. Levels – existing and proposed including site sections
22. Scheme of protection for retained trees

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning (Regulation) has delegated authority to do so in consultation with the Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

Should this application be the subject of an appeal, authority be delegated to the Head of Planning (Regulation) in consultation with the Chairman of the Strategic Planning Board to enter into a planning agreement in accordance with the S106 Town and Country Planning Act to secure the Heads of Terms for a S106 Agreement.