

Strategic Planning Board

Agenda

Date: Wednesday, 24th February, 2016
Time: 10.30 am
Venue: The Capesthorpe Room - Town Hall, Macclesfield SK10 1EA

Please note that members of the public are requested to check the Council's website the week the Strategic Planning Board meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published.

The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the foot of each report.

PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT

1. **Apologies for Absence**

To receive any apologies for absence.

2. **Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary and non-pecuniary interests and for Members to declare if they have a pre-determination in respect of any item on the agenda.

3. **Minutes of the Previous Meeting** (Pages 1 - 8)

To approve the minutes of the meetings held on 27th January 2016 and 18th February (to follow) as a correct record.

Please Contact: Gaynor Hawthornthwaite on 01270 686467
E-Mail: gaynor.hawthornthwaite@cheshireeast.gov.uk with any apologies or request for further information
Speakingatplanning@cheshireeast.gov.uk to arrange to speak at the meeting

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Strategic Planning Board
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the Strategic Planning Board and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **15/5401M - Alderley Park, Congleton Road, Nether Alderley, Macclesfield, SK10 4TF: Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); Up to 275 residential dwellinghouses, where up to 60 units could be for retirement / care (Use Classes C2 and C3); Up to a 100 bed hotel (Use Class C1); Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); A waste transfer station of up to 900 sqm of (sui generis); Public realm and landscaping; Other associated infrastructure for Mr Joe Broadley, Alderley Park Limited (Pages 9 - 48)**

To consider the above application.

6. **15/0400M - Land off Earl Road/Epsom Avenue, Handforth Dean, Cheshire, SK9 3RL: 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 for Orbit Investments (Properties) Ltd (Pages 49 - 72)**

To consider the above application.

7. **15/3531C - Land Bounded by Old Mill Road and M6 Northbound Slip Road, Sandbach: Reserved matters application for proposed erection of 232no. dwellings including roads, sewers, boundary treatments and garages and associated works for Mr Simon Artiss, Barratt Homes Manchester Division (Pages 73 - 86)**

To consider the above application.

8. **15/5063N - Land West Of, Broughton Road, Crewe: Residential development (Use Class C3) consisting of 81 no. new affordable dwellings comprising 10 no. three bed houses, 45 no. two bed houses, 6 no. two bed apartments and 20 no. one bed apartments in three two storey apartment blocks with associated infrastructure including a new estate access off Broughton Road for William Fulster, MCI Developments Limited and Wulvern Housing (Pages 87 - 104)**

To consider the above application.

9. **Update Following the Refusal of Application 14/3892C Land West of Crewe Road, Sandbach: Outline Application for Redevelopment of the Site to provide up to 200 homes and a Community Facility (Pages 105 - 110)**

To consider an update to the reasons for refusal in advance of the upcoming appeal.

10. **Update following the Refusal of Application 14/5921C Land off London Road, Brereton: A Mixed Use Development including Residential and Commercial (outline) (Pages 111 - 116)**

To consider an update to the reasons for refusal in advance of the upcoming appeal.

11. **Update following the Refusal of Application 14/1189C Land off Abbey Road, Sandbach: Outline Application for 165 dwellings (Pages 117 - 122)**

To consider an update to the reasons for refusal in advance of the upcoming appeal.

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CHESHIRE EAST COUNCIL

Minutes of a meeting of the **Strategic Planning Board**
held on Wednesday, 27th January, 2016 at Council Chamber, Municipal
Buildings, Earle Street, Crewe CW1 2BJ

PRESENT

Councillor H Davenport (Chairman)
Councillor J Hammond (Vice-Chairman)

Councillors B Burkhill, T Dean, S Edgar (Substitute), S Gardiner (Substitute),
D Hough, J Jackson, D Newton, S Pochin and J Wray

OFFICERS

Patricia Evans (Planning Lawyer)
Ben Haywood (Major Applications – Team Leader)
Paul Hurdus (Highways Development Manager)
David Malcolm (Head of Planning (Regulation))
Philippa Radia (Senior Planning Officer)
Paul Wakefield (Planning Officer)
Gaynor Hawthornthwaite (Democratic Services Officer)

101 **APOLOGIES FOR ABSENCE**

Apologies were received from Councillors R Bailey, L Durham, M Sewart
and G Walton.

102 **DECLARATIONS OF INTEREST/PRE DETERMINATION**

In the interest of openness in respect of applications 13/5242C and
15/3386N Councillor J Hammond declared that he was a Director of ANSA
Environmental Services Limited who were consultees, but had not made
any comments nor been involved in any discussions relating to these
applications.

In the interest of openness in respect of applications 15/2010M and
15/5141M Councillor J Hammond declared a pecuniary interest on the
grounds that he was a Director of ANSA Environmental Services who use
the Henshaws and Danes Moss sites respectively in their recycling
operations and in the circumstances would leave the room prior to
consideration of the applications.

It was noted that Members had received correspondence from Barratt
Homes relating to application 15/2010M.

103 **MINUTES OF THE PREVIOUS MEETING**

That the minutes of the meeting held on 16th December 2015 be approved as a correct record and signed by the Chairman.

104 PUBLIC SPEAKING

That the public speaking procedure be noted.

105 13/5242C - LAND OFF HAWTHORNE DRIVE, SANDBACH, CHESHIRE CW11 4JH: RESIDENTIAL DEVELOPMENT COMPRISING 138 DWELLINGS, ACCESS AND ASSOCIATED WORKS (ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT) FOR ADELE SNOOK, PERSIMMON HOMES NORTH WEST

The Board considered a report and written and verbal updates regarding the above application.

(Councillor S Corcoran (Ward Member) and Ms A Snook (applicant) attended the meeting and spoke in respect of the application)

RESOLVED

That for the reasons set out in the report the application be DEFERRED to enable Officers to seek additional information relating to:

- Costings of the bridge across wildlife corridor
- Affordable housing contributions
- Highways impact

Following consideration of this application, the meeting adjourned for lunch from 12.20 pm to 1.00 pm.

106 15/2010M - LAND SOUTHWEST OF MOSS LANE, MACCLESFIELD: FULL PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF 150 NO. DWELLINGS WITH ASSOCIATED CAR PARKING, ACCESS, INTERNAL ROADS AND LANDSCAPED OPEN SPACE FOR BDW TRADING LTD (BARRATT HOMES M'CR)

Prior to consideration of this application, as stated in his declaration, Councillor J Hammond left the meeting and returned following consideration of application number 15/5141M

(Councillor C Andrew (Ward Member) and Mr S Artiss (Planning Manager, Barratt Homes – on behalf of applicant) attended the meeting and spoke in respect of the application)

The Board considered a report and written update regarding the above application.

RESOLVED

That for the reasons set out in the report the application be APPROVED subject to revised Section 106 Heads and Terms to secure:

Heads of Terms:

- Education contributions of £200,000 (primary)
- Open space provision and management arrangements.
- Provision, tenure and phasing of 10% affordable housing

And the following conditions:

1. Development in accord with approved plans
2. Submission of samples of building materials
3. Commencement of development (3 years)
4. Landscaping - submission of details
5. Landscaping (implementation)
6. Landscaping to include details of boundary treatment
7. Tree retention
8. Tree protection Arboricultural method statement
9. Submission of construction method statement
10. Contamination enabling and remediation strategy to be submitted
11. Verification report for remediation strategy to be submitted
12. Piling or other foundation designs using penetrative methods shall not be permitted
13. Scheme to dispose of surface water drainage to be submitted
14. Noise mitigation scheme to be submitted
15. Scheme to minimise dust emissions to be submitted
16. Environmental Management Plan to be submitted
17. Electric Vehicle Infrastructure to be provided
18. Travel plan to be implemented
19. Assessment of the potential for disposing of surface water by means of a sustainable drainage scheme to be carried out
20. Detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods to be submitted
21. Site to be drained on a total separate system
22. Landscape management plan to be submitted
23. Right turn lane at Moss Lane / Congleton Road to be provided

24. Wheelwash facilities to be provided

25. Vehicular Access permissions to be provided through to land to the west

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) 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.

- 107 **15/3386N - LAND SOUTH OF NEWCASTLE ROAD, SHAVINGTON, CREWE, CHESHIRE: REMOVAL OF CONDITION 30 (NUMBER OF DWELLINGS) ON PREVIOUS PERMISSION 12/3114N; OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT OF UP TO 360 DWELLINGS, LOCAL CENTRE OF UP TO 700 SQM (WITH 400 SQM BEING A SINGLE CONVENIENCE STORE), OPEN SPACE, ACCESS ROADS, CYCLEWAYS, FOOTPATHS, STRUCTURAL LANDSCAPING, AND ASSOCIATED ENGINEERING WORKS FOR MACTAGGART & MICKEL HOMES LTD**

The Chairman reported that this application had been withdrawn from the agenda prior to the meeting.

- 108 **15/5141M - DANES MOSS LANDFILL SITE, CONGLETON ROAD, GAWSWORTH, MACCLESFIELD, CHESHIRE SK11 9QP: VARIATION OF CONDITION 1,25,31,32,37,39,42 ON 12/3240W AN APPLICATION MADE UNDER SECTION 73 OF THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TO EXTEND THE OPERATIONAL LIFE OF DANES MOSS LANDFILL FACILITY TO 31 DECEMBER 2019 WITH FINAL RESTORATION BY 31 DECEMBER 2020 BY APPLYING TO VARY CONDITION 47 OF PLANNING PERMISSION 09/0761W FOR ALAN BULPIN, 3C WASTE LIMITED**

The Board considered a report and written update regarding the above application.

(Alan Bulpin (applicant) attended the meeting and spoke in respect of the application)

RESOLVED

That for the reasons set out in the report and written update the application be APPROVED subject to

- (1) a Deed of Variation to the existing S106 Planning Obligation to secure the long term management of the adjacent Danes Moss Site of Special Scientific Interest and Danes Moss Landfill site
- (2) Conditions covering in particular:

- All the conditions attached to permissions 12/3240W and 09/0761W unless amended by those below
- Extension of time to 31st December 2019 with full restoration of the site within 12 months or no later than 31st December 2020.

12/3240W

The development hereby approved shall only be carried out in accordance with the following documents, except where these may be modified by the conditions below:

Planning Application Form dated 11th November 2015
Drawing No 1779-01-01 (Statutory Plan)
Drawing No. 1220-01-02 (Proposed pre-settlement contours and cross sections)
Drawing No. 1779-01-02 Rev A (Approved Restoration)
Drawing No. 837-01-02 (Proposed Phasing of Consent 09/0761W)

25. With reference to the Schematic Phasing in Drawing No. 837-01-02 (Proposed Phasing), cells shall be progressively tipped and restored in sequence, C2, C2A/C3A, with no tipping in Cell C3A taking place until Cell C2 has been restored, unless otherwise agreed with the Waste Planning Authority. The access route shown on the drawing will form part of the final tipping and restoration phase. Restoration and spreading of subsoil and/or topsoil to final levels within each cell should occur by no later than 31st December 2019 unless otherwise agreed with the Local Planning Authority. Tipping in each cell shall accord with final tipping levels as specified under condition 33.

31. The site shall be restored to nature conservation and amenity use specifically a mixture of amenity woodland, heathland, acid grassland and general amenity grassland, as indicated on approved drawing No. 1779-01-02 Rev A (Proposed Restoration), and the scheme approved by condition 42 below, to provide an appropriate mix of wetland species.

32. Restoration shall be progressive, and in accordance with the detail shown in drawing No. 1220-01-02 (Proposed Pre-Settlement Contours) and 1779-01-02 Rev A (Approved Restoration). Any grass seeding which is due to take place shall be undertaken within 12 months of the spreading of the final soil layer. Any tree and/or shrub planting shall be undertaken within 24 months of the spreading of the final soil layer unless otherwise agreed in writing with the Waste Planning Authority.

37.The scheme of restoration and landscaping management approved under condition 44 of consent 09/0761W or as updated by Drawing No. 837-01-03 shall be implemented by not later than 31st December 2020. Any plants which die, are removed or become seriously damaged or diseased, shall be replaced with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

39.Aside from the provisions of condition 40 and 41, within 12 months of tipping being completed to final levels, or no later than 31 December 2020, whichever is the sooner, all plant, machinery, debris, and site buildings shall be removed from the site; all haul roads, access roads and areas of hardstanding shall be broken up and removed from the site, and the site shall be restored in accordance with Drawing No. 1779-01-02 Rev A.

42.The tipping of waste material authorised by this permission shall cease by 31 December 2014 with restoration materials imported as necessary beyond this date to ensure that the site is fully restored by 31 December 2020 in accordance with the consented levels.

09/0761W

47.The tipping of waste material authorized by this permission shall cease by 31 December 2014 with restoration materials imported as necessary beyond this date to ensure that the site is fully restored by 31 December 2020 in accordance with the consented levels.

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/Vice Chairman of the Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.

109 **15/0184N - 138 SYDNEY ROAD, CREWE CW1 5NF: OUTLINE PLANNING APPLICATION FOR UP TO 275 DWELLINGS OPEN SPACE AND ASSOCIATED WORKS, WITH ALL DETAILED MATTERS RESERVED APART FROM ACCESS FOR C MULLER, MULLER PROPERTY GROUP**

The Board considered a report and verbal update regarding the above application.

RESOLVED

That for the reasons set out in the report the Board be MINDED TO REFUSE the application for the following reasons:

1. The proposed residential development is unsustainable because it is located within the Open Countryside, contrary to Policies NE.2 (Open Countryside) and RES.5 (Housing in Open Countryside) of the Borough of Crewe and Nantwich Replacement Local Plan, Policy PG 5 of the Cheshire East Local Plan Strategy – Submission Version and the principles of the National Planning Policy Framework and create harm to interests of acknowledged importance. As such the application is also contrary to the emerging Development Strategy. Consequently, there are no material circumstances to indicate that permission should be granted contrary to the development plan.
2. In the opinion of the Local Planning Authority, the proposed development would cause a significant erosion of the Green Gap between the built up areas of Crewe and Haslington and would adversely affect the visual character of the landscape which would significantly and demonstrably outweigh the benefits of the scheme notwithstanding a shortfall in housing land supply. The development is therefore contrary to Policy NE4 (Green Gaps) of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and guidance contained within the NPPF.
3. In the absence of surveys for Lesser Silver Diving Beetle, Mud Snail, Great Crested Newts Roosting Bats and Barn Owls and a botanical species list with DAFOR rating for the grassland habitats associated with the application site, the applicant has failed to demonstrate that the proposal will protect and enhance the natural conservation resource including protected species and habitats. The proposal is therefore contrary to Policy NE5 of the Borough of Crewe and Nantwich Replacement Local Plan 2011 and Policy SE3 of the emerging Cheshire East Local Plan Strategy - Submission Version and the provisions of the National Planning Policy Framework.

RESOLVE to enter into a Section 106 to secure the following:

- Affordable housing:
 - 30% of the total dwellings to be provided as affordable housing
 - 65% of the affordable dwellings to be provided as either social rent or affordable rent

- 35% of the affordable dwellings to be provided as intermediate tenure
 - Affordable housing to be provided on site
 - Affordable rented or Social rented dwellings to be transferred to a Registered Provider
 - The affordable dwellings to be provided as a range of property types to be agreed with Housing
 - Affordable housing to be pepper-potted in small groups, with clusters of no more than 10 dwellings.
 - The affordable housing to be provided no later than occupation of 50% of the open market dwellings, or if the development is phased and there is a high degree of pepper-potting the affordable housing to be provided no later than occupation of 80% of the open market dwellings.
 - Affordable dwellings transferred to an RP to be built in accordance with the HCA Design and Quality Standards or the latest standards applied by the HCA.
- Equipped children's play area.
 - Private residents management company to maintain all on-site open space, including footpaths and habitat creation area in perpetuity
 - Education Contribution:
 - $52 \times £11,919 \times 0.91 = £564,007.08$ (primary)
 - $4 \times £50,000 \times 0.91 = £182,000$ (SEN)
 - Total education contribution (£746,007.08)
 - Highways Contribution of £ 1.6m towards the costs of improvements at Sydney Road Bridge and / or Crewe Green Roundabout.
 - Rights of Way contribution of £TBC

The meeting commenced at 10.30 am and concluded at 2.55 pm

Councillor H Davenport (Chairman)

Application No: 15/5401M

Location: ALDERLEY PARK, CONGLETON ROAD, NETHER ALDERLEY,
MACCLESFIELD, CHESHIRE, SK10 4TF

Proposal: Full planning permission for the demolition of a number of specified buildings; and outline planning permission with all matters reserved for a mixed-use development comprising the following: • Up to 38,000 sqm of laboratory, offices and light manufacturing floorspace (Use Class B1); • Up to 1,500 sqm of retail, café, restaurant, public house and / or crèche floorspace (Use Classes A1, A3, A4 and D1); • Up to 275 residential dwellinghouses, where up to 60 units could be for retirement / care (Use Classes C2 and C3); • Up to a 100 bed hotel (Use Class C1); • Sport and recreational facilities including an indoor sports centre of up to a 2,000 sqm (Use Class D2); • Up to 14,000 sqm of multi-storey car parking providing up to 534 spaces (sui generis); • A waste transfer station of up to 900 sqm of (sui generis); • Public realm and landscaping; • Other associated infrastructure

Applicant: Mr Joe Broadley, Alderley Park Limited

Expiry Date: 21-Mar-2016

SUMMARY

Following AstraZeneca's announced departure from Alderley Park, a series of important interventions have taken place to ensure that the impact of disinvestment is managed and mitigated. The proposals demonstrate a continued commitment to the parks development as a world class hub for the Life Sciences.

The proposals will provide high-quality and flexible purpose-built facilities in the short-term for both new and existing companies at the BioHub, thus ensuring that that talent and skills associated with AstraZeneca can be re-deployed on site before becoming dissipated.

A range of uses is proposed on the site, and whilst the residential use is proposed to "pump prime" the life science development, the other uses are very much complimentary to the site as a whole.

All the proposed development, with the exception of some re-located sports pitches, are within the defined area of Previously Developed Land.

The proposed development will have some impact on openness and as such is considered to be inappropriate development. Very Special Circumstances are however demonstrated in this case sufficient to outweigh this harm, with the economic case for the life science business being particularly important.

A high quality of development is proposed, and although the application is in outline, parameters and design principles will help ensure this at the reserved matter stage(s).

There is no significant highway impact and cycle/pedestrian access will be improved by the development.

Any ecological impacts can be addressed through appropriate mitigation.

A full Environmental Statement has accompanied the application.

S106 Contributions are set out at the end of the report

Subject to the outstanding comments, the overall scheme is considered to constitute sustainable development with a firm emphasis on the economic benefits of the proposal.

RECOMMENDATION

Minded to Approve subject to referral to the Secretary of State, and subject to conditions and S106 Agreement

DESCRIPTION OF SITE AND CONTEXT

Allocations:

The site is located in the North Cheshire Green Belt and is identified as a Major Development Site in the Green Belt in the Macclesfield Local Plan.

Background:

As detailed within the Alderley Park Development Framework, which was endorsed by the Council on 30th June 2015, Alderley Park is a research and development site renowned for the discovery and development of innovative new medicines. It is a key part of the North West Life Science Ecosystem. Opening more than 40 years ago, the site has a rich heritage of important advancements in medical treatments. As the lead centre for cancer research, Alderley Park currently houses the global Advanced Lead Discovery Centre, and its world class laboratories offer unique facilities for drug discovery and development.

When AstraZeneca announced its intention to transition the majority of its research and development function from Alderley Park to a new purpose-built centre in Cambridge, it was immediately recognised that the potential negative economic impacts of this decision were considerable. Following rapid intervention at Ministerial level, senior stakeholders came together, as the Alderley Park Taskforce, to devise a strategy for the site which would sustain high-value employment and investment beyond AstraZeneca's planned withdrawal.

AstraZeneca had already begun to establish a cluster of research and development life science companies on site at the BioHub. The Taskforce therefore set out a vision for the site which would build on that BioHub model, devising a strategy to re-purpose the site to offer facilities which complement existing life science resources across the region.

In March 2014, Manchester Science Partnerships (MSP) successfully bid to acquire the site, confirming its ambition to build on the BioHub concept, adapting the site's state-of-the-art research facilities to enable the development of a community of life science businesses specialising in different aspects of the drug discovery chain.

AstraZeneca's phased decant of the site is progressing and the applicant is now keen to begin the task of re-purposing the site. It is critical that work is undertaken to remodel the site for multioccupier use quickly such that talent and skills associated with AstraZeneca can be re-deployed on site before becoming dissipated and to ensure the world class facilities on site are properly maintained and do not become obsolete.

The proposals will therefore create high-quality accommodation capable of attracting continued investment in the Life Sciences at Alderley Park.

Alderley Park Limited is the applicant for this planning application. It wholly owns Alderley Park and is made up of Bruntwood, a property developer specialising in providing commercial premises across a range of business sectors (51% controlling share in Alderley Park Limited), as well as Manchester Science Partnerships (39%) and Cheshire East Council (10%).

Bruntwood in turn has controlling shares (64%) in Manchester Science Partnerships, a Greater Manchester based public-private partnership and science park operator whose other shareholders consist of:

- Manchester City Council (12%);
- University of Manchester (12%);
- Manchester Metropolitan University (4%);
- Cheshire East Council (3%);
- Central Manchester Hospital Foundation Trust (3%); and
- Salford City Council (2%).

National policy and Government funding alone is insufficient to ensure the successful future of Alderley Park as a world-class hub for the life sciences. Short-term investment and finance is required to provide the upfront capital necessary to transform the site from single occupancy (previously by AstraZeneca), to one that is capable of attracting and accommodating a multitude of specialised companies. It is on this basis that a planning application is submitted to the Council which seeks to enhance the employment offer at Alderley Park through, in part, the development of alternative and high value uses on-site which will release, at least in part, the

funds required to enable the delivery of the first phases of improvement works, thus ensuring the future strength of Alderley Park in this specialised market.

Historic context:

Sir Thomas Stanley bought the manor of Nether Alderley from the Fittons of Gawsworth in 1572. The Stanley family first resided at Alderley Old Hall, until it was destroyed by fire in 1779. After the fire the family moved to the Park House, a farm bailiff's house at the southern end of the park. From 1810 onwards a programme of building improvements was undertaken and there survives today the extensive stabling arranged around two courtyards linked by an archway.

The new house was erected to the east of this complex and, like the stables, was built in stages. It was designed in a plain classical style, low and spreading, with various rambling extensions, faced in stone or stucco. By the end of the 19th century the house had 40 principal bedrooms but in 1931 was struck by fire once again, and, already too large and costly to maintain, was demolished two years later.

In 1938 the family's estate began to be broken up for financial reasons and the 400-acre park was bought by a Mr Crundall, a London developer. During World War II large parts of the site fell into decay, but in 1950, after the failure of the developer to gain consent for housing in the park, the estate was acquired by I.C.I. for the establishment of a scientific research facility. The park and gardens were restored as the generous setting for a huge complex of offices and laboratories which were subsequently owned and operated by I.C.I.'s successor AstraZeneca.

World Class Facilities:

Alderley Park is now a world-class research and development site renowned for the discovery and development of innovative new medicines. It is a key part of the Northwest Life Science

Ecosystem. Opening more than 40 years ago, the site has a rich heritage of important advancements in medical treatments. As the lead centre for cancer research, Alderley Park currently houses the global Advanced Lead Discovery Centre, and its world-class laboratories offer unique facilities for drug discovery and development.

In 2013 AstraZeneca announced its intention to transition the majority of its research and development functions away from Alderley Park to a new, purpose-built centre in Cambridge. It was immediately recognised that the potential negative economic impacts of this decision were considerable. Following rapid intervention at ministerial level, senior stakeholders came together as the Alderley Park Taskforce to devise a strategy for the site which would sustain high-value employment and investment beyond AstraZeneca's planned withdrawal. The Task Force was jointly chaired by Chris Brinsmead, Life Sciences Business Advisor to the Government, and Clive Morris, the Vice President of AstraZeneca, and comprised representatives of key local stakeholder groups including:

- Cheshire East Council;
- Cheshire and Warrington Local Enterprise Partnership;
- Manchester City Council;
- BioNow;
- University of Manchester; and
- David Rutley, MP for Macclesfield.

AstraZeneca had already begun to establish a cluster of research and development life science companies on site at the BioHub incubator. This is powered by BioCity which helps to create and grow successful life science companies. This is achieved by creating the optimum environment for emerging businesses to thrive by offering world-class, state-of-the-art laboratories and commercial office space, shared services, training, business support and access to investment. The success of this formula is supported by the 91% survival rate of BioCity-based companies over the past 12 years, making BioCity an international hub for entrepreneurial activity in the life sciences sector

The Taskforce therefore set out a vision for the site which would build on the success of the BioHub incubator model, devising a strategy to re-purpose the site to offer facilities which complement existing life science resources across the region. This strategy recognised that there is likely to be a need for a degree of flexibility regarding land uses to deliver, grow and sustain the vision for the Life Sciences Park. In March 2014, MSP successfully bid to acquire the site, confirming its ambition to build on the BioHub incubator concept, adapting the site's state-of-the art research facilities to enable the development of a community of life science businesses specialising in different aspects of the drug discovery chain.

AstraZeneca's phased decant of the site is progressing at speed and the applicant is keen to begin the task of re-purposing it. Critical to this is the imminent remodelling of the site for multi-occupier use so that the talent and skills associated with AstraZeneca can be re-deployed on site before dissipating; and to ensure that the world-class facilities on-site are properly maintained and do not become obsolete.

A planning application for the refurbishment and partial redevelopment of Block 15 (formally known as the Central Toxicology Laboratories) was approved by the Strategic Planning Board in December 2015 (ref. 15/4472M) and represents a critical first step in this process. It will

provide high-quality and purpose-built facilities in the short-term for both new companies to Alderley Park and existing companies already at the BioHub looking to expand.

Site / Topography:

The application site covers approximately 49 hectares of previously developed land within the wider lands of Alderley Park; a 160 hectare rural estate with large areas of historic and agricultural parkland and managed woodlands within the Civil Parishes of both Nether Alderley and Over Alderley. The settlement of Nether Alderley is located immediately to the north of Alderley Park, beyond which is the town of Alderley Edge. Macclesfield lies approximately 4.2km to the east.

The previously developed areas of the site comprise the distinct areas of Mereside, Parklands and the South Campus. As described above, each has developed over a number of years for a variety of uses resulting in varied characters throughout the site. Indeed, the scale of built form is unusually varied, showing juxtaposition in scale and architectural style due to development of different uses over different eras, ranging from 4 to 6 storey office and laboratory buildings to 2 storey historic structures. Outside of these three key areas, the remainder of the site comprises woodland, farmland and parkland.

Mereside:

Mereside is the main focus of the site's state of the art chemistry and biological facilities and includes the energy centre, newly created BioHub, modern offices, a high-quality conference centre, restaurant and associated parking. This zone sits alongside Radnor Mere, providing an exceptionally high-quality setting. However, included within some of these world-class facilities are a number of older and poorer quality buildings that have reached the end of their operational and useful lives. The demolition of these assets therefore provides an excellent opportunity for the development of new and modern employment facilities.

Parklands:

Parklands is sited centrally within the built up area of the site and contains a modern office building together with other large scale buildings and extensive areas of surface car parking. This zone is bisected by the main site circulation road. Whilst the Parklands office building is a high-quality, award winning structure, the industrial style buildings to the east and the car parking which lies adjacent to them are no longer required for the Life Sciences Park going forward. This area of the site, which is surrounded by woodland, thus offers significant potential for redevelopment.

South Campus:

The South Campus is the historical part of the site where Alderley Hall once stood prior to its demolition in 1931. This zone contains a range of buildings including a substantial double courtyard complex of former stables, the former Ballroom and, to the east, Alderley House, a complex of office buildings originating from the 1960's, with later additions. Closely associated with the main buildings complex within the South Campus is the 'AZ' Sports Club, including a sports hall, associated car parking areas and formal recreation provision, including football, tennis courts and cricket pitch. Key environmental assets in this area also include the

'Serpentine', ornamental water body, and a sunken walled garden containing a formal pond built for the early nineteenth century Alderley Hall. Many other historic features associated with Alderley Hall are visible in this area of the site including the former stables, dovecote and arboretum.

Woodland, Farmland and Historic Parkland:

The historic parkland and farmland is located within the southern and western parts of Alderley Park, with the woodlands (including some ancient woodland) to the north and east. Connecting these assets are a series of pathways and tracks which, when opened up to the public, would provide access to over 70 hectares of highly valuable recreational and ecological space.

Previous Developed Land:

The extent of Previously Developed Land (PDL) was first identified in the Development Prospectus in January 2014, and this same area was maintained in the Alderley Park Development Framework June 2015, and before that in the Cheshire East Local Plan Strategy submitted to the Secretary of State for Communities and Local Government in May 2014, under Policy CS29. Whilst the majority of this area would be defined as brownfield, there are areas of landscaping and sports pitches which would not. This matter is discussed in more detail below.

Access:

The park lies just off the A34 allowing access by road to Manchester International Airport in around 20 minutes and to Wilmslow in 7 minutes. From Alderley Edge railway station, Manchester city centre is accessible by train in 30 minutes and Manchester Airport in only 10 minutes. The Arriva 130 bus serves the site between Macclesfield and Alderley Edge every half hour Monday to Friday and hourly on Saturdays, the service also runs directly through the site during the weekday AM & PM periods. In addition, from Monday to Friday the 27A bus also passes through the site twice a day in either direction between Macclesfield and Knutsford.

There are existing bus stops on the internal access road and on the A34 Congleton Road, with the southern access to South Campus being within 500m of stops on the A537 Chelford Road. There are also significant levels of amenity open space and outdoor sports facilities present on-site with the application site by its nature being in a parkland and woodland setting. A number of ancillary retail, cafe and restaurant uses are already present at Alderley Park and serve the needs to workers; as well as a postbox, cash machine, indoor sports facility. Furthermore, there is a petrol filling station with associated convenience store, postbox and cash machine, as well as a Day Nursery, all located off-site on the Monks Heath crossroads approximately 1km to the south.

Surrounding Land Uses:

The site adjoins agricultural land to all boundaries, with an area of woodland to the north east off Hocker Lane. There are very few properties adjoining the site, but to the north are some dwellings to the south of Nether Alderley, and off Hocker Lane.

DETAILS OF PROPOSAL

The application has been submitted in 'hybrid' form seeking both full and outline planning permission for various components under the Town and Country Planning Act 1990. The application seeks full planning permission for the demolition of a number of specified buildings and outline planning permission with all matters reserved for a mixed-use development comprising the following uses:

- Laboratory, offices and light manufacturing (Use Class B1) 38,000 m² (GIA);
- Retail, café, restaurant, public house and / or crèche (Use Classes A1, A3, A4 and D1) 1,500 m² (GIA);
- Residential and / or retirement (Use Classes C2 and C3) 275 units;
- Hotel (Use Class C1) 100 beds;
- Sport and Recreational (Use Class D2) (indoor sports 2,000 m² (GIA);
- Multi Storey Car Parking (*sui generis*) 14,000 m² (GIA) /
- 534 spaces;
- Waste Transfer Station (*sui generis*) 900 m² (GIA)
- Public realm and landscaping; and
- Other associated infrastructure.

The Proposed Masterplan

The following paragraphs provide a brief description of the proposed development for each of the four key character areas:

Mereside

Mereside is where the majority of the proposed employment uses are to be focussed. The proposals seek to retain the good quality buildings in Mereside (such as the BioHub8) whilst removing and redeveloping those of poorer quality in order to create a better relationship between buildings (existing and proposed) and a more open character within the Life Sciences Park. This redevelopment allows for the creation of a high-quality and shared street along an east-west alignment providing for improved pedestrian access and outdoor gathering spaces. As well as greatly enhancing the external environment and connections of Mereside, this street will allow the surrounding landscape influences to infiltrate the development, sensitively integrating the built form into its surrounding landscape setting. Furthermore, the temporary car park to the northwest of Mereside is to be retained as permanent surface car-parking to meet the needs of the site as set out in the Car Parking Management Strategy.

Parklands

Parklands is to provide a number of replacement sports facilities, as set out in the Sports Facilities Reprovision Strategy, alongside a new residential development including “key worker” type housing for eligible employees at the Life Sciences Park. The new sporting facilities will help to create a strong connection between the primary employment area of Mereside and the predominantly residential area of the South Campus.

The South Campus

The South Campus is to provide a new residential community carefully integrated with a number of associated and ancillary commercial uses such as a farm shop, hotel, restaurant and public house within the main historic courtyard that showcases the site's key heritage assets. Important open features such as the arboretum and cricket pitch will be retained, with residential enclaves provided throughout. Furthermore, the existing sporting and recreational facilities will be fully reprovided both within the Parklands area and within a small area of parkland.

Woodland, Farmland and Historic Parkland

The remaining woodland, farm and heritage parkland are to be a focus for enhanced recreational access. As well as some replacement sporting and recreational facilities, the existing array of pathways within the site will be opened up for public use allowing for the first time enjoyment by the local community and wider public; as well as provide connections and links to the surrounding public footpath and bridleway network. This will enable recreational linkages with existing routes through to National Trust land around Alderley Edge.

Site Access:

Vehicular access to the site will remain as existing, with access via the 3 access points, 2 off the A34, one off Congleton Road. The Movement Parameters Plan indicates where pedestrian/cycle links could be made linking the site to the existing highways and rights of way network.

RELEVANT HISTORY

Since its purchase by I.C.I in the early 1950s, the application site has had a complex planning history as it has grown into the expansive world-class scientific centre present today. Other than a number of ancillary or historical uses within the site (such as general infrastructure, restaurants, a public house, energy centre and conference centres), the remainder of the existing buildings benefit from a series of planning permissions for research laboratories, office accommodation and associated uses, all falling within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Following a review of the Council's records it is evident that there have been a number of applications for numerous buildings, and significant landscaping improvements across the Alderley Park Estate, however these are not directly relevant to this application proposal as these proposals commence the start of a new chapter of development in the parks history.

POLICIES

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy: NPPF

Since the NPPF was published, the saved policies within the Macclesfield Borough Council Local Plan are still applicable but should be weighted according to their degree of consistency with the NPPF. The Local Plan policies outlined above are broadly consistent with the NPPF and therefore should be given weight accordingly.

- The NPPF sets out a clear presumption in favour of sustainable development. Paragraph 7 defines sustainable development as having three dimensions: economic, social and environmental;
- Paragraph 9 of the Framework explains that pursuing sustainable development involves *'seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life'*;
- Paragraph 14 sets out the presumption in favour of sustainable development, which should be *'seen as a golden thread running through both plan-making and decision-taking'*;
- Paragraph 17 outlines 12 core land-use planning principles that should underpin both plan-making and decision-taking;
- Paragraph 18 of the NPPF sets out that: *'the Government is committed to securing economic growth in order to create jobs and prosperity'*;
- At paragraph 19 identifies that *'the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth'*;
- Paragraph 21 identifies a number of measures for local planning authorities to consider when drawing up their plans to assist investment in business, which it is identified *'should not be over burdened by the combined requirements of planning policy expectations'*;
- Amongst the measures identified in paragraph 21, is the need to support existing business sectors and to build in flexibility to be able to respond to changes in economic circumstances;
- Paragraph 32 indicates that developments generating significant amounts of movement should be supported by a Transport Statement/Assessment;
- Paragraph 24 states that local planning authorities should apply the sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan;
- Paragraph 26 requires an assessment of impact on existing, committed and planned public and private investment and the impact on town centre vitality and viability;
- Paragraph 56 highlights that good design is a key aspect of sustainable development;
- Paragraph 61 sets out that development should address the connections between people and places and the integration of new development into the natural, built and historic environment;
- Paragraph 80 outlines the five purposes the Green Belt serves;
- Paragraph 109 states the planning system should contribute to the enhancement of the natural and local environment and protect and enhance value landscapes, minimise impact on biodiversity and provide net gains where possible;
- Paragraph 111 sets out that *'planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land)';and*
- Paragraph 118 states Council's should aim to conserve and enhance biodiversity through principles such as mitigating and compensating for significant harm that cannot be avoided.

In addition there are further paragraphs covering housing, design and wellbeing also have a wider relevance to the consideration of the application.

Local Plan Policy:

The application site lies within the Green Belt as defined by the Macclesfield Borough Local Plan. The relevant Local Plan policies are considered to be: -

Environment

- NE2 Protection of Local Landscapes
- NE5 Historical landscapes, parklands and gardens;
- NE11 Nature Conservation;
- NE17 Major developments in the countryside
- BE1 Good Design;
- BE21-24 Archaeology;
- BE22 Scheduled Monuments;

Green Belt

- GC1 New development in the Green Belt;
- GC4 Major Developed Sites in the Green Belt;

Recreation

- RT7 Cycleways, bridleways and footpaths;

Employment

- E1 Employment Land Policies;

Transport

- T1 General Transportation policy;
- T2 Public Transport;
- T5 Provision for cyclists;
- T6 Highways improvements and traffic management;

Implementation

- IMP1 Development sites;
- IMP2 Transport Measures;

Development Control

- DC1 High quality design for new build;
- DC5 Measures to improve natural surveillance and reduce crime

- DC6 Circulation and Access;
- DC8 Requirements for Landscaping;
- DC9 Tree Protection
- DC17 Water resources
- DC18 Sustainable drainage systems
- DC63 Contaminated land

Cheshire East Local Plan Strategy – Submission Version (CELPS) March 2014:

The following are considered relevant material considerations as indications of the emerging strategy:

Policy MP 1 Presumption in Favour of Sustainable Development
Policy PG 1 Overall Development Strategy
Policy PG 2 Settlement Hierarchy
Policy PG 3 Green Belt
Policy PG 6 Spatial Distribution of Development
Policy SD 1 Sustainable Development in Cheshire East
Policy SD 2 Sustainable Development Principles
Policy CS29 Alderley Park Opportunity Site
Policy IN 1 Infrastructure
Policy IN 2 Developer Contributions
Policy EG 1 Economic Prosperity
Policy EG 3 Existing and Allocated Employment Sites
Policy EG 5 Promoting a Town Centre First Approach to Retail and Commerce
Policy SE 1 Design
Policy SE 2 Efficient Use of Land
Policy SE 3 Biodiversity and Geodiversity
Policy SE 4 The Landscape
Policy SE 5 Trees, Hedgerows and Woodland
Policy SE 6 Green Infrastructure
Policy SE 7 The Historic Environment
Policy SE 8 Renewable and Low Carbon Energy
Policy SE 9 Energy Efficient Development
Policy SE 13 Flood Risk and Water Management
Policy CO 1 Sustainable Travel and Transport
Policy CO 2 Enabling Business Growth Through Transport Infrastructure
Policy CO 4 Travel Plans and Transport Assessments
Policy CS 29 Alderley Park Opportunity Site

Other Material Considerations:

- The Alderley Park Development Framework (June 2015);
- The Nature Conservation Strategy Supplementary Planning Document (October 2006);
- Supplementary Planning Guidance on s106 (Planning) Agreements (May 2004);
- Trees and Development Guidelines (February 2004);
- The Cheshire East Employment Land Review (March 2012);
- The Cheshire East Economic Development Strategy (June 2011);
- The Local Plan Strategy Employment Background Paper (March 2014);

- The SQW Report on the Economic Impact of Disinvestment (January 2014);
- The SQW Assessment on Future Demand (February 2014);
- The National Planning Policy Framework (March 2012); and
- The Planning Practice Guidance (March 2014)

The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats etc.) Regulations 2010.

CONSULTATIONS (External to Planning)

United Utilities: No objections are raised, but they recommend a drainage condition and make a series of recommendations with regards to water supply and drainage matters.

Environment Agency: No objections, but recommend conditions relating to a remediation strategy to deal with the risks associated with contamination, together with separate conditions relating to verification of the works set out, and if contamination is found how will it be addressed. A condition is also recommended with regards to requiring the approval of piling or other penetrative methods of foundation design to avoid risk to groundwater. Informatives are also recommended with regards to reuse of materials on site, waste removal from site, and they recommend that the EA is consulted prior to more site investigation works.

Historic England: No objections are raised. They are “happy” the supporting information has demonstrated there will be a negligible impact on the high grade listed buildings Haymans’s House and four buildings in the Nether Alderley Conservation Area, and recommend that the Council determine the application on the basis of national and local policy guidance, and its own specialist advice.

Cheshire Archaeology Planning Advisory Service: Agree the site has “low-nil potential to contain below-ground archaeological deposits that would be affected by the proposals”. They note however the heritage statement recommends mitigation in the form of research and recording of the history and historic development of the parkland landscape and historic buildings, and that this should be conditioned.

Health and Safety Executive: Makes no comments on this application

Natural England: They consider the proposals are unlikely to impact on statutory nature conservation sites: with regard to protected species & ancient woodland recommend standing advice is followed and that Green Infrastructure should be incorporated into the development, together with biodiversity and landscape enhancements.

Sport England: A holding objection has been received. They are satisfied the applicant has demonstrated the quantitative but not the qualitative requirements of policy (Para.74 of NPPF) to provide an “equivalent or better quality and of equivalent or greater quantity” of provision. Sport England has stated conditions can deal with a number of the matters that can be addressed, but not the quality issue. Detailed negotiations have taken place with the applicant’s agent, and they have commissioned an agronomy report (detailed site investigation) the results of which and recommendations will be sent to Sport England in

advance of the committee meeting. Whilst at the time of writing the report, it was considered that sport England's requirements could be met, their comments will be reported as a Late Item.

The Cheshire Gardens Trust: Whilst they support the maintenance of Alderley Park as a world class science facility, they feel too little attention has been paid to the "designated historic landscape" (their description), and as such resulted in a lower value of significance being afforded to landscape impact. Whilst they acknowledge the impact on the historic parkland will not be significant, they are particularly concerned about the proposals for the replacement of the water garden restaurant with a modern 4 storey building, and proposals to build in the walled garden which they feel will have a detrimental impact. In short they object to the application, but should approval be recommended they recommend conditions requiring a full assessment of the historic landscape, and this should be used to review proposals for the south campus. In addition they recommend a condition protecting the parkland from future development.

Manchester Airport: No objections but they do recommend conditions with regards to a detailed landscaping scheme, a detailed drainage scheme, approval of the design & operation of the Waste Transfer Station and approval of any renewable energy measures. All the conditions are recommended to avoid attracting birds which could endanger the safe operation of aircraft.

Environmental protection: Whilst a number of possible issues have been identified with regards to noise and vibration, especially during the demolition and construction phase of the development, conditions including an Environmental Management Plan and at the operational phase of the development lighting and noise conditions are recommended. With regards to air quality, the assessment concludes there will be a traffic impact of a minor adverse magnitude. Conditions are recommended to address this issue. Finally with regards to contaminated land, a condition and informative are recommended.

Highways: It is noted that proposed changes will result in a 6-8% loss of employment floorspace on site, and a net reduction in car parking across the site. The traffic assessment is considered acceptable, and is based on the 'worst case' i.e. that the site is fully occupied. Expressed in percentage terms at each junction it is estimated that the impacts will be between a 2 & 5.5% increase. This is not considered a severe impact. Looking at the wider area, the A34 Congleton Road/A537 Chelford Road has existing congestion problems, with long queues in the peak hours. Whilst the proposed development will have some impact it is not significant, although it is considered that a contribution for improvements to this junction is sought as problems at this junction will only get worse if mitigation measures are not put forward.

Although there are peak hour bus services to the site, general access is limited and is currently reliant on the car. It is however important the site is linked into the surrounding footpath and cycle network and it is recommended a link be made from the site to the end of the Alderley Edge bypass/Melrose Way. If a contribution is made to the A34 Congleton Road/A537 Chelford Road junction improvements, and a cycle link is made there are no objections to the proposal on highway grounds.

Strategic Housing Officer: Whilst current policy requires the provision of 30% affordable housing, the Alderley Park Development Framework states that “opportunities should be explored to deliver some affordable housing” as part of the development and as such we would like to see some on-site affordable housing. The same report also states that “any proposals which suggest a relaxation on normal affordable housing policy must be supported by a detailed viability appraisal.”

They acknowledge that normal policy requirements may not be applied here as it is for an important supporting development and as such a reduced affordable housing requirement is likely to be acceptable. They also acknowledge offsite provision via a Section 106 Agreement could be acceptable, but care needs to be taken over the definition of “key worker housing” on site, as currently proposed.

Flood Risk: Comments awaited

Greenspaces: Comments awaited

Education Officer: They report that Nether Alderley Primary Academy is the only primary school and Wilmslow High School and The Falibroome Academy are the 2 secondary schools. The contributions have been based on current numbers on roll and 5 year pupil forecasts at these 3 schools.

The current pupil yields applied by Cheshire East Council equate to 19 primary and 15 secondary pupils per 100 dwellings. Therefore 275 dwellings is expected to generate 52 primary and 41 secondary aged pupils.

Current numbers on roll and pupil forecasts for the school show that surplus places available at Nether Alderley Primary academy are falling with only 8 available across all year groups by 2019 whilst the 2 secondary schools are shown as being cumulatively oversubscribed. On this basis a Section 106 payment would equate to:

Primary	$44 \times 11919 \times 0.91 = £477,237$
Secondary	$41 \times 17959 \times 0.91 = £670,050$

Public Rights Of Way: The proposals would not appear to have any impact on existing rights of way, and on site offer opportunities to create public access within Alderley Park, for the purposes of walking, cycling and horse riding, as indicated in the application submission. Dedicating these Public Rights of Way in perpetuity is recommended. Links to adjoining on and off road walking and cycling routes are recommended. Conditions are sought to secure these on-site routes, including making improvements to them, and improving linkages to adjoining routes. A section 106 contribution is recommended. Estimated costs built up as below:

Surfacing works to Over Alderley Public Footpath No. 15	£ 8,100.00
Replacement of stiles with kissing gates (steel)	£ 8,049.00
Installation of wooden fingerpost signage	£ 3,755.60
TOTAL	£ 19,904.60

Macclesfield Civic Society: Whilst supporting the development of the Science Park and the retention of landscape and heritage features, they ask that the Green Belt impact be closely examined. In addition they ask whether the impact on local infrastructure, in particular public transport, has been carefully examined.

VIEWS OF THE PARISH / TOWN COUNCIL

Nether Alderley Parish Council: Dealing with the major elements in turn (in summary):

- They have no objections to the proposals at Mereside for B1 developments, although express concern about the impact of construction traffic.
- They have no objections to a farm shop but feel further retail development should be subject to a separate application. Support is expressed for restaurant/café/public house within the courtyard and a crèche in the Mereside complex.
- With regards to residential development they do not feel a robust case has yet been demonstrated. They feel the housing density is too great, changing the character of Nether Alderley, and that the proposals will create a separate community. The contribution the residential development will make to the re-purposing of the site will be insignificant. A lower number of units could be supported.
- They feel there is no justification for a hotel.
- They do not object to the sports and recreational facilities but are concerned that some have been classed as previously developed land and therefore could be developed in the future.
- They feel the traffic impact is very much underplayed and it will have a significant negative impact.
- Finally they are concerned about infrastructure provision in the area – local parking provision, medical services etc.
- With regards to Section 106 contributions they feel there should be benefits to the local community and in particular improvements to the Parish Hall.

Over Alderley Parish Council: Comments awaited

REPRESENTATIONS

A significant number of residents and companies/organisations have written in connection with the application, with a balance for and against the application. Those residents writing to object to the application generally support the proposals for the science park but (in summary) raise the following general points:

1. Concern about traffic impact, especially at the demolition/construction phase.
2. The density of development is too high.
3. Concern the 275 houses will more than double the local population but not be part of the village. It is a windfall development, unplanned for.
4. The site is not sustainable being inaccessible to Alderley Edge.
5. The local infrastructure cannot accommodate this increase in population. Parking in Alderley Edge and medical facilities were particularly referenced.
6. Capital receipts from the development should be used to benefit the local community.
7. Car park at Radnor Mere should be removed as it only has temporary approval and playing pitches should not be defined as PDL.
8. The justification/viability case has not been made.

9. Light pollution fears.
10. Flooding concerns especially to the land south of the serpentine, and impact of housing here.
11. Cheshire East have a stake in the facility and as such should not determine the application.

Letters of support have come from Chris Brinsmead the Government appointed co-chair of the Alderley Park Task Force, Kings School Macclesfield and the Head of Nether Alderley Primary School, together with some companies and residents. They raise the following points:

1. Alderley Park is vitally important and internationally significant life science facility, responsible for the discovery of many significant medicines including those used to treat cancer.
2. Astra Zeneca have invested more than £500m in Alderley Park since 1997 and this investment should not be wasted.
3. Alderley Park gives a significant boost to the local economy amounting to some £247m a year.
4. The Nether Alderley Head supports the proposal as there is some capacity in the school, which is increasingly populated by children from outside the local area. The proposals would make available facilities on site such as the farm, woodland, parkland and sports facilities the school could access.

APPLICANT'S SUPPORTING INFORMATION

The applicant has submitted the following documents, details of which can be read on file:

- Supporting Planning Statement;
- Design and Access Statement;
- Land Uses Parameter Plan;
- Building Heights Parameters Plan
- Business Plan Executive Summary;
- Illustrative Masterplan;
- Demolition Plan;
- Green Infrastructure:
- Sustainability Statement;
- Viability Appraisal;
- Sports Needs Assessment;
- Sports Facility Replacement Strategy;
- Employment Land Report;
- Character Study;
- Statement of Community Involvement; and
- Environmental Statement, which includes the following: -
 1. Socioeconomics
 2. Landscape and visual assessment
 3. Ecology and Nature Conservation
 4. Archaeology and Heritage
 5. Ground Conditions

6. Drainage and Flood Risk
7. Transport and Access
8. Air Quality and Dust
9. Noise and Vibration
10. Lighting

OFFICER APPRAISAL

The application has been submitted in 'hybrid' form seeking both full and outline planning permission for various components under the Town and Country Planning Act 1990. The application seeks full planning permission for the demolition of a number of specified buildings and outline planning permission with all matters reserved for a mixed-use development comprising the following uses:

- Laboratory, offices and light manufacturing (Use Class B1);
- Retail, café, restaurant, public house and / or crèche (Use Classes A1, A3, A4 and D1);
- Residential and / or retirement (Use Classes C2 and C3);
- Hotel (Use Class C1);
- Sport and Recreational (Use Class D2);
- Multi Storey Car Parking (*sui generis*);
- Waste Transfer Station (*sui generis*)
- Public realm and landscaping; and
- Other associated infrastructure.

PRINCIPLE OF DEVELOPMENT

Key Principle 1 of the Development Framework seeks to ensure that any new land uses “*support the overall objective of ensuring the sustainability of the existing Life Science Park.*” Accordingly, new land uses should be connected or complementary to life science activities; or be high-value uses capable of releasing the funds necessary to enable the delivery of a world class Life Science Park. The development plan policies of relevance to an assessment of appropriate land uses include saved MBLP policies H1, H5, S2 and S7.

Draft CELPS policy CS29 identifies Alderley Park as an “*Opportunity Site*” within the Green Belt. Although weight should be limited due to the status of the CELPS this provides a sound basis of the emerging policies and future planning for the site. The proposed policy reads as follows: (This is slightly revised from the previous version of submitted CELPS but the principles remain similar)

“The Council will support development on this site to create a life science park with a focus on human health science research and development, technologies, and processes, where criteria 1-5 below are met:

1. *Development shall be:*

- i. For human health science research and development, technologies and processes; or*
- ii. For residential (around 200 to 300 new homes) or other high value land uses demonstrated to be necessary for the delivery of the life science park and not prejudicial to its longer term growth for this purpose; or*
- iii. For uses complimentary to the life science park and not prejudicial to its establishment or growth for this purpose.*
- 2. Development shall be in accordance with the site Masterplan / Planning Brief . Alderley Park Development Framework.*
- 3. Construction of new buildings for uses in criterion 1 above shall be restricted to the Previously Developed Land (PDL) on the site unless:*
 - i. very special circumstances are demonstrated to justify use of other land on this site outside the PDL; and*
 - ii. an equivalent amount of PDL on the site is restored to greenfield status, ;the restored land should be of to an equivalent or better quality than that other landthe greenfield land that is used, so there is no overall increase in the developed footprint.*
- 4. Development would not have a greater impact on the openness and visual amenity of the Green Belt and the purposes of including land within it than existing development.*
- 5. Development shall preserve or enhance the significance of Listed Buildings, the Conservation Area, and other Heritage and Landscape assets on and around this site. A Heritage Impact Assessment must be undertaken to determine the level of development that can be achieved.”*

(NB This is slightly revised from the previous version of submitted CELPS but the principles remain similar)

The development of science and enterprise is a key component of the economic vision for Cheshire East within the CELPS. The economy of Cheshire East is one of the most successful in the North of England and consequently a principal aim of the CELPS is to “*ensure the right foundations are in place to sustain this success over the next twenty years*”, including capturing the success and strengths of the North Cheshire Science Corridor. Indeed, the Council’s economic growth strategy seeks to “*secure North East Cheshire as a location of national and global significance for advanced scientific analysis and research, particularly pharmaceuticals R&D, pharmaceuticals manufacturing, radio-astronautics and astronomy*”.

Draft CELPS policy CS29 requires new development to be for human health science research and development, technologies and processes. Whilst the NPPF does not explicitly require this type of employment, it does require local planning authorities to identify key business sectors and sites within their area in order to “*address potential barriers to investment*”

High Value Uses

Draft policy CS29 also states that new development at Alderley Park may include residential or other high-value land uses, so long as they are demonstrated to be necessary for the delivery of the Life Science Park and not prejudicial to its longer term growth. This ability to permit alternative and high-value land uses at Alderley Park aligns with the NPPF which states that “planning policies should recognise and seek to address potential barriers to investment”. In the case of Alderley Park, there is a demonstrable need for high-value land uses on-site; the sale of these assets will generate the capital required to undertake the initial phases of works including works at Mereside, thus ensuring that the site has the necessary standards of employment assets capable of attracting continued investment in the life sciences.

In order to ensure an independent assessment, and also to inform the master-planning of the site, the Council has appointed Cushman & Wakefield to undertake a viability appraisal of the scheme. This is in order to consider the level of funding required to repurpose the employment assets onsite; and the extent to which the receipts from the sale of high-value land uses is fundamental to this process. The viability appraisal has confirmed that the right mix and scale of development, as proposed, will support the delivery of the Life Sciences Park. Furthermore, a series of viability appraisals have been undertaken to test the impact of various costs on the ability to reinvest maximum levels of capital into the Life Sciences Park. The NPPF is clear that “*pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking*”. Consequently, plans should be deliverable. As highlighted above, the proposals for Alderley Park constitute a vital component of the Council’s emerging economic growth strategy; not just for the Borough but for the region as well. To ensure the sustainable economic future of Alderley Park as a world-class hub for the life sciences, it is essential that high-value uses are permitted on-site. The applicant has considered a number of scenarios for achieving the best values from the site and it has been concluded that residential development offers the most appropriate avenue.

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council’s identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

The calculation of Five Year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account ‘persistent under delivery’ of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

COMPLEMENTARY USES

Draft policy CS29 also allows for other uses that are complementary to the Life Sciences Park, so long as they are not prejudicial to its establishment or growth. Whilst the draft policy does not specify what constitutes other complementary uses (thus retaining a level of flexibility), a number of examples are given in Figure 3.1 of the Development Framework. The complementary uses proposed as part of this application align fully with this indicative list.

In general terms, draft policy CS29 accords with the requirements of the NPPF to support a prosperous rural economy. This states that local plans should inter alia:

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside
- This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- Promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship.

Saved MBLP policy S2 states that proposals for new shopping development outside of established town and district centres will be required to demonstrate a proven need for the proposal; undertake a sequential test; and, where proposals are for over 2,500m² of retail floor-space, undertake a retail impact assessment. The NPPF also requires a sequential test to be undertaken for out-of-centre retail proposals, as well as a retail impact assessment for proposals of over 2,500m² in an out-of-centre location. These elements of policy S2 can therefore be considered up-to-date and given full weight in the determination of this application. However, regard should also be had to the PPG which states that the “*use of the sequential test should recognise that certain main town centre uses have particular market and locational requirements which mean that they may only be accommodated in specific locations*”. In this case however the scale of the proposed retail provision at 1,500 m² falls well below this threshold and as such no retail assessment is required.

The “Schedule of Accommodation” given in the Supporting Planning Statement at Table 1 indicates that the retail, café, restaurant, public house and crèche will be c1,500 m² (GIA). All of these uses can be considered of a size that would be complementary to the science park and help create a sustainable community on site. Whilst the details would need to be agreed at the reserved matters stage, the size of the facilities can be conditioned, and the uses align with both existing and emerging policies.

A 100 bed hotel is proposed on the southern campus, and whilst there is no saved policy in the MBLP, the development is capable of complying with Policy DC56. The NPPF refers to hotels as a town centre use, but the proposal here is again as an ancillary and complementary use to existing conference facilities, the Life Sciences Park and to provide accommodation for visitors. The proposal is in full accordance with draft policy CS29 and a “potential” use given in the Development Framework.

Green Belt

The site is located within the Green Belt therefore, policy GC1 of the Macclesfield Local Plan applies.

Policy GC1 states that *“within the Green Belt, approval will not be given, except in very special circumstances, for the construction of new buildings unless it is for [inter alia] ... development within Major Developed Sites which is in accordance with Policy GC4.”*

Policy GC4 reads as follows:

Major developed sites in the green belt are identified on the proposals map. Planning permission will be granted for limited infilling or redevelopment proposals within these sites provided they are in accordance with policy GC3 and meet the following criteria;

Infilling should:

- 1 have no greater impact on the purposes of including land in the green belt than the existing development*
- 2 not exceed the height of the existing buildings*
- 3 not lead to a major increase in the developed proportion of the site*

Redevelopment should:

- 1 have no greater impact than the existing development on the openness of the green belt and the purposes of including land in it, and where possible have less*
- 2 contribute to the achievement of the objectives for the use of land in green belts*
- 3 not exceed the height of existing buildings*
- 4 not occupy a larger area of the site than the existing buildings unless this would achieve a reduction in height which would benefit visual amenity*

Supplementary planning guidance will be prepared as appropriate to guide the consideration of proposals on the major developed sites in the green belt identified on the proposals map. Proposals for development on major developed sites should be accompanied by a travel plan.”

Taking each in turn:

Infilling will not have a greater impact on the purposes of including land in the Green Belt (this is addressed below), it will not exceed the height of existing building (as shown in the parameters plan) and will not lead to an increase in the developed proportion of the site.(which is restricted to the defined PDL).

With regards to redevelopment as discussed below, there is considered to be some loss of openness and hence some conflict with this policy. It is considered the scheme contributes to the achievements of the objectives for the use of land in Green Belts in maintaining access, protecting the wider landscape and also surrounding land, while the parameters will restrict the height to existing buildings, but will develop areas where there are no buildings currently. Finally, there is tension with the final criteria 4 as buildings will occupy a larger site area and will not necessarily lead to a reduction in building height.

It should however be noted that criteria 4 is in conflict with the last bullet point of the NPPF Para 89 which states:

“limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would have a greater impact on the openness of the Green Belt and the purpose of including land within it than existing development” There is no mention here of site coverage, merely impact on openness, hence the conflict.

Inappropriate development is, by definition, harmful to the Green Belt (NPPF Para 87) and should not be approved except in *“very special circumstances”*, which will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

On the basis that all of the proposed built development is entirely within previously developed land, the application proposals represent a combination of both limited infilling and the partial redevelopment of a previously developed site in continuing use. In principle, the proposed development could therefore be considered an exception to inappropriate development in the Green Belt. The issue thus hinges on the effect that the proposed development would have on the openness of the Green Belt and on the purposes of including land within it when compared to the existing development. This is a matter of planning judgment having regard to the overall impact on the Green Belt as a whole.

Impact on Openness of the Green Belt

The applicant’s agent provides a detailed breakdown of the existing and proposed Building Areas and Building Volumes as a way of assessing impact, and concludes that there are increases of some 12% in floor space, and 16% in volume terms. They put the increase down largely to the increased size of the atriums in modern office buildings. A recent appeal case is quoted where the notion of “material increase” in floor area was a major consideration in a green belt appeal. The agent does not consider these increases as “material”. Possibly of equal importance is where the greatest impact of this 12/16% increase is on the site. They indicate that whilst the Mereside area would see an increase of some 15% - mainly infilling between buildings, there would only be an increase of some 3% in the South Campus.

Whilst it can be accepted that there is no material increase in development on site, it is not accepted that there is no increase in openness as this is partly a function of where the development is proposed.

As discussed above, the extent of Previously Developed Land has been set out in various documents and all the development falls within these defined areas. However as stated in the Development Framework:

“even within the boundaries of the PDL, there are areas which, because of their open nature, could not accommodate new buildings, without harm to the openness or the purposes of the Green Belt.”

The extent of Previously Developed Land was defined as mainly areas of built development, but also some curtilage areas which has a clear link to the built up areas.

Whilst there are not considered to be any issues within the Mereside or Parkland areas of the site, due to their enclosed nature, residential development is proposed in the South Campus in open areas which it is considered would harm openness. These include in particular the “Serpentine”, but potentially the “Old Walled Garden”, and “Kitchen Garden” although it is accepted that the latter two are more enclosed.

In conclusion on Green Belt Openness, whilst it is acknowledged that all the development is proposed on Previously Developed Land it is not accepted that all the development is “appropriate” in this case as there is some harm to openness in the South Campus area. Whilst the visual impact will be examined separately, it is considered that elements of the development will be “inappropriate”, and as such can only be supported if “very special circumstances” are demonstrated sufficient to clearly outweigh the harm caused. The very special circumstances are discussed in the body of the report and are summarised in the conclusion.

Impact on the purposes of the Green Belt

The NPPF confirms that the Green Belt serves five purposes.

1. To check the unrestricted sprawl of large built up areas – whilst two sports pitches would be outside the defined PDL boundary, all the proposed built development would be confined to the existing built up areas and as such there is no harm to this purpose.
2. To prevent neighbouring towns merging into one another – Alderley Park is not a town, but even if it were defined as a settlement the restriction of development to existing developed areas will prevent it “merging” with Nether Alderley.
3. To assist in safeguarding the countryside from encroachment – Again no built development is proposed outside the area of PDL and as such there will be no encroachment.
4. To preserve the setting and special character of historic towns – There are no historic towns in the immediate vicinity of the site.
5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land – Whilst not in an urban area, the development will bring into use vacant/derelict land at Alderley Park.

In conclusion there is no harm to the purposes of including land in the Green Belt.

ECONOMIC / SOCIAL SUSTAINABILITY

Key Principle 2 of the Development Framework seeks to retain and enhance key employment facilities and assets on the site. Consequently, it states that all future employment development should be centred around the existing prime built assets at Mereside, including further development of the BioHub. The justification text for Key Principle 2 further recognises the fact that there will be a need for some demolition and redevelopment across the site, particularly in those areas where existing stock is both surplus to requirements and has reached the end of its useful life. Redevelopment will subsequently ensure that the quality of the employment offer at Alderley Park is improved (in both environmental and market terms), thus helping to secure the site's long-term viability in line with Key Principle 1. The following local planning policies are of relevance to an assessment of the proposals against the aims and objectives of Key Principle 2: saved MBLP policies E1, E2 and E10 and draft CELPS policy CS29.

Saved MBLP policy E1 states that both existing and proposed employment areas will “*normally*” be retained for employment purposes, and that planning permission for new development will be granted in accordance with saved policies E3 to E5, on a scale appropriate to the size and character of the area identified. The reasoning for this policy is “*to ensure that employment land is retained for B1, B2 and B8 purposes, thereby providing a choice of employment land in the Borough*”. The NPPF is broader in employment terms than policy E1, recognising that “*planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose*”. However, policy E1 does state that the retention of existing and proposed employment areas is “*normally*” to be required; therefore allowing for a departure in certain circumstances. Whilst not as flexible as the NPPF, there is some scope in policy E1 for alternative land uses in line with national policy. Due weight can therefore be given to policy E1 in the determination of this application.

Whilst Alderley Park is not designated on the MBLP Proposals Map as an existing or proposed employment area, it is recognised in the justification text as a Major Developed Site in the Green Belt covered separately by saved policy GC4. Notwithstanding this, Alderley Park is recognised as an existing employment site in the emerging CELPS; and a critically important one for achieving the Council's economic growth strategy. Whilst the proposed development will result in a slight quantitative loss in employment floorspace, it nevertheless seeks to retain and enhance the key employment assets on the site at Mereside in line with Key Principle 2 of the Development Framework.

As detailed in the Employment Land Report, whilst the proposals involve a small net loss of employment floorspace, this is either to be partly replaced *in situ* by new high-quality and modern employment floorspace; or it is surplus to requirements and is to be demolished to allow for the development of alternative land uses that support the overall sustainable growth of the site. Indeed, the SQW assessment of future demand for life sciences floorspace at Alderley Park forecasts demand for some 67,000m² between 2013 and 2030. Whilst the applicant remains confident that demand could be significantly in excess of this, the fact that Alderley Park currently provides in the region of 220,000m² of laboratory and office floorspace means that even with a net loss of some 17,000m², there still remains more than sufficient quantities to meet anticipated needs whilst also allowing for alternative development on defined areas of previously developed land without prejudicing the longer term growth of the Life Sciences Park.

The re-use and improvement of existing facilities will ensure that high-quality space is available in the short-term for both existing and new companies. The ability to provide this facility in the short-term will ensure that talent and skills associated with AstraZeneca can be re-deployed on-site before

becoming dissipated thus ensuring sustainable economic growth in accordance with paragraphs 18 and 19 of the NPPF.

Once fully occupied, the proposed development has the potential to provide for up to 7,000 highly skilled jobs in accordance with the Core Planning Principles of the NPPF to build a strong and competitive economy.

The proposals also support economic growth in rural areas and the creation of jobs and prosperity through the growth and expansion of existing businesses in accordance with paragraph 28 of the NPPF.

Cushman and Wakefield have been retained by the Council to look at the whole viability of the site, and to examine the business case put forward by the developer. In their conclusion (which is examined further below) they state:

“We confirm, based on our market analysis, that the current planning application provides the optimum balance in terms of the number of units and a mix which balances the value and timing of the land receipt.”

To aid social sustainability affordable housing is proposed in the form of an off-site contribution, and by way of provision on site of a form of key worker housing aimed at life science workers based on site. Housing Strategy have accepted that whilst there is not an exact ‘fit’ with the Council’s Interim Planning Statement on Affordable Housing which seeks 30% affordable provision, the policy does allow for flexibility, and the particular circumstances of individual sites, and as such are in agreement with the approach subject to resolving the details which will include the amount of off-site contribution and the wording for the on-site science park workers. This approach is acknowledged in the Development Framework and draft Local Plan policy.

It is important perhaps at this point to look at the do nothing option here. If the site were to revert to a general Class B1 Business Park – which it has permission for, there is nothing to prevent ‘normal’ B1 businesses: office and light industrial uses, from occupying existing premises on the site. Whilst this could be commercially successful, the nature of the site could change dramatically with the potential loss of the unique life science business and its significant economic and scientific benefits it brings to the whole region and arguably to the international stage. The retention of this unique offer has significant economic and social implications.

ENVIRONMENTAL SUSTAINABILITY

Locational sustainability

Some residents have raised concerns about the locational sustainability of proposing housing on this site which they consider has poor facilities and poor access to surrounding towns. This matter is addressed at length in the applicant’s submission, and “Response to consultation” but in short a range of sustainable transport measures are proposed to improve links between the site and adjoining settlements through walking and cycling. A subsidised bus service already serves the sites with links to adjoining settlements as discussed above. Added to that is the range of complementary uses proposed for the site (café/restaurant/crèche), and a significant range of sports and recreational facilities/opportunities which will result in far less need to travel compared to a typical housing development. Nether Alderley Village is close to the site and whilst the range of facilities on offer is

limited, there is a primary school, church and village hall, and any development will contribute to that community.

Layout, Design and Amenity

With the exception of the proposed demolitions, all matters relating to site layout, design and as such amenity will need to be addressed at the reserved matters stage. It is important to emphasise here the importance of the master plan, together with the maximum building heights parameters plan, and the Design Principles Chapter of the Character Study. The latter two documents are submitted for approval, whilst the master plan is only for illustrative purposes.

The parameters plan and design principle sets the context for any future development, and it is on this basis that measurements of floor area/volumes etc have been calculated when looking at visual impact and Green Belt openness. Both documents do give strong guidelines which would be used to help determine any subsequent reserved matters applications, and help ensure a high quality of design and layout is achieved.

It is important to highlight that the submitted masterplan and corresponding design and access statement, which whilst only submitted for illustrative purposes, does give a firm vision for the site and how it is envisaged it will develop to provide a very high quality of development to maximise the unique potential of this unique site, both for life science accommodation and residential and complementary uses.

Whilst outline applications can only ever give an indication of the development that will be proposed at the reserved matters stage, it is considered that the submitted material does give sufficient comfort that the issues of layout, design and amenity, in accordance with the relevant policies, can be achieved.

Highways

Highways raise no objections to the proposed development, and are satisfied that the increase in traffic, even if the site were to be fully occupied, would have no significant impact. They acknowledge the limitations on accessibility given the sites location, but recognise there is a bus service that serves the site linking it to nearby towns, and there are opportunities to improve footpath and cycle links. Alderley Edge train station is within easy cycle distance of the site. Contributions towards improvements at the A34 Congleton Road/A537 Chelford Road junction are sought, as is a condition requiring a cycle link within the site. Discussions are ongoing with regards to the junction, and the practicalities of providing the cycle link are currently being explored. Both matters will be reported as Late Items.

Parking and the Radnor Mere carpark

The temporary approval of this car park has been mentioned by some residents, with a clear desire to see it removed. The permission expired in 2007, but the issue only came to light during consultation on the Development Framework. The applicant has addressed the matter of parking provision in the submission with particular reference to this car park in "The applicant's response to consultation" received 2 Feb 2016. In short the retention of the car park is essential to meeting car parking requirements on site. It is accepted that the parking is

needed to meet requirements and it is preferable to retain an existing car park than to seek approval for alternative provision which on this scale would doubtless require loss of green space on site.

Parking in Alderley Edge

This is again an issue raised by residents as they feel parking is a problem in the village and this development will only add to the issue. Whilst there may be issues, this is an existing problem, and residents/business occupiers of Alderley Park are just as likely to use facilities in Wilmslow or Macclesfield and it is not considered that there is any justification for seeking any kind of a contribution towards additional provision. Highways have not raised this as an issue.

Impact on Trees

Although most of the application is in outline, and as such it is difficult to assess what the impact will be on trees on the site, it is clear that impacts will only be very localised to those areas development is proposed, and the majority of the woodland and parkland areas will be unaffected. The tree officer has no concerns about the proposals in the commercial Mereside area, but in the absence of detailed proposals, especially in some of the proposed housing areas to the south, he is concerned that tree constraints may impact on the layout and ultimately the numbers of properties that can be accommodated in some areas. These are matters that will need to be addressed at the reserved matters stage.

Impact on Heritage and Landscape

The impact of the development on the existing heritage assets on the site has been the subject of extensive discussions, involving Historic England and other amenity groups. Outline applications are not normally accepted where there are listed buildings involved however in this instance due to the level of discussions and the submitted detail there is sufficient comfort that an appropriately designed scheme will come forward.

The final comments from Conservation and also Landscape Architects will be reported as an update.

Ecology

Following the receipt of further information, detailed comments have been received looking at a whole range of ecological issues. Whilst there are no national (or international) designations on the site, there is an area of Ancient Woodland and two local wildlife sites. In summary:

Great Crested Newts: Whilst there is evidence of them in 3 ponds, the development of areas unlikely to provide suitable habitat represents a low risk and this can be addressed through reasonable avoidance measures as recommended. A condition requiring a construction Environment Management Plan is therefore recommended.

Common Toad: Unlikely to be any impact.

Badgers: Unlikely to be any significant affect.

Reptiles: If there is no loss of semi-natural habitat to the sports pitches or southern campus there is unlikely to be any impact.

Roosting bats: There is some evidence of roosts in four buildings, but the revised bat mitigation strategy submitted indicates how works can be undertaken with minimal impact, and alternative provision made in the form of bat boxes. As this is a European Protected Species the 3 Habitat Regulation Tests should be undertaken. A condition is recommended.

Bat activity: Lighting control is recommended to address this potential issue, and no loss of habitat in the Serpentine area.

Water voles: A condition preventing development within 10m of the banks of the serpentine is recommended.

Breeding birds: Assemblages of birds are of County Importance on this site, and there is a Heronry within Radnor Mere. However impacts are unlikely to be significant but a habitat management plan is recommended.

Ancient woodland: No development is proposed in the areas of Ancient Woodland, but this should be subject to condition.

Local Wildlife Sites: As development is proposed close to or on the edge of two SBI's in the southern campus a condition is recommended requiring no loss of semi-natural habitat in these areas.

It is clear that subject to a number of mitigation measures that should be conditioned, there should be no significant impact on ecology as a result of the proposals. In addition, at the reserved matters stage enhancement measures will be sought through appropriate landscape treatment. As a requirement of the Habitat Regulations there three tests are outlined below:

EC Habitats Directive Conservation of Habitats and Species Regulations 2010 ODPM Circular 06/2005

The UK implemented the EC Directive in the Conservation (natural habitats etc.) regulations which contain two layers of protection:

- A licensing system administered by Natural England which repeats the above tests
- A requirement on local planning authorities ("lpas") to have regard to the directive's requirements.

The Habitat Regulations 2010 require local authorities to have regard to three tests when considering applications that affect a European Protected Species. In broad terms the tests are that:

- The proposed development is in the interests of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or

economic nature and beneficial consequences of primary importance for the environment

- There is no satisfactory alternative
- There is no detriment to the maintenance of the species population at favourable conservation status in its natural range.

Current case law instructs that if it is considered clear or very likely that the requirements of the directive cannot be met because there is a satisfactory alternative, or because there are no conceivable “other imperative reasons of overriding public interest”, then planning permission should be refused. Conversely, if it seems that the requirements are likely to be met, then there would be no impediment to planning permission be granted. If it is unclear whether the requirements would be met or not, a balanced view taking into account the particular circumstances of the application should be taken.

Overriding Public Interest

The development of the site is considered to provide overriding economic benefits to the local economy while the provision of mitigation would assist with the continued presence of Bats

Alternatives

There is an alternative scenario that needs to be assessed, this is:

- No Development On The Site

Other wider benefits of the scheme need to be considered as without any development there could be detriment to the local economy in the provision of jobs in the area. The specialist mitigation for Bats would not be provided which would be of benefit to the species.

Detriment to the maintenance of the species

The Council’s Nature Conservation Officer has advised that with appropriate mitigation there should be no harm to bats.

Public Access

The site is not currently open to the public, but does present a massive opportunity to open up significant areas of the site to public access for walking, cycling and horse riding. There are numerous tracks across the site that could be linked into adjoining networks that would benefit occupiers of the site (both commercial and residential) and local residents in the area. Whilst many of the tracks on and off site already exist, many would benefit from some localised improvements and signage. The Public Rights of Way Officer is fully supportive of the proposals but has recommended conditions and a financial contribution towards some improvement works.

Opening the site to public access represents a major benefit of the proposals and is fully in line with Local Plan policies and para. 75 of the NPPF.

Archaeology

The archaeologist has raised no objections to the application as it was not considered that there was any evidence of archaeology on the site. They note however the heritage statement recommends mitigation in the form of research and recording of the history and historic development of the parkland landscape and historic buildings, and that this should be conditioned.

Environmental Amenity

The Environmental Health Officers have raised no objections to the application, but have recommended a series of conditions to protect the amenity of site occupants both during and after the development of the site. These would cover matters of noise (especially if piling is proposed) and dust, the requirement for an Environmental Management Plan, measures to mitigate air pollution and measures to deal with potential site contamination. These may need to be done in a phased manner.

Sport and Recreation

This matter was discussed at the pre-application stage, and an approach was agreed upon at that time. The proposal effectively promotes the option of like for like replacement of all the facilities on the site to meet the policy requirements of the MBLP and para.74 of the NPPF. Sport England have raised a holding objection as whilst they considered the quantum of replacement provision had been demonstrated, the quality had not. Whilst they were happy to see many elements conditioned as they understand matters are only at the outline stage, they wanted to see an agronomy report to demonstrate that the proposed replacement sites were capable of accommodating sports provision to an appropriate standard. The applicant has commissioned this work and it will be submitted to Sport England for comment in advance of the Committee.

Existing facilities on site are to a high standard but are only readily available to Astra Zeneca employees. Opening up the facilities to the public, including the local school as mentioned by the local Head, will bring a significant benefit to the local community.

Flood-risk

All the site lies in Flood Zone 1 (low flood risk) and the Environment Agency have raised no issues on this matter. Comments from the flood risk team had not been received at the time of writing the report.

Education provision

In line with current policies Education have asked for a financial contribution to both primary and secondary education in the area. Nether Alderley Primary School is the local primary, whereas Falibroome in Macclesfield and Wilmslow High School are the local secondary schools.

Infrastructure provision

Some residents have raised the issue of the inadequacy of local infrastructure to cope with the residential element proposed. Many of the items are addressed above, but health infrastructure was a specific concern. There is no evidence that there are any issues locally, however the local medical practice in Alderley Edge (whilst supportive of the scheme) have written independently to the applicant seeking a donation to provision of facilities within the new practice, and the applicant has indicated they will make a contribution through the Bruntwood Charitable Trust. This however will be dealt with outside the planning application process.

The applicant has in addition agreed to a financial contribution towards improvements to Nether Alderley and Over Alderley Parish Halls as there is an acknowledgement that an increase of residential population will put pressure of Parish facilities locally.

OTHER MATTERS:

EIA

An Environmental Impact Assessment (EIA) Screening Request was submitted. Following review, it was concluded that the application does need to be supported by an Environmental Statement (ES).

Cheshire East as the determining authority

Some residents and the Parish Council have raised the issue of the conflict of interest of Cheshire East having a financial stake in Alderley Park, and being the determining authority. Firstly it is perfectly normal and within the powers invested in it (as set out in the Planning Practice Guidance), for Cheshire East as a publically accountable body, to determine its own planning applications. In addition in this case there is the added protection in that the application will be referred to the Secretary of State at a departure from Green Belt policy.

Viability/Business Plan

The Council has commissioned Cushman and Wakefield to review the viability of the site and its ability to generate funds for the generation of high value end uses. Whilst the viability report is commercially sensitive and as such is not a public document, they have submitted a summary of this document which sets out their views and is attached to the application file. Their conclusions are as follows:

- *“This is a unique opportunity to harness a life science hub and importantly not to lose this world class asset*
- *The principle of residential development to enable short term investment of the potential land receipts into the repositioning of the life science park has been established in the Councils approved Development Framework*
- *Our analysis of the local housing market and the site characteristics has identified that the optimum number of units capable of maximising short term sales receipts is in the order of 275 dwellings.*
- *Our assessment of affordable housing provision identified the best position on a one off basis of viability appraisal today (before land sales) is 15% affordable housing at 42*

units (split 50% on site and 50% off site) and assuming an allowance of £100,000 per affordable housing unit for the construction of affordable housing off site. This would generate a fund of £2.1m to deliver at least 21 units off site or if combined with a Registered Provider scheme contributing to a gap could support further affordable homes.

- *Cushman & Wakefield acknowledge that the cost of repurposing the site from a single occupier to multiple occupancy life science park is significant - in the order of £160m - and will require a cocktail of funding sources to ensure the physical change required to reposition the sites and to attract occupiers. This will include a variety of sources including debt and equity from Alderley Park Ltd. and public sector funding incentives to attract occupiers.*
- *Releasing the six parcels of land identified in the Development Framework to accommodate up to 275 homes provides the opportunity to allow an early land receipt from the sale of the identified sites to be used to reinvest in the short term to allow swift rationalisation of the site and ongoing maintenance of critical scientific equipment.*
- *Cushman & Wakefield support this strategy as an essential mechanism to ensure upfront investment can be undertaken now and the world class asset is not left to decline. We confirm, based on our market analysis, that the current planning application provides the optimum balance in terms of the number of units and a mix which balances the value and timing of the land receipt.*
- *Therefore we conclude that residential development is demonstrated to be necessary, in accordance with the Council's emerging Policy CS29, to support the repurposing of the site to ensure the world class asset is optimised.*
- *Importantly all the net residential land receipts will be applied to the repurposing and investment into the life science park and that this will be captured by a s106 legal agreement*

Cushman & Wakefield confirm that funds likely to be realised by the sale of the residential development land, whilst significant, will not approach the total investment figure required, so additional sources of funding will be necessary to enable the full ambition to be realised over time."

HEADS OF TERMS OF S106 AGREEMENT

- **Alderley Park Re-investment Reserve**
The new land value realised from the residential development to be re-invested in the Life Science Park.
- **Traffic Measures**
Financial contribution towards the A34 Congleton Road/A537 Chelford Road junction are sought.
- **Education**
£1,147,287 (Although it needs to be noted this is subject to change depending on the exact numbers of properties developed on site)
- **Improvements at Nether Alderley Parish Hall and Over Alderley Parish Hall**
- **Affordable Housing**

Off site sum of £2,100,000

- **Provision of “Life Science Park Employee Accommodation”**
21 units are proposed based on 275 dwellings
- **Public Rights of Way improvements**
£19,904.60

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 requirement for the monies to be reinvested back into the site provides the special circumstances to justify acceptance of the development. It is considered necessary, directly related to the development and both fair and reasonable to enable the development to deliver the wider benefits.

The contributions to the local community halls is necessary due to the increased residential population in the area providing opportunity for social inclusion, it is as a direct result of the development and considered fair and reasonable.

The provision of a contribution towards the highway works is required to help mitigate against the highways impact of the development. The proposed development cannot proceed without these improvements and the contribution is reasonably related in scale and kind to the development.

The development would result in increased pressures on local schools which are already at capacity. The contribution is required to increase the capacity of local schools which would serve this development. This is considered to be necessary and fair and reasonable in relation to the development

The proposed improvements to the local footways are considered to be necessary and fair and reasonable in relation to the development and will assist in improving the sustainability of the site.

On this basis the S106 recommendation is compliant with the CIL Regulations 2010.

CONCLUSIONS AND REASON(S) FOR THE DECISION

It is considered (subject to the comments awaited from outstanding consultees), that the proposals can be recommended for approval. The proposed development is considered to be acceptable in this Green Belt location with very special circumstances demonstrated with public benefits arising from the proposal in respect of securing and expanding the Life Science related businesses, significant investment to the local economy, along with direct and indirect employment.

The NPPF is a material consideration to this planning application and sets a clear presumption in favour of sustainable development.

The **benefits** to be generated by the proposal and form the **very special circumstances** to outweigh the harm to the Green Belt by reason of inappropriateness include:

Economic –

- Increased employment on the site estimated at between 6,500-7,000 FTE jobs in the high value Life Science Sector when fully occupied.
- The ability to react quickly to the departure of Astra Zeneca to ensure the talents/skills and some equipment can be retained on the site.
- Increase in the local population, both workers and residents which will help support the local economy. In the short/medium term construction workers will add to that benefit.
- Support a prosperous local economy by providing a range of facilities on site.

Of these significant weight is attached to the importance of maintaining the life science presence on the site for its national and international importance to the economy and scientific development.

Social -

- New housing to boost the Council's land supply
- The ability to provide a range of housing types including affordable housing.
- Financial contributions towards Parish Facilities and education provision
- Public access to the site to benefit both occupiers and outside residents.
- New and improved sporting facilities

Environmental –

- Travel plans will promote sustainable travel to and from the site
- Bringing back into use historical assets to help ensure their future retention.
- Benefits to biodiversity through the provision of an environmental management plan and additional landscaping to help preserve and enhance the sites value.
- Ability to secure a high quality of development to the benefit of visual amenity.

It is considered that these benefits, in particular the retention of the life science business, outweigh the harm to the Green Belt by reason of inappropriateness.

With regard to the other material considerations relevant to the proposal, landscape; heritage and ecology have all been assessed and mitigation proposed to offset any impact.

The traffic generated by any additional commercial uses proposed will be mitigated through a comprehensive approach to green travel.

The economic case is compelling. The development will significantly enhance employment growth in a high quality and sustainable environment.

When the impacts are weighed up against the significant economic benefits and sustainability credentials of the proposal, and taking into consideration mitigation proposed, the balance

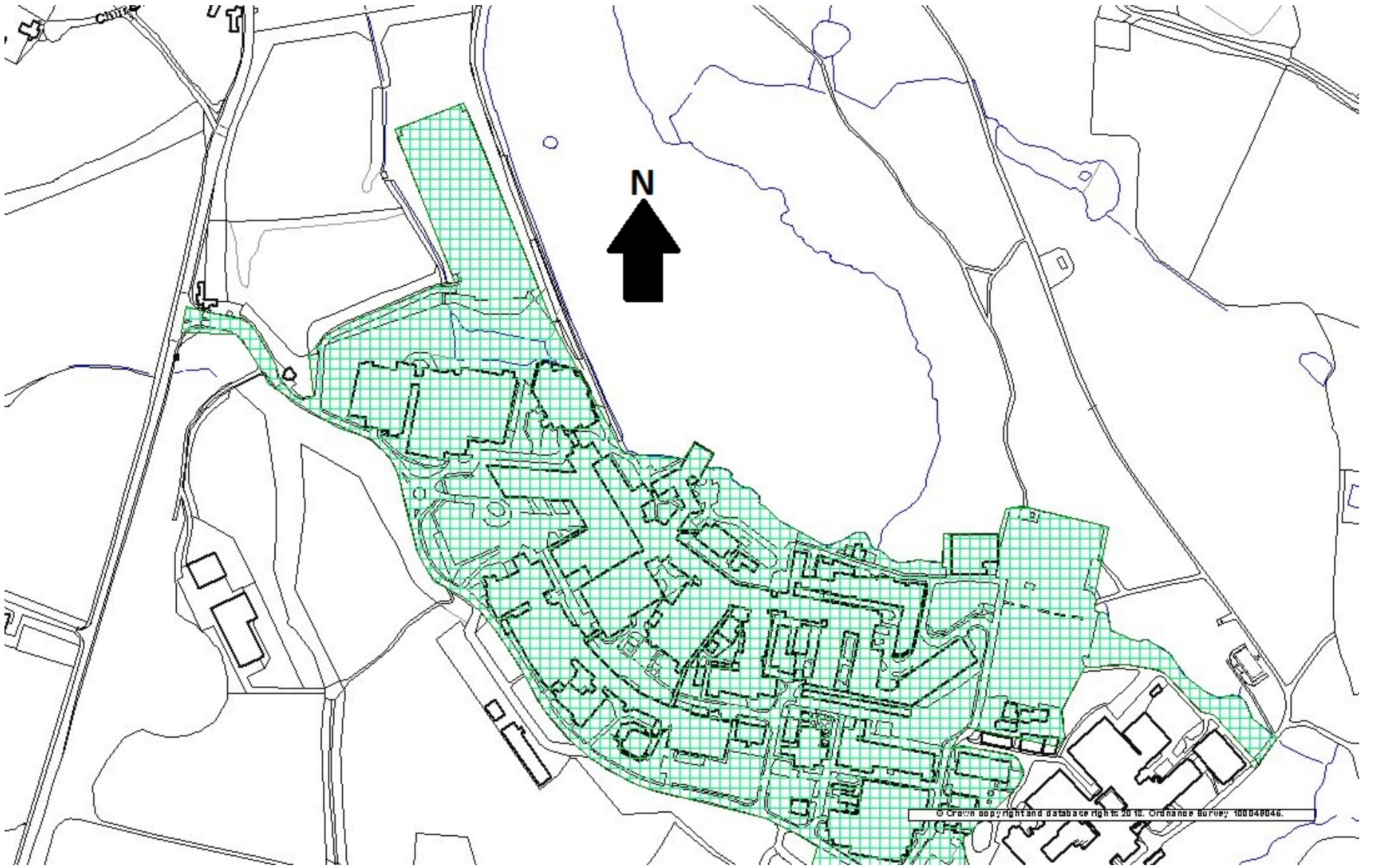
weighs strongly in favour of granting planning permission and should therefore be granted without delay.

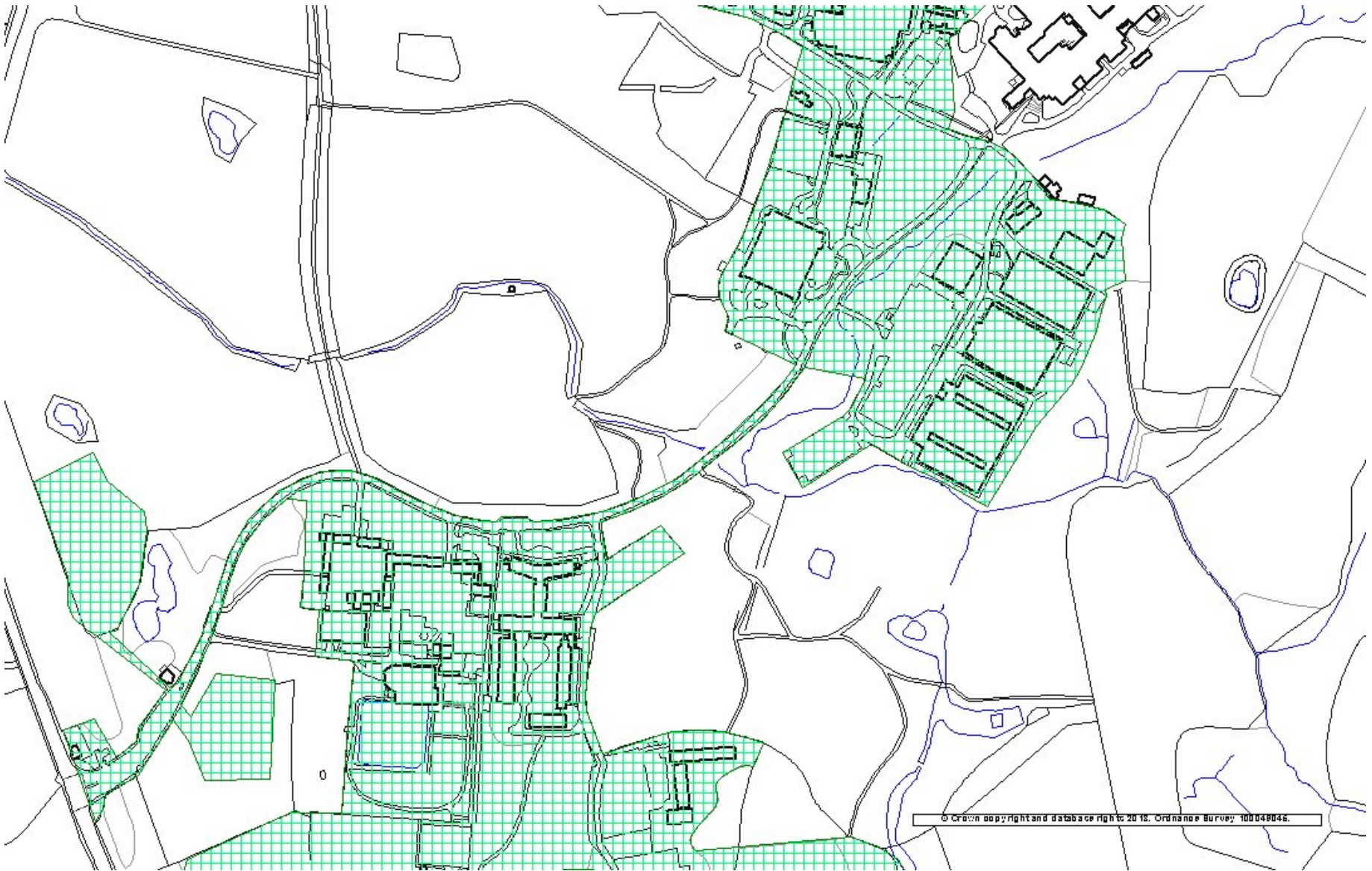
As the development is considered to be inappropriate development in the Green Belt, the application should be referred to the Secretary of State should the Council be minded to approve it.

RECOMMENDATION: Minded to Approve subject to referral to the Secretary of State, and subject to a Section 106 Agreement and the following conditions:

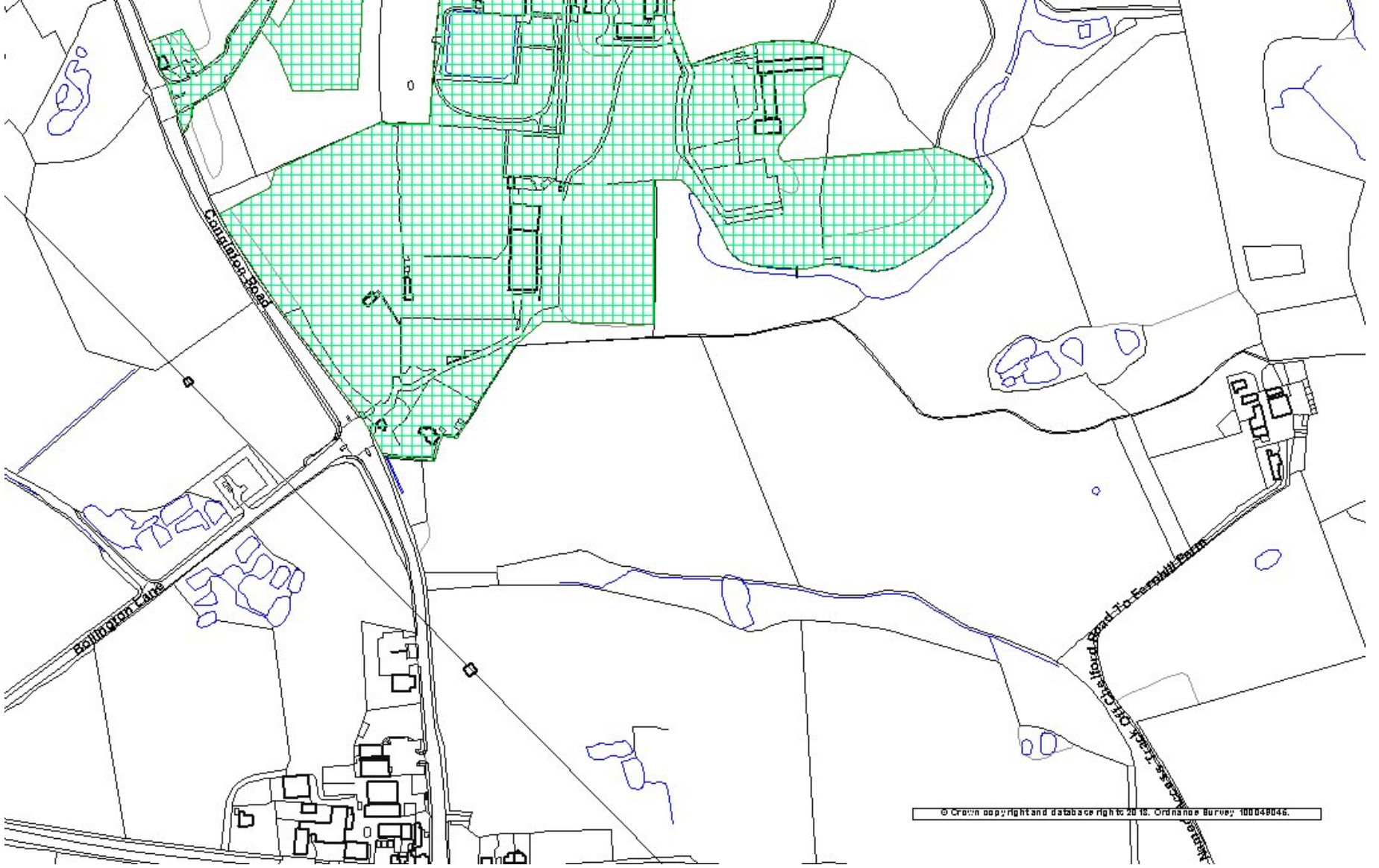
1. Commencement of development (3 years) or 2 from date of approval of reserved matters
2. Reserved matters to be approved
3. Development in accord with approved plans/documents
4. Phasing condition
5. Submission of samples of building materials/public realm works for each phase
6. Landscaping - submission of details for each phase
7. Landscaping (implementation)
8. Landscaping to include details of boundary treatment
9. Tree retention
10. Tree protection
11. Tree Pruning/Felling Specification
12. Phased Arboricultural Impact Assessment and Method Statement complying with "BS 5837:2012
12. Submission of Construction and Demolition Management Plan
13. Contaminated land report for each phase
14. Verification report for remediation strategy to be submitted
15. Measures to deal with contamination if found
16. Piling or other foundation designs using penetrative methods to be approved.
16. Noise mitigation scheme to be submitted
17. Scheme to minimise dust emissions to be submitted
18. Construction & Environmental Management Plan to be submitted with each phase
19. Electric Vehicle Infrastructure to be provided
20. Travel plan to be implemented
21. Parking provision
22. Detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods to be submitted
23. Site to be drained on a total separate system
24. Public Rights of way improvements
25. Wheelwash facilities to be provided
26. Lighting to be agreed for each phase
27. Recording of historic landscape
28. Sport England conditions
29. Landscape and Ecology Management Plan
30. Submission of updated protected species assessment and mitigation strategy with each reserved matters stage application.
31. Implement the bat mitigation strategy.
32. Trees and bat roosts at the Serpentine to be retained and no development to take place with 10m on the bank.

- 33. No development within the Ancient Woodland
Detailed plans at RM to ensure no loss of semi natural habitat
- 34. Volume restriction on development





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Application No: 15/0400M

Location: Land off Earl Road/Epsom Avenue, Handforth Dean, Cheshire, SK9 3RL

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.

Applicant: Orbit Investments (Properties) Ltd

Expiry Date: 06-Apr-2015

SUMMARY

The justification for policy E2 of the local plan explains that retailing is not permitted (on existing employment sites) because it would reduce the amount of employment land available and provision is made elsewhere for retailing. It is acknowledged that the proposal would generate a significant number of jobs; however it is not considered that the merits of the proposal should be judged by the numbers of jobs it creates. B8 uses are an employment use and do not typically generate the same number of jobs as a B1 or B2 use with a comparable floorspace.

Employment allocations are important to provide land for substantial buildings (including warehouse buildings) that cannot be located elsewhere such as in town centres or countryside locations. The proposal will result in the loss of employment land at a time when the Council is actively seeking additional employment land allocations as part of its emerging local plan. The need for sites is such that even Green Belt locations are currently being considered for employment purposes. The loss of the application site would exacerbate this situation and place further pressure to locate sites within the Green Belt.

The proposal is therefore contrary to policies E1 and E2 of the Macclesfield Borough Local Plan, and the caveat within paragraph 22 of the Framework which seeks to avoid the long term protection of employment sites where there is not reasonable prospect of it being used for employment purposes does not apply. The two buildings on the application site are occupied and therefore it cannot be concluded that there is no reasonable prospect of the site being used for employment purposes.

The loss of employment land is considered to significantly and demonstrably outweigh the benefits of the proposal. Accordingly the application is recommended for refusal.

SUMMARY RECOMMENDATION

Refuse

PROPOSAL

The application seeks full planning permission for the demolition of existing warehouse building 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. The creation of car park and provision of new access from Earl Road, together with landscaping and associated works. The existing office building in the north east corner of the site will be retained.

SITE DESCRIPTION

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.

RELEVANT HISTORY

13/3041M – Extension to time limit of 03/2155P – Not determined to date (SPB resolution to approve – awaiting s106 agreement)

03/2155P - erection of 2no. Three/four storey office blocks – Approved 04.08.2008

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework (the Framework) establishes a presumption in favour of sustainable development. The Framework sets out that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.

Of particular relevance are paragraphs:

22 (long term protection of employment sites)

24, 26 and 27 (town centres)

Local Plan Policy

Macclesfield Borough Local Plan -

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)

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
EG3 Existing and Allocated Employment Sites
EG5 Promoting a Town Centre First Approach to Retail and Commerce

Other Material Considerations

National Planning Practice Guidance

CONSULTATIONS

Natural England – No comments to make

Environment Agency – No comments to make

United Utilities – No objections subject to conditions relating to foul and surface water

Environmental Health – No objections subject to conditions relating to pile driving, floor floating, dust control, travel planning, electric vehicle infrastructure and contaminated land.

Head of Strategic Infrastructure – No objections subject to financial contribution to improve accessibility of the site.

Flood Risk Manager – No objections subject to conditions

Public Rights of Way – No objection subject to advice note on developer's obligations regarding public right of way.

Stockport MBC – object on the following grounds:

Sequential Test:

- Discounting sites because they do not have a car park is contrary to the town centre first approach as it is lending itself to only finding out-of-centre sites suitable.
- Contrary to paragraph 34 of the NPPF - decisions should ensure developments that generate significant movement are located where the need to travel will be minimised.
- A proposal forward which is not encouraging a multimodal choice is unsustainable.
- Applicant could demonstrate more flexibility in adapting the format of the scheme, particularly given speculative nature of proposal.
- The catchment area for the retail assessment has not considered other centres and known sites including Bramhall, Cheadle Hulme, Cheadle, Gatley, Heald Green.
- Other sequentially preferable edge of centre sites exist in Stockport

- Proposal does not satisfy sequential approach or paragraph 24 of NPPF

Impact test

- impact test is inadequate for the purposes of assessing the potential impacts on Stockport due to it not being informed by up-to-date evidence.
- Only listed the Merseyway Shopping Centre and the Bridgefield scheme as the existing, committed and planned public and private investment in Stockport – there are other schemes.
- No evidence to show that there will be no impact on the Bridgefield scheme or Merseyway.
- More detailed analysis of the impact of the proposed out-of-centre retail development on Stockport regeneration schemes is required.
- Impact upon local / district centres within Stockport should have been assessed.
- The trade draw from Stockport Town Centre is indicated as 2% within the application. Should be at least 4.7% as it was for the Next store on adjacent site.
- Multiple units also likely to have greater impact.
- Scheme has the potential for a higher trade draw owing to the wider choice of goods and services proposed than that of the Next store.
- This proposal should be considered along with the Next site, Stanley Green Retail Park and other future proposals for this area to calculate the cumulative impact. A revised trade draw from Stockport Town Centre should also be calculated to accurately reflect the impact of the proposal.
- Stockport Town Centre is very vulnerable to out-of-centre retail developments.
- One of the main leakages from the Stockport catchment in terms of comparison spending is from destinations such as Handforth Dean (M&S, Tesco) (£82m), it is envisaged that this scheme combined with Stanley Green Retail park and the recently approved Next scheme could be considered to have a significant adverse impact on Stockport Town Centre.

Handforth Parish Council - Support the proposals. However, there was significant concern from councillors about the increase in traffic volume along Coppice Way and Earl Road, should this development be approved.

REPRESENTATIONS

One letter of representation has been received making the following general observations on the proposal:

- There seems to be no overall policy or development plan for the Handforth Dean Retail /Business Park and The Stanley Green Retail / Business Parks. The two are merging which is a concern.
- Concerns over access and egress for all types of vehicular traffic and adequacy of parking. How is this site going to be developed in co-ordination with the Next Development?

Two letters have been received objecting to the proposal on the following grounds:

- Stanley Road and Earl Road are totally inadequate to cope with the traffic generated especially at peak times during finishing times.
- Madness to grant planning permission to this development without a strategic development of the roads serving Handforth Dean / Stanley Green / Next which are

merging into one. The situation is made worse due to the land lying on the boundary of two authorities with the consequence of no plan in place for the area.

- It is of paramount importance that Cheshire East Council undertakes a thorough and independent assessment of all out of centre retail developments.

Two further letters have been received as a result of further information being submitted by the applicant and a further period of consultation. One letter on behalf of Eskmuir, the owner of the Grosvenor Shopping Centre in Macclesfield Town Centre and one letter on behalf of Peel Holdings objecting to the proposal on the following grounds:

- Sequential and impact tests not fully considered by applicant.
- No reason to depart from employment allocation in local plan.
- No changes to this allocation in emerging local plan.
- Updated Cheshire Retail Study should be published prior to determining the application.
- Application should be considered cumulatively with many other emerging proposals for out of centre retail:
 - Next, Earl Road, Handforth (12/4652M)
 - Land off Earl Road, Handforth (16/0138M)
 - Barracks Mill, Black Lane, Macclesfield (15/5676M)
 - Land off Congleton Road (SMDA) (14/0282M)
- Above proposals indicate up to 46,000sqm of out of centre retail is emerging.
- Applicants have failed to demonstrate flexibility as required by para 24 of Framework
- Not set out precise parameters which constitute boundaries for their search.
- Not demonstrated what need their development seeks to serve.
- No consideration by the applicants of what contribution a more central site is able to make to accommodate the proposal
- Failed to assess any part of the Peel Centre within sequential assessment (extant consent at unit 6)
- Also not assessed the disused gas holders site at the rear of the Peel Centre which is soon to be remediated.
- Peel centre is sequentially preferable
- Not assessed health of designated centres in the catchment area and therefore cannot be certain that the development would not have a significant adverse impact upon them.
- Not followed the very standard methodology of 'like impacting like' when applying trade diversions
- Trade draw levels provided by applicants include many anomalies
- Bridgefield and Merseyway developments in Stockport town centre have not been adequately assessed.
- Ability for the proposals to impact upon the redevelopment of Unit 6 and the Gas Holders site to the rear of the Peel Centre should be assessed

APPLICANTS SUBMISSION

The following documents accompany the planning application, and can be viewed in full on the application file:

- Sustainability Statement
- Planning & Retail Statement

- Design & Access Statement
- GCN Appraisal
- Bat Roost Potential Appraisal
- Energy Assessment
- Tree Survey and Arboricultural Implications Report
- Environmental Site Investigation Report
- Extended Phase 1 Habitat Survey
- Flood Risk Assessment
- Transport Assessment

APPRAISAL

The key issues in the determination of this application are:

- Loss of employment land
- Retail impact
- Highways safety and traffic generation

ECONOMIC SUSTAINABILITY

Loss of Employment Land

The application site is located within an area of Existing Employment Land as identified in the Macclesfield Borough Local Plan. The existing warehouse building is occupied by Gradus Carpets, and the part of the existing office building is occupied by Pets at Home.

Policy E1 of the local plan states that “Both existing and proposed employment areas will normally be retained for employment purposes” and policy E2 states that “On existing and proposed employment land, proposals for retail development will not be permitted”. It is therefore clear that the proposal is contrary to policies in the adopted development plan.

Planning decisions must be made in accordance with the development plan unless material considerations indicate otherwise. The Framework is a significant material consideration and includes a presumption in favour of sustainable development. This means that where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly outweigh the benefits, when assessed against the policies in the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

Policies E1 and E2 of the Macclesfield Borough Local Plan are considered to be consistent with the Framework to the extent that they seek to provide and retain a range of employment land in order to facilitate sustainable economic growth. However, paragraph 22 of the Framework states that, “Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose”.

Policy EG3 of the emerging local plan also seeks to protect existing employment sites for employment use, unless there are environmental problems that cannot be mitigated or the site is no longer suitable or viable for employment use. For it to be no longer suitable or

viable, there should be no potential for modernisation or alternate employment uses, and no other occupiers can be found.

With regard to the employment land issue, the applicant makes reference to the application which granted consent for the Next store on the opposite side of Earl Road. They maintain that similar to the Next site, the application site has experienced very low market demand for the approved office buildings since permission was granted in 2008, evidenced by the fact the units have never been constructed. Furthermore, another building owned by the applicants of 2407sqm on the opposite side of Epsom Avenue to the application site that was speculatively constructed following planning permission granted in October 2001 has never been occupied and remains vacant over 10 years after being built. The same permission also approved a second office building of the same size, which has not been constructed due to the absence of demand.

The applicant concludes that given that 16,149sqm of approved class B floorspace has been available between the application site and the opposite site to the north of Epsom Avenue for a number of years, but never taken up, it is reasonable to conclude that demand does not exist for this type of floorspace in this location and there is therefore no reasonable prospect of the site being used for that purpose.

However, since the suspension of the local plan process, a revised employment forecast of 31,400 additional jobs (2010-2030) at an annual economic growth rate of 0.7%, requiring the provision of 378ha of employment land. This compares with the previous figures of 13,900 additional jobs, 0.4% annual growth rate and 351ha of employment land proposed in the local plan strategy.

The Council's statement to the resumed hearings for the local plan states that with regard to the distribution of the additional 27ha of employment land, it is noted that the north of the Borough will continue to be attractive to businesses keen to be based in locations with easy access to Manchester City Centre. As such there is a strong case to allocate a substantial proportion of any additional land to the north of the Borough.

The Spatial Distribution Update Report also submitted as part of the resumed local plan process concluded, having taken account of a full range of planning considerations including the Green Belt, that 19ha of additional employment land should be allocated in the main northern towns of the Borough. Of course due to the particular constraints of the northern part of the Borough, it is likely that this may involve taking land out of the Green Belt, to achieve this. Therefore if planning applications on already identified sites such as the application site are approved, this will exacerbate the situation, and further sites potentially in the Green Belt will have to be found.

Added to this, whilst the applicant's comments regarding the absence of any interest in their existing office developments / permissions are noted, the fact remains that the buildings on the site are currently occupied for employment uses. It is therefore impossible to conclude that there is no *"reasonable prospect of a site being used for that purpose"*. The land allocation is currently being reviewed as highlighted above through the local plan process and as noted there is a requirement for more employment land provision, particularly in the north of the Borough.

Consequently there is not considered to be any material planning considerations to justify the loss of the employment land. The proposal is therefore contrary to policies E1 and E2 of the Local Plan.

Retail Impact

Policy S2 of the Macclesfield Borough Local Plan deals with proposals for new retail development outside of existing centres. This policy includes that there should be a proven need for the proposal. However, the Framework supersedes this and does not require applicants to demonstrate the need for the development. The Framework does require that proposals demonstrate that they satisfy both the sequential test and the impact assessment tests. Paragraph 27 of the Framework is clear that where an application fails to satisfy the sequential test or is likely to have significant adverse impacts, it should be refused.

On this basis, the Council need to be satisfied that there are no more sequentially preferable sites available and that there would not be a significant adverse impact on investment in centres within the catchment of the proposal or on town centre vitality and viability. The Council have obtained specialist retail advice on this proposal from White Young Green (WYG), and the issues raised by them are incorporated below.

THE SEQUENTIAL APPROACH

Paragraph 24 of the Framework requires:

“applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered... Applicants and planning authorities should demonstrate flexibility on issues such as format and scale.”

The site is allocated as an Existing Employment Area under policies E1, E2 and E3 of the MBLP. The site sits to the north of Handforth Dean Shopping Centre which is not a designated retail shopping area. The nearest centre is Wilmslow town centre which is approximately 2.5km to the south. Therefore, the site is located in an out of centre location. There are a number of site and application specific factors relevant to consideration of the site at Earl Road under the sequential test. These are summarised as follows:

- The proposed site is 1.87 ha;
- The proposed car park consists of 240 spaces (including 17 disabled spaces) 40 cycle parking spaces and 10 motorcycle spaces;
- There is a total floorspace of 6035sq.m. and a net sales area of 5,130sq.m.;
- The development is divided into seven units, five are for non-food retail and two are for non-food retail, cafe/restaurant or sandwich;

The Framework states that the application of the sequential test should be proportionate and appropriate for the given proposal. The test also requires a demonstration of flexibility for the proposed development. If no town centre sites are found, preference should be given to accessible sites in an edge of centre or out of centre location that are well connected to the town centre. Only if there are no suitable sequentially preferable locations, the sequential test is passed. The NPPG also mentions that robust justification must be provided to show if certain main town centre uses have particular market and locational requirements that may only be accommodated in specific locations.

The applicant has referred to a number of appeal cases and judgements to give an appropriate and informed context to the sequential test. These cases together with the Framework identify two important points. Firstly, the Secretary of State does not consider disaggregation to form any part of the sequential test and, as a consequence, there is no requirement to consider whether any element of the application proposal could be disaggregated to another site. Secondly that in order for an alternative site to be found to be sequentially preferable, there needs to be a realistic prospect that the site could support such a use in the 'real world'. In other words, the refusal of planning permission at the subject application site should bring with it a realistic prospect that a materially similar development (allowing for some flexibility) could be accommodated at the alternative site.

Area of search

The applicant considered that the type of retailers who would be interested in the proposed development would seek stores which meet the following criteria:

- Close to an established retail destination;
- Proximity of similar retailers; and
- On site/dedicated car parking.

In the applicants Planning & Retail Statement (PRS), the "area of search" for sites was focused on sites in four town centres namely Handforth District Centre, Macclesfield Town Centre, Stockport Town Centre and Wilmslow Town Centre.

In considering the likely catchment area of the subject application, it is noteworthy that the proposed development will in effect act as an extension to an established out of centre retail destination. This not only relates to Handforth Dean, but the wider A34 corridor which includes Stanley Green Retail Park and Cheadle Royal (John Lewis and Sainsbury's). The existing popularity of the wider retail offer will increase the likelihood of linked trips and will extend the catchment area of the proposed development beyond that which one would typically expect had the development been a new, free-standing retail park.

The applicant has considered a larger area of search and concluded that no sequentially preferable sites can be identified within or on the edge of the centres of Cheadle, Cheadle Hulme, Hazel Grove, Bramhall, Handforth, Poynton, Alderley Edge, Alsager, Congleton, Middlewich, Knutsford and Sandbach. There has been no identification of these particular sites considered to be able to validate against. However, no potential sites are known to exist in these areas and therefore the area of search adopted is considered to be acceptable and that all possible potential sequential sites have been assessed below.

Flexibility

There is no requirement to consider whether any element of the proposal could be disaggregated as part of the sequential approach. However, in the context of flexibility, the Rushden Lakes decision is clear that format and scale are central to the requirement of flexibility and as such, it is important for the applicant to provide a full justification behind the proposed business format and floorspace requirement to inform the sequential assessment. WYG has previously requested that the applicant provides further evidence with regards to why the application site was the only suitable site to accommodate the proposed development and why the level of floorspace was required to be delivered when no retailers had shown any commitment to the scheme.

The applicant has now responded providing additional information with regards to the types of retailers they envisage the scheme will attract and accommodate. The applicant has provided a list of potential retailers seeking representation within the area, some of which are looking for a dual representation, some of which are looking to replace existing provision. The applicant states that the list has been compiled by property agents Morgan Williams. The list includes a variety of retailers, which can be broadly divided into the following type:

- 7 'bulky' goods (non food) retailers
- 6 discounter/household goods retailers (with a small element of food)
- 4 clothing and footwear (fashion) retailers
- 2 sports/outdoor retailers
- 1 toy specialist retailer

It is not confirmed whether the retailers have been approached for this scheme in particular or whether they would be interested in occupying a unit at the site. As such, there is still very much a speculative nature to the proposal and a significant degree of uncertainty in terms of the scheme. Furthermore, there is still a limited amount of evidence provided by the applicant with regard to the overall quantum of floorspace required to make the scheme viable.

However, the list provided by the applicant has been useful in providing a steer as to the type of goods likely to be sold from the units and therefore a suitable control over the use of the floorspace. The applicant states that the types of retailers likely to be accommodated at the site have a requirement to be located adjacent to other retailers to enable them to trade successfully. It is considered that this is likely to be the case, although it is important to recognise that both M&S and Tesco are already present just metres away from the site. The applicant asserts that this is in light of the potential to create linked trips, the requirement for high footfall and need for dedicated adjacent parking.

The applicant has considered various sites in and on the edge of Handforth District Centre, Macclesfield Town Centre, Stockport Town Centre and Wilmslow Town Centre.

Handforth district centre

Handforth accommodates local shopping requirements on a limited scale. Some of the smaller units would be able to accommodate the A3/A5 units proposed by the application. However, in relation to the sequential approach to development, it should be assessed whether the whole scheme (with a degree of flexibility) could realistically be moved to another location. Any potential sites in Handforth are too small to accommodate the whole scheme and therefore there are no known sequential sites that could be considered available or suitable for the proposed development in Handforth district centre

Macclesfield town centre

"Silk Street", Macclesfield (Duke Street Car Park, Exchange Street Car Park and Churchill Way)

Deloitte has referred specifically to recent tender documentation produced by the Council relating to this site. It is acknowledged that it is the Council's aspiration to provide a leisure-led development and that bids have been put forward by developers on that basis. However, this does not detract away from the fact that elements of retail to improve the overall town centre offer could still form part of the wider masterplan for the sites. However, in light of the latest tender invitations and the clear aspirations of the Council to deliver a leisure-led scheme, WYG is now satisfied that the site could not accommodate the proposed development and quantum of retail floorspace proposed even when for allowing for a

sufficient degree of flexibility. In any event, WYG is satisfied with the applicant's conclusion that the site at Silk Street does not represent a sequential alternative to the application site.

Former TJ Hughes, Roe Street

The site is too small for the proposed development and it has recently been let so it is no longer considered to be available as it has been recently occupied by B&M in September 2014.

Macclesfield Train Station

The site is currently used as town's train station and therefore WYG agree that the site is unsuitable for the proposed development. There is no information suggesting that it is available in short term and therefore can be discounted as a sequentially preferable site.

Craven House, Churchill Way

The site extends to 0.05ha which is too small for the proposed development and therefore can be discounted as a sequentially preferable site.

Former Cheshire Building Society

The site located in the Primary Shopping Area extends to 0.4ha which is too small for the proposed development. Therefore it is not suitable for the proposed development.

Macclesfield Town Centre Vacant Units

None large enough to accommodate the proposed development.

Black Lane, Macclesfield

This site is considered to be in a more sustainable location than the application site, particularly with the inclusion of a bridge across the River Bollin as part of the recently submitted outline application proposals (15/5676M). However, it is considered that the two retail parks will serve different catchments, both in size but also nature. As recent appeal decisions have indicated, what is required to be proven is that development at a sequentially preferable site should not be delayed, stalled or otherwise impaired by development permitted at a less central location. There is no evidence to suggest that the development at Earl Road would prejudice or stall the development at Barracks Mill due to the different catchments these proposals will serve. As such, on sequential grounds both developments could progress, as they would trade within related but different catchments. Whilst it is considered that the site at Barracks Mill is available for the proposed scale of retail development, WYG is satisfied that the site is not suitable to accommodate a development which will serve the same catchment area as the development at Earl Road.

Stockport town centre

Bridgefield

Permission exists for the construction of a cinema, restaurants, shops and associated works. The level of A1 retail units is constrained to 1,605 sq.m and therefore only represents approximately 25% of the proposed development at Earl Road and therefore Bridgefield is unlikely to be able to accommodate the whole proposed development.

Merseyway

None large enough to accommodate the proposed development.

Knightsbridge

The site is currently occupied by a range of uses and is not being actively marketed. Therefore, it is considered that although the site would be suitable for the scale of the development proposed, it appears that it is unavailable for the proposed development in the short term. There is not any development being proposed on this site that that could be considered comparable to the proposed development at Earl Road and therefore does not represent a sequentially preferable site.

Fletcher Street Car Park

The site extends to 0.3ha and therefore the site is considered to be too small for the proposed development (even after significant flexibility) and therefore unsuitable.

Former Royal Mail Sorting Office, Exchange Street

The former Royal Mail sorting office site extends to 0.25ha, located at an edge of centre location. The site is still owned by Royal Mail and is not being actively marketed; therefore it appears that it won't be available in the short term. In any event, the site is too small for the proposed development and therefore is not suitable and should be dismissed as a sequentially preferable site as it is unlikely to be able to accommodate the level of proposed development or even a reduced form after reasonable flexibility has been applied.

Stockport Town Centre Vacant Units

None large enough to accommodate the proposed development.

The representation from Stockport MBC also identifies a number of potential sites in Stockport:

Unit 6 Peel Centre

In relation to Unit 6 Peel Centre, WYG have confirmed after discussions with the owners and the agents of the Peel Centre, it is unlikely that this site is available immediately although it is suitable to accommodate some of the proposed development. It is therefore dismissed on that basis.

Peter Carlson showroom site

Although no site area has been provided by Stockport MBC, the total floorspace currently on the site is limited to 1,300 sq.m of floorspace over two storeys. This cannot accommodate the proposed development even after a reasonable level of flexibility is allowed for.

In terms of generic sites, Stockport Council also identify the Stockport Exchange area within the town centre, it is confirmed that this area benefits from a mixed use planning permission including office and hotel led development with commercial ground floor units restricted to a maximum of 2,600 sq.m. The level of floorspace is below that being proposed at the application site and is floorspace assigned to the ground floor of multi-level buildings and therefore is unlikely to be comparable to that being proposed at Earl Road.

The Stockportexchange.co.uk portal which sets out the parameters of the wider masterplan and the eight phases of development that are being promoted has been reviewed. The website confirms that the multi-storey car park has been completed with the offices now under construction and the hotel coming in 2017. Given the advancement of the development, it is

considered that the site is not available nor suitable for the proposed development and for the purposes of the sequential approach can therefore be discounted.

Finally, Stockport MBC also identify a number of small units that are located within a series of district and local centres, including Bramhall, Cheadle Heath, Cheadle, Gatley and Heald Green. They state that these defined centres are located within the estimated catchment area and should be considered. This would require disaggregation, which is not necessary to meet the test, and from review of the identified units and sites identified, it is considered that they are all too small when compared to the proposed development and therefore are not considered suitable for the purposes of the sequential approach.

Gas Holder site to rear of Peel Centre

The late representation from Peel Holdings has identified a former gas site to the rear of the Peel Centre in Stockport. This site will be examined and reported in an update.

Wilmslow town centre

Alderley Road, Wilmslow

The Site extends to 0.2ha and is allocated for mixed use development, and is too small to accommodate the proposed development in its entirety or even with a degree of flexibility; the proposed development would not be able to be accommodated within the site and therefore is not considered suitable. The applicant also confirms that the site is not available as a number of operators are present and the site is not available in a reasonable time period.

Wilmslow Town Centre Vacant Units

It is unlikely that any vacant units would be suitable to accommodate the proposed scheme either in whole or in part (with a degree of flexibility).

TOWN CENTRE IMPACT

The two key impact tests identified by paragraph 26 of the NPPF are considered below. The tests relate to:

- the impact of the proposal on existing, committed and planned public and private sector investment in a centre or centres in the catchment area of the proposal; and
- the impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made.

Impact on existing, committed and planned public and private investment

Handforth District Centre

In relation to the potential expansion areas on the edge of Handforth District Centre, as there are no plans to take it further, it is considered that the proposal would not have any impact on investment in this centre.

Macclesfield Town Centre

At the time of the application, the applicant had a significant interest in the scheme at Silk Street and had submitted a bid for one of the opportunities. They state that they would not jeopardise its own existing investments by promoting an alternative scheme, and maintain that there is no realistic risk of detrimental impact on investment.

In light of this information and the aspirations for a leisure-led redevelopment, WYG are satisfied that the proposed development is unlikely to have a significant adverse impact on planned or committed investment within Macclesfield.

Stockport Town Centre

In light of Peel Holdings recent objection, the impact on investment in Stockport will be reported in an update.

Wilmslow Town Centre

There is no known investment that would be affected by the proposed development.

Impact of the proposal on town centre vitality and viability Including Local Consumer Choice and Trade in the Town Centre and Wider Area

Trade draw identifies the origin (for example where people live) of those who are likely to spend their money at the proposed development. Trade diversion identifies the source of turnover of the proposed development from existing retail facilities (defined centres and other destinations). As such, by identifying the likely trade draw, it is then possible to analyse where the residents of that catchment area or those zones undertake their comparable shop, and then undertake an assessment of trade diversion based on those existing shopping patterns. It is important to note that the primary purpose of identifying the trade draw of a proposal is to recognise the proportion of trade that a development is likely to receive from customers within and outside its catchment area. As the guidance within the NPPG states, the best way to assess trade draw for new a development is to look at existing proxies of that type of development in other areas. Ideally, it should be undertaken on a zone by zone basis.

The location of the application site means that shopping patterns in both the Stockport ('SRSU') and Cheshire ('CRSU') Retail Studies need to be analysed to identify the likely trade draw of the proposed development. The applicant has provided estimated levels of trade draw from the Zones identified in the two studies, by applying a percentage from each zone, but do not provide any further analysis to explain where the figures come from.

Consequently the Council's own retrieval consultant (WYG) has analysed the applicant's trade diversion and impact figures below, based on their understanding of the likely trade draw of the scheme.

The applicant has also provided an update with regards to the levels of turnover and trade diversion of the proposed development, using an updated sales density of £10,000 and a reduced quantum of floorspace. WYG agrees that the updated sales density assists in the overall assessment of the proposed development in terms of impact.

Based on the amended figures and a gross to net ratio of 85%, the total turnover of the proposed development is estimated to be £51.30m at 2014, rising to £57.81m at 2019. WYG is satisfied that this estimated turnover represents a robust approach to assessing the quantitative impact of the proposal.

The applicant was asked to provide an assessment of the potential impact the proposal could have on the overall vitality and viability of Macclesfield and Stockport town centres, not only in

quantitative economic terms but also in qualitative terms, looking at the key indicators and how these may be impacted upon as a result of the proposal. WYG requested that Deloitte looked at the potential impact particularly in light of the reduction in market share of Macclesfield and Stockport over the past ten years. This will enable the Council to fully consider whether the quantitative impact figure put forward by the applicant would have a significant impact on the health of the centres, or not. However only limited detail was provided by the applicant.

As part of the ongoing work with Cheshire East to update the retail evidence in the CRSU, WYG has now undertaken an update on the assessment of the overall vitality and viability of Macclesfield. In addition, they have reviewed the assessment of Stockport town centre which was undertaken as part of the SRSU in 2014. Some of the key diversity characteristics are summarised below.

Macclesfield

WYG recognises that Macclesfield is well represented in the comparison goods sector with a higher than average percentage of units and floorspace, although both the number and percentage has fallen since the last survey in 2009. Mill Street and the Grosvenor Centre provides a location for a number of the major national retailers, with a number of the town centre's largest stores found on these streets, including Marks & Spencer, New Look, Boots, Dorothy Perkins and Burtons. Chestergate and Exchange Street offer a range of shops such as jewellers and fashion outlets. The indoor malls of the Grosvenor Centre also provide important facilities for independent traders.

The percentage of vacant units within Macclesfield town centre has remained consistently above the national average. The amount of units vacant within the centre from 2006 has risen from 57 in 2006 to 71 in 2009. The percentage of vacant floorspace was below the national average in 2006, around the national average in 2009 and now above the national average in 2015. The amount of vacant floorspace in Macclesfield has increased since 2009 from 8,400 sq.m to 15,310 sq.m in 2015.

Macclesfield contains 14 of the 'top' 27 retailers within the town centre boundary. Further retail development aimed at attracting national multiple retailers is due to shortly commence at the Grosvenor Centre, with TK Maxx being an intended operator. This will remove the largest vacant unit within the town centre, which has been vacant for a number of years. Despite Macclesfield's higher than average vacancy rate, it does have some good national multiple retailers for a town of this size, which will be added to upon the completion of the new retail development next to the Grosvenor Centre. It is also noted that with the development of the Silk Street site for a leisure-led development, there is the opportunity to enhance the town centre and assist to increase visitor's dwell time within the centre.

However, there are some concerns over the health of the centre which needs to be addressed to ensure the centre continues to compete with other centres both within Cheshire East but also further afield in Greater Manchester.

Stockport

The SRSU concludes that the town centre has lost market share since 2004, confirmed by its fall in the national rankings and household survey results. In the comparison goods sector, the main national multiples include M&S, Debenhams, BHS, Next, Primark, H&M and Boots,

with the majority of the larger comparison retail units located within the Merseyway Shopping Centre and at the Peel Centre.

There is a high vacancy level, particularly in terms of the number of units, although a number of these units are relatively small and only three vacant units measure over 500 sq.m. The town centre benefits from a strong diversity in the functions it performs as an important civic centre, as an important centre for education and health, and as an office location in the wider South Manchester market. The centre also has a number of key strengths in relation to its unique, historic heritage; in relation to the successes stimulated by the Portas initiative; and in relation to the way the Council and its investment partners have responded to the recession.

Overall, Stockport has a significantly high number of vacant units, although the types of units are relatively small and therefore not necessarily suitable to accommodate large format national multiples. As such, a number of the larger retailers are now located at The Peel Centre on the edge of the centre, which attracts a high proportion of shopping trips. There are deficiencies within the centre but the Council is working hard to regenerate key areas to enhance the overall provision and offer.

The above summaries demonstrate that both Macclesfield and Stockport have struggled over the past ten years and have higher than average vacancy rates and a lack of modern format retail units to accommodate national multiple retailers. It is therefore in this context that the consideration of quantitative impact needs to clearly be considered.

Trade Diversion and Impact

On behalf of the Council, WYG have provided their assumptions with regard to trade diversion figures, which are based on existing shopping patterns from those living in the identified catchment area.

WYG's Assumed Trade Diversion and Impact of the Proposal 2019

Centre	Trade Diversion to Proposal	
Cheshire East Centres	(%)	(£m)
Macclesfield	25.00%	£14.45m
Congleton	2.50%	£1.45m
Wilmslow	2.50%	£1.45m
Nantwich	1.50%	£0.87m
Stockport Centres		
Stockport	25.00%	£14.45m
Cheadle	1.00%	£0.58m
Cheadle Hulme	1.00%	£0.58m
Bramhall	1.00%	£0.58m
Out of Centre Destinations		
Handforth Dean	10.00%	£5.78m
Proposed Next	5.00%	£2.89m
Cheadle Royal	5.00%	£2.89m
The Peel Centre	5.00%	£2.89m
Stanley Green Retail Park	5.00%	£2.89m

In light of the above, in the table below, WYG then provide the cumulative impact on the centres identified by both the applicant and WYG, when taking into account committed schemes. The figures used include the diversion to the committed schemes, as provided by the applicant and use the pre-development turnovers from the applicant's submitted quantitative assessment.

Applicant's and WYG's Cumulative Impact Assessment 2019

Centre	Deloitte Cumulative Impact	WYG Cumulative Impact
Cheshire East Centres		
Macclesfield	6.6%	8.0%
Congleton	1.8%	1.8%
Wilmslow	2.9%	3.4%
Nantwich	1.7%	1.4%
Stockport Centres		
Stockport	5.9%	6.3%
Cheadle	2.0%	2.0%
Cheadle Hulme	2.6%	2.6%
Bramhall	2.6%	2.6%
Out of Centre Destinations		
Handforth Dean	7.9%	7.1%
Proposed Next	-	-
Cheadle Royal	4.7%	4.7%
The Peel Centre	4.5%	5.0%
Stanley Green Retail Park	3.3%	39.0%

It is important to note that a more recent household survey has been undertaken and therefore the turnovers of the centres within Cheshire East have been updated as part of WYG's work on the update to the Cheshire East Retail Study. It is expected that the Study and the associated figures will be released soon but for the time being, the proposal has been reviewed based on the current published information.

Following an assessment of cumulative impact based on the WYG revised trade diversion figures above, it is possible to calculate that in terms of the defined centres, the highest impact is estimated to be felt on Macclesfield (8.0%) and Stockport (6.3%) town centres.

In light of the current health of Macclesfield and Stockport, there are some concerns that impacts on these two centres to that level has the potential to cause some damage to the overall vitality and viability and their market shares. However, WYG considers that if the proposed floorspace was suitably controlled to reflect the nature of the retailers proposed as set out within Deloitte's submission, then the potential impact on the centres could be mitigated. WYG suggests that a condition could provide thresholds for certain types of goods, to ensure that the proposed units do not compete directly with retailers in the town centres and instead, performs as a more 'traditional' out-of-centre retail destination with a proportion of the floorspace dedicated to bulky goods retailers.

ENVIRONMENTAL SUSTAINABILITY

Character and appearance

The application site is located within an Employment Area which is characterised by buildings built more for function than form. The proposed retail units adopt a relatively simple form with

parapet around the roof and entrance features for each unit. The design is considered to be adequately in keeping with the local area. It is a little unfortunate however that the proposed development will face onto what is the back door and service yard of the new Next store opposite that is currently under construction.

The sustainability statement outlines that the proposed building could achieve a BREEAM rating of 'very good'.

Accessibility

The applicant maintains that the site is well located in terms of its proximity to pedestrian and public transport services, and its connections to Handforth Dean Retail Park and the proposed Next retail unit.

However, accessibility was a significant issue raised at the time of the Next application for the site on the opposite side of the road, and remains so with the current proposal. The hourly bus Service (312) between Handforth Dean and Stockport runs along Earl Road, and there are some free services operated by Tesco which would be within a short walk of the site. Apart from these services the nearest are those along Wilmslow Road and Station Road in Handforth, about a kilometre away, which provide services to other destinations including Manchester and Wilmslow. The transport assessment confirms that a travel plan will be prepared to encourage the use of other forms of transport. However, without adequate provision for non car modes, a travel plan will be largely ineffective.

Mitigation is therefore required to make the development acceptable in planning terms, as it was for the extant office permission. The office permission secured contributions towards bus stops in the vicinity, improvements to provision for pedestrians and cyclists in the vicinity and a contribution towards public transport improvements. The same would be required for the current proposal.

In addition, accepting the fact that most users of the site will inevitably use the private car, the provision of electric car charging points is recommended, as it was with the Next scheme. Such provision has also been recommended by environmental health.

Amenity

There are no residential properties within close proximity of the application site. As such, no significant amenity issues are raised.

Highways

The proposed development has a new access onto Earl Road with the servicing taking place using Epsom Avenue and Arkle Avenue. The proposed access is located in the same position as the approved office development and is close to the end Earl Road.

There would be 240 parking spaces provided within the site including disabled parking and there also is 40 cycle parking spaces proposed.

Traffic Impact

In considering the traffic impact of the development the applicant has taken into account the existing permission for the office development on this site compared to the proposed retail development. There are specific differences between approved office and proposed retail

developments in that the peak hour impact is predominately in the am for the office and less so for the retail proposal. The evening peak for the retail is the worse case in terms of traffic generation and needs to be considered. The applicant has stated that only 50% of trips to this development will be new trips on the network. Whilst it can be accepted that due to the proximity of the site to other retail destinations a reduction can be made for linked and transferred trips the figures presented in the TA does not provide evidence that this proposal would warrant such a reduction in trips.

Considering the figures submitted, the office development has a higher traffic generation than the proposed retail development in the morning and evening peak hours. This development would have a higher impact at the weekend than the approved office development but the level of existing background traffic flows on the network is lower and the major junctions on the A34 are not operating at the same level of pressure as in the daytime morning and evening peaks.

The applicant has undertaken junction assessments at locations where the development would have a material impact and these are Stanley Road/Earl Road traffic signals and at the Stanley Road / A34 roundabout. Clearly, these junctions are not within CEC and are the responsibility of Stockport and comments on the development impact of the proposals on these junctions should be sought from Stockport. The development does add additional traffic to the CEC road network especially at Coppice Way junction although these are small percentage increases and does not constitute a severe impact on the road network.

CEC Highways Summary

The previous permission for Office development on this site is a material consideration on this application, as the new current proposal for a retail use would produce less traffic than the office development and therefore can be seen as a benefit in highway terms. There will be a number of trips to the site that will have already travelled to the nearby Handforth Dean and Stanley Green retail parks and as such the number of new trips will be reduced but not in the opinion of the Head of Strategic Infrastructure to the level proposed by the applicant. However, taking a 30% reduction in trips which is more reasonable, this will not materially change the impact on the CEC road network but would increase the level of traffic using the Stockport junctions.

There were a number of contributions agreed relating to the mitigation of the impact of the Office development and some of these mitigation contributions are relevant in regard to this application i.e the improvements to pedestrian and cycle routes and also improvements to public transport as this would be pooled with the contribution secured to public transport from the Next application. Contributions to mitigate the traffic impact, is a matter for Stockport to consider as the major impact falls at junctions under their control.

Stockport MBC Highways

Stockport MBC Highways note that the proposed retail development would be far from ideally located for access by travel modes other than the private car.

In addition, the proposed development will have an unacceptable and demonstrably severe impact on the operation of the Earl Road/Stanley Road junction and this would justify refusal unless the impact can be mitigated by bringing forward the delivery of improvements to the junction. This requires the applicant to either prepare a package of improvements which could

be delivered under a planning condition and appropriate highway legal agreement or agree to the payment of a financial contribution under the terms of a S106 Agreement. The terms of the s106 would be the same as for the approved office development.

It should be noted that this matter is not referred to in the applicant's submitted Heads of Terms and therefore this may result in an additional reason for refusal. The applicant's position on this will be clarified and will be reported in an update.

Ecology

The nature conservation officer has provided the following comments on the application:

Habitats

The open area of habitat located to the south of the application site supports sufficient indicator species to be designated as a Local Wildlife Site.

This habitat would be lost as a result of the proposed development with a subsequent loss of biodiversity. The significance of this loss has not been outlined to date and will be reported in an update.

Bats

An initial bat survey has been submitted in support of the application. The buildings affected by the proposed development offer limited potential for roosting bats and therefore roosting bats are unlikely to be present or affected by the proposed development.

Great Crested Newts

Having regard to the character of the nearby water bodies, the location of the application site and its distance and isolation from the nearby waterbodies, that great crested newts are unlikely to be affected by the proposed development.

Hedgerow

Hedgerows are a priority habitat. The proposed development would result in the loss of a section of hedgerow from the interior of the site. The submitted landscape plan includes the planting of a native species but this does not appear to be in the form of a hedgerow. So whilst there would be suitable native species incorporated into the scheme there would still be a loss of hedgerow habitat.

Nesting Birds

In the event that planning consent is granted conditions would be required to safeguard nesting birds.

Trees and landscape

The proposal will necessitate the removal of 14 trees for the development of which six have been assessed as Moderate (B) category trees, with the remaining 8 trees Low (C) category. A further four trees are proposed to be removed as they have been assessed as poor quality.

In the wider context, existing trees within the site do not present a significant contribution to the amenity of the area. Within the immediate vicinity, trees fronting Earl Road and to the south of the site adjacent to the existing public footpath provide some contribution to the

street scene (essentially lacking in other parts of the estate) and screening function to the public footpath.

The majority of tree losses are as a consequence of proposed parking provision and internal access arrangements and leaves little scope for any significant planting in mitigation. A landscape proposal has been submitted in support of the application, but this is not over generous in its detail.

Should planning consent be granted, conditions relating to tree retention, tree protection and landscaping will be required.

Flood Risk

The Flood Risk manager had reviewed the proposals and confirms that there are no objections on flood risk grounds.

The developer will need to provide evidence that there will be no increase in flood risk either on or off-site as a result of the increase in impermeable area, and accordingly a condition requiring the detailed proposals for the disposal of surface water is recommended.

Contaminated land

The Contaminated Land team has no objection to the above application subject to the following comments with regard to contaminated land:

- The application area has a history of depot use and therefore the land may be contaminated.
- The submitted report, REC December 2014, provided both phase I and phase II information, however, all the site investigation works were carried out in 2004 prior to demolition of the previous structure. Whilst some effort has been made to revise the information there has been no current site walk over or site investigation so it is uncertain whether any land contamination issues may have arisen in the 10 years since the report was produced. As such further information is requested:
 - A current detailed site walk over;
 - Existing site investigation locations overlaid onto a current day map and the proposed new development layout map;
 - A review of the investigation locations for discussion and if information gaps exist a (small scale) post demolition investigation be carried out.

In the event of approval, appropriate conditions would be required.

SOCIAL SUSTAINABILITY

With regard to the social role of sustainable development, the applicant is offering £12,500 for public open space and £12,500 for recreation and outdoor sports. It is not clear how these figures have been produced. Comments from Ansa are awaited and the open space requirement for the development will be reported in an update.

ECONOMIC SUSTAINABILITY

The applicant has stated that the proposal would create approximately 70 FTE jobs, and has offered £282,000 towards *employment generation (which could include investment in people*

and skills development, apprenticeships, or infrastructure works to allocated employment sites in Handforth).

A contribution was secured as part of the Next scheme on the basis that at that time there was no reasonable prospect of the Next site being used for employment purposes, therefore in an attempt to make the remaining employment site more attractive to B1, B2 and B8 occupiers, contributions towards the infrastructure of the wider employment site were secured as part of the overall planning balance in order to increase the chances of it being brought forward for employment development. The site is currently the subject of an application for a substantial retail development, which would indicate that the contribution towards infrastructure for employment uses has had limited effect in encouraging such uses to the site. It is not clear exactly what use the proposed financial contribution would be in this case, given the loss of an employment site that is currently in active use, and the significant need for more sites within the Northern part of the Borough. A more appropriate offer, given the conflict with policy would be the provision of an alternative site to mitigate for the loss.

The proposal will lead to a loss in the amount of employment land in the Borough.

PLANNING BALANCE

The application site is allocated as an Existing Employment Site in the Macclesfield Borough Local Plan where policies E1 and E2 seek to provide and retain a range of employment land in order to facilitate sustainable economic growth.

Paragraph 22 of the Framework states that, “Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose”.

Paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The benefits in this case are:

- Creation of 70 FTE jobs.
- Contribution towards employment generation
- Contribution towards open space provision

The development would have a neutral impact upon the following subject to mitigation:

- There is not considered to be any significant drainage implications raised by this development.
- The impact upon trees is considered to be neutral.
- The impact upon the residential amenity/noise/air quality/landscape and contaminated land could be mitigated through the imposition of planning conditions.
- Highway impact would be broadly neutral due to the scale of the development having regard to the previous permission and appropriate mitigation
- Retail impact on existing centres subject to appropriate conditions

The adverse impacts of the development would be:

- The loss of employment land
- Loss of biodiversity

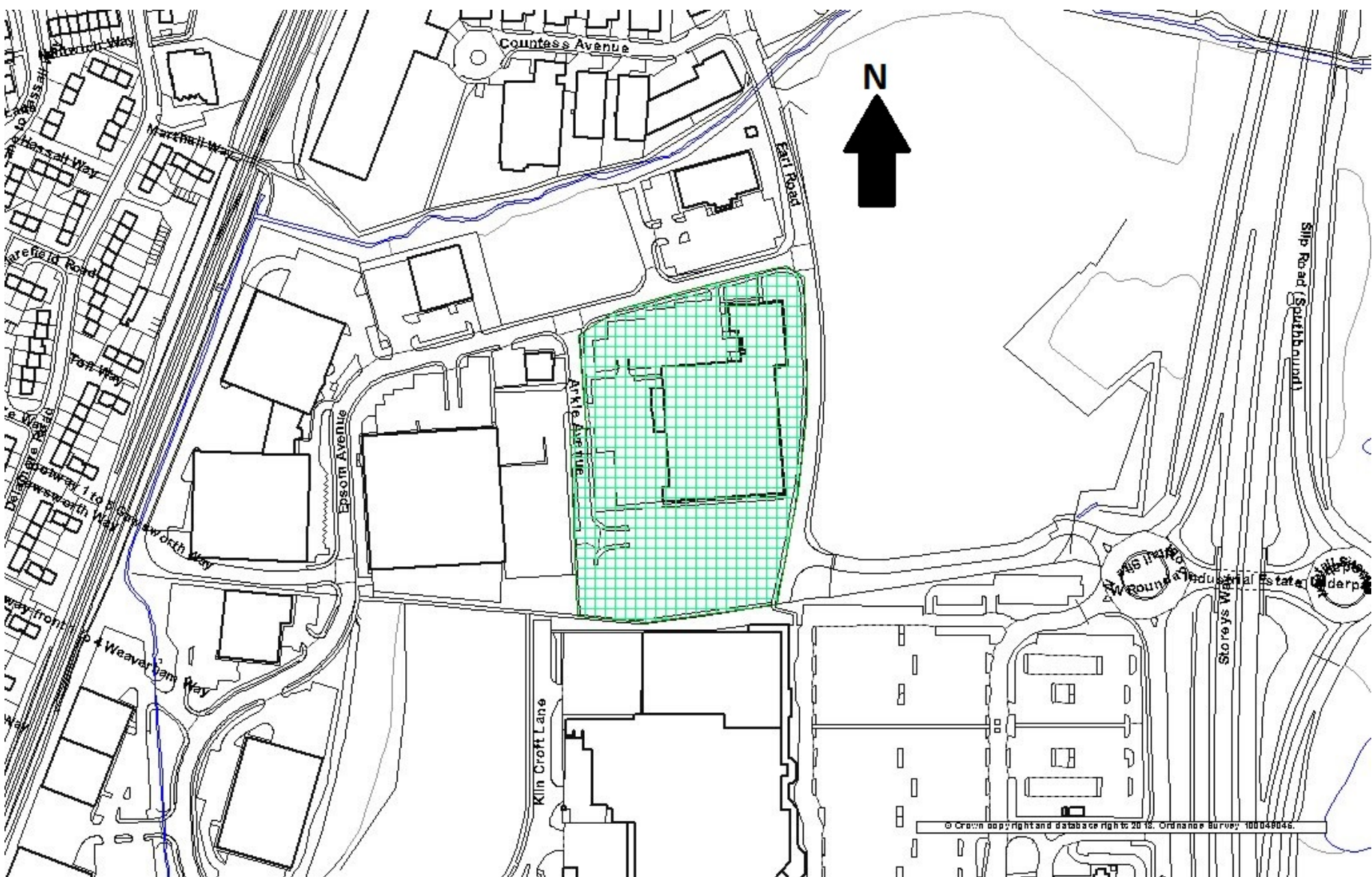
The justification for policy E2 of the local plans explains that retailing is not permitted (on existing employment sites) because it would reduce the amount of employment land available and provision is made elsewhere for retailing. It is acknowledged that the proposal would generate a significant number of jobs; however it is not considered that the merits of the proposal should be judged by the numbers of jobs it creates. B8 uses are an employment use and do not typically generate the same number of jobs as a B1 or B2 use with a comparable floorspace. Employment allocations are important to provide land for substantial buildings (including warehouse buildings) that cannot be located elsewhere such as in town centres or countryside locations. The proposal will result in the loss of employment land at a time when the Council is actively seeking additional employment land allocations as part of its emerging local plan. The need for sites is such that even Green Belt locations are currently being considered for employment purposes. The loss of the application site would exacerbate this situation and place further pressure to locate sites within the Green Belt.

The proposal is therefore contrary to policies E1 and E2 of the Macclesfield Borough Local Plan, and the caveat within paragraph 22 of the Framework which seeks to avoid the long term protection of employment sites where there is not reasonable prospect of it being used for employment purposes does not apply. The two buildings on the application site are occupied and therefore it cannot be concluded that there is no reasonable prospect of the site being used for employment purposes.

The loss of employment land is considered to significantly and demonstrably outweigh the benefits of the proposal.

RECOMMENDATION

It is recommended that the application is refused due to the loss of employment land.



Application No: 15/3531C

Location: LAND BOUNDED BY OLD MILL ROAD & M6 NORTHBOUND SLIP ROAD, SANDBACH

Proposal: Reserved matters application for proposed erection of 232no. dwellings including roads, sewers, boundary treatments and garages and associated works.

Applicant: Mr Simon Artiss, Barratt Homes Manchester Division

Expiry Date: 09-Nov-2015

SUMMARY

The principle of the development has already been approved.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area, sufficient open space is provided and appropriate landscaping can be conditioned. It is also considered that, subject to the receipt of outstanding consultees, the development would not have a detrimental impact upon neighbouring amenity, ecology, trees, or highway safety.

The scheme therefore represents a sustainable form of development providing sufficient quality of design and landscaping and open space. Matters of drainage and flooding have been considered to be acceptable, subject to the conditions, on the associated outline planning application.

The application is therefore recommended for approval, subject to conditions.

RECOMMENDATION

Approve subject to conditions

PROPOSAL

The application seeks approval for all reserved matters for the residential part of outline planning permission 12/3948C. The outline permission included consent for up to 250 dwellings. The current reserved matters application now proposes 232 dwellings.

SITE DESCRIPTION

The application site comprises an area of open farmland, which is bound to the east by the M6 motorway, to the south by the Sandbach wildlife corridor and to the north east by Old Mill Road (A534). The part of the site that is the subject of this reserved matters application is

located within the Settlement Zone for Sandbach, and is shown on the Congleton Borough Local Plan proposals map as an employment commitment. However, previous permissions for employment uses have now expired, and policy E2 of the Congleton Borough Local Plan, which relates to committed employment sites, is not a saved policy. Consequently, most of the site is currently an unallocated site within the Settlement Zone.

RELEVANT HISTORY

12/3948C - Outline planning permission for a commercial development comprising a family pub / restaurant, 63 bedroom hotel, drive through café, eat in café, and office and light industrial units with an adjacent residential development of up to 250 dwellings, and associated infrastructure and access – Approved 09.03.2015

14/0043C - Improvement of J17 Northbound slip road. Provision of new roundabout to provide access to development site, Old Mill Road and slip road – Approved 25.04.2014

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

50. Wide choice of quality homes

56-68. Requiring good design

69-78. Promoting healthy communities

Development Plan

Congleton Borough Local Plan Policy

PS8 (Open countryside)

GR1 (New Development)

GR2 (Design)

GR3 (Residential Development)

GR4 (Landscaping)

GR5 (Landscaping)

GR6 (Amenity and Health)

GR7 (Amenity and Health)

GR8 (Amenity and Health - pollution impact)

GR9 (Accessibility, servicing and provision of parking)

GR10 (Accessibility for proposals with significant travel needs)

GR14 (Cycling Measures)

GR15 (Pedestrian Measures)

GR16 (Footpath, Bridleway and Cycleway networks)

GR17 (Car parking)

GR18 (Traffic Generation)

GR19 (Infrastructure provision)

GR20 (Utilities infrastructure provision)

GR21 (Flood Prevention)

GR 22 (Open Space Provision)

NR1 (Trees and Woodland)
NR2 (Statutory Sites)
NR3 (Habitats)
NR4 (Non-statutory sites)
NR5 (Creation of habitats)
H1 (Provision of new housing development)
H6 (Residential development in the open countryside)
H13 (Affordable Housing and Low Cost Housing)

Cheshire East Local Plan Strategy – Submission Version (CELP)

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
EG1 Economic Prosperity
EG3 Existing and allocated employment sites
EG5 Promoting a town centre first approach to retail and commerce
SC1 Leisure and Recreation
SC2 Outdoor sports facilities
SC3 Health and Well-being
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO2 Enabling business growth through transport infrastructure
CO4 Travel plans and transport assessments

Strategic Site CS24 – land adjacent to J17 of M6, south east of Congleton Road, Sandbach

Other Material Considerations:

National Planning Practice Guidance (NPPG)
Interim Planning Statement: Affordable Housing
Strategic Housing Market Assessment (SHMA)
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

Sandbach Neighbourhood Development Plan (September 2015)

CONSULTATIONS

Natural England – No objections

United Utilities – No objections subject to the site being drained on a total separate system

Environment Agency – No further comments to those made at outline stage.

Flood Risk Manager – No objections subject to condition relating to disposal of surface water / drainage

Environmental Health – No objections subject to conditions relating to submission of environmental management plan, implementation of noise mitigation scheme, travel planning, electric vehicle infrastructure, and contaminated land, and a s106 agreement to secure contribution towards Action Plan in AQMA.

Streetscape (open space) – Concern about amount of open space

Head of Strategic Infrastructure – No objections

Public Rights of Way – No objections

Sandbach Town Council - Object due to proposed access being impractical and dangerous; safe site access requires inclusion of a roundabout at junction of Congleton Road/A534. Additionally, Members have concerns regarding air quality in this area.

REPRESENTATIONS

Neighbour notification letters were sent to all adjoining occupants, a site notice erected and a press advert was placed in the Congleton Chronicle.

14 letters of representation have been received objecting to the proposal on the following grounds:

- Other brownfield sites available
- Noise & disturbance
- Pollution & ground contamination
- Impact on infrastructure / services
- Impact on wildlife corridor
- Loss of agricultural land
- Houses not needed in Sandbach
- Increased congestion
- New jobs needed, not housing
- Conditions on outline not addressed by the application
- New T-junction is dangerous
- Enhanced safe pedestrian route to town centre needed
- Mediocre design

- Impact on AQMA
- Impact on PROW

APPRAISAL

The key issues are:

- Impact upon nature conservation interests
- Impact upon character of the area
- Amenity of neighbouring property
- Highway safety

ENVIRONMENTAL SUSTAINABILITY

Character & Appearance

The local area is characterised predominantly by two-storey properties of varying design, age and materials. However, the application site is detached from all existing development by Old Mill Road and landscaping to the north and by distance and the wildlife corridor to the south. As such the area does not provide a strong design lead for the new development to follow. The proposal seeks to construct two-storey, two and a half and three-storey detached, semi-detached and terraced dwellings, and apartments in both brick and render. The appearance of the proposed dwellings is fairly standard and is perfectly acceptable in the context of the local area. The inclusion of three-storey buildings is considered to be acceptable given the inclusion of commercial uses within the outline approval. Commercial buildings are likely to be of a larger scale to domestic properties as and when they come forward.

The design has employed the use of character area zones to enhance a legible layout form. The use of character areas is important to provide a sense of place and to define routing of public realm areas.

The arrival junction is designed to give a focal point to the development and draw attention to the change in road space priority from vehicles to pedestrians. The orientation of buildings will front the road and a collaboration of buildings and woodland creates an arrival square and gives the site entrance a sense of place. It is intended to utilise block paving at this focal point to emphasise the road hierarchy and to control vehicular movement.

The wildlife corridor is a major feature of any development on this site. The 'Woodland Edge' character area forms a transitional edge between the woodland and new development. Buildings will predominantly front onto the green infrastructure. Utilising the existing landscape and woodland boundary of the site, the woodland edge settlement will tie the woods into development retaining views and links into the established landscape whilst providing natural surveillance. The layout has been planned to maximise the larger properties along these edges giving a lower density at the periphery of the development.

Along the Old Mill Road frontage the applicants have sought to retain spacing between properties to allow visual links through the development towards the woodland. The proposed building facade along this route will be treated to allow the new development to lend into the surrounding context. A mature hedge currently runs along the road's grass verge. It

is intended that this will be retained and the introduction of further landscaping planted behind to reinforce the vegetated boundary.

This character area of the main street is formed by the development's road alignment. The main street is a 5.5m wide road and it is intended that two metre wide pedestrian footways will run either side of this road to allow the public realm to filter through the site. The layout has been designed to front this road offering an attractive street scene and natural surveillance to a well trafficked route by both cars and pedestrian. Varied building heights are proposed to add some visual interest.

To avoid excessive vehicle speed on this road the horizontal alignment has been deflected, changing the direction of travel breaking the length of straight road. Where this has been incorporated the surface treatment to the road has been changed with a feature shape being employed. At these points a variety of building forms have been used including detached and mews style to provide visual interest to the street scene.

Overall, the proposed development is considered to be adequately in keeping with the wider character of the area.

Amenity

New residential developments should generally achieve a distance of between 21m and 25m between principal windows and 13m to 14m between a principal window and a blank elevation. This is required to maintain an adequate standard of privacy and amenity between residential properties.

The relationships of the proposed dwellings with the nearest existing properties will all meet the distances above, due to the distances to these nearest neighbours from the boundaries of the site. The latest revised site layout plan is currently being finalised and comments on the relationships between dwellings will be reported as an update.

Air Quality

No further air quality issues are raised from those identified at the outline stage. Conditions relating to a travel plan and electric vehicle charging infrastructure were attached to the outline permission. A contribution of £10,000 towards implementation of the Air Quality Action Plan in Sandbach was also secured in the s106 agreement.

Noise

The applicant has submitted a scheme of acoustic insulation with the application. The report recommends mitigation designed to ensure that occupants of the properties are not adversely affected by noise from road traffic noise from the M6 and the A534. The mitigation includes the provision of appropriate glazing and ventilation and acoustic fences of varying heights around garden areas. Environmental Health raises no objections subject to a condition requiring the mitigation measures to be implemented prior to the first occupation of the development.

Ecology

Ecological Buffer

Condition 19 attached to outline consent 13/3948C requires the provision of an ecological buffer zone to the adjacent wildlife corridor. The nature conservation officer, together with the

forestry officer, has raised some points of concern regarding the proposed buffer zone. It is understood that the location of the ecological buffers is to a large extent informed by the root protection areas for the trees. Lengthy discussions have taken place regarding the root protection areas of the trees and comments are awaited from the forestry officer and the nature conservation officer, and will be reported in an update.

It is understood that some of the nature conservation officer's concern relates to the layout of plots 211 to 227 and its interaction with the adjacent wildlife corridor. These units back directly onto the woodland/wildlife corridor which can potentially result in an adverse impact on the wildlife corridor through garden waste being tipped into the woodland over the garden boundary. The nature conservation officer advised that this specific part of the proposed development should be redesigned to avoid houses backing directly onto the woodland. The applicants have looked at redesigning this but have not managed to achieve a viable way of doing it, and therefore the layout remains as proposed and management measures will be put forward to protect the wildlife corridor from garden waste.

Badger survey

The latest badger survey has recorded an outlying badger sett which is located within the vicinity of the proposed houses. It is likely that this sett would require closure under the terms of a Natural England License to allow the development to proceed lawfully. As the usage of this site by badgers appears to change regularly, the nature conservation officer advises that if planning consent is granted a condition should be attached requiring an updated badger survey, impact assessment and mitigation proposals to be submitted to the LPA prior to the commencement of the development.

Bluebells

Bluebell, a partially protected plant species and a Local BAP species, was recorded as being associated with hedgerow 5 on site. It appears feasible for these plants to be retained within the development.

Hedgerows

Hedgerows are a priority habitat and a material consideration. There will be a loss of hedgerow from within the site, however, the landscape masterplan includes proposals for the creation of new native species hedgerows. If planning consent is granted it must be ensured that these are planted and managed appropriately to ensure they contribute to the nature conservation value of the site. This may be dealt with by means of a landscaping condition.

Woodland Management Plan

If planning consent is granted it is recommended that a condition be attached requiring the submission of a 10 year woodland management plan to ensure the appropriate management of the woodland.

Nesting Birds

If planning consent is granted conditions are recommended to safeguard nesting birds and ensure some additional provision is made for nesting birds and roosting bats as part of the proposed development:

Trees / landscape

As noted above, lengthy discussions between the applicant and the forestry officer have taken place regarding the root protection areas of the protected trees within the wildlife corridor. Comments are awaited from the forestry officer which will be reported in an update. It is however understood that most issues have now been resolved.

In terms of the landscape impact, it was noted at the outline stage that the site lies on the boundary of the urban area of Sandbach and a major transport corridor which therefore form part of the site context. The landscape sensitivity of the site to the proposed development was therefore identified as medium to low. The extent of change as a result of the proposed development is identified as medium due to the permanent loss of agricultural land and some internal hedgerows, but not high due to the limited visibility of the site; the retention of existing features typical of this landscape type, such as the topography, boundary hedgerow, hedgerow trees and safeguarding of tree belts to the periphery of the site and the scale of the proposed development. Therefore, the overall landscape impact is assessed as moderate due to the medium to low sensitivity combined with the medium magnitude of change.

The main landscape issue is considered to be the inclusion of the acoustic fences which are required to mitigate for the noise from the M6 and Old Mill Road. Of particular concern is the 3.5 metre high fence to the eastern boundary to protect private residential gardens from the road noise of the M6. This fence will run the length of the eastern boundary, and its visual impact in the short term is likely to be significant in the context of the site. In the medium to longer term the fence is unlikely to be unduly prominent from outside of the site as the commercial uses on the land between the fence and the M6 will serve to screen it, and where it can be seen it will be in the context of what are expected to be relatively substantial commercial buildings.

The applicant was requested to look at alternatives such as turning the dwellings around or re-siting the fence closer to the motorway. However, a viable solution to turning the dwellings could not be found, and if the fence was moved away from between the dwellings and the commercial uses, it may stifle the development of the commercial site. This is because the fence will also protect the dwellings from potentially noisy commercial uses. Without the fences the type of commercial uses would have to be strictly controlled. It is therefore proposed to provide landscaping to the fence to soften its visual impact, which is on balance considered to be acceptable.

Short sections of other fences above 2 metres are also proposed, however it is considered that these can be appropriately softened with existing and / or proposed landscaping.

Highways

The Head of Strategic Infrastructure has commented on the application and noted that the access to the site is proposed as a priority junction with a ghost island right turn lane from Old Mill Road. Capacity assessments have been undertaken on the junction design and it will work within accepted capacity limits. The A534 is an important road corridor and the proposed junction arrangement does not add undue delays to this principal route and as such is an acceptable type of junction design for the proposed development. The junction works will be delivered via a S278 agreement along with the associated ghost island works on the A534, a Grampian condition is required to secure these access works.

The layout submitted has been subject to pre-application discussions, the layout does meet the required highway standards in regards to carriageway widths and whilst being informal in places the minimum operational standards are met. Clearly, the nature of the site being split between the areas of open space does limit the design of the highway infrastructure, however the design submitted is of an acceptable design.

The level of car parking across the site accords with CEC parking standards and as such is accepted.

The internal road submitted is one that is suitable for adoption by the Authority and no highway objections are raised. Conditions relating to the completion of the access junction, wheel wash and site compound details, bin storage and cycle storage are recommended.

It should also be noted that, although only indicative at the outline stage, the proposed access arrangement, including new T-junction was presented to Members at the time of the outline application, and was considered to be acceptable at that time.

Public Right of Way

The PROW team initially objected to the proposal as it directly affected the public right of way. However, further to a meeting between officers of the Public Rights of Way team and representatives of the applicant, an application for a Diversion Order, under the Town and Country Planning Act 1990, for Public Footpath No. 11 in the Town of Sandbach has been received. The information contained within this application is satisfactory in relation to their previous concerns and they have now withdrawn their objection to the proposal.

Contaminated land

The Contaminated Land team has no objection to the proposal and recommends the same condition (updated phase II investigation) that was attached to the outline permission, and does not need to be repeated on the reserved matters.

Flood Risk

The Flood Risk Manager has reviewed the proposals and there are no objections in principle to the proposed development on flood risk grounds. Conditions are recommended requiring the details for the disposal of surface water to be submitted. This was a matter covered by conditions on the outline permission, therefore additional conditions are unnecessary for the reserved matters.

SOCIAL SUSTAINABILITY

Affordable Housing

As part of the outline approval the applicant entered into a s106 agreement securing the provision of 15% affordable housing. In addition, the s106 outlined information to be provided and approved at reserved matters stage. This included an affordable housing scheme to include the tenure, layout and size of the affordable dwellings.

The applicant has confirmed that the affordable housing (35 units) will be provided as 12 x 1bed apartments, 6 x 2 bed apartments, 9 x 2 bed houses, and 8 x 3 bed houses. The agreed tenure split in the S106 agreement is 50% affordable rent and 50% intermediate. It is proposed that the apartments will be the affordable rented element (18 plots out of 35) and

the houses to be the Intermediate affordable dwellings. It is proposed to provide the affordable units in four clusters to allow for a satisfactory degree of pepper potting.

Open Space

Public Open Space and Children's Play Area

Having calculated the existing amount of accessible Children and Young Persons Provision within 800m of the site and the existing number of houses which use it, 246 new homes (as originally submitted) creates a deficiency in quantity of play facilities, having regard to the local standards set out in the Council's Open Space Study for Children and Young Persons.

The Interim Policy Note September 2008 updated the legacy Borough's SPG1, however the legacy SPG1 remains relevant in the absence of a new Cheshire East Borough wide SPD. Therefore when developments of 75+ dwellings are proposed, a NEAP standard play facility is required having a minimum area of 1000 sq m. Ansa can confirm that the NEAP (Neighbourhood Equipped Area for Play) standard play area would be acceptable and suitable for all ages along with a skate park facility. The Open Space Study 2012 sets out that children and teenager provision is reasonably well distributed around Sandbach except for northern and central Sandbach.

The NEAP should include at least 8 items/activities incorporating DDA inclusive equipment plus infrastructure and be in line with the standards set out by Fields In Trust Planning and Design for Outdoor Sport and Play. Ansa request that the final layout and choice of play equipment is agreed with CEC, the construction should be to BSEN standards. Management arrangements will also be required.

Full plans showing the design must be submitted prior to the play area being installed and this must be approved, in writing prior to the commencement of any works. A buffer zone separating the NEAP from residential properties facing the play area should be provided with low level planting to assist in the safety of the site. A NEAP is proposed and is shown on the latest site layout.

Amenity Greenspace (AGS)

Having calculated the existing amount of accessible AGS within 800m of the site and the existing number of houses which use it, the proposed development will generate a need for approximately 8,000sqm of AGS.

Although it is accepted that some of the AGS can equate to informal open space it is difficult to distinguish or quantify this typology within this development from wildlife habitat and ecological buffer. AGS should be usable for formal or informal recreation.

There is a kickabout area of 1,000sqm shown on the latest site layout, together with a wider area of a further 1,000sqm surrounding the kickabout area and the NEAP. Added to this, there is a smaller area at the northern corner of the site of approximately 900sqm and the buffer zones to the wildlife corridor, which provide opportunities informal recreation, and these amount to over 11,000sqm of potential amenity space.

This open space package is considered to meet the objectives of the Interim Policy Note (2008) on open space requirements. Full details and management arrangements will be required.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct and indirect economic benefits to Sandbach town centre including additional trade for local shops and businesses (in closer proximity to the site than the town centre), jobs in construction and economic benefits to the construction industry supply chain.

PLANNING BALANCE

The principle of the development has already been approved.

The proposed scheme provides an acceptable design and layout, the dwellings are appropriate to the character of the area, sufficient open space is provided and appropriate landscaping can be conditioned. It is also considered that, subject to the receipt of outstanding consultees, the development would not have a detrimental impact upon neighbouring amenity, ecology, trees, or highway safety.

The scheme therefore represents a sustainable form of development providing sufficient quality of design and landscaping and open space. Matters of drainage and flooding have been considered to be acceptable, subject to the conditions, on the associated outline planning application.

The application is therefore recommended for approval, subject to conditions.

RECOMMENDATION

The application is recommended for approval subject to conditions.

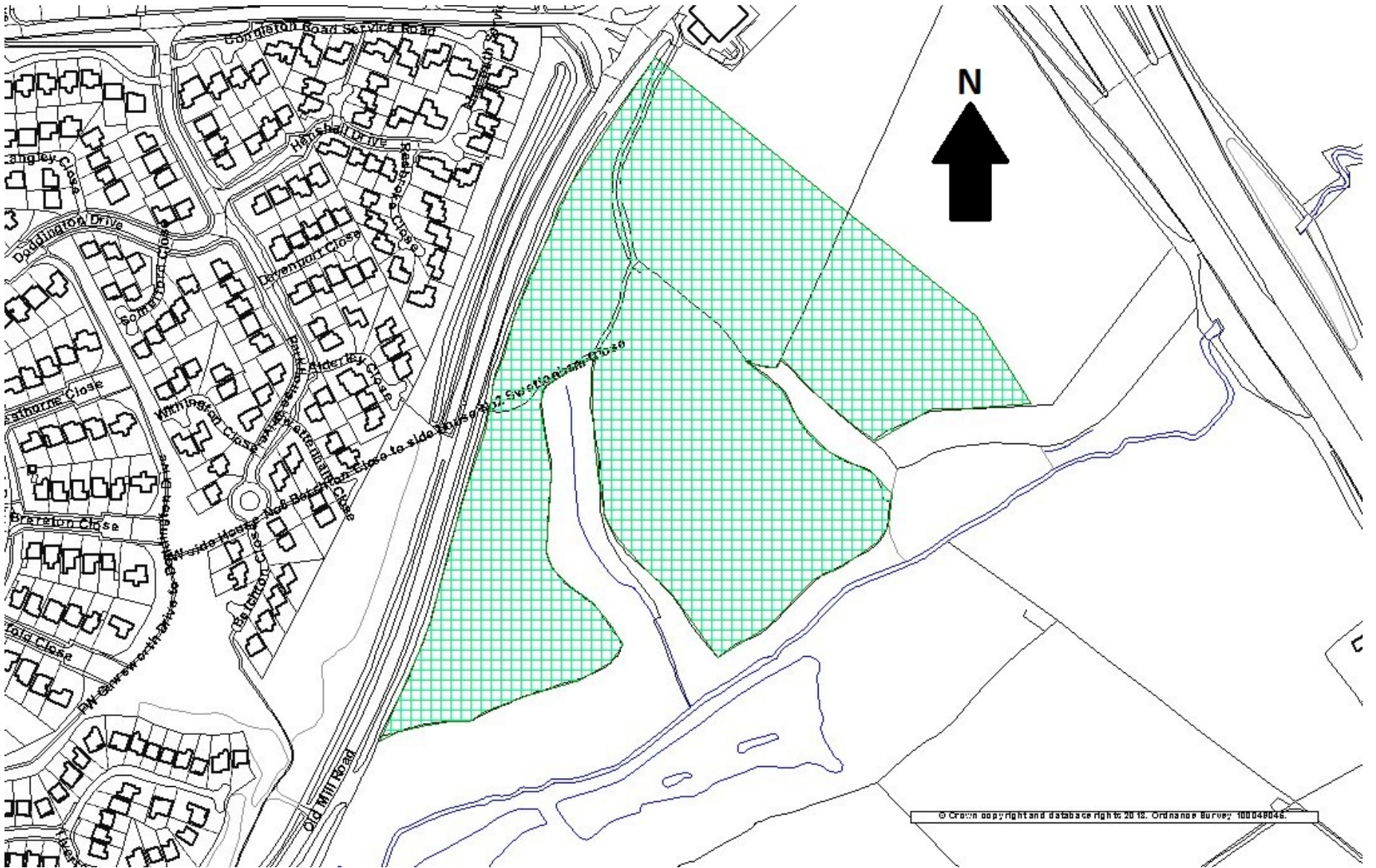
In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning Regulation has delegated authority to do so in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

Application for Reserved Matters

RECOMMENDATION: Approve subject to following conditions

1. To comply with outline permission
2. Time limit following approval of reserved matters
3. Development in accord with approved plans
4. Submission of samples of building materials

5. Landscaping - submission of details
6. Landscaping (implementation)
7. Implementation of noise mitigation scheme
8. Updated badger survey to be submitted
9. 10 year woodland management plan to be submitted
10. Nesting birds survey to be submitted
11. Provision of features for nesting birds and roosting bats to be provided
12. Access and ghost island works on the A534 to be provided
13. Wheelwash facilities to be provided



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Application No: 15/5063N

Location: Land West Of, BROUGHTON ROAD, CREWE

Proposal: Residential development (Use Class C3) consisting of 81 no. new affordable dwellings comprising 10 no. three bed houses, 45 no. two bed houses, 6 no. two bed apartments and 20 no. one bed apartments in three two storey apartment blocks with associated infrastructure including a new estate access off Broughton Road

Applicant: William Fulster, MCI Developments Limited and Wulvern Hou

Expiry Date: 09-Feb-2016

SUMMARY

The site is within the Open Countryside where, under policies NE.2 there is a presumption against new residential development. However, as Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites, the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The site has an 'in principle' planning approval, which is awaiting the finalisation of the section 106 agreement, the previously approved scheme was for the same site, however was a market scheme. Therefore the principle of housing development on this site has been accepted by the Local Planning Authority.

The development would provide significant social benefits in terms of much needed affordable housing provision by providing 100% social rented affordable housing which is desperately needed, and would contribute to the Council's delivery of 5 year housing land supply. It would provide a small area of public open space facility for future residents, and the development would provide significant economic benefits through the provision of employment during the construction phase, new homes and benefits for local businesses. Due to its landscape designation, it is not considered that the proposal will have a significant landscape impact.

Balanced against this are the adverse impacts of the development including the loss of open countryside and the lack of planning obligations for infrastructure which play a vital role in ensuring the social wellbeing of the community. However the contribution of affordable housing is also considered an important and overriding consideration.

On the basis of the above, it is considered that the proposal represents sustainable development and paragraph 14 is engaged due to the provision of 81 social rented affordable homes. Furthermore, applying the tests within paragraph 14 it is considered that the adverse effects of the scheme are significantly and demonstrably outweighed by the benefits.

SUMMARY RECOMMENDATION

Approval subject to conditions

PROPOSAL

The application seeks full planning permission for 81 affordable dwellings, 15 units will be made available for affordable sale, however if they are not sold within 8 weeks they will revert back to social rented, the proposal is for a mix of 10 x three bed dwellings, 45 x two bed dwellings, 6 x two bed apartments and 20 x one bed apartments in three two storey apartment blocks. The layout has been subject to some design changes over the course of the application process, however the mix and broad location of the units has remained the same. The application proposes one point of access to the site. The main access road runs through the site with clusters of dwellings off it. A large amount of boundary landscaping will be retained, with additional landscaping proposed to mitigate impacts on the landscape.

SITE DESCRIPTION

The application site is a rectangular parcel of land on the west side of Broughton Road on the edge of Crewe. The site is surrounded by hedgerows and fencing in places with the hedgerow along the eastern boundary with Broughton Road being particularly strong. There are residential properties either side of the frontage of the site. Beyond the western boundary of the site is the railway line which runs north south. The site is pasture land with no agricultural activity taking place on it and it is not accessible to the public. The site is located within the Open Countryside as identified in the Crewe and Nantwich Local Plan and covers an area of 1.69ha.

RELEVANT HISTORY

P06/0108 – Construction of 8 dwellings and access road – refused 20.03.2006

10/4356N - Change of use for the keeping of Horses, Livery Stables and Associated Works such as Access and Hard Standing – Not determined

14/2915N - Outline Planning Application for Erection of up to 53 no residential units with associated infrastructure and ancillary facilities in Outline with access defined – motion to approve by Southern Planning Committee subject to completion of Section 106 agreement (outstanding)

NATIONAL & LOCAL POLICY

National Policy

The National Planning Policy Framework (the Framework) establishes a presumption in favour of sustainable development. The Framework sets out that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be undertaken in isolation, because they are mutually dependent.

Of particular relevance are paragraphs:

14. Presumption in favour of sustainable development.

49. Housing supply policies

50 and 54. Wide choice of quality homes
56-68. Requiring good design
109. Conserving and enhancing the natural environment
186-187. Decision taking
196-197 Determining applications
203-206 Planning conditions and obligations

Borough of Crewe and Nantwich Replacement Local Plan 2011

NE2. – Open Countryside
NE.5 – Nature Conservation and Habitats
NE.8 – Sites of Local Importance for Nature Conservation
NE.9 – Protected Species
NE17 – Pollution control
BE1 – Amenity
BE2 – Design standards
BE3 – Access and parking
BE4 – Drainage, utilities and resources
BE5 – Infrastructure
RES.3 – Housing densities
RES.5 – Housing in the Open Countryside
RES.8 – Affordable housing in rural areas outside settlement boundaries (rural exceptions policy)
Tran.1 – Public Transport
Tran.3 – Pedestrians
Tran.9 – Car Parking Standards
RT.3 – Provision of recreational open space and children's play space in new housing developments

Cheshire East Local Plan Strategy – Submission Version

The following are considered relevant material considerations as indications of the emerging strategy:

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement hierarchy
PG6 Spatial Distribution of Development
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
IN1 Infrastructure
IN2 Developer contributions
EG1 Economic Prosperity
EG3 Existing and allocated employment sites
SC3 Health and Well-being
SC4 Residential Mix
SC5 Affordable Homes
SE1 Design
SE2 Efficient use of land
SE3 Biodiversity and geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland

SE6 Green Infrastructure
SE9 Energy Efficient Development
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport
CO4 Travel plans and transport assessments

Other Material Considerations

Interim Planning Statement: Affordable Housing
Strategic Housing Market Assessment (SHMA)
Relevant legislation also includes the EC Habitats Directive and the Conservation (Natural Habitats &c.) Regulations 1994

CONSULTATIONS

Environmental Health – No objections subject to conditions recommended regarding Noise Mitigation Scheme, lighting and Environmental Management Plan, charging for electric vehicles, travel planning, dust control and contaminated land. Informative relating to hours of construction.

Highways Officer - The additional development does not have a material traffic impact that warrants a objection to the application. The internal layout as amended is in improvement on the previous submission and whilst there are areas that can be improved, technically the design meets standards and is not a reason for refusal. No objections.

Housing Officer - The Councils Interim Planning Statement: Affordable Housing (IPS) states in Settlements with a population of 3,000 or more that we will negotiate for the provision of an appropriate element of the total dwelling provision to be for affordable housing on all unidentified 'windfall' sites of 15 dwellings or more or larger than 0.4 hectares in size.

The IPS goes on to state the exact level of provision will be determined by local need, site characteristics, general location, site suitability, economics of provision, proximity to local services and facilities, and other planning objectives. However, the general minimum proportion of affordable housing for any site will normally be 30%, in accordance with the recommendation of the 2010 Strategic Housing Market Assessment Update (SHMA). The IPS states that the tenure mix split the Council would expect is 65% rented affordable units (these can be provided as either social rented dwellings let at target rents or affordable rented dwellings let at no more than 80% of market rent) and 35% intermediate affordable units. The affordable housing tenure split that is required has been established as a result of the findings of the SHMA.

The 2013 SHMA Update shows that for the sub-area of Crewe there is a need for 217 new affordable homes per year, made up of a need for 50 x 1 beds, 149 x 3 beds, 37 x 4+ beds, 12 x 1 bed older persons units and 20 x 2 bed older persons units. (There is an oversupply of 2-bed general needs accommodation).

There are currently 966 applicants on our housing register applying for social rented housing who have selected Crewe as their first choice, these applicants require 369 x 1 beds, 364 x 2

beds, 160 x 3 beds and 22 x 4+ beds (48 applicants haven't specified how many bedrooms they need).

The above information evidences that there is a clear need for affordable housing in Crewe and so we support this application. All the Affordable homes should be constructed in accordance with the Nationally Described Space Standards (2015).

Education comments - The development of 61 dwellings of 2 bedroom + is expected to generate:

11 primary children (61 x 0.19 – 1 SEN)

9 secondary children (61 x 0.15)

1 SEN children (61 x 0.51 x 0.03%)

The development is forecast to increase an existing shortfall for primary provision in the immediate locality and SEN provision.

To alleviate forecast pressures, the following contributions would be required:

11 x £11,919 x 0.91 = £119,309.19 (primary)

1 x £50,000 x 0.91 = £45,500 (SEN)

Total education contribution: £164,809.19

Without a secured contribution of £164,809.19, Children's Services raise an objection to this application. This objection is on the grounds that the proposed development would have a detrimental impact upon local education provision as a direct cause from the development. The objection would be withdrawn if the financial mitigation measure is agreed.

Public Rights of Way Officer - Properties should have adequate and best practice cycle storage facilities and all highway designs should incorporate accessibility for cyclists and pedestrians. Should the development be granted consent, the developer should be conditioned to provide new residents with information about local walking and cycling routes for both leisure and travel purposes.

United Utilities – No objections subject to conditions

Environment Agency – No objections, suggested informatives.

VIEWS OF THE TOWN COUNCIL

Crewe Town Council - It was resolved that the Town Council welcomes and supports the provision of affordable housing. However it has concerns about the density of the proposed layout, and in particular the lack of public amenity space and play provision.

OTHER REPRESENTATIONS

Representations from 2 neighbouring properties received raising the following points:

- Car parking
- Schools won't cope locally with all other development planned in the area
- Not supporting local residents
- Cumulative impact on highways from development

- New development eyesore
- Noise and disturbance
- Contamination
- Loss of wildlife

APPLICANT'S SUPPORTING INFORMATION

- Sustainable Drainage Statement
- Noise Assessment
- Transport Statement
- Viability Appraisal (confidential)
- Design and Access Statement
- Planning Statement
- Ecology Statement
- Flood Risk Assessment
- Utilities Statement
- Arboricultural Statement
- Landscape and Visual Impact Assessment
- Geoenvironmental study report
- Ecology Phase I report
- Tree protection plan
- Arboricultural method statement
- Tree survey report
- Affordable housing statement
-

The planning statement concludes the following:

- This report has demonstrated that the proposal will if approved create a high quality and well-designed affordable residential development that will enhance and help towards enhancing the local neighbourhood. The development has also been specifically designed to address and meet local needs.

- This statement provides an overview of the proposals and the overall assessment of the proposals in the context of the Saved Policies of the Crewe and Nantwich Replacement Local Plan, emerging local plan and other policies along with the National Planning Policy Framework. It is considered the application complies with the principles of sustainable development as set out in the Framework. It demonstrates that the proposals perform a positive economic, social and environmental role and therefore justifies a presumption in favour of granting permission with the Framework (Paragraph 14).

APPRAISAL

Principle of development

The site is located within the Open Countryside as designated in the Crewe and Nantwich Local Plan. Development is restricted within the Open Countryside to facilities for agriculture, forestry, outdoor recreation, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area will be permitted. Residential development is restricted to agricultural workers dwellings, affordable housing in the form of Rural Exception Sites and limited infilling within built up frontages.

The proposed development although affordable has not been put forward as a Rural Exception Site and therefore would not fall within any of the categories of exception to the restrictive policy relating to development within the open countryside. As a result, it constitutes a “departure” from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined “in accordance with the plan unless material considerations indicate otherwise”.

The issue in question is whether there are other material considerations associated with this proposal, which are a sufficient material consideration to outweigh the policy objection.

The most important material consideration in this case is the NPPF which states at paragraph 49 that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites and that where this is the case housing applications should be considered in the context of the presumption in favour of sustainable development

It is therefore necessary to make a free-standing assessment as to whether the proposal constitutes “sustainable development” in order to establish whether it benefits from the presumption under paragraph 14 by evaluating the three aspects of sustainable development described by the framework (economic, social and environmental).

This application proposes 81 dwellings and therefore is a clear departure from policy NE.2. However, the principle of residential development has been established through the motion to grant planning permission for a site of 54 market dwellings in early 2015.

Housing Land Supply

Paragraph 47 of the National Planning Policy Framework requires that Council’s identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements.

The calculation of Five Year Housing supply has two components – the housing requirement – and then the supply of housing sites that will help meet it. In the absence of an adopted Local Plan the National Planning Practice Guidance indicates that information provided in the latest full assessment of housing needs should be considered as the benchmark for the housing requirement.

Taking account of the suggested rate of economic growth and following the methodology of the NPPG, the new calculation suggests that need for housing stands at 36,000 homes over the period 2010 – 2030. Although yet to be fully examined this equates to some 1800 dwellings per year.

The 5 year supply target would amount to 9,000 dwellings without the addition of any buffer or allowance for backlog. The scale of the shortfall at this level will reinforce the suggestion that the Council should employ a buffer of 20% in its calculations – to take account ‘persistent under delivery’ of housing plus an allowance for the backlog.

While the definitive methodology for buffers and backlog will be resolved via the development plan process this would amount to an identified deliverable supply of around 11,300 dwellings.

This total exceeds the total deliverable supply that the Council is currently able to identify – and accordingly it remains unable to demonstrate a 5 year supply of housing land.

The above policy context must also be weighed in the planning balance taking account of the sustainability objectives as detailed below.

Sustainability

Sustainability is the golden thread running through the National Planning Policy Framework, and proposals for sustainable development should be approved without delay. There are three strands to sustainability, social, economic and environmental.

SOCIAL SUSTAINABILITY

Affordable Housing

The application proposes 81 affordable dwellings, to be provided by a registered provider Wulvern Housing. There is a pressing need for affordable housing of all tenures, however the need for social rented accommodation is high, this proposal will put 15 units for affordable sale with the remainder social rented, however if the sale units are not sold within 8 weeks they automatically revert back to social rented. The 2013 SHMA sets out that there is a requirement for 217 affordable homes in Crewe per annum, therefore this site will make a significant contribution to this requirement. The 2013 SHMA Update shows that for the sub-area of Crewe there is a need for 217 new affordable homes per year, made up of a need for 50 x 1 beds, 149 x 3 beds, 37 x 4+ beds, 12 x 1 bed older persons units and 20 x 2 bed older persons units.

There are currently 966 applicants on the Council's housing register applying for social rented housing who have selected Crewe as their first choice, these applicants require 369 x 1 beds, 364 x 2 beds, 160 x 3 beds and 22 x 4+ beds (48 applicants haven't specified how many bedrooms they need).

The proposal is strongly supported by Housing officers within Cheshire East Council, and the split in one, two and three bedroom units is welcomed. Therefore the proposal makes a significant contribution to the community in its own right and therefore is socially very sustainable.

Development proposals for housing can traditionally contribute to social sustainable development through the provision of some community benefit, this is often brought about through contributions (financial or otherwise). A main community benefit is itself the provision of affordable housing. However, alongside this, for large developments, other benefits are required to make the development acceptable in planning terms, and to ensure that it does not have a detrimental impact on the community it is to serve.

Education

Following consultation with children's services a financial contribution is required as the development of 61 dwellings of 2 bedroom + is expected to generate:

11 primary children ($61 \times 0.19 = 1$ SEN)

9 secondary children (61×0.15)

1 SEN children ($61 \times 0.51 \times 0.03\%$)

The development is forecast to increase an existing shortfall for primary provision in the immediate locality and SEN provision.

To alleviate forecast pressures, the following contributions would be required:

$11 \times £11,919 \times 0.91 = £119,309.19$ (primary)

$1 \times £50,000 \times 0.91 = £45,500$ (SEN)

Total education contribution: £164,809.19

Open Space

Policy RT.3 states that where a development exceeds 20 dwellings the Local Planning Authority will seek POS on site. There is therefore a requirement for open space as part of the proposal. The layout indicates an area of open space within the site; however comments from Ansa are awaited regarding the specific requirements for this scheme and will be provided as an update.

Viability

As part of the proposals a confidential viability assessment was submitted. This concluded that due to the nature of the scheme, being a 100% affordable housing scheme, it could not bear the costs of any financial planning obligations and could therefore not be fully policy compliant. This was independently tested through an external viability specialist. The report did conclude that the scheme would not be able to bear any financial cost of planning obligations.

However, a key planning obligation is for affordable housing, whereby 30% is expected from all developments. Therefore for this scheme to be providing 100% it is fully compliant with regard to this requirement. Therefore it is for this assessment to consider whether on balance the benefits outweigh the disadvantages of partial policy compliant scheme.

Social Sustainability Conclusion

It is considered that, although the proposal will not make an education or public open space contribution, it will make a very significant contribution to the provision of affordable housing, especially in an area where it is desperately needed. On balance this contribution alone does provide significant community benefit, and it is unfortunate that the scheme is unable to provide a financial educational contribution however this has been robustly tested through a viability appraisal which shows that this contribution cannot be afforded by the scheme. It is not considered that the education can be a showstopper, as an affordable housing scheme such as this, developed by a registered provider will be under significant financial pressure, as demonstrated by the viability reports. Although it is finely balanced this proposal will be sustainable socially by providing much needed affordable housing.

ECONOMIC SUSTAINABILITY

With regard to the economic role of sustainable development, the proposed development will help to maintain a flexible and responsive supply of land for housing as well as bringing direct

and indirect economic benefits to the local area including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Agricultural Land

Policy NE.12 of the Local Plan states that development on the best and most versatile agricultural land (Grades 1, 2 and 3A) will not be permitted unless:

- The need for the development is supported by the Local Plan
- It can be demonstrated that the development proposed cannot be accommodated on land of lower agricultural quality, derelict or non-agricultural land
- Other sustainability considerations suggest that the use of higher quality land is preferable

The National Planning Policy Framework highlights that the use of such land should be taken into account when determining planning applications. It advises local planning authorities that, 'significant developments' should utilise areas of poorer quality land (grades 3b, 4 & 5) in preference to higher quality land.

In this case, the agricultural land is designated as "Urban" on the Council's constraints maps, which on the Magic Agricultural Land Classification comes below Grade 5 and Non Agricultural. It is therefore considered that the proposal does not involve the development of the best and most versatile agricultural land.

Economic sustainability conclusion

It is considered that the proposals represent sustainable development in terms of the economic sustainability of the scheme which will provide benefits to the local area through the construction process and the use by residents of local businesses.

ENVIRONMENTAL SUSTAINABILITY

Landscape Impact

The application was accompanied by a Landscape and Visual Impact Assessment (LVIA) this identifies both the national and local character areas in which the application site is located, namely National Character Area 61 'Shropshire, Cheshire and Staffordshire Plain' and within the Cheshire Landscape Character Assessment 2008, the East Lowland Plain, and specifically the ELP7: Wimboldsley Landscape Character Area.

The appraisal identifies that the likely landscape significance of effects on the setting will be Moderate-Major, but that in time mitigation will be minor adverse and negligible on the wider setting. The appraisal also identifies that the proposed development will have some effect on the surrounding visual amenity, and that the main visual receptors, those on Broughton Road, will have a moderate/major effect, which will reduce as mitigation becomes effective.

The Landscape Officer broadly agrees with the landscape and visual impacts that are identified in the appraisal and does not consider that the proposals will have a significant landscape or visual impact.

It is important that new developments in the Open Countryside do not have a detrimental landscape impact, it is considered that through mitigation over time, this proposal will not have a significant landscape or visual impact.

Impact on Trees

The arboricultural officer assessed the initial layout, however is now reviewing the amended layout. The comments relating to the second amendment of the application state the following:

The revised draft plan (SK 03B) makes minor increases to the separation between trees and dwellings but there is no evidence that this has been informed by a shade analysis and they have used round tree symbols rather than the true crown shapes shown on the earlier tree survey. The relationship between trees and western boundary plots 51, 55 & 57 in particular still appears poor with a large proportion of garden area covered by tree canopy.

Whilst there are some reservations, in the event of approval the tree protection plan and schedule of tree works will need updating to reflect the final layout- secured by an appropriate condition if not provided prior to determination. Please note that the tree works schedule originally proposed a 3m reduction of the crown on the tree affecting plots 55/57. As a current spread to the east of 6m has been reported, this extent of reduction seems excessive, so may need to be reconsidered.

Dialogue is ongoing between the arboricultural officer and the agent, and it is considered that the issues can be addressed through a suitably worded condition, in order for the proposed development not to have an adverse impact on the health or the amenity of the trees surrounding the site.

Public Rights of Way

There are no PROW located on the application site. In relation to the request for cycleway improvements, noted above in the consultations, it is not considered that the suggestions would be CIL compliant.

Ecology

The development site has a number of ecological concerns, these are set out in the comments below from the Council's ecologist.

Great Crested Newts

Some years ago this protected species was recorded at both of the ponds on the application site and also a number of other ponds some distance from the application site.

Based on the results of survey undertaken to inform earlier applications at this site and adjacent land I advise that great crested newts are now unlikely to be present or affected by the proposed development.

Lesser Silver Diving beetle and mud snail

Lesser silver diving beetle is a protected and priority species. Mud snail is a local priority species. Both of these species were recorded as being present at the two ponds on site.

There is also a ditch present along the southern edge of the application site. It is unclear whether this ditch would be lost as a result of the proposed development. Clarification of this point must be sought from the applicant.

The proposed development is likely to have a significant adverse impact on these species as a result of the direct loss of the ponds on site.

In order to address the adverse impacts of the proposed development upon these two species the submitted mitigation strategy proposes the creation of two replacement ponds and a section of ditch on land located offsite in third party ownership. I advise that there is no certainty that this mitigation strategy would be successful. These two species are however dependant upon specific management regimes including trampling of the ponds margins by livestock. The proposed strategy of providing replacement ponds within the local range of this species is therefore preferred to the alternative option of attempting to retain these two species at ponds within a housing development.

If planning consent is granted it is advised that a condition should be attached requiring the submission of a more detailed mitigation method statement, which includes a detailed design for the proposed ponds and a detailed monitoring specification for three years, prior to the commencement of development. As the proposed compensatory ponds are located offsite on third party land a section 106 agreement may be required to secure their implementation and on-going maintenance.

Reptiles

Reptiles are known to occur in this broad locality of the application site and may occur on the application site on a transitory basis. To ensure reptiles are not killed or injured during the construction phases the applicant should submit a method statement of reasonable avoidance measures which include proposals to ensure that the site remains in a state unsuitable for reptiles prior to the commencement of development. The applicant has submitted a brief method statement in order to address this point however the method statement is more relevant to great crested newts.

An updated method statement should be submitted to the Council prior to the determination of the application.

Hedgerows

Hedgerows are a priority habitat and hence a material consideration. It appears feasible for much of the boundary hedgerows to be retained as part of the proposed development. There will however be a loss of hedgerows from the sites interior and also a loss of hedgerow from the site frontage to facilitate the site access.

No replacement hedgerow planting appears to be proposed to compensate for these losses and so there will be a net loss of hedgerows as a result of the proposed development.

Breeding Birds

If planning consent is granted the conditions would be required to safeguard nesting birds.

Following dialogue between the applicant's ecologist and the Council's ecologist, additional information in respect of the issues raised above has now been submitted and considered by the ecologist. With regard to the mitigation for the Lesser silver diving beetle and mud snail,

this can be secured by way of a Grampian condition as it relates to a site which is on third party land. The method statement submitted addresses the issues and details the mitigation, it is recommended that the condition refer specifically to the method statement which has been agreed with the Council's ecologist. Other ecological issues are addressed through suitably worded conditions agreed with the ecologist. Therefore it is considered that the proposal accords with policy NE.9 of the Crewe and Nantwich Local Plan.

Flood Risk

The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps. Flood Zone 1 defines that the land has less than 1 in 1000 annual probability of flooding and all uses of land are appropriate in this location. As the application site is more than 1 hectare, a Flood Risk Assessment (FRA) has been submitted in support of the application.

The Environment Agency and United Utilities have been consulted as part of this application and have both raised no objection to the proposed development subject to the imposition of planning conditions. As a result, the development is considered to be acceptable in terms of its flood risk/drainage implications.

Contaminated Land

The Environment Agency and Environmental Health have been consulted with regard to contamination, the Contaminated Land team has raised no objections however the Phase I report recommends a Phase II ground investigation be undertaken in order to further investigate the potential contamination risks at the site.

The Phase II report has now been submitted and is currently under review by Environmental Health.

Air Quality

Following consultation with Environmental Health it is clear that the cumulative impact of a number of developments in the area, (regardless of their individual scale) has the potential to significantly increase traffic emissions, and as such adversely affect local air quality for existing residents by virtue of additional road traffic emissions.

Crewe has three Air Quality Management Areas and unless managed, the cumulative impacts of developments in the town will make the situation worse. It is the view of this office that any increase in concentrations within an AQMA is significant as it is directly converse to local air quality objectives and the Air Quality Action Plan. The NPPF requires that development be in accordance with the Council's Air Quality Action Plan.

Modern Ultra Low Emission Vehicle Technology (such as all electric vehicles) are expected to increase in use over the coming years (the Government expects most new vehicles in the UK will be ultra low emission). As such, it is considered appropriate to create infrastructure to allow home charging of electric vehicles in new, modern, sustainable developments. Conditions in relation to air quality have been recommended.

Noise Impact

The West Coast Mainline railway runs approximately 45 metres at the closest point to the west of the proposed development site and noise and vibration from this would have the

potential to adversely impact upon any residential properties. Environmental Health do not consider that vibration should be an issue at the proposed distance of the development from the rail track however the noise assessment shows that mitigation is required to achieve acceptable noise levels in internal and external living areas. A noise mitigation scheme has been submitted with the application which has been considered to be acceptable by Environmental Health. Therefore it is considered that the proposed development will not have a detrimental impact on the amenity of future residents by virtue of excessive noise or vibration.

Neighbour Amenity

The proposed development does not create issues with overlooking, loss of privacy or loss of light to existing properties due to the juxtaposition of the proposed dwellings and the provision of adequate separation distances. The proposed dwellings within the site will have an area of private amenity space, and will not create conflict by overlooking, loss of light, or loss of privacy within the scheme. Therefore it is considered that the proposed development accords with policy BE1 of the Crewe and Nantwich Local Plan.

Location

With regard to environmental sustainability, it is considered that the proposals are sustainable the proposed development is on the edge of Crewe which is a main service centre with a variety of amenities and services and is within close proximity to public transport connection, there is a footpath along Broughton Road. Therefore the location of the proposed development is considered to be environmentally sustainable.

Design

The importance of securing high quality design is specified within the Framework. Paragraph 61 states that:

“Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.”

In this case the proposal has been amended during the application process and various improvements have been made to the layout to create a greater sense of place and a more sustainable environment for the future residents of the site. The amendments include additional detailing on house types, staggering of the dwellings within the layout, the removal of some car parking from frontages, improvements in the road layout with a hierarchy of surfaces and road widths. The highways design has been agreed with the Highways Officer and is designed to an adoptable standard.

The density of the scheme is high, due to apartments being on the site with a density of 47 dwellings per hectare, with a mixture of 2.5 storey, and 2 storey units. There is a high number of one bed units so the site will not appear cramped and it still meets the recommended 30-50 units per hectare within the Local Plan. Therefore the proposal accords with policy RES.3 of the Local Plan.

Following the amendments to the scheme it is now considered that an acceptable design/layout has been achieved, and it does include an area of open space to the front of the site. It is considered that the proposed development accords with policy BE.2 of the Local Plan.

Highways

There have been objections raised by neighbouring properties in relation to highways and the surrounding road network. However the Highways Officer does not raise specific objection noting the previous application for 53 units.

Transport impact

An assessment of the traffic impact for the 53 units scheme was submitted with application 14/2915N, this submission has provided traffic generation figures for the additional impact of 28 units on the network. It is the case that there are capacity issues at a number of junctions on the Remer Street corridor and also further committed developments will come forward. Consideration was given on the previous application as to whether a refusal on grounds of traffic impact on these junctions could be defended. Given that once distributed, the development traffic would result in very minor increases in flows at the congested junctions it was determined that a refusal on traffic impact grounds could not be supported. Clearly, this application represents a further increase again although the amount of trips involved does not change the decision that it does not result in a material impact on the road network.

Internal layout

As this is a full application, the internal road layout is to be determined. The applicant has submitted a revised layout drawing that incorporates some traffic calming measures that will assist in reducing traffic speeds. As the internal roads are to be adopted there is some scope to change the amount of shared surface in the S38 Agreement and this will also aid the design.

Summary

The additional development does not have a material traffic impact that warrants an objection to the application. The internal layout as amended is in improvement on the previous submission and whilst there are areas that can be improved, technically the design meets standards and is not a reason for refusal.

Representations

Objections to the proposal have been received from neighbouring properties to the proposed development on various grounds which have been considered and are addressed in the main body of the report.

PLANNING BALANCE

The site is within the Open Countryside, where new development for housing is restricted to agricultural, forestry, limited infilling and affordable housing through Rural Exception Sites. As Cheshire East cannot demonstrate a 5 year supply of deliverable housing sites the presumption in favour of sustainable development at paragraph 14 of the Framework applies where it states that LPAs should grant permission unless any adverse impact of doing so

would significantly and demonstrably outweigh the benefits from it, when assessed against the Framework as a whole; or specific policies in the Framework indicate development should be restricted.

The site has a resolution to grant planning permission for residential development early 2015, and therefore the principle of housing development has been accepted by the Council on this site. The proposed development is for a 100% affordable housing scheme, which is needed within Cheshire East. The development cannot afford financial contributions, however the provision of affordable housing is a significant social benefit to the scheme. On balance, although it is regrettable that the scheme cannot contribute to a full package of community benefits, it is considered that the benefits of the scheme weigh significantly in the planning balance and outweigh the disadvantages of the scheme.

Through the assessment as to whether the scheme represents sustainable development, it is considered that it does achieve this in terms of social, environmental and economic sustainability. Therefore the proposal aligns with the presumption in favour of sustainable development set out in the NPPF, and should be approved without delay.

The benefits in this case are:

- The development would provide benefits in terms of much needed affordable housing provision and would help in the Council's delivery of 5 year housing land supply.
- The development would provide a small public open space facility for future residents.
- The development would provide significant economic benefits through the provision of employment during the construction phase, new homes and benefits for local businesses.
- The design of the proposed development has been improved to adopt some key urban design principles.
- The proposal will not have an adverse landscape impact.

The development would have a neutral impact upon the following subject to mitigation:

- The impact upon protected species/ecology is considered to be neutral subject to the imposition of conditions to secure mitigation.
- There is not considered to be any significant drainage implications raised by this development.
- The impact upon trees is considered to be neutral as this can be addressed through mitigation.
- The impact upon the residential amenity/noise/air quality/landscape and contaminated land could be mitigated through the imposition of planning conditions.
- Highway impact would be broadly neutral due to the scale of the development.

The adverse impacts of the development would be:

- The loss of open countryside.
- The impact upon education infrastructure as this cannot be mitigated through the provision of an education contribution as demonstrated by the viability assessment which has been tested independently.

The scheme is therefore recommended for approval.

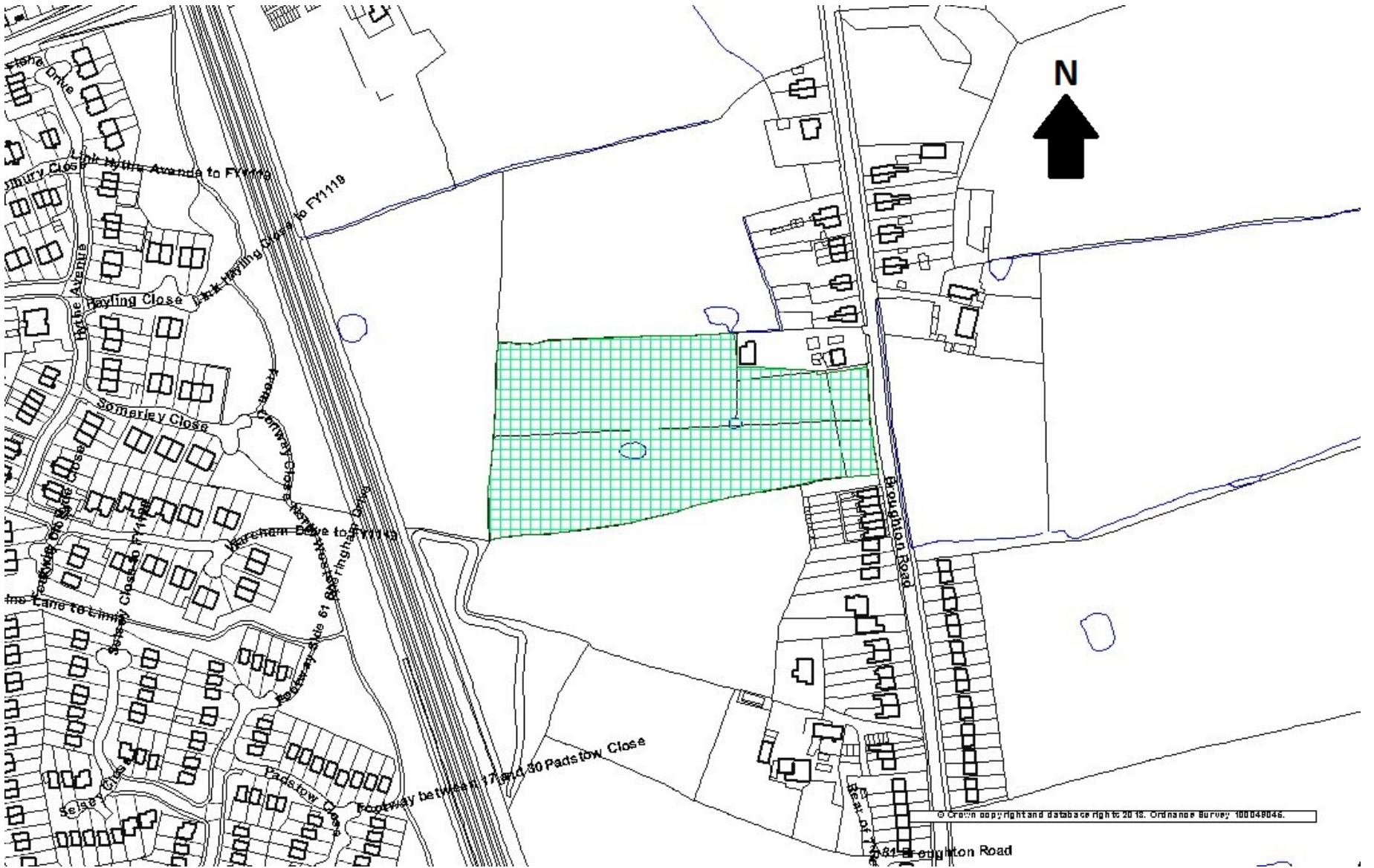
RECOMMENDATION

Approve subject to the following conditions:

1. Commencement of development (3 years)
2. Development in accord with approved plans, including, materials, levels, boundary treatments
3. Delivery of affordable housing
4. Grampian condition mitigation for Lesser silver diving beetle and Mud snail
5. Mitigation for Breeding Birds in accordance with submitted details
6. Reptile method statement
7. Submission of landscape scheme
8. Submission of drainage scheme
9. Arboricultural method statement and tree protection measures
10. Dust Management and site welfare plan in accordance with details provided
11. Noise mitigation scheme
12. Details of lighting to be submitted
13. Details of construction management plan
14. Electric vehicle charging points to be provided for dwellings
15. Travel plan to be submitted
16. Phase II investigation to be submitted

Informatives:

1. Hours of construction
2. Contamination informative
3. Environment Agency contamination informative



CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD REPORT

Date:	24 th February 2016
Report of:	David Malcolm – Head of Planning (Regulation)
Title:	Update Following the Refusal of Application 14/3892C – Outline Application for Redevelopment of the Site to provide up to 200 homes and a Community Facility
Site:	Land West of Crewe Road, Sandbach

1.0 Purpose of Report

1.1 Planning application 14/3892C was determined by the Strategic Planning Board on 3rd June 2015. This report is to consider an update to the reasons for refusal in advance of the upcoming appeal.

1.2 The minutes from the meeting are as follows:

(a) That the application be REFUSED for the following reasons:

1. The Local Planning Authority considers that having regard to the context of developments in the Sandbach area and the scale of the proposed development that it would be premature following the publication consultation draft of the Sandbach Neighbourhood plan. As such allowing this development would prejudice the outcome of the neighbourhood plan-making process and would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.

2. Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that the development is unsustainable because of the conflict with the draft Sandbach Neighbourhood plan and because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land and open countryside. These factors significantly and demonstrably outweigh the social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such the proposal is contrary to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy – Submission Version and the provisions of the NPPF.

(b) That, in order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority

be delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

(c) That, should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure. The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision*
- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing*
- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved*
- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and*
- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.*

2. Provision of Public Open Space and a NEAP (8 pieces of equipment) to be maintained by a private management company in perpetuity

3. Provision of a fully serviced site to be large enough to accommodate a 1 Form Entry Primary School (or other community facility to be agreed in writing with the LPA) and the requested contributions of £390,466 (for primary education) and £424,910 (for secondary school education).

4. Highways Contribution of £166,000

5. PROW Contribution of £42,280

2.0 Decision Required

- 2.1 Since the refusal of this application an appeal has now been lodged and it is now necessary to update the reasons for refusal to reflect the current policy position as detailed.

3.0 Background

- 3.1 The site of the proposed development extends to 10 hectares and is located to the west of Crewe Road and the south-west of Park Lane. To the north-west of the site is Abbeyfields a Grade II Listed Building. The Wheelock Rail Trail is located to the south of the site within a cutting. To the north-east and east are residential properties which front onto Park Lane and Crewe Road and to the south-east are properties which front Hind Heath Lane. To the west of the site is agricultural land.

- 3.2 The land is currently in agricultural use and there are a number of trees and lengths of hedgerow to the site boundaries. Some of these trees are subject to TPO protection.

4 Proposed Development

- 4.1 14/3892C is an outline planning application for up to 200 dwellings and a community facility. Access is to be determined at this stage with all other matters reserved.
- 4.2 The access point to serve the site would be taken off Crewe Road to the east of the site. The site would include the provision of 30% affordable housing and public open space.
- 4.3 The development would consist of a mix of house types varying from 1-5 bedroom units with a gross density of 20 dwellings per hectare and a net density of 39 dwellings per hectare. The development would include 3.09 hectares of green infrastructure. The indicative layout shows that the community facility would accommodate a primary school.
- 4.4 The land to the north is known as 'Abbeyfields' and has been subject to an extensive planning history. Planning applications 10/3471C and 12/1463C have given outline approval for 280 dwellings on this site.

5 Officer Comment

- 5.1 Given the passage of time it is now considered appropriate to provide an update on the current situation to allow the appeal to proceed based on the most up to date position. In this case the first reason for refusal refers to the development being premature following the publication consultation draft of the Sandbach Neighbourhood Plan. In this case the Sandbach Neighbourhood Plan has now been through examination and a number of changes have been suggested.
- 5.2 It is understood that these changes will be made and the Neighbourhood Plan will proceed to referendum on this basis. The current timetable indicates that the Neighbourhood Plan (subject to a successful vote in favour of the Plan) will be made prior to the public inquiry and if this is the case the appeal will no longer be premature but will be contrary to the Neighbourhood Plan.
- 5.3 It should also be noted that there is a clear link between the Sandbach Neighbourhood Plan and the emerging Cheshire East Local Plan Strategy which was noted by the Examiner.
- 5.4 On this basis it is necessary to agree the alternative wording that this appeal is defended on. The suggested wording is as follows:

1. *The Local Planning Authority considers that having regard to the cumulative impact of developments in Sandbach that the proposed development would be contrary to Policy PC1 contained within the Sandbach Neighbourhood plan and that the development when taken cumulatively with other developments in Sandbach would be premature and would prejudice the Local Plan making process. As a result the development would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.*

6 Conclusion

6.1 On the basis of the above, it is considered that the appeal be defended on the amended grounds.

7 Recommendation

7.1 That the appeal is defended on the following grounds;

1. *The Local Planning Authority considers that having regard to the cumulative impact of developments in Sandbach that the proposed development would be contrary to Policy PC1 contained within the Sandbach Neighbourhood plan and that the development when taken cumulatively with other developments in Sandbach would be premature and would prejudice the Local Plan making process. As a result the development would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.*

2. *Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that the development is unsustainable because of the conflict with the draft Sandbach Neighbourhood plan and because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land and open countryside. These factors significantly and demonstrably outweigh the social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such the proposal is contrary to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy – Submission Version and the provisions of the NPPF.*

8 Financial Implications

8.1 There are no financial implications.

9 Legal Implications

9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

10 Risk Assessment

10.1 There are no risks associated with this decision.

11 Reasons for Recommendation

11.1 For the purpose of defending this appeal at the upcoming public inquiry.

For further information:

Portfolio Holder: Councillor Ainsley Arnold
Officer: Daniel Evans – Principal Planning Officer
Tel No: 01270 686751
Email: daniel.evans@cheshireeast.gov.uk

Background Documents:

- *Application 14/3892C*

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CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD REPORT

Date:	24 th February 2016
Report of:	David Malcolm – Head of Planning (Regulation)
Title:	Update following the Refusal of Application 14/5921C – A Mixed Use Development including Residential and Commercial (outline)
Site:	Land off London Road, Brereton

1.0 Purpose of Report

- 1.1 Planning application 14/5921C was determined by the Strategic Planning Board on 15th April 2015. This report is to consider an update to the reasons for refusal in advance of the upcoming appeal.
- 1.2 The minutes from the meeting are as follows:

RESOLVED That the application be refused for the following reasons:-

1. The proposal is an unsustainable form of development as it is located within the Open Countryside and is contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 and the principles of the National Planning Policy Framework.

2. The proposed development would result in a harmful encroachment into the open countryside. The development would adversely impact upon the landscape character and does not respect or enhance the landscape when viewed from the local footpath network. The proposed development is therefore contrary to Policies GR1 and GR5 of the Congleton Borough Adopted Local Plan First Review and guidance contained within the NPPF.

3. The proposed development is unlikely to function or operate in a sustainable manner, taking account of the predicted generation of vehicular traffic and the sites location relative to local services, facilities and public transport connections. The proposal is therefore contrary to local and national planning policies that seek to promote sustainable development, in particular paragraphs 7, 14 and 34 of the NPPF.

4. Insufficient information has been submitted with the application in order to assess adequately the impact of the proposed development on the surrounding road network. In the absence of this information, it has not been possible to demonstrate that the proposal would not result in a severe impact on the surrounding road network and would comply

with relevant national policy guidance and Development Plan policies relating to highway safety.

5. The Local Planning Authority considers that the scale of the proposed development would be premature following the publication consultation draft of the Brereton Neighbourhood Plan. As such allowing this development would prejudice the outcome of the neighbourhood plan-making process and would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.

6. The proposal is contrary to Policy PG2 of the Cheshire East Local Plan Strategy Submission Version March 2014. The site is located in the parish of Brereton which is identified as an 'other settlement and rural area' for the purposes of this policy where growth should be confined to small scale infill, change of use or conversions or affordable housing developments. The proposed development is of a significant scale which does not reflect the function and character of Brereton and is therefore contrary to the principles of Policy PG2.

Should the application be subject to an appeal, the details regarding the Section 106 Agreement and the conditions should be delegated to the Head of Planning (Regeneration) in consultation with the Chairman of the Strategic Planning Board and Ward Councillors.

In order to give proper effect to the Board's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning (Regeneration), in consultation with the Chairman (or in his absence the Vice Chairman) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

2.0 Decision Required

- 2.1 Since the refusal of this application an appeal has now been lodged and it is now necessary to update the reasons for refusal to reflect the current policy position.

3.0 Background

- 3.1 The application site measures 16.02 hectares and is located to the south of the settlement boundary of Holmes Chapel, in the parish of Brereton. It is located immediately to the west of London Road, with its eastern boundary running parallel with the road for a distance of approximately 500m. The northernmost part of the site is located opposite Sanofi Aventis, and south of existing and proposed residential development. The western and southern boundaries of the site adjoin open countryside, with some sporadic residential and commercial development within the vicinity. The railway line runs in a north-easterly, south-westerly alignment to the north/west of the site. The site is within open countryside as defined by the Congleton Borough Local Plan.

- 3.2 The site is made up of large, relatively flat and open agricultural fields, with existing hedgerows located along the site boundaries and within the fields. Public footpaths are located to the north and south with one running through the site along its western boundary. An existing pond is located within the site.

4 Proposed Development

- 4.1 Outline planning permission is being sought for a mixed use development on a site of 16.02 hectares of up to 190 dwellings (including a minimum of 30% affordable housing) and 0.8 hectares of employment land with a maximum floor area of 350 sq metres of use class B1 commercial space. All matters are reserved except access. Two access points are proposed off London Road, one to serve the residential development and one to serve the commercial development. Main access routes within the residential development are also indicated on the submitted masterplan.
- 4.2 Associated development of a playing field (0.22 Ha), a small play area (0.04 Ha), an attenuation pond (1,966 sq metres), proposed public open space (4.51 Ha), proposed nature reserve and retained woodland (2.7 Ha), circular footpath link around the site and buffer planting and habitat areas are also proposed.
- 4.3 The Design & Access Statement indicates that the housing would be mixed, between 2 and 5 bedrooms comprising of a range of house types (single and two storey) from linked town houses to detached properties. The commercial development is likely to be two storey, up to a maximum of three storey.

5 Officer Comment

- 5.1 Given the passage of time it is now considered appropriate to provide an update on the current situation to allow the appeal to proceed based on the most up to date position. In this case the third and fourth reasons for refusal relate to highways matters and the fifth reason for refusal relates to the Brereton Neighbourhood Plan.
- 5.2 Reason for refusal three relates to the predicted vehicular traffic and whether due to this the site could operate in a sustainable manner.
- 5.3 Reason for refusal four relates to insufficient information in order to be able to assess adequately the impact of the proposed development on the road network.
- 5.4 Since the appeal was lodged, a second planning application has been submitted for the proposed development. During this process the applicant and the Highways Officer have been in discussions. A final highways solution has now been agreed and plans to demonstrate this have been submitted, this means that the traffic generated by the development and the impact this would have on the surrounding network can be sufficiently mitigated. Therefore with this information available it is considered that reasons three and four could no longer

be successfully defended through the appeal process. Therefore it is proposed to delete reasons three and four.

5.5 With regard to reason for refusal five, the site lies within the Parish of Brereton, therefore the progress of this Neighbourhood Plan is an important consideration in this decision. A Neighbourhood Plan, when made, will form part of the Development Plan for the local area and the policies within it will form part of the decision making process.

5.5 The Brereton Neighbourhood Plan has been through examination, the necessary amendments have been made, and it is due to go through the referendum process on 10th March. Therefore should the referendum result in the Neighbourhood Plan be successful, it is scheduled to be made prior to the Public Inquiry for this appeal. If this is the case the appeal will no longer be premature to the Neighbourhood Plan making process but will be contrary to the Neighbourhood Plan.

5.6 On this basis it is necessary to agree alternative wording that this appeal is defended on. The suggested wording is as follows:

5. The Local Planning Authority considers that having regard to the location of the proposed development which would not be directly related to the settlements of Brereton or Brereton Heath as defined by key map C20a and key map C20b contained within Brereton Neighbourhood Plan, the proposed development would be contrary to policy HOU01 which restricts development within the Parish of Brereton to the settlement boundaries of these locations only. As a result the development would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.

6 Conclusion

6.1 On the basis of the above, it is considered that the appeal be defended on the amended grounds.

7 Recommendation

7.1 That the appeal is defended on the following grounds;

1. The proposal is an unsustainable form of development as it is located within the Open Countryside and is contrary to Policies PS8 and H6 of the Congleton Borough Adopted Local Plan First Review 2005 and the principles of the National Planning Policy Framework.

2. The proposed development would result in a harmful encroachment into the open countryside. The development would adversely impact upon the landscape character and does not respect or enhance the landscape when viewed from the local footpath network. The proposed development is therefore contrary to Policies GR1 and GR5 of the

Congleton Borough Adopted Local Plan First Review and guidance contained within the NPPF.

5. The Local Planning Authority considers that having regard to the location of the proposed development which would not be directly related to the settlements of Brereton or Brereton Heath as defined by key map C20a and key map C20b contained within Brereton Neighbourhood Plan, the proposed development would be contrary to policy HOU01 which restricts development within the Parish of Brereton to the settlement boundaries of these locations only. As a result the development would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.

6. The proposal is contrary to Policy PG2 of the Cheshire East Local Plan Strategy Submission Version March 2014. The site is located in the parish of Brereton which is identified as an 'other settlement and rural area' for the purposes of this policy where growth should be confined to small scale infill, change of use or conversions or affordable housing developments. The proposed development is of a significant scale which does not reflect the function and character of Brereton and is therefore contrary to the principles of Policy PG2.

8 Financial Implications

8.1 There are no financial implications.

9 Legal Implications

9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

10 Risk Assessment

10.1 There are no risks associated with this decision.

11 Reasons for Recommendation

11.1 For the purpose of defending this appeal at the upcoming public inquiry.

For further information:

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Background Documents:

- Application 14/5921C

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CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD REPORT

Date:	24 th February 2016
Report of:	David Malcolm – Head of Planning (Regulation)
Title:	Update following the Refusal of Application 14/1189C – Outline Application for 165 dwellings
Site:	Land off Abbey Road, Sandbach

1.0 Purpose of Report

1.1 Planning application 14/1189C was determined by the Strategic Planning Board on 3rd June 2015. This report is to consider an update to the reasons for refusal in advance of the upcoming appeal.

1.2 The minutes from the meeting are as follows:

(a) That the application be REFUSED for the following reasons:

1. *The Local Planning Authority considers that having regard to the context of developments in the Sandbach area and the scale of the proposed development that it would be premature following the publication consultation draft of the Sandbach Neighbourhood plan. As such allowing this development would prejudice the outcome of the neighbourhood plan-making process and would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.*

2. *Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that the development is unsustainable because of the conflict with the draft Sandbach Neighbourhood plan and because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land and open countryside. These factors significantly and demonstrably outweigh the social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such the proposal is contrary to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy – Submission Version and the provisions of the NPPF.*

(b) That, in order to give proper effect to the Board's/Committee's intentions and without changing the substance of the decision, authority

be delegated to the Head of Strategic & Economic Planning, in consultation with the Chair (or in his absence the Vice Chair) of Strategic Planning Board, to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

(c) That, should the application be subject to an appeal, the following Heads of Terms should be secured as part of any S106 Agreement:

1. A scheme for the provision of 30% affordable housing – 65% to be provided as social rent/affordable rent with 35% intermediate tenure.

The scheme shall include:

- The numbers, type, tenure and location on the site of the affordable housing provision

- The timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing

- The arrangements for the transfer of the affordable housing to an affordable housing provider or the management of the affordable housing if no Registered Social Landlord is involved

- The arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

- The occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

2. Provision of Public Open Space and a NEAP (8 pieces of equipment) to be maintained by a private management company

3. Primary school education contribution of £325,388.70

4. Secondary school education contribution of £343,169.49

5. PROW Contribution of £25,000

6. Highways Contribution of £137,211 towards improvements to the A533/A534 corridor

2.0 Decision Required

- 2.1 Since the refusal of this application an appeal has now been lodged and it is now necessary to update the reasons for refusal to reflect the current policy position as detailed.

3.0 Background

- 3.1 The site of the proposed development extends to 9.36 hectares and is located to the east of Abbey Road. To the east of the site is Abbeyfields a Grade II Listed Building. Sandbach United Football Club is located to the south of the site with the Wheelock Rail Trail beyond. To the south-west of the site are employment units which front Lodge Road and to the west are residential properties which front onto Abbey Road.

- 3.2 The land is currently in agricultural use and there are a number of trees and lengths of hedgerow to the site boundaries. Some of these trees to

the boundary with the property known as Abbeyfields and north-east corner of the site are subject to TPO protection.

4 Proposed Development

- 4.1 14/1189C is an outline planning application for up to 165 dwellings (reduced from 190 dwellings during the course of the application). Access is to be determined at this stage with all other matters reserved.
- 4.2 The access point to serve the site would be taken off Abbey Road to the west of the site. The site would include the provision of 30% affordable housing and public open space.
- 4.3 The development would consist of 2-2.5 stories in height (a maximum 10 metres in height). The application extends to 9.36 hectares and would include a net development area of 5.65 hectares which would give a density of 29 dwellings per hectare.
- 4.4 The land to the north is known as 'Abbeyfields' and has been subject to an extensive planning history. Planning applications 10/3471C and 12/1463C have given outline approval for 280 dwellings on this site.

5 Officer Comment

- 5.1 Given the passage of time it is now considered appropriate to provide an update on the current situation to allow the appeal to proceed based on the most up to date position. In this case the first reason for refusal refers to the development being premature following the publication consultation draft of the Sandbach Neighbourhood Plan. In this case the Sandbach Neighbourhood Plan has now been through examination and a number of changes have been suggested.
- 5.2 It is understood that these changes will be made and the Neighbourhood Plan will proceed to referendum on this basis. The current timetable indicates that the Neighbourhood Plan (subject to a successful vote in favour of the Plan) will be made prior to the public inquiry and if this is the case the appeal will no longer be premature but will be contrary to the Neighbourhood Plan.
- 5.3 It should also be noted that there is a clear link between the Sandbach Neighbourhood Plan and the emerging Cheshire East Local Plan Strategy which was noted by the Examiner.
- 5.4 On this basis it is necessary to agree the alternative wording that this appeal is defended on. The suggested wording is as follows:
 - 1. *The Local Planning Authority considers that having regard to the cumulative impact of developments in Sandbach that the proposed development would be contrary to Policy PC1 contained within the Sandbach Neighbourhood plan and that the*

development when taken cumulatively with other developments in Sandbach would be premature and would prejudice the Local Plan making process. As a result the development would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.

6 Conclusion

- 6.1 On the basis of the above, it is considered that the appeal be defended on the amended grounds.

7 Recommendation

- 7.1 That the appeal is defended on the following grounds;
1. *The Local Planning Authority considers that having regard to the cumulative impact of developments in Sandbach that the proposed development would be contrary to Policy PC1 contained within the Sandbach Neighbourhood plan and that the development when taken cumulatively with other developments in Sandbach would be premature and would prejudice the Local Plan making process. As a result the development would be contrary to guidance contained at Paragraph 216 of the NPPF and guidance contained within the NPPG.*
 2. *Whilst it is acknowledged that there is a presumption in favour of sustainable development in the planning balance, it is considered that the development is unsustainable because of the conflict with the draft Sandbach Neighbourhood plan and because of the unacceptable environmental and economic impact of the scheme in terms of loss of best and most versatile agricultural land and open countryside. These factors significantly and demonstrably outweigh the social benefits in terms of its contribution to boosting housing land supply, including the contribution to affordable housing. As such the proposal is contrary to Policies PS8 and H6 of the adopted Congleton Borough Local Plan First Review 2005 and Policies PG 5 and SE 2 of the Cheshire East Local Plan Strategy – Submission Version and the provisions of the NPPF.*

8 Financial Implications

- 8.1 There are no financial implications.

9 Legal Implications

- 9.1 The Borough Solicitor has been consulted on the proposals and raised no objections

10 Risk Assessment

10.1 There are no risks associated with this decision.

11 Reasons for Recommendation

11.1 For the purpose of defending this appeal at the upcoming public inquiry.

For further information:

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Background Documents:

- *Application 14/1189C*

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