

**Application No:** 13/4132N

**Location:** Land at and adjacent to, White Moss Quarry, Butterson Lane  
Barthomley, Crewe

**Proposal:** Outline application for the residential development of the White Moss: Incorporating the provision of up to 350 residential dwellings; extra care facility; relocation and redevelopment of existing garden centre; provision of local services including A1 uses: 465 square metres convenience store, 3no. 95 square metres retail units, D1 uses: childrens day care centre and doctors surgery, public house/restaurant; and, provision of public open space and associated highway improvements and biodiversity enhancement.

**Applicant:** Mr Lee Dawkin, Renew Land Developments Ltd

**Expiry Date:** 04-Feb-2014

## **UPDATE REPORT 18<sup>th</sup> August 2014**

### **ERARTUM – Location Plan**

The incorrect location plan reflecting the larger, originally submitted, site area was included in the agenda pack. The correct location plan is attached to this Update Report.

### **OTHER MATTERS**

At the request of Cllr Hough, the following points are provided for the information of Members.

#### **1. Local Plan position**

- White Moss Quarry is scheduled for discussion by the Local Plan inspector on 9<sup>th</sup> September. He will be discussing issues of sustainability, deliverability and viability. Also he will question the consistency with restoration and mineral workings amongst other things.
- At the pre-hearing meeting the Local Plan inspector replied to a question on this matter by suggesting that the weight given to the local plan increases as it proceeds through the plan making process and it is up to the decision maker to decide what weight to give it at the appropriate time, *subject to whether any objections have been made to a submitted plan. (My italics)*
- There have been objections to the inclusion of this site in the emerging local plan

- The inspector intends to discuss the Alsager specific sites , including White Moss Quarry, on 9<sup>th</sup> October 2014.
- He will be investigating the general approach to Site Selection on 7th October 2014.
- He will discuss the spatial distribution of housing on 24<sup>th</sup> September.

## **2. Prematurity**

- The issue of prematurity is dealt with in The National Planning Policy Guidelines paragraph 14 which states *“arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse effect of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the framework and other material considerations into account.*

*Such circumstances are likely but not exclusively to be limited to situations where both*

*a) the development proposal is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging local Plan. And*

*b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.”*

- The advice continues “Refusal of planning permission on grounds of prematurity will seldom be justified where the Local Plan has yet to be submitted for examination. Where planning permission is refused on grounds of prematurity the LPA will need to indicate clearly how the grant of permission for the development concerned would prejudice the outcome of the plan-making process.
- It is not considered that these circumstances apply given that the proposal has now been significantly reduced in scale to 350 dwellings. Members will be aware of a number of applications both on sites proposed for allocation and not proposed for allocation in the emerging local plan, of a similar scale which have been approved in advance of the Local Plan Examination where no prematurity concern has been raised. The Secretary of State in the Abbeyfields case (280 Dwellings) and the Inspector in the Congleton Road, Sandbach case, (up to 160 dwellings) which were similar scale proposals, did not consider that prematurity constituted grounds to dismiss the Appeals.

## **3. Newcastle Borough Council and Stoke on Trent Councils**

In respect of this application Newcastle Borough Council and Stoke on Trent Councils conclude that " *The Councils are concerned that the overprovision of housing and employment will not only have a detrimental impact on North Staffordshire but that it will undermine CEC's overall development Strategy set out in policy PG1. The Councils need to be satisfied this apparent inherent conflict can be properly explained and if necessary rectified before the Local Plan Strategy can be judged to be justified.*

Their joint submission on the Core Strategy expresses concerns of the cumulative effect of windfall (Opportunist) Sites on the Cheshire East Local Plan. They say " *Officers therefore consider for the local Plan Strategy to be sound that Cheshire East Council need to be clearer about what is intended to happen in terms of Strategic Allocation sites, should speculative housing be permitted prior to the adoption of the Local Plan.*"

The speculative housing in Alsager totals: -

Hall Drive	125
Hassall Road	34
Dunnocksfold	95
Close Lane	132
Rhodes field	110
<b><u>Total</u></b>	<b><u>496</u></b>

Still within the system we have:-

Sandbach Road North (At Appeal)	160
Hassall Road (2) registered application	34
Sandbach Road North extension ( Registered)	70
Crewe Road (2) (registered)	75
<b><u>Total</u></b>	<b><u>339</u></b>

**This gives possible windfall of 496 plus 339 = 835 houses**

This is on top of agreed numbers in Town Strategy and early developments in Local Plan.

MMU site 300 in Town Plan (350 in Local plan) 350 to 450 expected application say 400

Twyfords and Cardway Cartons 550

Crewe Road (1) 65

**Total included in Town Strategy 1015**

In response to the point raised by Stoke-on-Trent Newcastle-under-Lyme Councils the emerging Local Plan has been drawn up in the light of the recent approvals and applications for speculative development in Alsager. Furthermore, Inspectors in the recent Alsager Appeal cases, have made it clear that the need for restraint in the Alsager area in order to prevent adverse impact on the regeneration of the Potteries conurbation is not a reason to withhold planning permission on Appeal.

#### **4. Employment policy.**

No mention is made in the report of the emerging Local Plan strategy on Employment policy.

Policy EG 3 deals with Existing and Allocated Employment Sites. It states that:

*Existing employment sites will be protected for employment use unless:*

- *Premises are causing significant nuisance or environmental problems that could not be mitigated; or*
  - *The site is no longer suitable or viable for employment use; and*
  - *There is no potential for modernisation or alternate employment uses; and*
  - *No other occupiers can be found.*
- *Where it can be demonstrated that there is a case for alternative development on existing employment sites, these will be expected to meet sustainable development objectives as set out in Policies MP1, SD1 and SD2 of the Local Plan Strategy. All opportunities must be explored to incorporate an element of employment development as part of a mixed use scheme.*
- *Subject to regular review, allocated employment sites will be protected for employment use in order to maintain an adequate and flexible supply of employment land to attract new and innovative businesses, to enable existing businesses to grow and to create new and retain existing jobs.*

In this case, the quarry site has caused a number of significant nuisance or environmental problems over recent years. It is not suitable for any employment use other than the existing established minerals and waste use. Furthermore, the

proposals include elements of employment generating uses, which will be more intensive on a jobs per sq.m. basis. It is therefore considered that the proposal complies with the employment policies of the emerging local plan.