

CHESHIRE EAST COUNCIL

PORTFOLIO HOLDER FOR HOUSING AND PLANNING

Date of Meeting: 26 July 2016

Report of: Executive Director of Economic Growth & Prosperity

Subject/Title: Macclesfield Local Development Orders

Portfolio Holder: Councillor Ainsley Arnold

1.0 Report Summary

- 1.1 In line with national thinking Cheshire East is committed to ensure that brownfield sites are brought forward for development and there are a number of brownfield sites that have been identified in our town centres, which are suitably located for residential development. Bringing these sites forward for development would reduce the need for development on greenfield land and support the regeneration of our towns.
- 1.2 On 16th September 2014 Cabinet considered a report which set out proposals to facilitate the development of more brownfield sites across Cheshire East and subsequently endorsed proposals which sought for Cheshire East Council to be at the forefront in the development of Local Development Orders (LDOs).
- 1.3 LDOs are made by local planning authorities (LPA) and give a grant of planning permission to specific types of development within a defined area. They streamline the planning process by removing the need for developers to make a planning application to a LPA. They create certainty and save time and money for those involved in the planning process. The primary function of an LDO is to accelerate delivery of much needed development.
- 1.4 As a result of the Cabinet resolution in September 2014 it was decided that a pilot approach within Macclesfield should be developed. This ultimately formed the basis of a bid for funding to The Department for Communities and Local Government (DCLG) to enable the development of two residential led LDOs in Macclesfield.
- 1.5 In April 2015 the Council was successful in their application to DCLG and was awarded £100,000 to facilitate the development of the LDOs in Macclesfield. Two neighbourhoods were identified (see Plans A and Plan B attached) which have been subsequently referred to as Whalley Hayes and Northside. These neighbourhoods were chosen as they contain a cluster of brownfield sites within a specified geographical area and are seen to have the potential to be brought forward for residential use.
- 1.6 The Council has subsequently sought the opinion of those parties which are likely to be affected by the proposed areas and has been in pre-consultation

with stakeholders for a number of months in order to establish support and ultimately formalise the boundaries of the two neighbourhoods.

- 1.7 Members of the Wards which adjoin or lie within the proposed neighbourhoods have been suitably briefed on the LDO process. Consultation with internal colleagues from within the Council also took place in February 2016.
- 1.8 The consultation period with stakeholders is now at an end and in order to move forward with the process the Council now seeks permission to publically consult on the proposed areas.

2.0 Recommendations

- 2.1 It is recommended that:
- 2.2 Officers be granted permission to begin the process of formal public consultation on the two LDO areas, with the responses received incorporated into the finalising of the orders.

3.0 Reasons for Recommendations

- 3.1 Public consultation is a crucial and required step of the LDO process and once carried out will enable the Council to move closer to approval of the LDOs by the Secretary of State.
- 3.2 It is hoped that these pilot LDOs will act as a catalyst to bringing forward brownfield sites within Macclesfield and could result in owners of sites which otherwise would not have been considered for residential use to explore this as viable option.

4.0 Wards Affected

- 4.1 Macclesfield Central and Macclesfield Tytherington.

5.0 Local Ward Members

- 5.1 Cllr Ainsley Arnold and Cllr Janet Jackson. Cllr Beverley Dooley and Cllr Nick Mannion have also been brief as they represent neighbouring wards.

6.0 Policy Implications

- 6.1 The Council has a Brownfield First policy which looks to promote development on brownfield sites. The use of these LDOs is in line with this strategy as it intends to bring forward brownfield sites within the defined areas for residential development.

- 6.2 The emerging Local Plan also states that one of the policy principles underpinning the overall vision is to develop brownfield sites, where possible, to minimise the use of greenfield, Green Gap, open countryside or Green Belt sites.

7.0 Financial Implications

- 7.1 In April 2015 the Council was successful with a bid for £100,000 to help facilitate the creation of the two LDO neighbourhoods in Macclesfield.
- 7.2 Any costs to the Council which are as a result of the public consultation process will be deducted from the funds acquired from DCLG. There is a financial risk that the project spend could exceed this amount however this is not currently a serious consideration.

8.0 Legal Implications

- 8.1 There is a legal process through which the bringing into effect of LDOs is achieved. There is a risk of challenge in the event that the process is not followed, but that can be adequately managed by having full regard to the necessary requirements.
- 8.2 Legal Services have not been consulted on any risk attached to the grant funding terms and are operating on the basis that no advice is required in respect of the same.

9.0 Risk Management

- 9.1 The conditions of the bid to DCLG requires that the LDO process keeps to certain agreed key dates. Some of these key dates have already been missed and the project risks going out of time if public consultation is not able to begin soon.
- 9.2 Whilst DCLG have so far shown their understanding with regards to the time that the project has been taking to deliver, it should not be assumed that this leniency is boundless and it is highly likely that DCLG will want to see the process moved forward soon. Whilst the delays have so far been managed through regular communication with DCLG there is always the chance, if the project stalls further, that the funding for this project could be lost.

10.0 Background

- 10.1 In September 2014 Cabinet considered a report which discussed the Councils approach to promoting development on brownfield sites across Cheshire East and subsequently enabled provided approval for the Council to explore a pilot on LDOs in Macclesfield.

Following a successful bid, in April 2015 the Council secured £100,000 funding from DCLG to help it facilitate the creation of two LDO areas in Macclesfield Town Centre.

- 10.3 The Council has carried out the necessary pre-consultation with stakeholders in order to establish support for the LDOs. There have been a number of workshops which have been attended by Members and the Council has, in conjunction with their chosen Project Manager for the LDO process (AECOM), been continuously engaging with interested parties.

10.4 Following this engagement there have been a number of changes to the red line boundaries. These were initially drawn up and presented to Informal Cabinet last year however it has been made clear that some landowners are not interested in their property forming part of one of the LDO areas whilst others have sought to ensure that theirs is included. It is the overriding intention of the Council that these LDOs are successful in bringing forward brownfield land for residential development and so this buy-in from landowners is of the up most importance.

- 10.5 Now that this pre-consultation has been carried out and the decisions have been made regarding which properties shall lie within the red line boundaries the Council is now seeking permission to begin the process of full public consultation.

11.0 Access to Information

- 11.1 The background papers relating to this report can be inspected by contacting the Report writer:

Name: Sam Hyde
Designation: Development Officer
Tel No: 01270 685646
Email: Sam.hyde@cheshireeast.gov.uk