

CHESHIRE EAST COUNCIL

CABINET MEMBER FOR HOUSING AND PLANNING

Date of Meeting: 2 August 2016
Report of: Interim Executive Director of Place
Subject/Title: Reaseheath College Local Development Order
Portfolio Holder: Councillor Ainsley Arnold

1.0 Report Summary

- 1.1 In line with current and emerging national thinking, Cheshire East Council (CEC) is committed to enabling the continued strengthening of the rural economy across Cheshire East. Traditional land based businesses, the wider countryside and its rural tourism assets all form an important part of the wider areas character and prosperity.
- 1.2 It is not surprising that key sectors are focused on the land and landscape, including agriculture and food enterprise, which are important to the economy, character and communities of the area. Diversification is also crucial in today's rural environment. Rural businesses need to innovate and develop in order to be viable. The creation of a Food Enterprise Zone (through the adoption of an LDO) will enable continued development of these important sectors.
- 1.3 During March 2015, Cheshire East was successful in their bid for funding to DEFRA, in the order to £50,000 was awarded to assist in the preparation of an LDO at the College location. The award of funding is to cover the costs of producing the detailed information required to prepare an LDO (mostly technical advice and survey work) as well as to facilitate key stages including Public Consultation and related exercises.
- 1.4 LDOs are ordinarily 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. In this case in line with the continued development and expansion of Reaseheath College and continued support by CEC of this facility.

Reaseheath College Context

- 1.5 Reaseheath College is one of the leading specialist land based Colleges in the UK. Based on the outskirts of Nantwich in Cheshire, the College sits

amongst in the region of 272 hectares comprising farms, parklands, woodland and numerous sports facilities. Reaseheath's growth is being supported by a £40 million plus capital investment programme, the site has seen a number of new buildings opened since 2009, this includes the following:

- A learning resource centre;
- State of the art IT centre;
- A cutting edge £4 million animal management teaching centre;
- Purpose built construction trades workshop;
- £2.3 million upgrade of equine facilities, including an world class indoor riding arena and round pen for natural horsemanship;
- £7 million food innovation centre; and
- A £3 million investment into the existing commercial working college farm.

1.6 Reaseheath College has continued to expand over recent years and has a number of aspirational projects which they are seeking to deliver through the remit of the LDO, once adopted. The site plan (at **Appendix 1**) identifies the 6 sites which have been earmarked for development through extensive consultation with the College and within CEC, the outline proposals for which are as follows:

- Site 1 – Teaching & Workspace;
- Site 2 – Centre Point Extension;
- Site 3 – Sport Science & Performance Academy;
- Site 4 – Extension to teaching space;
- Site 5 – Extension to Engineering Shed; and
- Site 6 – Employment Hub

1.7 The LDO will have a lifespan of 15 years; ordinarily LDOs are in existence for 5-7 years but in this case this has been lengthened given the complexities of the site given its location adjacent to the Kingsley Fields development and the proposals for the realignment of the A51. Whilst sites 1-5 (shown at **Appendix 1**) are expected to come forward quickly, site 6 can only be delivered in years 10-15.

LDO Process to Date

1.7 Since the commencement of the LDO process, a number of stages have taken place to inform the LDO; these can be summarised as follows:

- Extensive consultation and collaboration with Reaseheath College to determine appropriate sites for development and timescales for their delivery as well as an appropriate lifespan for the LDO;
- Appointment of external consultants to assist with the required elements to inform the LDO including preparation of a Transport Assessment, Travel Plan, Design Statement, Heritage Impact Assessment, Ecological Appraisal (and related survey work). The list of the full evidence base to support the LDO can be found at **Appendix 2** within the Statement of Reasons;

- Consultation with colleagues at CEC (in November 2015, March and June 2016) to discuss the numerous inputs to the LDO to ensure that they are adequate to allow CEC to make an informed judgement and ultimately sign off the LDO; and
- Members of the Wards which adjoin or lie within the proposed neighbourhoods have been suitably briefed on the LDO process and its aspirations; and
- Meeting with Local Residents to discuss the LDO and its imminent period of Public Consultation.

Timescales

1.8 The next milestones, following approval at Portfolio Holder are as follows:

- 8th August – 9th September 2016 – **Public Consultation on draft/proposed LDO and supporting evidence;**
- 12th September – **Processing of Representations and modifications;**
- Mid-Sept – Early Oct – further **21 days consultation on LDO as with normal planning applications;**
- 29th October – **Final LDO to be submitted to SPB; and**
- 1st November – **Adoption of LDO / LDO comes in to force.**

2.0 Recommendations

2.1 It is recommended that:

2.2 The Interim Executive Director of Place to be granted permission to begin the process of formal Public Consultation on the proposed LDO at Reaseheath College ahead of its submission to Strategic Planning Board (SPB) during autumn 2016.

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 formally submit the LDO for consideration and potential approval by SPB during autumn 2016.

3.2 It is intended that this LDO will assist in streamlining the process for development and delivery at the Reaseheath College site and is fully in line with Cheshire East's emerging Local Plan Strategy (LPS) at **Policy EG2 – Rural Economy** where the LDO will assist in this policies implementation.

4.0 Wards Affected

4.1 Bunbury

5.0 Local Ward Members

5.1 Cllr Michael Jones has been briefed as Ward Member for Bunbury.

6.0 Policy Implications

- 6.1 The Council has within the emerging LPS, Policy EG2 which supports the strengthening of the Rural Economy; specifically it sets out:

“Planning has a key role to play in ensuring that the rural economy is viable, meets the needs of existing residents of rural areas and that growth and development is appropriate to the scale of each area and that it has a positive impact upon biodiversity; geodiversity; the landscape and the historic environment.”

- 6.2 The preparation of an LDO in this location further supports these policy aspirations and seeks to create a stronger, working relationship with Reaseheath College through the collaboration on this project.
- 6.3 **Appendix 2** to this report is the Statement of Reasons which discusses in more detail the legal and policy framework to which the preparation of an LDO is based upon.

7.0 Financial Implications

- 7.1 In March 2015 the Council was successful with a bid for £50,000 to assist in the preparation of an LDO at this location.
- 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 DEFRA. There is a potential financial risk should the project spend exceed this amount. However this is considered a small risk in this case as the project is currently coming in under budget and the consultation process is the final budgetary commitment ahead of the LDO's adoption.
- 7.3 Establishment of the LDO effectively grants detailed planning consent for future commercial development to come forward without the need for further individual planning applications. This will represent a loss of future planning fees but this is viewed as a beneficial step to help promote and speed up new delivery on the site and its continued growth as a highly rated Agricultural College facility, both in Cheshire East and the wider region.

8.0 Legal Implications

- 8.1 There is a legal process through which the bringing into effect of LDOs is achieved. There is a potential risk of challenge in the event that the process is deemed to have not been followed, but that can be adequately managed by having full regard to the necessary requirements. In the case of the Reaseheath LDO, CEC have appointed a consultant who has been acting as a 'critical friend' to ensure the process is robust and transparent as a result.

- 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 DEFRA require that the LDO process keeps to certain agreed milestones. The project has already been delayed due to the need for further environmental surveys but the project now risks going out of time if Public Consultation is not able to begin soon. Similarly, the College is likely to have to submit separate applications for those developments that they need to commence quickly due to available funding and this may undermine the LDO objectives and process.
- 9.2 Whilst DEFRA 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. DEFRA has extended the terms of the funding to the end of July 2016 – where we need to be able to identify that this project is nearing the final stages. Whilst the delays have so far been managed through regular communication with DEFRA there is always the chance, if the project stalls further, that the funding for this project could be lost or rescinded.

10.0 Background

- 10.1 Following a successful bid, in March 2015 the Council secured £50,000 funding from DEFRA to become a pathfinder authority to assist CEC in preparing an LDO to facilitate 'Food and Farming' uses at the Reaseheath College site.
- 10.2 The Council has carried out the necessary Pre-Consultation with stakeholders and landowners in order to establish support and to compile the evidence base required for the LDOs. There have been a number of meetings with internal CEC colleagues to assist in shaping this process and to ensure that the LDO is both transparent and robust, as well as, above all being entirely fit for purpose for both CEC and Reaseheath College.
- 10.3 Now that these stages in the LDO process have been completed the Council is seeking to begin the process of formal Public Consultation to move closer to adoption during autumn 2016.
- 10.4 Please note, **Appendix 2** is very much a 'working version' and whilst it has broadly been agreed there is input required from CEC colleagues and other statutory planning consultees over the course of the upcoming Public Consultation period and this document will be further shaped and refined following this process. It will be presented alongside the formal LDO Consent Order to SPB later this year.

11.0 Access to Information

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

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