

## **1. BACKGROUND & CONTEXT**

The rural economy plays an important role in and across the Cheshire East Council (CEC) and the wider Borough is committed to supporting diversification of the economy and encouraging growth in rural enterprise. Reaseheath College is one of the leading specialist land Colleges in the UK. Situated on the outskirts of Nantwich and comprising some 330 hectares of farms, parklands, woodland, sports and teaching facilities, the College supports nearly 5,500 students and staff and has excellent links with rural businesses throughout the region.

Supported by Cheshire East & Warrington Local Enterprise Partnership, Reaseheath was identified by DEFRA (February 2015) as a pathfinder project to create a Food Enterprise Zone (FEZ) and to develop a Local Development Order (LDO) to encourage investment and business growth.

## **2. LEGISLATIVE FRAMEWORK GOVERNING THE LDO PROCESS**

LDOs were introduced through the Planning and Compulsory Purchase Act 2004 and, in effect, grant planning permission for the specific form/type of development detailed in the order. These primary powers were amended by the commencement of section 188 of the *Planning Act 2008* in June 2009 and more detailed legal provisions on LDOs are contained in sections 61A to 61D and Schedule 4A of the Town and Country Planning Act 1990, as amended and articles 34 and 37 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, as amended (the 'DMPO'). The DMPO came into force in October 2010 as a consolidation of the Town and Country Planning (General Development Procedure) Order 1995 and instruments which have amended that Order.

The Growth and Infrastructure Act 2013 removed the requirement to formally consult the Secretary of State prior to adoption enabling local authorities to approve an LDO immediately after reviewing the results of local consultations. This was replaced by a requirement to notify the Secretary of State, via the National Planning Casework Unit, as soon as practicable after adoption.

The Act also removed the requirement for LDOs to be reported on as part of Authorities' Monitoring Reports. However, CEC will closely monitor development progress.

## **3. PROPOSED LDO AT REASEHEATH COLLEGE**

The LDO is proposed to cover six individually identified sites spread across the Reaseheath College Campus as highlighted in the aerial photograph opposite (Figure XX) and outlined briefly below:

- 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

The majority of these sites (1-5) are contained within the main College Campus and feature in the College long-term masterplan designed to support continued growth and academic excellence. Additional development at Site 6 is proposed to stimulate local employment

opportunities in food and farming related activities where employers can also benefit from proximity to the College.

#### **4. AIMS & OBJECTIVES**

The vision behind the project is to create a Food Enterprise Zone (FEZ) that enables full integration of innovation, skills, business support and growth from field to plate. The primary ambitions of the FEZ will be to:

- Strengthen Research, Technical Development and Innovation and Skills;
- Support collaborative working along the food supply chain to access new market places;
- Help increase the Competitiveness of SME's, stimulating Economic Growth and creating new Employment Opportunities;
- Encourage new entrants into the sector; and
- Increase awareness of the impact of food and nutrition on health.

The purpose of the LDO is to provide confidence in the proposed developments and attract the necessary investment, building on the success of Reaseheath College to date. This in turn has a number of strategic implications for the wider borough as well as wider economic benefits:

- It will help to increase local employment opportunities and investment in the area;
- It will assist in the creation of employment opportunities and the retention of graduates from Reaseheath College and nearby FE / HE institutions;
- It seeks to reduce the time and costs associated with the planning application process and increase certainty for the development of sites;
- Collate and summarise baseline site information to provide upfront information on development considerations and constraints; and
- Contribute to a strategic approach to planning for key employment sites.

#### **5. PERMITTED DEVELOPMENT**

Each of the six sites has particular uses proposed and development will be permitted under the LDO for the land uses in the Use Classes Order 1987 (amended) shown in the table below:

<b>LDO Site ref.</b>	<b>Function</b>	<b>Maximum Floorspace</b>	<b>Use Class</b>
<b>Site 1</b>	<b>Teaching and Workspace</b> for specialist engineering workshop / teaching facilities.	2,500 sq.m	D1 (education and training)
<b>Site 2</b>	<b>Centre Point Extension</b> to extend the College's Higher Education Centre and forming a multi-purpose employer hub to encourage engagement with employers.	600 sq.m	D1 (education and training)
<b>Site 3</b>	<b>Sport Science and Performance Academy</b> to provide year round sports facilities including sports science and performance labs. Including provision to demolish the existing pavilion on site.	1,850 sq.m	D1 (education and training) and D2 (assembly and leisure)
<b>Site 4</b>	<b>Extension to teaching space</b> to provide new teaching accommodation for vet nursing, small animal and equine students. Includes provision to relocate the kennels on the site.	450 sq.m	D1 (education and training)

LDO Site ref.	Function	Maximum Floorspace	Use Class
<b>Site 5</b>	<b>Extension to Engineering Shed</b> comprising an enclosure to outside storage area as an extension to existing workshops adjacent.	200 sq.m	D1 (education and training)
<b>Site 6</b>	<b>Employment Hub</b> on a 1.5 ha site comprising new commercial floorspace together with a new access road from the A51 to the north and other site infrastructure.	5,800 sq.m	B1 (business), B2 (general industrial) and B8 (storage and distribution)

## 6. LIFESPAN OF THE LDO

The LDO and the terms within it will be active for a period of 15 years following the day of its adoption and will expire following this period. It will therefore cease to apply on the day following the fifteenth anniversary of the adoption of this order.

CEC propose to review progress with the LDO on the tenth anniversary of its adoption to be able to fully reflect on the continuing suitability of the order in light of any changes to planning policy. The review will be completed within 28 days of the tenth anniversary and at the end of the review the Council will determine whether to:

- Retain the LDO as it stands for the remaining 5 years of its life;
- Retain but revise some elements; or
- Revoke and Cancel the LDO

Development which has commenced under the provisions of the LDO can be completed in the event that the LDO is revoked, or revised or expires. Development which has commenced under the provisions of the LDO can be completed following expiry of the LDO after the end of the 15 year period; provided it still complies with the established conditions and criteria for development.

## 7. PLANNING CONDITIONS OF THE LDO

All development taking place within the area covered by the LDO will need to adhere to the following general conditions:

Prior to the commencement of development on a plot, detailed plans shall be submitted to the local planning authority. Within 28 days of their receipt, the local planning authority will confirm, in writing, whether the proposed development is in conformity with the LDO or if further information and/or changes to the plans are required to secure conformity with the LDO. If the latter is the case, the Council will contact the developer and determine whether there is a need to agree an extension of time in which to consider the additional information to be submitted.

The plans to be submitted must include the following:

- A site layout plan to an appropriate metric scale;
- Detailed elevations and floor plans of all buildings to an appropriate metric scale;
- A schedule of external facing materials;
- A detailed landscaping scheme;
- A scheme for all external lighting;
- A scheme for the attenuation of surface water with accompanying pollution

- prevention measures; and
- A foul drainage discharge and treatment assessment.

The development shall be carried out in accordance with the agreed details and meet all requirements set out in these conditions. Development shall be commenced within 12 months of the date of the Council's confirmation that it is in conformity with the LDO otherwise further information will need to be provided to confirm compliance with the LDO.

## **8. PLANNING POLICY CONTEXT**

### **NATIONAL PLANNING POLICY**

The National Planning Policy Framework (NPPF) sets out in a comprehensive document the Government's economic, environmental and social planning policies for England. It was published in March 2012 and Local Authorities are required to take its contents into account when preparing Development Plans and also when making decisions on planning applications and appeals.

The key principle of the NPPF is the presumption in favour of sustainable development, taking into account the economic, social and environmental benefits that development can bring. It states that the planning system should be used to play an active role in guiding development to sustainable solutions through building a strong and competitive economy, ensuring the vitality of town centres, supporting a prosperous rural economy, promoting sustainable transport and requiring good design.

#### **Paragraph 19**

"The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

The NPPF continues to say that investment in business should not be over-burdened by the combined requirements of planning policy expectations and that local planning authorities should consider using Local Development Orders to relax planning controls where impacts are acceptable, and in particular where this would promote economic, social or environmental gains for the area, such as boosting enterprise (Paragraph 199).

### **LOCAL PLANNING POLICY**

#### **Cheshire East Local Plan Strategy (Submission Document May 2014)**

The Submission version of the Cheshire East Local Plan Strategy (May 2014) is in accordance with the NPPF and supports the ambitions of the Food Enterprise Zone under **Policy EG2 – Rural Economy**. This addresses areas outside the Principal Towns, Key Service Centres and Local Service Centres, and encourages development that:

- Provides opportunities for local rural employment development that supports the vitality of rural settlements;
- Encourage the creation and expansion of sustainable farming and food production businesses and allow for the adaption of modern agricultural practises; and
- Are considered essential to the wider strategic interest of the economic development of Cheshire East, as determined by the Council.

Furthermore, the Policy confirms support for development where the development:

- Meets sustainable development objectives as set out in policies MP1, SD1 and SD2 of the Local Plan Strategy;

- Supports the rural economy, and could not reasonably be expected to locate within a designated centre by reason of their products sold;
- Would not undermine the delivery of strategic employment allocations;
- Is supported by adequate infrastructure; and
- Is consistent in scale with its location and does not adversely affect nearby buildings and the surrounding area or detract from residential amenity.

Presently, Cheshire East's Local Plan Strategy (LPS) is currently progressing through the Examination in Public (EiP) with hearings expected to re-commence during September 2016. Through a recently held period of Public Consultation the policy referred to above was not amended from the Submission Version and as such is still relevant in this case.

## **9. PLANNING HISTORY**

Reaseheath has been in educational use since 1919 and has seen considerable expansion and new development in recent years. Reaseheath Old Hall is a Grade II listed building (designated in 1952) and sits within the Reaseheath (The Green) Conservation Area, which was designated in 1994. The landscaping and planting of the Conservation Area is a major element of the character of the college campus and integral to its intrinsic character and sense of place. The Conservation Area extends outside the main campus and includes the equine centre and adjacent fields and is much more informal in landscape character and setting.

The development contained within the proposed LDO will have no impact on the setting or context of the listed building status of the Old Hall.

None of the proposed LDO sites sit within the Conservation Area although Sites 4 and 6 are the closest to the Conservation Area Boundary it has been concluded within the supporting Heritage Impact Assessment (HIA) prepared by Cass Associates that the sites will have a negligible impact on the setting of the conservation area through their development. The document suggests actions to be taken to mitigate any potential impact which will be adhered to at the detailed design stages.

Access to site 6 is to be provided via a 7.3 m wide single carriageway road to be constructed from the current A51 through the open field adjacent to the Equine Centre within the Conservation Area boundary. The reason for the siting of the access in this location is to reduce the impact on the adjacent conservation area to maintain its character and setting fronting the A51. There is already a 'farm track' in existence and the proposed access will purely be a formalising of this route. A clear buffer zone will be maintained between the development footprint of Site 6 (which is outside the Conservation Area) and the Conservation Area boundary itself.

There have been well over 30 individual planning applications within the College grounds since 2006 covering a wide range of minor alterations and major additions to College facilities and teaching space all of which have been consented. The most significant applications to date include:

<b>Planning Application Reference</b>	<b>Description of Development</b>
08/1126	New student hub with dining, retail and student amenity facilities
08/ 1142	New horticulture department
08/1136	A new animal management centre
08/1134	New food processing department
08/1140	Minor alterations to form a new farm interpretation centre
08/1129	New horticulture and animal management training and education



<b>Planning Application Reference</b>	<b>Description of Development</b>
	resource
09/0025	New facilities for arboriculture, construction and engineering Removal of Gas Cylinder And Erection of New Shed for Teaching Accommodation and Storage Extensions for Teaching Office and Storage Space
09/1155N	Demolition of the Cross College Building including Student Union Office
09/2160N	Refurbishment and Extension of the Existing Food Processing Department to Accommodate New Student Training Facility.
09/2675N	Demolition of Single Storey Teaching/ Amenity Block and Erection of a New Two Storey Food Centre of Excellence to Facilitate Business Innovation and Research Areas
10/0279N	Demolition of Single Storey Teaching/Amenity Block and Erection of New Two Storey Food Centre of Excellence for Business and Research Use
12/3548N	Proposed 3 storey, 150 bed residential student accommodation building
13/0674N	Proposed internal re-use of existing accommodation for delivery of Food Engineering courses, extension to provide teaching rooms and proposed new build storage barn for Food Engineering & Engineering use
13/5091N	Outline application for new sports hall, 3G and MUGA pitches
13/5093N	New teaching facility, national centre for food futures and the environment and associated outbuildings including glasshouses and maintenance block
15/3852N	New access road to serve college faculty building (s.278 Agreement now signed)
15/5545N	Change of existing grass sports pitch to 3G and MUGA pitches (new as yet undetermined)

NB. Many of the applications detailed above have since been built out.

Planning permission has also been granted for a development referred to as the NW Nantwich Urban Extension to the south of the main College campus / A51 which will provide 1,100 dwellings and up to 1.82 hectares of employment / incubator space (Planning Application Ref. 13/2471N). The uses proposed as part of the NW Nantwich development are entirely complimentary to that of the LDO, with the employment area of the NW Nantwich development being located directly adjacent to the Employment Hub development proposed as part of the LDO on Site 6.

## **10. SUPPORTING EVIDENCE BASE**

LDOs are subject to the same technical scrutiny of planning applications and the Local Planning Authority (LPA) has to be satisfied on the suitability of an area for the proposed development and its future sustainability.

The LDO has drawn on the comprehensive technical studies previously completed by Reaseheath College in support of other recent developments on the Campus site and a range of surveys and studies completed by developers promoting the adjacent Kingsley Fields urban extension where these have extended into the proposed LDO area. The critical supporting evidence is set out in the following documents:

- Traffic Impact Assessment & Outline Travel Plans prepared by SCP;
- Ecological Assessment & Review prepared by Reaseheath College;
- Heritage Impact Assessment (HIA) prepared by Cass Associates;
- Design Statement incorporating Landscape Strategy prepared by e\*Scape; and

- Flood Risk Assessment & Drainage Strategy prepare by SCP.

Copies of all these documents can be inspected at Cheshire East Council's office and will also be made available on Cheshire East's / Reaseheath College's website (TBC)

## **11. ENVIRONMENTAL IMPACT ASSESSMENT – SCREENING OPINION**

The Environmental Impact Assessment Regulations 2015 set out the thresholds for new development that may need to be screened to determine whether a full Environmental Impact Assessment is required. The new thresholds provide for industrial estate development over 5 ha automatically requiring assessment. Within the LDO, Site 6 provides industrial estate type development on a site measuring 1.5 ha, which is below the threshold for screening purposes.

The other development sites within the College Campus total XX ha overall (5 ha threshold – not clear if as individual sites or total combined).

Even so the development is considered not likely to have significant effects on the environment and does not, therefore, require a full Environmental Impact Assessment.

## **12. CONSULTATION PROCESS**

It is a requirement that LDOs are the subject of local consultation. LDO consultation procedures are set out in article 34 of the *Town and Country Planning (Development Management Procedure) Order 2010* (Statutory Instrument 2010/2184). Consultation must include any person with whom the LPA would have been required to consult on an application for planning permission for the development proposed to be permitted by the LDO.

The draft LDO has been prepared by Cheshire East Council in partnership with the Reaseheath College as the affected landowners.

The Draft LDO and this Statement of Reasons report were approved “in principle” as suitable for consultation by Cheshire East Council's Portfolio Holder on 2<sup>nd</sup> August 2016 subject to the completion of the required technical studies.

The Cheshire East & Warrington Local Enterprise Partnership (LEP) has been advised of the intent to prepare an LDO and is supportive of the ambitions for growth.

All statutory stakeholders have been consulted informally as the technical appraisal work was developed. Initial comments have been addressed in the draft document and will be subject to further formal consultation once published. Details of these and other stakeholders consulted in the preparation of the draft LDO are presented in Appendix XX.

Informal presentations have also been made to local parish councils to outline the purpose of the LDO and the process for its adoption, management and delivery.

## **11. CONSULTATION TIMETABLE**

The Draft LDO and Statement of Reasons Report will be placed on the Council's Planning Register, be available for inspection on-line and at the Council's offices and open to formal consultation responses between 8<sup>th</sup> August and 9<sup>th</sup> September 2016. This provides a slightly longer consultation period than the statutory 28 days due to the timing over the school holidays. Further presentations will also be provided to the immediate local communities during this period and there will also be a number of drop-in sessions organised and facilitate by the College to allow for comments to be made and representations suitably recorded.

All responses will be recorded and analysed according to material considerations and reported within a Statement of Consultation document for initial consideration prior to making a formal recommendation on any changes to the Strategic Planning Board for consideration in accordance with normal planning procedures ahead of the LDOs ultimate adoption during autumn 2016.