

CHESHIRE EAST COUNCIL

STRATEGIC PLANNING BOARD

Date of meeting: 19 October 2016
Report of: Sean Hannaby – Director of Planning & Sustainable Development
Title: Proposal of a Local Development Order (LDO) at Reaseheath College

Summary

The proposed LDO at Reaseheath College is fully endorsed by the Department for Environment, Food and Rural Affairs (DEFRA) and represents a sustainable form of future development for the College as well as further enhancement and support of the rural economy.

The LDO has been promoted by Spatial Planning and Economic Development in partnership with Reaseheath College. The proposals have also been fully consulted on through a formal Public Consultation exercise and direct engagement with Statutory Consultees, none of which have raised any objections to the proposals.

The proposed LDO will be 'live' for 15 years, however a review period will be initiated in years 5 and 10 where progress on the LDO will be looked at and proposed boundaries reviewed in detail where necessary.

RECOMMENDATION

Approve the LDO with conditions

CONTEXT

During March 2015, Cheshire East was successful in their bid for funding to DEFRA; £50,000 was awarded to assist in the preparation of an Local Development Order (LDO), formally a Food Enterprise Zone (FEZ) at the College location. The award of funding was 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.

LDOs are ordinarily made by Local Planning Authorities (LPAs) 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 separate planning applications 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 it is in line with the continued development and expansion of Reaseheath College and continued support by the Council of this facility.

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.

SITE DESCRIPTION

Reaseheath College is one of the leading specialist land based colleges in the UK. Located on the outskirts of Nantwich in Cheshire, the College sits amongst some 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.

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.

PROPOSAL

The proposed LDO is primarily aimed at enhancing food and farming uses within the current Reaseheath College Campus and its adjacent owned land. It identifies 6 sites with the potential for future development (see Appendix 1) and subsequently 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:

LDO Site ref.	Function	Maximum Floorspace	Use Class
Site 1	Teaching and Workspace for specialist engineering workshop / teaching facilities.	2,500 sq.m	D1 (education and training)
Site 2	Centre Point Extension to extend the College's Higher Education Centre and forming a multi-purpose employer hub to	600 sq.m	D1 (education and training)

LDO Site ref.	Function	Maximum Floorspace	Use Class
	encourage engagement with employers.		
Site 3	Sport Science and Performance Academy 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)
Site 4	Extension to teaching space 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)
Site 5	Extension to Engineering Shed comprising an enclosure to outside storage area as an extension to existing workshops adjacent.	200 sq.m	D1 (education and training)
Site 6	Employment Hub 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)

SUPPORTING EVIDENCE BASE TO THE LDO

LDOs are subject to the same technical scrutiny of planning applications, as a result of this process the Local Planning Authority (LPA) is fully satisfied of the suitability of this 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 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:

- Transport Assessment and Travel Plan prepared by SCP (July 2016);
- Ecological Assessment & related appendices prepared by Reaseheath College (July 2016);
- Tree Survey prepared by Reaseheath College (July 2016);
- Heritage Impact Assessment (HIA) prepared by Cass Associates (July 2016);
- Design Statement incorporating landscape solutions prepared by e*Scape (October 2016); and
- Flood Risk Assessment & Drainage Strategy prepare by SCP (March 2016).

In the case of the proposed LDO, the prepared Design Statement provides detailed information on the type of development that is deemed acceptable and gives particular reference to the appropriate scale and mass, access and movement, materials and appearance and landscape solutions for each of the sites. This document seeks to guide development and it will be ensured that when detailed proposals come forward for each of these sites they **must** comply with the published Design Statement (October 2016) in their entirety.

RELEVANT HISTORY and CONSTRAINTS

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:

Planning Application Reference	Description of Development
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 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.

Reaseheath has been in educational use since 1919 and has seen considerable expansion and new development in recent years. A large proportion of the site 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.

POLICIES

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.”

Paragraph 199:

“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.”

LOCAL PLANNING POLICY

Cheshire East Local Plan Strategy (Submission Document March 2016)

The Submission version of the Cheshire East Local Plan Strategy 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.

Cheshire East's Local Plan Strategy (LPS) is currently progressing through the Examination in Public (EiP) with resumed hearings currently underway and expected to run until 21st October 2016.

PUBLIC CONSULTATION

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 Reaseheath College as the affected landowners. The Draft LDO was initially approved “in principle” as suitable for consultation by Cheshire East Council's Portfolio Holder on 2nd August 2016, subject to the completion of the required technical studies (which have since been completed).

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

Formal Public Consultation commenced on Wednesday 10th August 2016 and continued until Friday 9th September 2016. Advertisement of the period of Public Consultation was also found at the following sources:

- Cheshire East Press Release – 10th August;
- Cheshire East Council Consultation page (http://www.cheshireeast.gov.uk/council_and_democracy/council_information/consultations/consultations.aspx);
- Crewe and Nantwich Guardian (online) – 10th August;
- Nantwich News (online) – 10th August;
- Cheshire Today (online) on 15th August;
- The Draft LDO and Statement of Reasons Report was made available for inspection on-line and hard copies available at Nantwich Library;

During this period a number of Statutory Consultees were consulted (e-mail sent out on 19th August) on the principles of the LDO at Reaseheath College and their responses are summarised below:

Historic England: No objections raised.

United Utilities: No objections raised – suggested wording put forward in terms of those conditions to be attached – these have since been incorporated in to the final list of conditions.

Environment Agency: No objections raised.

Highways England: No objections raised.

Sport England: No objections raised – however it was suggested that the relevant national governing bodies of sport (NGB) are consulted on the technical details during the design process.

Cheshire Archaeology Planning Advisory Service: No objections raised – suggested wording put forward, however there are limited archaeological concerns on any of the LDO sites.

Throughout the process of preparing the LDO, ongoing discussions have taken place with internal colleagues who have provided advice and guidance relating to Trees, Landscape, Design, Highways, Ecology and Development Management. They have subsequently signed off the proposed LDO as being appropriate and have suggested conditions which have all been incorporated.

During this period of Public Consultation a ‘drop in’ session was also organised at Reaseheath College to allow people to hear the full details of the proposals and ask questions as well as make comments as appropriate. This was held on Thursday 1st September, the formal invitation to this session can be found at (Appendix 2).

REPRESENTATIONS:

There were no fundamental objections to the proposed development from the public consultation. Key points raised within those comments received are as follows:

- Concerns relating to the impact of the LDO on the woodland on the campus as there are implications on current biodiversity and wildlife on the site;
- Concerns in relation to visibility from the A51 once the new access is developed for the employment site as well as the access to be created for this site becoming a 'rat run';
- Suggestion of restrictions on the proposed access to Site 6, specifically in relation to construction times, types of vehicles using the route, hours of operation, speed bumps;
- Comments received from Worlestone and District Parish Council in relation to traffic management of Main Road and proposed 30 mph speed limit restriction.

Following the receipt of these comments, the Council has sought to make a number of amendments to the LDO to mitigate against some of these issues. These can be summarised as follows:

- Landscape mitigation measures have been devised to ensure that the current biodiversity and wildlife on the site is not only protected but enhanced and this can be achieved through the buffer identified for Site 3 (and other sites);
- In terms of visibility from the A51, highways colleagues are satisfied that the proposed access to Site 6 is acceptable and affords the necessary level of visibility. Site 6 won't be developed until the A51 is realigned, at which point the historic section of the A51 will be for access only;
- Access to Site 6 will not create a link with any existing / proposed access routes (within the Kingsley Fields development) and as a result it will not create a 'rat run' situation;
- Comments made in relation to possible restrictions to the access to Site 6 was discussed with Development Management and further measures will be required through the preparation of a Construction Management Plan which has subsequently been conditioned; and
- The College are progressing the amendments to the 30 mph zone along Main Road to discuss those issues raised by Worlestone and District Parish Council.

Conclusions

The proposed LDO at Reaseheath College is fully endorsed by the Department for Environment, Food and Rural Affairs (DEFRA) and represents a sustainable form of future development for the College as well as further enhancement and support of the rural economy.

The LDO has been promoted by Spatial Planning and Economic Development in partnership with Reaseheath College. The proposals have also been fully consulted on through a formal Public Consultation exercise and direct engagement with Statutory Consultees, none of which have raised any objections to the proposals.

The proposed LDO will be 'live' for 15 years, however a review period will be initiated in years 5 and 10 where progress on the LDO will be looked at and proposed boundaries reviewed in detail where necessary.

RECOMMENDATION:

APPROVE subject to those conditions within the formal LDO Consent Order (Appendix 3)

The formal Consent Order serves two purposes:

1. It operates in the same way as a decision notice by firstly setting out the level of development and uses to be approved by the LDO, specifically in terms of what constitutes permitted development; and
2. It identifies those conditions to be attached which must be discharged prior to any development taking place, this is organised by theme (drainage, landscaping etc) rather than by individual site.