

Application No: 18/4283C

Location: Manor Point Business Park, Manor Lane, Holmes Chapel, CW4 8AG

Proposal: Hybrid Planning Application for redevelopment of former Manor Lane Business Park site for mixed uses, comprising: (1) Full planning permission for site access and erection of Block A creating 2238 sqm for flexible use purposes within Use Classes B1, B2 and B8, and trade counter uses; together with associated car parking, servicing and external works including creation of flood defence/ecological wetland area and associated landscaping. (2) Outline planning consent for erection Blocks B and C creating a combined 3792 sqm for flexible use purposes within Use Classes B1, B2, B8, & trade counter uses; and erection of Blocks D, E, F and G for flexible uses within Use Classes B1, B2, B8, D1, D2, & trade counter uses (2251 sqm), together with associated car parking, servicing, and landscaping and external works (appearance and landscaping to be reserved for later approval). (All uses to be permitted within the terms of Class V, Part 3, Schedule 2 of the General Permitted Development Order 2015)

Applicant: Aus-Bore Estates Ltd

Expiry Date: 10-Jan-2019

SUMMARY

The application site lies entirely within the Holmes Chapel Settlement Zone Line as designated by the CBLP as well as an area that includes existing commercial development and employment uses. Policy PG 2 (Settlement Hierarchy) and EG 3 (Existing and Allocated Employment Sites) of the CELPS, Policy PS5 (Villages in the Open Countryside and inset in the Green Belt) of the CBLP and Policy ES2 (Encourage Greater Employment Opportunities) of the NCNP all support the need for a 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. As such the principle of the development is considered to be acceptable.

The proposed development is acceptable in principle and is of a satisfactory design that would not have a detrimental impact upon neighbouring amenity, highway safety, trees, the railway, Jodrell Bank or any protected species.

On the basis of the above, it is considered that the proposal represents sustainable development and is recommended for approval.

RECOMMENDATION

APPROVE subject to conditions

REASON FOR REFERRAL

This application is referred to Southern Planning Committee as the development relates to a small scale major planning application. The area of the application site is 2.5 hectares.

DESCRIPTION OF SITE AND CONTEXT

The application site relates to an area of previously developed land that includes a large area of hardstanding and a part demolished building, located on the eastern side of Manor Lane in Holmes Chapel. The railway line is located along the western boundary of the site. To the south lies a supermarket (Aldi) and to the north lies commercial development known as Manor Business Park (comprising 6 units).

The application site lies within the Holmes Chapel settlement zone line and the Jodrell Bank Radio Telescope Consultation Zone as defined by the Local Plan and is accessed from Manor Lane.

SITE DESCRIPTION

This is a hybrid (part outline, part full) planning application for the redevelopment of former Manor Lane Business Park site for mixed uses, comprising:

- (1) Full planning permission for site access and erection of Block A creating 2238 sqm for flexible use purposes within Use Classes B1, B2 and B8, and trade counter uses; together with associated car parking, servicing and external works including creation of flood defence/ecological wetland area and associated landscaping.
- (2) Outline planning consent for erection Blocks B and C creating a combined 3792 sqm for flexible use purposes within Use Classes B1, B2, B8, & trade counter uses; and erection of Blocks D, E, F and G for flexible uses within Use Classes B1, B2, B8, D1, D2, & trade counter uses (2251 sqm), together with associated car parking, servicing, and landscaping and external works (appearance and landscaping to be reserved for later approval). (All uses to be permitted within the terms of Class V, Part 3, Schedule 2 of the General Permitted Development Order 2015).

Matters of landscaping and appearance are reserved for subsequent approval. As such, this proposal seeks to establish the principle of development, the access arrangement, the layout and the scale.

RELEVANT HISTORY

Various, most recent/relevant being;

15/4234C – Proposed demolition of existing buildings and outline planning permission for up to 65 residential dwellings to include access – refused 11th February 201

07/0604/REM - Phase 1 redevelopment of existing business park for mixed commercial use, including B1, B2, and B8 – approved 13th November 2007

06/0721/OUT - Redevelopment of existing business park for mixed commercial uses including B1, B2 & B8 – approved 19th September 2006

LOCAL & NATIONAL POLICY

Development Plan:

Cheshire East Local Plan Strategy (CELPS) (Adopted)

PG 1 – Overall Development Strategy
PG 7 – Spatial Distribution of Development
EG 1 – Economic Prosperity
EG 3 – Existing and Allocated Employment Sites
PG 2 – Settlement Hierarchy
SD 1 - Sustainable Development in Cheshire East
SD 2 - Sustainable Development Principles
SE 1 – Design
SE 2 – Efficient Use of Land
SE 3 – Biodiversity and Geodiversity
SE 4 – The Landscape
SE 5 – Trees, Hedgerows and Woodland
SE 12 – Pollution, Land Stability and Land Contamination
SE 13 – Flood Risk and Water Management
SE 14 – Jodrell Bank

Holmes Chapel Neighbourhood Plan (Adopted) (HCNP)

CE5 – Character and Design
CE7 – Water Management on New Developments
ES2 – Encourage Greater Employment Opportunities
TT1 – Promoting Sustainable Transport
TT3 - Parking

Congleton Borough Local Plan (Saved Policies) (CBLP)

PS5 – Villages in the Open Countryside and Inset in the Green Belt
PS10 – Jodrell Bank Radio Telescope Consultation Zone
GR6 - Amenity and Health
GR9 - Highways & Parking

National Policy:

The National Planning Policy Framework establishes a presumption in favour of sustainable development.

CONSULTATIONS (Summary):

Network Rail – originally objected to the proposed development but have removed the objection following negotiations with the Agent.

Nature Conservation – no objection subject to conditions relating to ecological enhancement and breeding birds.

Highways – no objection subject to condition relating to details of the turning facility.

Environmental Health – no objection subject to conditions and informatives relating to piling, the submission of a construction management plan, electric vehicle charging, land contamination and soil.

Landscape – no objection.

Flood Risk and Drainage – no objection subject to a condition relating to a detailed drainage strategy.

Environment Agency – no objection subject to conditions relating to the flood risk assessment and a landscape management plan.

Jodrell Bank – no objection (verbally).

VIEWS OF THE TOWN COUNCIL:

Holmes Chapel Parish Council – no objection; comments made regarding:

1. The provision to allow future installation of a pedestrian crossing over the railway line on this development would be desirable.
2. The Parish Council notes an apparent lack of turning and manoeuvring space for large delivery vehicles on site.
3. The Parish Council notes there is insufficient overflow parking for customers. There is nowhere else for cars to park locally should spaces on site be filled. Onsite parking needs to be meet all parking requirements.

REPRESENTATIONS:

Two letters of representation have been received and are summarised below:

- Land ownership queries and boundary issue raised

The letters of representation do not include any planning considerations and the issue of boundary/ownership is a civil one.

SUPPORTING INFORMATION:

Air Quality Assessment
Ecology Report
Design and Access Statement
Phase 2 Land Contamination Report

Transport Assessment
Planning Statement
Travel Plan
Flood Risk Assessment

APPRAISAL

The key issues to be considered in the determination of this application are set out below.

Principle of Development

The site is designated as being within the Settlement Zone Line of Holmes Chapel. Policy PG 2 (Settlement Hierarchy) designates Holmes Chapel as a Local Service Centre where;

“small scale development to meet needs and priorities will be supported where they contribute to the creation and maintenance of sustainable communities.”

Policy EG 3 (Existing and Allocated Employment Sites) sets out that 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. It is noted that the application site is not allocated within the CELPS however the site is in an area where there is existing commercial development and it is considered that the proposed use is compatible with the surrounding land uses.

Saved Policy PS5 (Villages in the Open Countryside and inset in the Green Belt) of the CBLP states that development on land which is not otherwise allocated for a particular use will be permitted where it is appropriate to the local character in terms of use, intensity, scale and appearance and does not conflict with the other policies of the local plan.

Policy ES2 (Encourage Greater Employment Opportunities) of the HCNP sets out that proposals that retain employment land (use classes B1, B2 and B8) will be supported subject to appropriate landscaping.

The proposed development includes a range of proposed uses (B1, B2, B8, D1 and D2). The area is characterised by a mixture of uses, including but not limited to, a supermarket to the south and commercial units to the north. As such the proposed development in this location is considered to be acceptable in principle subject to the other relevant planning policies of the development plan.

Impact on Jodrell Bank

Radio telescopes at Jodrell Bank carry out a wide range of astronomical observations as part of national and international research programmes, involving hundreds of researchers from the UK and around the world. The telescopes are equipped with state-of-the-art cryogenic low-noise receivers, designed to pick up extremely weak signals from space. The location of Jodrell Bank was chosen by Sir Bernard Lovell in 1945 as a radio-quiet rural area away from the interference on the main university campus in Manchester.

The Cheshire East Local Plan Strategy (SE14) states that development within the Jodrell Bank Radio Telescope consultation zone will not be permitted if it can be shown to impair the efficiency of the Jodrell Bank radio telescope in terms of its ability to receive radio emissions from space with a minimum of interference from electrical equipment.

Equipment commonly used at residential dwellings causes radio frequency interference that can impair the efficient operation of the radio telescopes at Jodrell Bank. This evaluation is based on the definition of the level of harmful interference to radio astronomy specified in ITU-R.769, the International Telecommunications Union 'Protection criteria used for radio astronomical measurements', which has been internationally adopted and is used by Ofcom and other bodies in the protection of parts of the spectrum for radio astronomy.

It is recognised that there is significant development across the region surrounding the telescopes and have carried out an analysis which takes into account the distribution of development and the effect of the intervening terrain between any location and the telescope itself. This analysis uses data provided by Cheshire East and the Ordnance Survey and uses the officially recognized propagation model provided by the ITU 'Prediction procedure for the evaluation of interference between stations on the surface of the Earth at frequencies above about 0.1 GHz' (ITU-P.452).

It is accepted that commercial uses do not have a significant impact on the efficiency of operations at Jodrell Bank. Jodrell Bank have not objected to the proposed development and do not usually object to applications for commercial uses. It is understood that this is because the uses are not occupied all day everyday. The proposal is also sited in an area served by other commercial premise so any impact is not considered to be significant.

Design and Context

Policy SE1 (Design) of the CELP sets out the design criteria for new development and states that development proposals should make a positive contribution to their surroundings. It is noted that the immediate area is characterised by existing commercial development.

The proposed units 8 to 14 (shown as Block A on the Proposed Site Plan) would have a maximum height of 9.6 metres (m) and would be constructed from metal cladding with a timber façade. This building would include 7 units, all with large openings at the ground floor to facilitate the proposed use. This building includes a mezzanine first floor element at the front portion of the building. The scale and design is considered acceptable and appropriate to the area.

Indicative elevations have been submitted for units 15, 16 and 17. Unit 15 would have a maximum height of 10.0 m and would be constructed from metal cladding with a timber façade. This building would include 1 unit, with large openings to facilitate the proposed use. The front of the building would include a showroom and the rear would comprise storage space. The scale and layout is considered acceptable and appropriate to the area. The proposed units 16 and 17 would have a maximum height of 9.0 m and would be constructed from metal cladding with a timber façade. This building would include 2 units, all with large openings to facilitate the proposed use. The scale is considered acceptable and appropriate to the area.

It is noted that Blocks D, E, F and G will be subject to a reserved matters application with appearance and landscaping reserved to be determined under a separate, reserved matters application. The scale and layout of these buildings is considered to acceptable and sympathetic to

the full planning application proposals as well as the existing pattern of development. The indicative design is considered to be acceptable.

The design and layout is considered to be in keeping with the character of the area and, given the context of the application site, it is considered that there would not be any significant impact on the streetscene.

The design of the proposed development is acceptable and in accordance with Policy SE 1 (Design) of the CELPS and Policy CE5 (Character and Design) of the HCNP.

Amenity

Policy GR6 (Amenity and Health) of the Local Plan, requires that new development should not have an unduly detrimental effect on the amenities of nearby residential properties via loss of privacy, loss of sunlight or daylight, visual intrusion, environmental disturbance or pollution and traffic generation access and parking.

The nearest residential dwelling is located approximately 40 m to the south (Thomas Hodges Court on Manor Lane). The existing Aldi building/car park is located between the application site and this dwelling. Given the relationship and the surrounding development, it is not considered that the proposed development would have any significant impact on the amenity of the occupiers of any residential dwelling over and above the existing scenario.

The Agent has submitted a noise assessment report which has been produced by Acoustic & Engineering Consultants Ltd. – AEC Report : P2935/R2a/AGB dated 26th June 2018 in support of the application addressing the impact of the noise from the proposed uses on the site to the nearest sensitive receptors. The report advises as to what noise mitigation is required and; provided that the building design, fabric and acoustic fence are as detailed within the report, Environmental Protection agree with the recommendation and this can be controlled by condition.

Policy SE 12 (Pollution, Land Contamination and Land Instability) of the Local Plan states that the Council will seek to ensure all development is located and designed so as not to result in a harmful or cumulative impact upon air quality. This is in accordance with paragraph 181 of the NPPF and the Government's Air Quality Strategy.

When assessing the impact of a development on Local Air Quality, Environmental Health has regard to (amongst other things) the Council's Air Quality Strategy, the Air Quality Action Plan, Local Monitoring Data and the EPUK Guidance "Land Use Planning & Development Control: Planning for Air Quality January 2017). Air Quality Impacts have been considered within the Air Quality assessment submitted in support of the application by REC Ltd. dated the July 2018, reference AQ105538r1.

The submitted report considers whether the development will result in increased exposure to airborne pollutants, particularly as a result of additional traffic and changes to traffic flows. The assessment uses ADMS Roads to model NO₂, PM₁₀ and PM_{2.5} impacts from additional traffic associated with this development and the cumulative impact of committed development within the area. The assessment concludes that the impact of the future development on the chosen receptors will be negligible with regards to NO₂, PM₁₀ and PM_{2.5} concentrations. However, the proposed development is considered significant in that it is highly likely to change traffic patterns and congestion in the area. Poor air quality is detrimental to the health and wellbeing of the public and also has a negative impact on the quality of life for sensitive individuals. It is therefore considered appropriate that mitigation should be sought in the form of direct measures to reduce the adverse air quality impact. The report also states that the developer should implement an adequate construction dust control plan to protect sensitive receptors from impacts during this stage

of the proposal and there has also been a Travel Plan submitted in support of the development which Environmental Protection deems acceptable.

Environmental Protection have raised no objection to the proposed development subject to a number of conditions and informatives.

As a result of the above reasons the proposal is considered to be acceptable in terms of residential amenity and in compliance with saved policies Policy GR6 (Amenity) of the Local Plan.

Highways

Development Impact

The predicted level of the trips arising from the site has been determined using data from the Trics database for business parks. The traffic generation predicted is 114 am trips and 98 pm trips, this level of generation is based upon varied employment uses on the site. The capacity assessments undertaken include for committed development and also the Aldi foodstore in Manor Lane.

Capacity assessments have been undertaken on the site access and also the nearby new roundabouts at Manor Lane/Macclesfield Road and Manor Road/Station Road, the site access will work well within capacity and the roundabouts will operate at capacity in 2025 with only modest queues on some arms.

The impact of the development on the principal junctions in Holmes Chapel that are the double mini roundabout junction at the A50/Middlewich Road and the signal junction at the A50 London Road/A54 Chester Road was raised as a concern with the applicant as these junctions have congestion problems. The applicant has not undertaken capacity assessments at these junctions but looked at the percentage impact that the development would have at these locations. The results show that the percentage impact is small, this would always be the likely outcome as the background traffic flows are high in the peak. It is the cumulative impact that the additional flows will have on the operation of the junctions that is the concern of the highway authority and in regard to this particular application the additional peak hour two way flows are low at 43 trips at worse at the double mini roundabout junction. This would not have a significant affect to warrant an objection to the application on capacity grounds.

Car Parking

The applicant has indicated that a total of 198 parking spaces will be provided on the development this level of parking is in line with CEC parking standards

Internal Layout

The existing access position is being utilised and the proposed access is suitable to serve the proposed development. However, the internal road layout is not suitable for adoption and will have to remain private. No turning facility has been provided at the end of the access road, a condition will need to be attached for the applicant to submit details of a turning facility.

Accessibility

The site is connected to the pedestrian footway network that links to Holmes Chapel centre and there is pedestrian access to the station on Station Road. There are two hourly bus services the 42 and 319 that run on Manor Lane, the existing bus stops are located close to the site.

Summary and Conclusions

The site is a former business park and there are existing business uses on the site, the proposals are for the site to remain as an employment site in various use classes. The existing site access is to be used from Manor Road to serve the site and is suitable to provide as an industrial standard of access. Accordingly, the Strategic Infrastructure Manager has no objection to the planning application subject to a condition re: details of the turning facility. It is therefore considered that the proposal will adhere with Policy GR9 (Accessibility, Servicing and Parking Provision) of the Local Plan.

Ecology

Local Plan Policy SE 3(5) (Biodiversity and Geodiversity) requires all developments to aim to positively contribute to the conservation of biodiversity. This planning application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with his policy. It is recommended that if planning permission is granted a condition should be attached which requires the submission of an ecological enhancement strategy.

The applicant should be aware that Rhododendron and Cotoneaster are present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause these species to grow in the wild.

Disturbance of soil on the site may result in increased growth of Rhododendron and Cotoneaster on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with these species must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste.

No objections are raised subject to conditions.

Trees

There are a number of trees located on the eastern boundary and a hedgerow on the northern boundary that are to be retained as part of the proposed development. It is noted that none of the trees are protected by a Tree Protection Order and that the existing site includes a large area of concrete hardstanding. The impact on trees is not considered to be significant.

Landscape

The revised landscape scheme has been reviewed by the Council's Landscape Officer and is considered acceptable. This relates to the full application and further landscaping will be considered under any reserved matters application.

Drainage

The Environment Agency and the Council's Flood Risk and Drainage team have reviewed the planning application and have no objections to the proposed development, subject to conditions relating to the drainage of the application site.

CONCLUSIONS AND REASON(S) FOR THE DECISION

The application site lies entirely within the Holmes Chapel Settlement Zone Line as designated by the CBLP as well as an existing area of commercial development and employment uses. Policy PG 2 (Settlement Hierarchy) and EG 3 (Existing and Allocated Employment Sites of the CELPS, Policy PS5 (Villages in the Open Countryside and inset in the Green Belt) of the CBLP and Policy ES2 (Encourage Greater Employment Opportunities) of the NCNP all support the need for a 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. As such the principle of the development is considered to be acceptable.

The proposed development is acceptable in principle and is of a satisfactory design that would not have a detrimental impact upon neighbouring amenity, highway safety, trees, the railway, Jodrell Bank or any protected species.

On the basis of the above, it is considered that the proposal represents sustainable development and is recommended for approval.

RECOMMENDATIONS

APPROVE subject to conditions

Reserved Matters

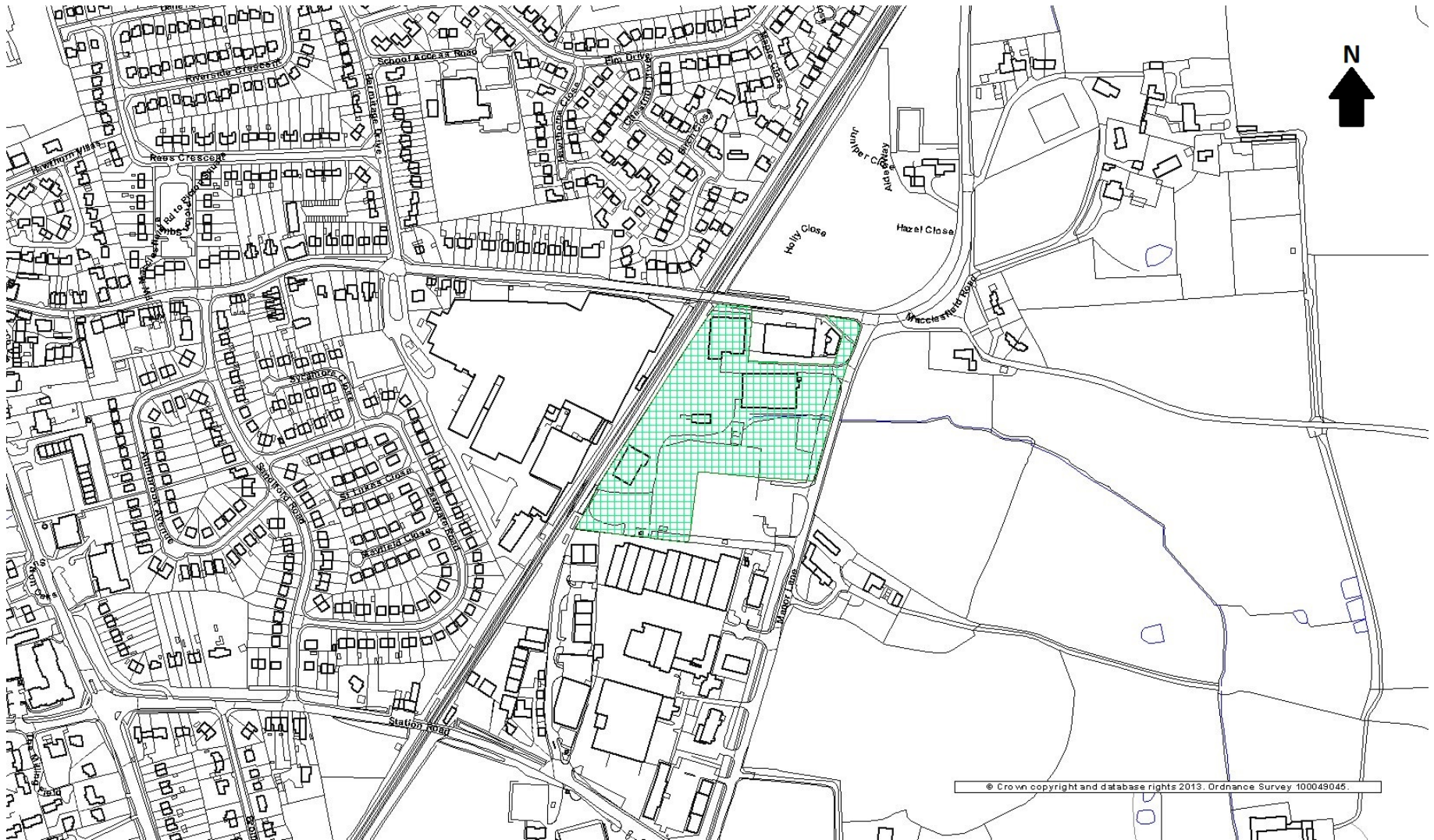
1. Time
2. Reserved matters
3. Time (commencement)
4. Plans
5. Noise
6. CMP
7. Floor floating
8. EVC
9. Land contamination
10. Remediation Strategy
11. Soil
12. Ecology
13. Nesting birds
14. FRA
15. LMP
16. Turning facility
17. Drainage
18. Piling
19. Unexpected land contamination

Full

1. Time
2. Plans
3. Materials
4. Noise
5. CMP
6. Floor floating
7. EVC
8. Land contamination
9. Remediation Strategy
10. Soil
11. Ecology
12. Nesting birds
13. FRA
14. LMP
15. Turning facility
16. Landscape implementation
17. Piling
18. Unexpected land contamination

INFORMATIVES:

- 1. NPPF**
- 2. Hours of construction**
- 3. Land contamination**
- 4. Network Rail**



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