

Homework item #10 Review of Albion Works and Lock against the methodology for defining village infill boundaries.

Introduction

1. This note responds to the Inspector's homework item 10, which is recorded as: *"Assess whether Albion Works and Lock site is suitable for an infill boundary, in consultation with Moston Parish Council and Bluefield Sandbach Ltd and prepare SoCG or position statement"*.
2. The Settlement and Infill Boundaries Review [ED 06] considers the approach to defining settlement and infill boundaries. Infill boundaries define the built limits of smaller settlements but these settlements remain within the open countryside. LPS Policy PG 6 'Open countryside' does allow for "limited infilling in villages" and Draft SADPD Policy PG 10 'Infill villages' defines village infill boundaries within which 'limited infilling in villages' would be appropriate.
3. The Settlement and Infill Boundaries Review starts with an initial list of 117 settlements in the 'Other settlements and rural areas' tier of the settlement hierarchy for consideration in the study to determine whether they should have a defined village infill boundary. ¶¶4.17-4.18 of the methodology specifies how this list of candidate settlements was defined.
4. Given that the Albion Works/Albion Lock site was a redevelopment site, it was not included in this initial list and consequently it was not considered as a candidate for a village infill boundary.
5. The site is a large redevelopment site in the countryside and as discussed at the Matter 2 (Planning for Growth) Hearing Session on Day 3 (Thursday 14 October 2021), it may be appropriate to consider whether, if applying the methodology for defining infill villages, the site could be considered suitable to be listed as an infill village with a defined infill boundary.

Albion Works / Lock site

6. The site consists of an area of industrial uses at its northern end; an area of largely cleared former industrial land in the centre including a recently constructed care home; and a new residential development at the southern end, part of which is completed and part remains under construction.
7. Figure 1 shows the extend of the Sandbach Settlement Zone Line as defined in the Congleton Local Plan, as well as the spatial extent of the various planning consents and applications.

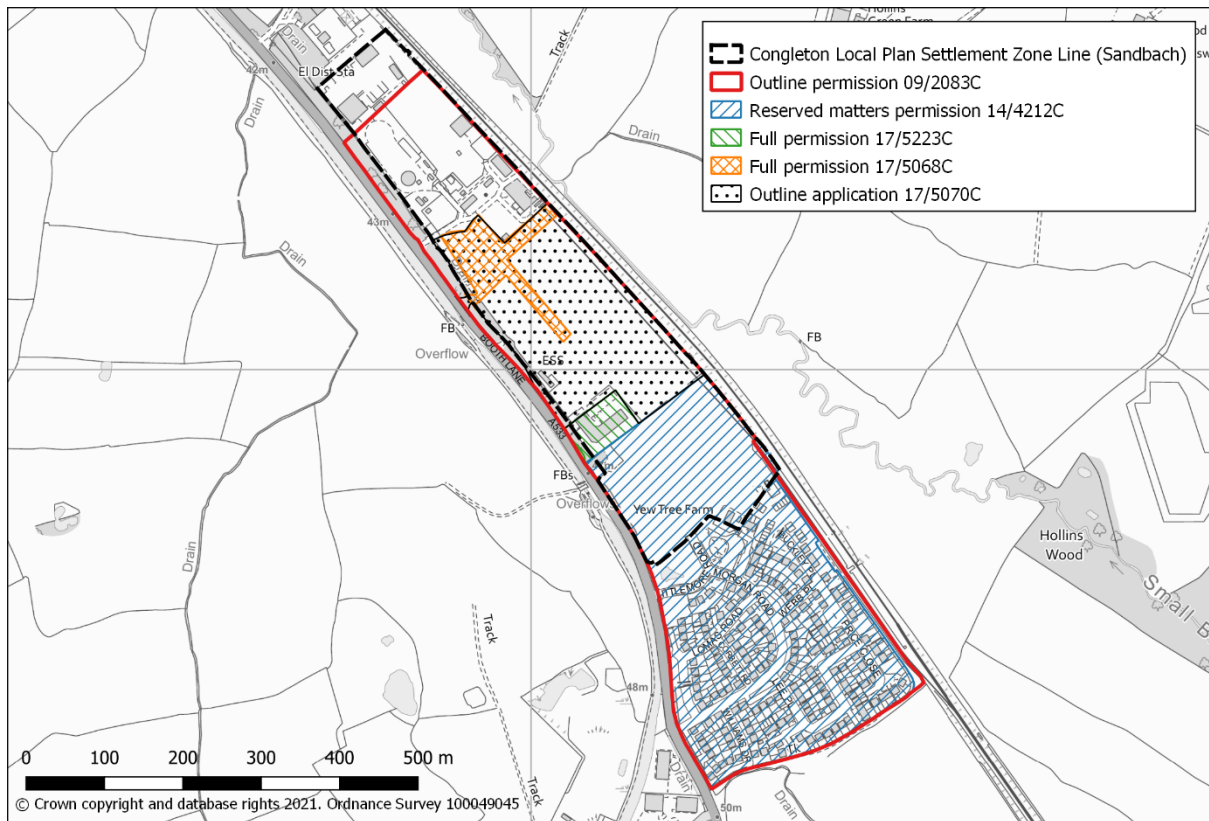


Figure 1: Settlement zone line and planning consents

8. The planning status of the various parts of the site is set out in Table 1 below.

Application	Description	Status
09/2083C	The comprehensive redevelopment of the site for a mix of uses comprising of up to 375 residential units (Class C3); 12000sqm of office floorspace (Class B1); 3810sqm of general industrial (Class B2) and warehousing (Class B8) floorspace; 2600sqm of commercial uses incorporating pub (A4), hotel (C1), restaurant (A3), Health club (D2), retail (A1), car dealership (Sui-generis), fast food restaurant (A5) and offices (B1); retention and change of use of Yew Tree Farm complex for up to 920sqm of residential (Class C3) and non-residential (D1) uses; public open space together with access and associated infrastructure.	Outline consent granted 14/05/2014. The development has started under 14/4212C below.
14/4212C	Reserved matters application (outline 09/2083C) for 371 dwellings.	Full consent granted 27/02/2015. 216 dwellings were completed at 31/03/2021 with 155 remaining.

17/5223C	Erection of a three storey 66 bed care home for the elderly.	Full consent granted 09/11/2017. The development is now completed.
17/5068C	Construction of an office building (Use Class B1), associated car parking, proposed access road and mitigation bund	Full consent granted 01/10/218. The development has not started and the consent has now lapsed.
17/5070C	Outline planning (revisions to 09/2083C) in respect of zones 2, 5 and 6, to provide up to 100 residential units (C3) plus care home (C2), up to 2,600 sq.m of commercial uses including retail (A1), restaurant/pub (A3/A4) plus offices (B1), with public open space and associated infrastructure.	Minded to approve subject to S106 agreement.

Table 1: Planning status

Initial Assessment

9. In line with the Settlement and Infill Boundary Review Methodology, an assessment of the Albion Works and Lock site was made against the initial three factors:
- The level of service facility provision (does the settlement have three or more of the identified services and facilities?);
 - The availability of public transport (is there a bus or rail service?); and
 - Whether or not the settlement has a coherent spatial form.
10. The assessment of the Albion Works/Lock site is set out below.

Review of services and facilities

11. The following services and facilities are present within the site or in the immediate vicinity:
- Bank: No
 - Children's play area: Yes
 - Cinema: No
 - Dentist: No
 - Doctor (GP): No
 - Hospital: No
 - Leisure centre: No
 - Library: No
 - Local shop: No
 - Museum or gallery: No
 - Nursery: No
 - Pharmacy: No
 - Place of worship: No
 - Post office: No
 - Primary school: No
 - PH / café / restaurant: No
 - Supermarket: No
 - Village or church hall: No

12. The updated outline application (17/5070C) shows that it is intended to provide a pub/restaurant plus commercial uses (which may include retail). However, there is no certainty that a retail use would be delivered and if it is delivered, it is not clear whether this would be for convenience retailing.
13. Therefore, there is potential for there to be a total of three services and facilities (children's play area, local shop, PH/café/restaurant) but at present there is only one (children's play area).

Review of public transport provision

14. There is no rail service but the site is served by the 37/37A/37E bus.

Assessment of coherent spatial form

15. The residential development completed and under construction (under 14/4212C and 17/5223C) clearly has a coherent spatial form and a critical mass of buildings. The final form of development across the remainder of the site is not as certain, but given that the site is a comprehensive redevelopment site, it is likely that future development will also represent a coherent spatial form. The illustrative masterplan submitted as part of outline application 17/5070C shows a coherent spatial form.

Initial assessment results

16. When considered against the initial three factors, the Albion Lock/Works site:
 - Does not meet the requirements for services/facility provision (as it has only one) but could potentially meet the requirements in the future (if future development delivers a further two services/facilities);
 - Meets the requirement for availability of public transport as there is a bus service; and
 - Meets the requirement for having a coherent spatial form.
17. As set out in ¶6.7 of the Settlement and Infill Boundaries Review:
 - Where a settlement meets all three of the factors, it should be considered a village;
 - Where a settlement meets zero or one of the factors, it is not considered to be a village;
 - Where a settlement meets two of the factors, it is considered to be borderline and further consideration of its population should be undertaken to determine whether or not it is to be considered a village.
18. The Albion Lock/Works site currently meets 2 of the factors, and is therefore considered to be borderline and further consideration of its population should be undertaken to determine whether or not it is considered to be a village.

Assessment of population

19. As set out in the Settlement and Infill Boundaries Review [ED 06] (¶¶4.33-4.35), a further assessment of the estimated population should be carried out for borderline settlements. The method for estimating population for small settlements involves counting the number of residential and mixed-use properties using the Local Land and Property Gazetteer and using the average household size by Census output area to estimate the population.
20. In the case of the Albion Works/Lock site, this may not be an appropriate method for estimating population, as not all properties are yet constructed (and therefore not included in the Local Land and Property Gazetteer) and as a comprehensive redevelopment site in the countryside, the form of modern housing development is different to the form of development in the surrounding rural area. As a result, the average household size in the surrounding area may not correspond with the average household size of the new developments.
21. In line with the Settlement and Infill Boundaries Review, a borderline settlement with an estimated population of at least 500 people shows that there is potential for the settlement to meet all three factors in the future (and should be considered as an infill village).
22. Whilst it may not be appropriate to apply the Settlement and Infill Boundaries Review method for estimating population in this case, it is clear that the completed and under construction housing development for 371 dwellings (14/4212C) plus the 66 bed care home (17/5070C) is extremely likely to result in a population of well over 500 people. If further development comes forward in the future in line with the revised outline application (17/5070C), then the additional 100 residential units and care home will also add to the population.
23. Following the assessment of its population, it is considered that under the Settlement and Infill Boundaries Review methodology, it would be appropriate to consider the Albion Works/Lock site as an infill village.

Defining a potential infill boundary

24. A potential village infill boundary has been drawn, considering the three stages as with the settlement boundary review (allocated sites; relationship with the built form of the settlement; relationship with physical features).
25. The potential boundary has been drawn around the built development completed and under construction under application 14/4212C. The boundary also includes the care home completed under 17/5223C. At the northern end of the site, the boundary largely follows the boundaries of the outline consent (09/2083C) and revised outline application (17/5070C), but extending slightly further to include the existing industrial site immediately to the north. At the very southern end of the site, the boundary includes the existing area of built development (commercial, industrial and residential uses) immediately opposite the newly-built housing across Booth Lane.

26. The potential boundary excludes the farm access track to the south and west of the newly-built housing; and it also excludes the area of public open space fronting Booth Lane.
27. The potential boundary is defined using property curtilage boundaries, roads, the Trent and Mersey Canal, substantial hedgerows, and the boundary to the railway line as shown in Figure 2 below.

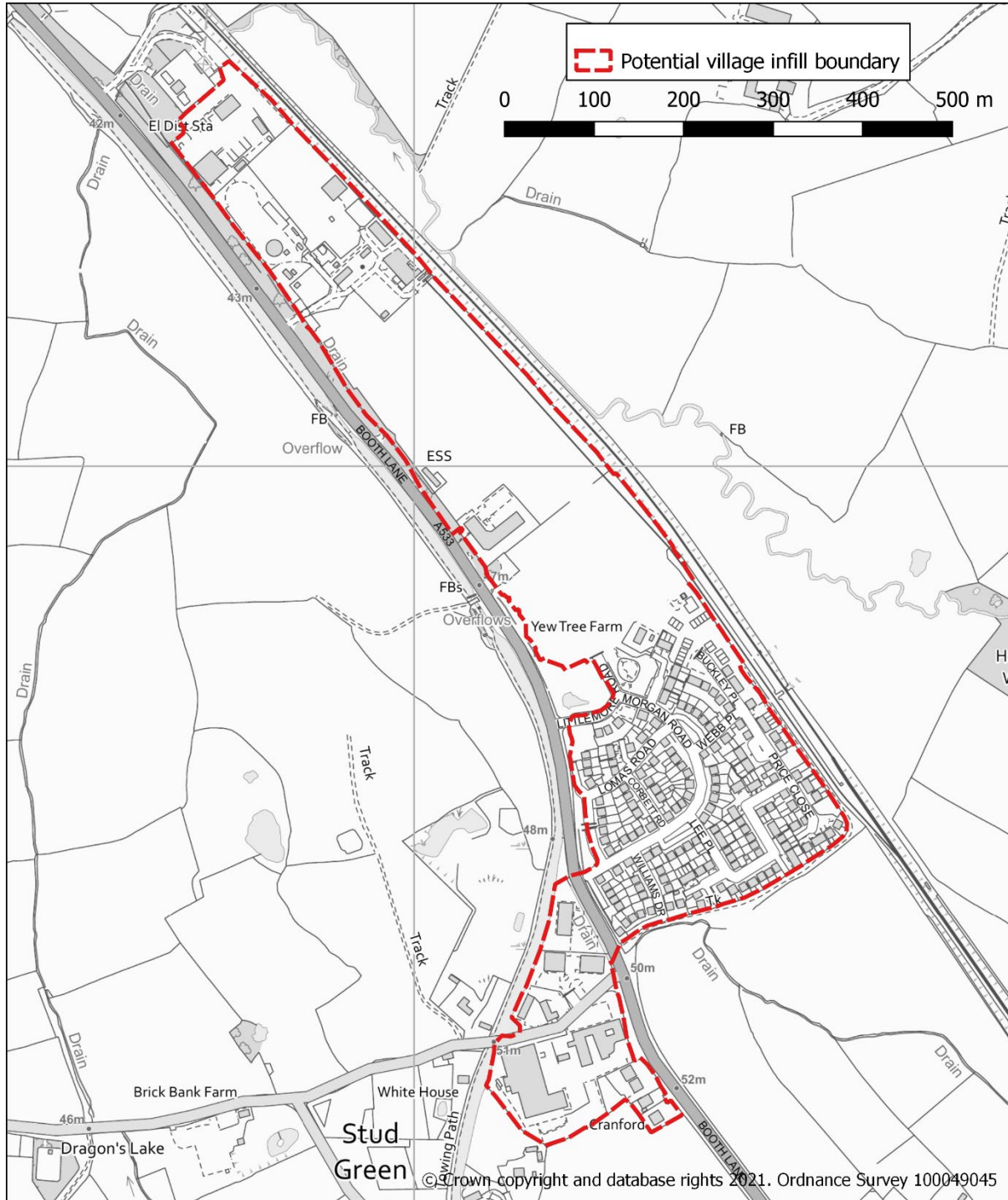


Figure 2: Potential village infill boundary

28. Should the Inspector consider that a main modification is necessary for soundness, the “Albion village” could be listed as an infill village in Policy PG 10, with a village infill boundary (as shown in Figure 2) defined on the policies map.

Appendix 1: Position statement

29. As requested, the council has consulted with Moston Parish Council and Bluefield Sandbach Ltd regarding the content of this note.

Moston Parish Council

30. The Parish Council does not object to the principle of defining a village infill boundary on the Albion Works/Lock site.
31. However, the Parish Council considers that the infill boundary should be drawn around the land in Bluefield Sandbach's ownership only and the additional area to the west of Booth Lane should be excluded.
32. Moston Parish Council's response is included at Appendix 2.

Bluefield Sandbach Ltd

33. Bluefield Sandbach does not disagree with the assessment undertaken or the conclusion drawn that the site could be treated as an infill village.
34. However, they believe that the homework note should also consider the possibility of a site specific allocation. They do not consider that defining an infill boundary for the site is the most appropriate approach.
35. The response from Bluefield Sandbach is included at Appendix 3.

Cheshire East Council

Moston Parish Council response

36. The position of Moston Parish Council regarding the potential boundary is understood and it is agreed that the area to the west of Booth Lane is a different area from the development site. The Inspector may wish to consider whether this area should be excluded from any potential infill boundary.
37. However, if applying the methodology as set out in the Settlement and Infill Boundaries Review [ED 06], the area west of Booth Lane could justifiably be included within any potential infill boundary. As set out in the Settlement and Infill Boundaries Review (¶4.36), the approach to defining infill boundaries should follow the approach to defining settlement boundaries. Table 5 (pp29-31) sets out the criteria for consideration at stage 2, considering the relationship of the boundary to the built-up area. Criterion F of stage 2 looks at the functional relationship to use of built-up area and the table sets out that sites adjoining the boundary should be included within the boundary where they have an existing use that has a clear functional relationship with the existing settlement, such as residential properties; community facilities; retail and service type units; employment premises (offices, industry, warehousing); indoor leisure facilities.

38. The uses in the area west of Booth Lane are commercial units, industrial premises and residential properties. Whilst the Albion Lock development site may be new (and still under construction), it does seem that in the longer term as the overall development matures, this area west of Booth Lane would relate more to the built-up area of the settlement rather than to the open countryside beyond the infill boundary.

Bluefield Sandbach response

39. The council is aware of the position of Bluefield Sandbach, as evidenced through representations, hearing statement and as discussed at the hearing session. Issues around settlement boundaries, site allocations and infill boundaries were discussed at the hearing session. The council considers that the Inspector's request regarding homework item 10 is properly recorded in the homework list [CEC/08], which was agreed by the Inspector prior to it being added to the examination library on 19th October. The agreed request for this note is to *"Assess whether Albion Works and Lock site is suitable for an infill boundary, in consultation with Moston Parish Council and Bluefield Sandbach Ltd and prepare SoCG or position statement"*.
40. The council has therefore limited its response to assessing whether it would be appropriate to define a village infill boundary, should the Inspector consider it necessary for soundness. It is not considered that a specific site allocation or definition of a settlement boundary is necessary to enable this large redevelopment site to continue to come forwards for comprehensive redevelopment. The area within the potential village infill boundary shown in Figure 2 is all either brownfield land and/or benefits from an extant planning consent. The purpose of LPS Policy PG 6 'Open countryside' is not to preclude redevelopment of brownfield sites in the countryside, and this is confirmed in the LPS Examining Inspector's final report [BD 05] (¶112) where he confirms that *"...the policy would enable the redevelopment of previously developed sites in the countryside, subject to specific criteria..."*
41. The inclusion of the site within a village infill boundary would allow for "limited infilling" in accordance with Policy PG 10, in addition to the other types of development acceptable in the Open countryside under LPS Policy PG 6. It is accepted that the addition of 'limited infilling' to the types of development allowed at this site may not give significant further guidance to making decisions on large redevelopment proposals. However, the guidance already set out in PG 6 is sufficient for this purpose and the definition of the infill boundary could assist in making decisions on any future, smaller scale development proposals within the redeveloped site.

Appendix 2: Moston Parish Council response

HOUSE, Stewart

From: clerk@mostonparishcouncil.org
Sent: 30 October 2021 10:25
To: HOUSE, Stewart
Subject: Re: Potential Albion Works/Lock infill boundary

Follow Up Flag: Follow up
Flag Status: Flagged

Moston Parish Council accepts much of the reasoning outlined in the note to the inspector and has no principle objections to an Infill Village on the former Albion Chemicals site.

The parish council fails to understand the reasoning of the potential infill boundary as shown in Figure 2 and would oppose the inclusion of Dragons Wharf, Flowcrete, the former Moston Garage, Cranford and The Cedars into an Infill Village.

Dragons Wharf is part of Policy LE2 Non Rural Employment in the Moston Neighbourhood Plan. It includes the many businesses within Dragons Wharf and nearby business sites including Flowcrete, the former Moston Garage and G & G Pumps. All those businesses were operating well before planning was given for housing and other uses on the old Albion Chemicals Site and should remain out of an Infill Village.

The residential properties of Cranford and The Cedars were build in Moston many years before Murgatroyd's Chemicals was sold to Hays Chemicals which before closure became Albion Chemicals. The residents of both properties have expressed a desire to remain in Moston and any potential Village Infill boundary should exclude these properties.

Our view is any Infill Village, known as Albion Village, should have a Boundary from beyond the Farm Track, as indicated on Figure 2 and only include land owned by Bluefield, using the A533 Booth Lane and the railway line as an easily identified boundary, no other properties or land should be included.

We have responded to your request as quickly as possible to allow time for a review of the Infill Village boundary.

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Regards,

Kristine Pemberton
Clerk for Moston Parish Council

Appendix 3: Bluefield Sandbach response

HOUSE, Stewart

From: Mark Krassowski <Mark.Krassowski@walsingplan.co.uk>
Sent: 01 November 2021 14:19
To: HOUSE, Stewart
Subject: RE: Potential Albion Works/Lock infill boundary

Dear Stewart,

To confirm our conversation earlier today regarding the above:

1. I don't agree that the summary set out in your email below and in the Agreed Homework List [CEC/08] is entirely what the Inspector asked the Council to come back with. My notes of what he requested was for the Council to go away, and in consultation with Bluefield Sandbach and Moston Parish Council, to find a 'sensible way of dealing with the Albion site in planning terms'. He asked the Council to consider the village infill option, but also the possibility of a site specific allocation.
2. You have reviewed the Albion Works and the Albion Locks site against the methodology for defining village infill boundaries, and found that a village infill boundary could be defined for the site and the adjoining Dragons Wharf buildings. I made a couple of factual points to you on the phone regarding planning history and potential final population of the site, which would not affect your assessment.
3. While Bluefield Sandbach do not disagree with the assessment undertaken or the conclusion that you have drawn that the site could be treated as a 'village infill', we do not consider that it is a sensible way for dealing with the wider site in planning policy terms. In summary the reasons for this view are as follows:
 - I. The site would still fall within Open Countryside and be subject to Policy PG6, where there is a general presumption against new development.
 - II. The exception criteria in Part 3 to PG6 are specific to established settlements and not really suitable to be applied to large brownfield development sites.
 - III. The exception criteria maybe appropriate in the long term, when the site has been fully built out, but in the short to medium term they will not assist in dealing with proposals for larger scale built development on the site. Much of the central part of the site remains to be redeveloped and while there is an implemented outline permission for a range of uses and a resolution to grant consent for a revised mix, some of the uses may change going forward and further consents will be required. It is public knowledge that Bluefield Sandbach will in due course be coming forward with an application for an Energy Storage facility on the site of the former Eon power station, and they have also been looking at an industrial and trade counter scheme on part of the area zoned for commercial uses.
 - IV. Applying 'limited infilling' and 'infill of a small gap with one or two dwellings' exceptions as listed in PG6 3i would not assist the future planning of the wider site as the criteria are far too limited and not appropriate for this situation.
4. In our view if the Council or Inspector are not prepared to see an island settlement boundary used to define the site and place it within the Sandbach settlement limits (as per the existing Congleton Local Plan), then the best solution would be to prepare a site specific allocation policy, which was the other option I recall the Inspector asking the Council to look at. We would be happy to work with the Council in coming up with a suitably worded policy in this regard.

I trust that this email will be forwarded to the Inspector along with the Council's own response.

Your sincerely,

Mark

Mark Krassowski
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