

CHESHIRE EAST LOCAL PLAN - SITE ALLOCATIONS AND DEVELOPMENT POLICIES DOCUMENT

MATTER 1 - DUTY TO CO-OPERATE AND LEGAL COMPLIANCE

HEARING STATEMENT ON BEHALF OF SMA DEVELOPMENTS

REPRESENTATION ID 989348

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

Prepared by: Pegasus Group



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DESIGN ENVIRONMENT PLANNING ECONOMICS HERITAGE

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1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of SMA Developments who are promoting land at Fanny's Croft, Alsager for 3 potential development scenarios consisting of:

- Option A – 125 dwellings and 13,000 sq. m of office development;
- Option B – 13,000 sq. m of office development on a site of 5.65 ha with a net employment area of 2.38 ha located north of Fanny's Croft; and
- Option C – housing development across land north and south of Fanny's Croft.

1.2 Over the course of the preparation of the Site Allocation DPD (SADPD), a number of representations have been made on behalf of SMA Developments. In particular this includes representations made to the 2019 publication draft of the SADPD.

1.3 This Statement addresses Matter 1 and relates in particular to legal compliance. The Statement relates specifically to the Inspector's question 5 (compliance with the LDS and any obvious omissions in the submitted DPD relative to the allocations delegated to it from the LPS) and question 7 (is the SADPD based on a sound process of sustainability appraisal).

2.0 MATTER 1 – DUTY TO CO-OPERATE AND LEGAL COMPLIANCE

Question 5 – Are there any obvious omissions from the submitted DPD, in terms of its overall scope as described in the LPS and the non-strategic policies and site allocations delegated to it by the LPS?

2.1 Representations have been made by Pegasus Group on behalf of SMA Developments to both the 2019 and 2020 versions of the publication SADPD. In summary these representations identified the following:

- The LPS designates Alsager as a Key Service Centre;
- Policy PG2 of the LPS states in the Key Service Centres development of a scale, location and nature that recognises and reinforces the distinctiveness of each individual town will be supported to maintain their vitality and viability;
- Paragraph 2.4 of the LPS identifies that Alsager faces a relative shortage of jobs and at paragraph 2.7 it notes Alsager has a mean income below the Cheshire East average. At paragraph 2.49 it states the number of jobs available within Alsager is low;
- Policy PG7 of the LPS identifies Alsager to provide in the order of 40 ha of employment land and 2,000 new homes;
- Table 84 of the LPS identifies that Alsager should average a 100 new homes per year and 2 ha of employment development; and
- Appendix A of the LPS identifies on page 404 that Alsager's employment land allocations would comprise of 37.12 ha as extensions to the existing Radway Green site and 2.88 ha through site allocations.

2.2 The Alsager Settlement Report (ED22) notes at paragraph 3.7 that the 3 LPS employment allocations totalling 37.74 ha had not been completed, but there were commitments of 11.7 ha on these sites. Paragraph 3.8 recognises that there is a remaining requirement of 2.26 ha of employment land over the Plan period.

2.3 The need for sites in Alsager is considered at paragraphs 4.6–4.8 of the Alsager Settlement Report. In summary the document concludes that there is no need for additional employment allocations as:

- The residual amount of 2.6 ha is only 6% of the overall requirement and it is reasonable to conclude that provision of 37.74 ha of employment land would fall within the terms of "in the order of 40 ha of employment land" set out in Policy PG7 of the LPS; and
- Paragraph 4.8 of the Alsager's Settlement Report also refers to the historic employment site known as Radway Green brownfield which it acknowledges makes no contribution to the 40 ha requirement but represents a significant area of land that is currently "undeveloped" and available for employment use and that an outline planning commission reference (18/3348N) existed for the site.

2.4 The reasons given by the Council not to allocate the remaining residual requirement of employment land in Alsager are inadequate and not supported out by evidence. As a result the SADPD has not met with its requirement to implement the strategy and development requirements set out in the adopted LPS and as a consequence the document is unsound. The reasons behind this statement are summarised below:

1. There is clearly a requirement for additional employment land in Alsager beyond the strategic allocations set out in the LPS. This has not, as a matter of fact, been met in the SADPD;
2. The LPS anticipated development of 2 ha of employment land per year

yet none of the allocations in the LPS have as yet come forward. They are all located at the Radway Green site providing little in the way of flexibility in location or size;

3. The Council refer to the Radway Green brownfield site benefitting from a planning permission and making some form of contribution towards the residual requirement. The planning permission referred to by the Council (18/3348N) has time expired; and
4. The Council appear to conclude that bearing in mind the 2.88 ha residual requirement is only a small proportion of the overall requirement, it is not necessary to include any further sites in Alsager. This view is undermined by virtue of the fact that the other allocations which are included in Alsager have not delivered in new employment development and that the employment/ job situation in the settlement is already below average.

2.5 In view of the above and contrary to the Council's position in the Alsager Settlement Report, the evidence points to the need for residual employment requirement to be met through an allocation in the SADPD. The factors effecting Alsager set out in the LPS and summarised at paragraph 2.1 above feed into this conclusion.

Policy PG12 of the SAPD

2.6 Representations have been made relative to the former Policy PG11 (now deleted) and PG12. The approach now taken in the SADPD is not to remove any land from the Green Belt however Policy PG3 of the LPS did make an allowance for further non-strategic sites to be removed from the Green Belt via the SADPD. This was to be delivered through Policy PG11 but that has now been deleted. The approach in the SADPD to not remove any non-strategic sites from the Green Belt is not justified.

2.7 The Alsager Settlement Report concludes that the Green Belt does not need to

be released at Alsager and therefore there are no sites listed under Policy PG12 as safeguarded land. For the reasons set out above, there is a clear need for additional employment land at Alsager which could be met through development at Fanny's Croft in the manner set out in Option B of our previous representations.

2.8 Pegasus Group have already set out the evidence necessary to provide the exceptional circumstances sufficient to remove the land from the Green Belt. For the reasons set out above Alsager is not meeting its own employment requirements as set out in the LPS. In addition, the allocations which have been identified, which relate to sites not in the Green Belt, have not come forward to deliver new employment growth. The polarisation of all employment growth in Alsager at Radway Green does not provide sufficient flexibility to meet a range of market needs. The approach taken in the SADPD to ignore the requirement to deliver the residual employment land necessary to comply with the LPS compounds this issue. An appropriate course of action would be to identify another site which had differing characteristics to Radway Green, in a different part of Alsager, to meet the residual need for employment land. This could be achieved through amendment to the Green Belt boundary at Fanny's Croft.

2.9 The LPS in Policy PG3 Criterion 6 makes provision where necessary to identify additional non-strategic sites to remove from the Green Belt in the SADPD. The approach of the SADPD to not remove land from the Green Belt notwithstanding the shortfall in employment land provision in Alsager, is a significant failing. As a result the SADPD is unsound as it would not deliver the requirements set out in the LPS.

Sustainability Appraisal

2.10 The SA tested the proposed employment allocations on page 283 and 284. The approach taken in the SA is that there were no reasonable alternatives, so they were not tested. As set out in our representations, this approach is not supported by evidence and in particular this approach taken to excluding the Fanny Croft site and at the 'Decision Point' stage is unsound.

2.11 In addition, the approach taken in the SA to focus on the LSC's and other settlements is not a suitable way of testing the requirements of the development figures set out in PG7. This represents a failure in the SA process.