

## **2010 - 2011 Chairs' Report to the AGM of the Mirrlees Fields Action Group, November 24th 2011**

Following the election of David Kemp to the position of Deputy Chair at the last AGM, the chair's role during this year has been shared between David Gosling (November to April) and David Kemp (May to November). This is a joint report from both chairs.

### **1. Friends of Mirrlees Fields**

The AGM approved the proposal that the Action Group should be constituted as a 'Friends' group, but wished to keep the name Mirrlees Fields Action Group on the grounds that this was a well-known 'brand' locally. Until MFAG's objectives have been met, it was argued that there remains a need for an 'action group' to lobby in favour of the Fields coming into some form of public ownership.

The aims and objectives of MFAG were duly amended to incorporate our role as a 'Friends of Mirrlees Fields' (see attached revised constitution).

### **2. Future of the Fields**

The AGM last year welcomed the idea that Mirrlees Fields should be owned and managed by a Trust that would ensure public access to the Fields in perpetuity. This remains MFAG's principal objective. Louise Durose, the legal secretary at MAN, stated that the company welcomes this idea as 'the best way forward' and promised to look into the legal implications. However, we have to report that no further progress on this objective has been achieved during this year.

The reason for this lack of progress lies in the refusal of the company to enter into any discussion on the future of the fields while their planning application for the future of the factory site (the brown field site) is under consideration. Our most recent request for a meeting was rejected because some details of the application (relating to the Section 106 agreement) are still under discussion with Council officials.

### **3. The Outline Planning Application for Phase 2 of the factory site**

Responding to MAN's planning application has been the major preoccupation of the Committee during the last year.

In early December 2010, MAN held an open exhibition in the new factory building which was billed as 'a consultation' with the public. Many members of the action group braved the snow to attend the exhibition. We learned that the plans related only to the factory site and made no mention of the Fields. The proposal was that one third of the site will be business start-up units and the other two thirds will become residential. Most people who attended the 'consultation' supported this change of use.

The Outline Planning Application DC046179 was submitted by Knight Frank on behalf of MAN and was received by the Council on 15th December. The application

sought permission for a mixed use of the site including 'up to 240' houses and some 'move-on' units for small businesses.

The application referred to the 'consultations' with MFAG as evidence of community involvement. As far as the Fields were concerned, the application said (in paragraph 3.8) that 'the applicant continues to hold discussions with a range of community organisations and local residents, seeking views on potential recreation/sport uses, ways of enhancing access to the green space and making greater use of the area. These discussions continue to take place independently of the planning application.'

After much careful study of the application we wrote to the company as follows on February 25th.

'The position of the action group is that it is broadly supportive of the application and we would be prepared to say that in our comments but there is some uncertainty in the community about the potentially negative impact of the residential development. Some of our members are concerned about the increased traffic flows that will result from the new development, given the current congestion on Bramall Moor Lane.'

We also stated that we believed 'the potential implications of the proposed development for the future of the greenfield site should be considered as part of the planning process'.

We took advice on the best way to achieve our objectives for the Fields. Among those we consulted were people involved in the Strines area where a factory was also demolished and an application for housing submitted. They had achieved allocation of a public space which was to be landscaped by the developers and an annual budget to maintain the public land. Their advice was to 'go in hard' and then negotiate.

We were invited to a meeting with Louise Durose at which Knight Frank was represented by Matt Claxton on March 2nd. We outlined our concerns which were listened to politely. We were given the impression that further discussions would continue.

In our initial response to the Outline Planning Application, submitted on March 3rd, we took the position that 'this application cannot be considered in isolation from its impact on the open space'.

We argued for 'a comprehensive vision for the site that promotes the enhancement of the strategic open space. We believe there must be a legally-binding commitment by the applicant to transfer ownership of the fields to a charitable trust with appropriate financial support to enable the trust to open the fields to public access and to maintain the fields for the foreseeable future.'

MFAG also provided detailed comments about issues relating to the boundary between the new development and the Fields, the protection of trees on this boundary, and about the footpath between the new development and Woodsmoor Station. In the absence of any vision for the whole of the site MFAG opposed the application.

MFAG's position was circulated to members who were invited to write to Councillors and to Mr Wayne Jones the Managing Director of MAN in Stockport in support of our position. We also talked to Councillors, the local MP Mark Hunter, and Council officers. Following these discussions a letter was received from Mark Hunter on 18th March, in which he advised us follows:

I understand from Stockport Planning Officers that the Council could not impose a condition under Section 106 that Mirrlees Fields should be passed over to the Council or to a Friends Group, which I know is what you would want. However, MAN Diesel may be able to offer the fields under a Section 106 agreement - but it would have to be offered and not asked for as a condition.

Further discussions with Council officers supported this view that several of the objections raised by MFAG were not, in their view, legitimate or 'material considerations' that could result in refusal of the Outline Planning Application.

It became clear that the Company did not wish to proceed with further discussion about the fields at this stage. In response to members' letters, the company reiterated its position.

The green space is currently privately owned by MAN Diesel & Turbo UK Ltd. We have stated on numerous occasions that the company has no long term aspirations to retain ownership of the land and that we are committed to bring the fields into wider use for the community to enjoy. We have consulted far and wide on what people would like to see the green space used for and have shared those results with Mirrlees Fields Action Group ("MFAG") amongst others.

We have been working closely with MFAG and other interested community groups in relation to the future of the green space, including on the issues of ownership, management models and uses. Those discussions are ongoing with further meetings planned in the coming months.

On the issue of ownership, a trust could be one of the main options we will consider. Our primary aim is to ensure the land is safeguarded for the future and brings benefits to the wider community.

In the light of this situation, the Committee decided to alter its stance. David Kemp met with representatives of the company to announce that MFAG would not oppose the application, but concerns remained about the impact on the Fields of any residential development. MFAG maintained the view that the future of the strategic open space should be considered as part of the planning process.

In our final response to the Application MFAG said that 'In principle, MFAG does not oppose the proposed outline planning application for a mix of housing and employment' but that we had concerns about the density of the housing, the impact of increased traffic, the lack of public transport to the site, the poor state of footpaths. We asked specifically that the Fred Perry Way should be protected from traffic on the new site, that all trees should be protected, and that the biodiversity of the fields be preserved.

On May 13th Knight Frank submitted a letter amending the application. The number of dwellings applied for was reduced to 183 houses and 20 apartments. The letter also commented on the footpath to Woodsmoor Station.

Nick Whelan (SMBC, highways officer) and the Mirlees Field Action Group have also requested that the footpath to Woodsmoor rail station is upgraded to provide a 3.0 meter wide sealed surface with lighting. To further improve pedestrian access to and through the surrounding green space, the applicants propose to upgrade and improve this link route. Measures might include for example, new tarmac surfacing, signage and lighting. The applicants propose to submit a scheme for footpath improvement / enhancement works, the details of which can be addressed by an appropriately worded condition.

They also said this about the Fields.

Issues of future use, management and ownership will evolve through ongoing discussions between the landowner and all interested parties as a continuation of the process that has been underway for some time. The applicant is committed to this process but the timescales and process will continue outside of this planning application.

MFAG responded to this letter to highlight that a 3 meter wide sealed surface footpath had not been requested and that MFAG were keen to work with MAN and the Council to help discharge the obligations placed upon MAN by either a Section 106 or as a condition of planning. MFAG has not, as of yet, been taken up on its offer in this regard.

As expected, at the Stepping Hill Area Committee meeting on 26<sup>th</sup> July, elected members approved the Outline Planning Application for the redevelopment of existing brownfield land and the construction of new employment facilities and 203 new dwellings.

Despite our best efforts, the Planning Authority stated that there was no legal precedent to link the application for redevelopment of the brownfield land as defined in the Outline Planning Application with the issue of the future use and ownership of the Mirlees Fields Strategic Open Space.

This remains the position. The company has so far refused any further meetings or discussion with us since May.

#### **4. Other issues**

##### **A) Stockport County.**

The committee was made aware that Stockport County had approached MAN to express an interest in the Fields for their proposed new training ground. The chair and secretary met with Mike Smith, the community officer for the Stockport County Community Foundation. He informed us that the foundation has been in discussion with MAN about acquiring 25 acres of the open space which would include a facility (at this stage a rather vague notion, but it means a building which would include offices and changing rooms at the very least) football pitches, and an all-weather floodlit area. Clearly it would need an approach road and car parking.

MFAG wrote to Councillors and the MP, Mark Hunter, expressing our concern about this proposal. We were assured that by Mark that 'there is nothing formal going

through the Council about Stockport County using the fields as a training base and they probably would need planning permission if they were to set up facilities there'. We have heard nothing more about this proposal but we are keeping a close eye on any developments.

B) Great Moor Junior School

On two occasions members of MFAG have shown classes from Great Moor School around the fields. The school is particularly interested in engagement with MFAG as a community organisation to support their work with pupils on the 'citizenship' and local democracy agenda in addition to learning about the history of the Fields.

The School have approached MFAG to ask if we would like to have a representative on the School's Governing Body. We intend to accept the invitation and David Kemp has volunteered to represent MFAG.

C) Public Liability Insurance

In order for MFAG to undertake the types of activity normally carried out by other Friends Groups it would need to have suitable public liability insurance.

A suitable policy has been identified for a relatively small premium, sourced through the British Trust for Conservation Volunteers, however the permission of MAN would still be required to legally take volunteers onto their private land.

MAN were approached with a proposal as to how MFAG could begin to organise volunteer days and to ask for their 'permission' to access their land subject to the approval of the insurance cover we had identified.

Although they felt the insurance would be adequate, the company did not wish to explore our proposal regarding volunteer days as they felt it was linked to the issue surrounding the future uses of the Fields and that it was not appropriate to discuss these future uses at this time.

D) Cub Scouts

MFAG were approached by a local branch of the Cub Scouts with a view to jointly undertaking 'conservation' activities on the Fields. The suggested link up with the Cub Scouts was taken to MAN as part of the proposal described above. As such, no further progress has been made on this.

MFAG have offered to explore other opportunities for the group to work with the Cub Scouts outside of practical conservation activities.

E) Government Initiatives

Changes to the planning system outlined in the Draft National Planning Policy Framework and other government policy initiatives contained within the Localism Bill have been proposed by the Coalition Government.

MFAG believe that these proposed changes and initiative offer opportunities, if proactively pursued, to support us to achieve on our stated objectives. However, the proposals in the NPPF and Localism Bill also present challenges as restrictions on development are relaxed.

MFAG is in discussion with Council Officers to explore the opportunities presented by NPPF, the Localism Bill and numerous other government initiatives (in addition to other older initiatives such as Town Greens) for similar community groups. Furthermore, contact has been made with local MPs to further support any activity that MFAG wish to pursue in this area.

For a summary of the NPPF and key elements of the Localism Bill please refer to the briefing paper attached.