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Town and Country Planning Act 1990

Local Government (Miscellaneous Provisions) Act 1976

Acquisition of Land Act 1981

Cheshire West and Chester Borough Council (Chester Northgate) Compulsory Purchase
Order 2017

Statement of Reasons

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1. INTRODUCTION

1.1 This document is the Statement of Reasons of Cheshire West and Chester Borough Council (“the Council”) for the making of a compulsory purchase order entitled the Cheshire West and Chester Borough Council (Chester Northgate) Compulsory Purchase Order 2017 (“the Order”).

1.2 The Order is made under Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) (“the 1990 Act”) and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 (“the 1976 Act”) to acquire the land and rights required to secure the development, redevelopment and improvement of a significant part of Chester City Centre, known as the Northgate area, through the provision of a mixed use development comprising retail (including a relocated market); leisure (including a cinema); food and beverage establishments; office; residential; a hotel and ancillary public facilities.

1.3 The land proposed to be compulsorily acquired under the Order (“the Order Land”) covers an area of land within the Northgate Redevelopment Area, which covers approximately 5.8 hectares within Chester City Centre. The Northgate Redevelopment Area is framed generally by Hunter Street to the north, Northgate Street to the east, Watergate Street to the south and St Martin's Way to the west, and includes the existing indoor market. The Order also includes the acquisition of rights in relation to a number of properties.

1.4 The full extent of land to be acquired is set out in greater detail in section 3 below and shown on the Order Map accompanying the Order (the “Order Map”).

1.5 The Council’s purpose in seeking to acquire the Order Land is to facilitate the comprehensive redevelopment and improvement of the Northgate Redevelopment Area and to create a mixed-use, high quality city centre development. Northgate is an important area of Chester City Centre and is the only area of land in the city centre capable of this type of redevelopment. The comprehensive redevelopment of the area has been a long-standing aspiration of the Council and its predecessor, Chester City Council. The Council considers the redevelopment and renewal of the Northgate Redevelopment Area to be a priority, and an opportunity to deliver a new mixed use redevelopment with significant economic and regeneration benefits.

1.6 The proposed scheme includes the demolition of the existing market hall and relocation of the market to a new purpose built facility as well as the demolition of a number of buildings to facilitate the construction of a new department store, retail units, food and beverage establishments, cinema and leisure uses, residential units, hotel with conferencing facilities, offices, public toilets, shop mobility, new public squares, car and cycle parking, provision of bus stops and associated highway works and infrastructure, landscaping and public realm works (“the Scheme”). Hybrid planning permission for the Scheme was granted on 21 September 2016, with other necessary consents and a full permission for Phase 0 of the Scheme being granted in October 2016. The key components of the Scheme are described in

greater detail at Section 5 of this Statement.

1.7 The Order seeks to acquire all legal interests in the land coloured pink on the Order Map, and new rights in or over the land coloured blue, as specified in the Schedule to the Order. The reasons for the acquisition of such interests and rights are explained in further detail in this Statement.

1.8 The Order will be submitted to the Secretary of State for Communities and Local Government for confirmation pursuant to the Acquisition of Land Act 1981.

1.9 This Statement has been prepared in accordance with the Department for Communities and Local Government Guidance on Compulsory purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion (October 2015) ("the Guidance").

1.10 This Statement of Reasons is non-statutory and is not a statement under Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007 and the Council reserves the right to alter or expand it as necessary.

2. EXPLANATION OF POWERS

2.1 The Guidance provides the main guidance on the use of compulsory purchase powers and the Council has taken full account of the Guidance in making the Order. In accordance with the Guidance, the purpose for which an authority seeks to acquire land will determine the statutory power under which compulsory purchase is sought. Paragraph 11 of the Guidance states that acquiring authorities should look to use "the most specific power available for the purpose in mind, and only use a general power when a specific power is unavailable".

2.2 The Council is the Local Planning Authority (the "LPA") for the area in which the Order Land is situated. By virtue of Section 226(1)(a) of the 1990 Act, the Council has the power to acquire compulsorily any land in its area "if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land".

2.3 Section 226 of the 1990 Act provides local authorities with a relatively broad power of compulsory purchase. Pursuant to Section 226(1A) of the 1990 Act, the Council is able to exercise these powers only if it considers that the proposed development will contribute to the achievement or promotion of one or more of the following objectives:

- the economic well-being of its area;
- the social well-being of its area; and/or
- environmental well-being of its area.

2.4 The Council considers that the Scheme will deliver benefits to the local area under all three objectives. These benefits are explained in more detail in section 7 of this Statement.

2.5 The Council has been seeking to negotiate the acquisition of the legal interests in the Order Land for the Scheme and has acquired ownership of 85% of the site. The Council is, however, utilising its powers under Section 226(1)(a) because given the size of the site and

number of interests it considers that it is unlikely to agree terms for the acquisition of all the remaining interests in the Order Land in a timely fashion. In accordance with the Guidance, compulsory purchase of the remaining land is being used as a last resort, and the Council will continue to negotiate with landowners and occupiers to obtain the land and new rights required for the development through private treaty.

2.6 Section 13 of the 1976 Act provides that where a local authority is authorised by Order to compulsorily acquire land, the same Order may also authorise the local authority to create and acquire new rights over land as are specified in the Order.

2.7 The Order will authorise the creation of rights to oversail cranes in the airspace above properties surrounding the Scheme; rights of access; rights to enter upon properties to carry out works necessary to enable the main construction of the scheme, rights to make good and rights to leave equipment in place. The rights to be created are fully described in the Schedule to the Order against each relevant plot.

2.6 Having regard to the nature of the proposals and the Guidance, the Council is satisfied that the powers available to it under Section 226(1)(a) of the 1990 Act and section 13 of the 1976 Act are the most appropriate powers for the acquisition of the Order Land in order to achieve the Scheme objectives.

3 DESCRIPTION OF THE ORDER LAND

3.1 The Order Land comprises approximately 5.8 hectares of land within Chester City Centre. The Order also seeks the acquisition of specific rights in respect of other parcels of land as detailed in the Schedule.

3.2. The Northgate Redevelopment Area is bounded generally by Hunter Street to the north, Northgate Street & Town Hall Square to the east, Watergate Street to the south and St Martin's Way to the west. Most of the properties fronting on to Watergate Street are outside of the Order Land, apart from areas to the rear of properties 58-68 Watergate Street and 10-12 Watergate Street. 14-20 Watergate Street is included within the Order Land. The site slopes from east to west from Northgate Street to St Martins Way and from the north of the site at Princess Street to the south west corner of the site at Trinity Street.

3.3 The Order Land comprises areas of developed land currently used as retail and ancillary storage, offices, residential, workshop, a former bus exchange, former library, leisure, hotel and a market hall and public and private car parking.

3.4 The Order seeks the acquisition of all interests (other than those already owned by the Council and the Crown) in a number of buildings and sites including:

- Chester library - which has been relocated into the Storyhouse theatre and cultural centre outside of the scheme boundary on the Northern side of Hunter Street in the former Odeon Theatre;
- The Hunter Street/Princess Street former bus exchange - which has been relocated into a new bus interchange that opened in June 2017;

- The Forum Shopping Centre - retail and disused office floor spaces and the market car park;
- The market hall forming part of the Forum Shopping Centre on its northern Side;
- The Crowne Plaza hotel fronting St Martins Way and associated car parking (with agreement to relocate into phase 1 of the Scheme between Princess Street and Hunter Street);
- The Goldsmiths House office building on the southern edge of the site;
- Dial House on the eastern edge of the site behind Northgate Street;
- Merchant House office building on the southern edge of the site;
- Hamilton House office building on the southern edge of the site;
- United Services Club;
- Trinity Street car park;
- 14 to 20 Watergate Street - retail premises;
- Residential accommodation, including Moray Court and Trinity Street
- Statutory undertaker's equipment, including a primary substation that is to be relocated off site.

3.5 The Order also seeks the acquisition of various rights in relation to a number of properties adjacent to the Scheme which are required to facilitate construction and future operation of the development.

Order Map

3.6 The full extent of the Order Land is illustrated on the Order Map.

3.7 The Order Map identifies the freehold, leasehold and other legal interests to be acquired (coloured pink) and the new rights to be acquired (coloured blue). The individual plot boundaries and numbers correspond with those in the Schedule to the Order.

3.8 The Schedule has been prepared based upon information gathered through inspection of Land Registry title documents, site inspections, enquiries made by the Council and responses to notices issued under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976. Whilst this information represents an extensive schedule of known interests, it is acknowledged that other currently unknown interests may emerge as the compulsory purchase process proceeds. Save where expressly excluded, the Council seeks to acquire all interests in the Order Land.

4 BACKGROUND TO THE SCHEME AND THE NEED FOR REDEVELOPMENT AND REGENERATION

4.1 The Northgate area is a crucial component to the successful functioning of Chester city centre. The area needs to be redeveloped and regenerated to ensure that it fulfils its role within the City and helps the City thrive and prosper into the future. The Scheme will replace existing poor quality buildings and uses that occupy much of the Order Land with a comprehensive mixed-use development of the highest architectural quality. The Chester

Northgate proposals form an important part of the ongoing regeneration of Chester City Centre. Indeed, the proposed development will make more effective use of previously developed land in a highly sustainable site in the heart of Chester City Centre. Northgate will provide the opportunity to redress the decline in the city centre and provide a catalyst for investment in the city centre and borough.

4.2 The Scheme proposes to create high quality retail units, including a department store; a new cinema; a purpose built modern market hall; new food and beverage units; new public spaces and facilities such as shop mobility, changing place facilities and public toilets; to relocate the Crowne Plaza hotel into a new 4* hotel with high quality conferencing facilities in a more prominent location in the city centre; and to deliver new housing, including affordable units. The Scheme has been designed so that the various land uses complement one another and to maximise footfall to the various spaces, creating both an improved day time economy and a new night time economy in the area. This is further complemented by new peripheral development not related to the Scheme, such as the new theatre on Hunter Street, where complementary linkages will also be created.

4.3 The Scheme can trace its roots back to the 1990s, when in 1994 Cheshire County Council, Chester City Council ("CCC") and English Heritage commissioned the Building Design Partnership in association with MVA Consultancy and Donaldsons to undertake a study entitled, "Chester – The Future of an Historic City". The principal objective of that study was to assess the ability of Chester to accommodate physical growth and change over the next 20 to 30 years, particularly focusing on the City's environmental capacity. The study identified that the city centre has had difficulty in meeting retailers' requirements within its historic buildings and noted that there had been a general decline in the number of large stores, although demand was evident for additional large space users such as department and variety stores. The study went on to conclude that the city had considerable scope to accommodate new retail development.

4.4 In response to the study, a portion of land between Hunter Street and Princess Street was allocated for retail use in CCC's Deposit Draft Chester District Local Plan (September 1997) and subsequently, the area of the site and range of uses appropriate for redevelopment was extended in the Further Proposed Changes to the Local Plan (December 2000) and finally adopted in the Chester District Local Plan (May 2006).

4.5 The former Council's strategy acknowledged, in the Chester District Local Plan (2006), that the Northgate site represents a key landmark opportunity in the heart of the city centre in close proximity to a variety of commercial, civic and historic uses and would provide an important opportunity to regenerate a relatively rundown area of the city and reintegrate it with the remainder of the city centre.

4.6 A similar scheme for Northgate was promoted by ING from 2002. The proposals were originally granted planning permission in June 2005. In October 2005, a Public Inquiry was held into a Compulsory Purchase Order prepared and submitted to the Secretary of State by Chester City Council. The Secretary of State confirmed the Compulsory Purchase Order in September 2006. A section 73 application in respect of the planning permission was granted in 2007.

4.7 A further planning application, to secure an extension of time for the implementation of the 2007 planning permission was submitted to Cheshire West & Chester Council in 2010

and was granted, subject to variation of the Section 106 Agreement, in September 2011. Despite the extension of time, the permission was never implemented.

4.8 In February 2012, the Council took back full control of the proposals from ING and subsequently bought out ING's land interests in 2013. Since that time the Council has taken the decision to promote the Scheme and subsequently appointed a design team to assist in preparing a Concept Scheme and Masterplan. The Concept Scheme and Masterplan were subject to an extensive public consultation process between November 2012 and January 2013, with the scheme positively received by stakeholders and consultees. They were agreed by the Council in September 2013.

4.9 The area of the site was further extended in 2015, with the adoption of the Cheshire West and Chester Borough Local Plan (Part 1) 2015, within which the Order Land is allocated as an opportunity for mixed use redevelopment.

4.10 There are a number of strategic objectives related to wider retailing dynamics that support the need for the Scheme. Local Plan policies have identified the Chester Northgate area for major mixed use development for a considerable period of time, during which the continued growth of competing centres has meant that the objectives for delivering Chester Northgate remain as relevant as ever. Chester city centre is the only sub regional retail destination in the borough. The scale and nature of the retail floor space within the Scheme will enable Chester to continue to act as a sub-regional centre which could more ably compete with other centres and out-of-centre destinations for local spend, thereby increasing market share of comparison goods expenditure. The Scheme is seeking to strengthen Chester city centre's position as a shopping and leisure destination and an international tourism destination.

4.11 The Venuescore 'shopping venue annual ranking' for Chester city centre in 2016 was 37th of UK centres. Partly because of improvements to other regional centres such as Manchester and Liverpool, as well as out of centre destinations such as Cheshire Oaks, Chester has fallen 13 places in Venuescore Ranking in the last five years and was previously joint 22nd in 2005. Vacancy in Chester City Centre is above the national average, but low in the larger size units. Unit sizes in Chester are generally small, with over 50% of the units being below 100sq.m and only 14% being over 300sq.m (White Young Green 2016). The Scheme, which includes a large department store, and major store units, will assist in strengthening the city centre and retail offer, providing units which are suitable for modern operating and trading requirements in order to redress the decline in the city centre's retail offer.

4.12 By strengthening the offer of the city centre, the city will be able to better compete with the out-of-centre retail and leisure provision in the borough, in particular the Cheshire Oaks and Coliseum out of town retail areas, which in recent years have all improved their comparison goods market share to the detriment of the city centre's market share.

4.13 The Scheme provides the opportunity to provide a diversity of uses including a modern well configured market, a city centre cinema, a new 4 star hotel with conference facilities that together with a range of food and beverage uses, will enable the city to continue to serve the community as the only sub regional centre and strengthen the overall offer in the city.

5. THE SCHEME PROPOSALS

5.1 The Scheme will be delivered through three construction phases. Phases 0 and 1 of the Scheme benefit from planning permission that is in detail except for landscaping, which is reserved, and Phase 2 is in outline only except for access.

5.2 Phase 0 of the proposals relates to the change of use and associated alterations to the former Chester Library site to provide for two restaurants/ cafes trading on basement, ground and first floors with office accommodation on upper floors. Chester Library has been relocated to within the adjacent Storyhouse development. The works in Phase 0 incorporate alterations to the existing building including the provision of an arcade which will (once Phase 1 is completed) link Town Hall Square to the proposed new Market Square within Phase 1. The altered building will provide 1,519 sq.m (gross) of A3 and/or A4 Use Class (restaurants, cafes and drinking establishments) floor space at basement, ground and first floor levels, and 520 sq.m (gross) of business space (B1 Use Class) at upper levels.

5.3 Phase 1 of the proposed development relates to land between the south of Hunter Street and the north of Princess Street. Phase 1 allows for the re-location of the existing Crowne Plaza Hotel and Chester Market Hall, which are currently located to the south of Princess Street, ahead of the comprehensive redevelopment of the wider site. The delivery of these replacement facilities within Phase 1 will ensure continuity of operation and trade during the redevelopment of the wider site. On this basis, the delivery of Phase 1 will release for demolition those existing buildings located to the south of Princess Street, in turn facilitating the delivery of Phase 2 of the Scheme. Phase 1 will comprise the following, including the provision of the replacement Crowne Plaza Hotel and Chester Market Hall:

<u>Use</u>	<u>Area sq.m (Gross)/ Parking spaces</u>
Hotel	11,198
Six Screen Cinema	4,092
New Retail (including indoor Market), restaurants/Cafes, drinking establishments	4,909
A new public square and connecting areas of public realm	
Shopmobility, Changing Places and public toilet facilities	
Vehicular access to the buildings and related car and cycle parking	Hotel Car Park - 69 Spaces

	Public Car Park - 163 spaces
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5.4 Phase 2 of the Scheme will predominantly provide for new comparison retail floor space to the south of Princess Street, including the creation of a new department store. It will also deliver the new residential element of the Scheme. Phase 2 of the proposed development will comprise:

<u>Use</u>	<u>Area sq.m (approximate Gross)/ Parking spaces/residential unit no's</u>
New retailing space/ financial and professional services/cafes and restaurants/drinking establishments	48,600
New leisure space	1,000
New residential	70 -120 units
New refurbished office space	3,400
External works to the Town Hall and other listed buildings	
New and replacement car parking	729 spaces (approximate)
New public space and connecting public realm	
New public toilets/accessibility facilities/changing places	
New Bus facilities on St Martins Way	

5.5 Phases 1 and 2 of the Scheme incorporate the provision of car parking within two separate areas, including provision for disabled parking spaces. This car parking provision is largely to serve visitors to the proposed development and Chester City Centre more generally. Residential properties will benefit from dedicated parking. Facilities for the charging of electric vehicles will be provided.

5.6 Extensive consultation has been undertaken on the Chester Northgate redevelopment proposals since the decision of the Council to develop its own proposals for the area in 2012. On 7 November 2012, the Council's Executive endorsed the previous Northgate concept

scheme for public consultation, which ran from 19 November 2012 to 25 January 2013. A total of 160 responses to the consultation were received from individuals and organisations. Overall, there was considerable support for the principle of the scheme; the design approach; scale and massing; protection/use of key views; and how the scheme would integrate into Chester. English Heritage (now Historic England), the Chester Civic Trust, Places Matter and the Conservation Area Advisory Panel all broadly welcomed the scheme. Any caveats raised were addressed in the development of the Scheme and the pre application consultation process and planning consultation process leading up to planning permission being granted.

5.7 A full pre-planning application consultation process was commenced in September 2015. Stage 1 was undertaken with potentially affected parties, stakeholders, and interested parties, to update on the extensive consultation process undertaken previously to support the original masterplan and concept scheme. Stage 2 of the pre application consultation process included consultation with the Design Review Panel, the Historic England Advisory Panel and meetings with local stakeholder groups, followed by open public meetings and a 3 day public exhibition in December 2015 showing the latest scheme proposals. Over 500 people attended the exhibition and 146 questionnaire responses were received. The stage 3 pre application consultation commenced in March 2016 with 2 public meetings and a 3 day public exhibition in a shop in the Forum Shopping Centre. The stage 3 process gave the opportunity for the Council's design team to present the latest scheme which took into account feedback received as part of the stage 1 and stage 2 process. The planning application that was submitted and further consulted upon reflected changes suggested at all three stages of the earlier consultations.

5.8 Following the extensive pre -application consultation process, a planning application and suite of supporting planning and listed building consent applications were submitted to the Local Planning Authority at the end of May 2016. Following the processing of the applications and two further rounds of public consultation, Members of the Planning Committee resolved unanimously on the 15 September 2016 to grant hybrid planning permission subject to the signing of a Memorandum of Understanding (akin to a Section 106 Agreement under the 1990 Act) between the development portfolio and planning portfolios of the Council.

5.9 The Memorandum of Understanding relates to obligations in respect of financial contributions for off-site Education and Open Space provision and ensures that the Scheme will contribute to these planning requirements in the same way as if the development was being delivered by a third party. The Memorandum also deals with the costs of the highways works that are necessary to deliver the Scheme and the budget from which these are to be paid. In the event that the site is sold in future to a development partner, the Memorandum requires the sale to be contingent on both a s.106 agreement and a s.278 agreement being entered into by the purchaser on the same terms as the Memorandum.

The planning permission for the whole Scheme was subsequently issued on 21st September 2016.

Planning Permissions

5.10 Relevant planning permissions relating to the Northgate Redevelopment include;

16/02282/OUT - Hybrid application for part demolition and part retention of existing

buildings and the construction of comprehensive mixed-use development comprising: retail stores, restaurants, cafes, drinking establishments (Use Classes A1, A2, A3 and A4), offices (Use Class B1), cinema and leisure uses (Use Class D2), 70-120 residential units (Use Class C3), public toilets, shopmobility, a relocated hotel and indoor market with associated new public squares, car and cycle parking, provision for buses and associated highway works and infrastructure, landscaping and public realm works at Land bounded by Hunter Street, Northgate Street, Watergate Street and St Martin's Way, Chester. Granted on 21 September 2016 to the Council.

16/02285/FUL – Change of Use of and extensions/ alterations to the existing Chester library building to provide for 1,519sq.m of restaurants/ cafes and/or drinking establishments (A3 and/or A4 Use Class) and 520sq.m of office accommodation (B1 Use Class) at Chester Library, Northgate Street, Chester. Granted on 12 October 2016 to the Council.

16/00580/FUL – Change of use/ conversion/ extension to/ part demolition of for mixed-use development incorporating retail (Use Class A1), residential (26 apartments – as amended) (Use Class C3), and food and beverage (Use Class A3) at 14-20 Watergate Street, Chester. Granted on 19 April 2017 to Britten Properties LLP, the owners of 14-20 Watergate Street.

5.11 Relevant Listed Building Consents relating to the Northgate Redevelopment include:

16/02283/LBC – Removal of existing attached buildings to south and west and the repair of facades at Town Hall, Northgate Street, Chester. Granted on 5 October 2017.

16/02284/LBC – Alterations (including part demolition) of buildings and structures to facilitate Chester Northgate redevelopment at 58-68 Watergate Street, Chester. Granted on 5 October 2016.

16/03190/LBC – Removal of existing buildings adjacent to 39 Northgate Street and erection of buildings to the north and west of 39 Northgate Street to facilitate Chester Northgate Redevelopment at The Coach and Horses Public House, 39 Northgate Street, Chester. Granted on 5 October 2016.

6. FRAMEWORK FOR THE ASSESSMENT OF THE CASE FOR CONFIRMATION OF THE ORDER AGAINST THE GUIDANCE

6.1 The Council has had regard to the Guidance and considers that analysis of the case for confirmation of the Order against the Guidance can be facilitated by applying the following framework:

- Whether the purposes for which the land is being acquired fits in with the adopted Local Plan and the National Planning Policy Framework (para. 76 of the Guidance);
- The extent to which the proposed purposes will contribute to the achievement of the promotion or improvement of the economic, social or environmental well-being of the area (para. 76);
- Whether the purposes for which the Council is proposing to acquire the land could be achieved by any other means (para. 76);
- Whether there are likely to be any impediments to the scheme going ahead (paras. 13-15);

- Whether the purposes for which the Order is made justify any interferences with the human rights of those with an interest in the Order Land (paras. 2 and 12);
- Whether confirmation of the Order would be in accordance with the Council's duties under the Equalities Act 2010 (para. 6);
- Whether the Council has made appropriate attempts to acquire by agreement (para. 2);
- Whether there is an overall compelling case in the public interest (paras. 2 and 12).

6.2 The Council's position in respect of each of the above considerations now follows.

7. PLANNING

7.1 In making the Order the Council has considered whether the purpose for which the land is being acquired fits in with the adopted Local Plan and the National Planning Policy Framework (see para. 74 of the Guidance) and has also had regard to other relevant local policy and guidance.

Local Plan

7.2 The adopted Cheshire West & Chester Development Plan, against which the planning applications were determined, is formed by the combination of those relevant policies of the following Development Plan Documents ("DPDs").

- Cheshire West & Chester Local Plan (Part One) Strategic Policies 2015;
- Cheshire West & Chester Local Plan Proposals Map; and
- Chester District Local Plan 2006 (Saved Policies).

7.3 Further to these DPDs, the Council has adopted a range of Supplementary Planning Guidance ('SPGs') and Supplementary Planning Documents ('SPDs') which provide further planning guidance and that were considered in the determination of the planning applications.

7.4 The Cheshire West and Chester Local Plan (Part 1) 2015 sets out the spatial strategy policies for the Borough. Policy STRAT1 of the Local Plan (Part 1) 2015 echoes the aims of the NPPF with regard to the presumption in favour of sustainable development. The policy shows support for proposals that would mitigate against and adapt to the effects of climate change and highlights the importance of ensuring that all residents have access to jobs and services through non-car modes of transport. The Scheme complies with this policy.

7.5 Policy STRAT 3 (Chester) of the Local Plan (Part 1) 2015 provides those strategic policies that guide the future development of Chester over the plan period. Therefore, Policy STRAT 3 reflects the significant opportunity presented by the comprehensive redevelopment of the 'Northgate Area'. Indeed the proposed development is fundamental in meeting the Council's strategic objectives of Chester and the wider Borough. The Scheme complies with this policy.

7.6 Policy STRAT 10 (Transport and Accessibility) of the Local Plan (Part 1) 2015 reflects those overarching objectives of the NPPF in the promotion of sustainable transport modes, and the requirement for developments to demonstrate that they will not adversely affect the existing transport infrastructure. In addition to vehicular parking, the proposals must also

incorporate the provision of an appropriate number of cycle spaces for the benefit of future residents. In this regard the Scheme is supported by a Transport Assessment that considers fully the effect of the proposed development on the local highway network in addition to the existing extensive sustainable transport infrastructure, including the need to provide for vehicular and cycle parking. The Scheme complies with this policy.

7.7 In addition to the more general economic objectives of Policy ECON 1 (with which the Scheme complies), Policy ECON 2 (Town Centres) of the Local Plan (Part 1) 2015 acknowledges the substantial role that retail and other town centre development will perform in securing sustainable economic growth in Chester and the wider borough. The economic policies support the growth of existing businesses and encourage inward investment and business start-up opportunities, whilst also recognising that the Council needs to create the right conditions to encourage such growth. Policy ECON2 is concerned with the use of the sequential approach when assessing applications for main town centre uses. It recognises that Chester plays a sub-regional role as a shopping, leisure and international tourism destination, and that the proposed Northgate Redevelopment is viewed as a scheme that will build upon this role. In order to facilitate the development of the Scheme, the policy states that a new bus interchange should be supported in the city centre. The development of such a facility would offer a wide range of services, which would increase the ease and desirability of travel by bus, as well as a design that would better accommodate coaches and larger vehicles. In addition, such a development would overcome the congestion issues associated with the existing bus exchange in its current location. The Council has constructed a new bus interchange at Gorse Stacks and therefore this policy requirement is met.

7.8 Paragraph 6.11 of the Local Plan (Part 1) 2015 acknowledges that Chester Northgate will address a significant amount of the identified comparison goods floorspace provision. This ambition to provide a significant increase in comparison goods floor space within Chester City Centre is to directly address the declining commercial performance of Chester as a retail destination. On the basis of the historic and ongoing allocation of the 'Northgate Area' for comprehensive redevelopment / regeneration within the Development Plan, the general principle of redevelopment of the site has been agreed by the Council through the Cheshire West and Chester Local Plan (Part 1) 2015.

7.9 Although the proposals will necessitate a small loss of existing residential accommodation (10 dwellings), overall there will be a significant increase in new homes in this area of the City Centre. On this basis it is considered that the inclusion of residential properties within the development is consistent with the objectives of the Development Plan, in particular policies STRAT3 (Chester), SOC1 (Affordable Housing) and SOC3 (Housing Mix and Type) of the Local Plan (Part 1) 2015.

7.10 Under the provisions of Policy SOC 1 and the Council's Affordable Housing SPD, any residential development providing 10+ residential properties must provide an on-site affordable housing contribution, with the provision of an off-site or reduced contribution acceptable in exceptional circumstances. On this basis the proposals are required to provide for a 30% on-site affordable housing contribution. The type, tenure and size of the affordable housing to be provided will reflect the locally identified needs. The Scheme will have to comply with this policy.

7.11 Under the provisions of Policy SOC 3 of the Local Plan (2015), the housing mix to be provided within the Chester Northgate proposals must reflect the locally assessed housing needs, including the provision of small family homes. The detailed element of the Scheme will have to comply with this policy.

7.12 Policy SOC 6 of the Local Plan (2015) states that developments will be required to incorporate an appropriate level of open space, sport and recreation provision. Further guidance on the level of open space / play provision is provided through ‘Saved’ Policy SR5 of the Local Plan (2006). Under the provisions of Policy SR5 the Council seeks the provision of a Local Area of Play (LAP) of 100sq.m for every 15 dwellings plus a 400sq.m Local Equipped Area for Play (LEAP) for every 50 dwellings. ‘Saved’ Policy SR7 also requires developments of more than 15 dwellings to provide public open space at 25sq.m per dwelling where practical. Where this would be impractical on-site through reasons of size or site configuration, consideration will be given to securing its provision elsewhere in the immediate locality. The detailed design of the Scheme will have to comply with these policies. Play area contributions are payable and they are likely to be spent at Hop Pole Paddock play area, in the City Centre Ward.

7.13 Reflecting the overarching objectives of the NPPF and NPPG, Policy ENV 5 of the CWAC Local Plan (Part 1) 2015 seeks to protect the Borough’s significant heritage assets through ensuring that development proposals *‘safeguard or enhance both designated and non-designated heritage assets and their settings, avoiding loss or harm to their significance’*. On this basis Policy ENV 5 of the CWAC Local Plan (Part 1) 2015 reflects fully the objectives of the NPPF. The ‘Saved Policies’ of the Chester District Local Plan 2006 include further heritage policies that the Northgate Chester redevelopment will have to comply with.

7.14 Heritage Assets, within and adjacent to the site, which should be identified include:

Heritage Asset	Heritage Status	Impact on Heritage Asset	
Town Hall	Grade II*	Large/ Very Large Beneficial	
Former Chester Library, Northgate Street	Local importance	Moderate Beneficial	
Former Odeon/ Storyhouse	Grade II	Moderate/ Large Beneficial	
Hunter Street Villas	Local importance	Moderate Beneficial	
Dial House	Local importance	Neutral/ Minor Beneficial	
Watergate Street buildings/ Chester Rows	Mix of Grade II and II*	Moderate/ Large / Very Large Beneficial	

Abbey Gateway, Northgate Street	Scheduled Monument	Moderate Beneficial	
Barclays Bank buildings, Northgate Street	Grade II	Moderate Beneficial	
Cathedral	Grade I	Moderate/ Large Beneficial	
St Peter's Church	Grade I	Moderate/ Large Beneficial	
The Coach House, 39 Northgate Street (west side)	Grade II	Moderate Beneficial	
The Guildhall, Watergate Street	Grade II	Large Beneficial	
1-25 Northgate Street (West side)	Mix of Grade II and II*	Neutral/ slight beneficial	
27-29 Northgate Street (west side)	Grade II*	Moderate/ Large beneficial	
City Centre Conservation Area	Contains a mix of Grade I, II* and II buildings	Moderate/ Large Beneficial	
City Wall, north end of St Martin's Way	Scheduled Monument	Slight/ Moderate Beneficial	
Cromwell Court, St Martin's Way	Grade II	Slight harmful	

7.15 Listed building consents have been obtained for the majority of listed buildings to which works will take place. If the barrel-vaulted cellar underneath Trinity Street will need to have works undertaken, Listed Building Consent will be required to be obtained before works commence. The Planning Authority has been consulted on whether such a consent would be granted and has confirmed that it would have no objection in principle and that such works could be supported by planning policy.

7.16 The Scheme has been designed to ensure that all listed buildings and heritage assets are treated sympathetically and that their settings and importance are respected and maintained in accordance with planning policy. The Northgate planning permission is accompanied by listed building consent for 39 Northgate Street, 56-68 Watergate Street and the Town Hall.

7.17 In this regard saved Policy ENV 8 of the Chester District Local Plan (2006) identifies the important role that key views perform in establishing the setting of heritage assets throughout the city. As such, the policy states that; *'New development in Chester city which would obscure important views or lessen the visual impact of historic buildings, landmarks or landscape features through excessive height, mass or bulk or through the development of key open spaces which provide views through, frame views or provide a setting for them will be refused.'* As a result, the proposals for the redevelopment of the Northgate site have given careful consideration to those key views of landmark buildings and heritage assets, most notably Chester Cathedral and the Town Hall, as set out within the Environmental Statement's Townscape Heritage and Visual Impact Chapter.

7.18 Furthermore, saved Policy ENV 38 of the Chester District Local Plan states that planning permission will also not be permitted for development proposals that will *'obstruct important views within, or views in or out of conservation areas'*. Those 'important' views to or from conservation areas are identified within the Conservation Area Character Assessments. The development site is located within the City Centre (Chester) Conservation Area ("the Conservation Area") and the Chester Characterisation Study: Final Report (2010) applies. The parameter plans approved as part of the Scheme comply with these policies.

7.19 As with the overarching policies of the NPPF, saved Policy ENV 37 of the Chester District Local Plan states that new development within Conservation Areas or that will affect the setting of a Conservation Area will only be permitted where it is demonstrated that the development will *'preserve or enhance its character or appearance'*. The buildings and spaces within Phases 0 and 1 of the Scheme comply with this policy and it will be necessary for the Phase 2 detailed design to do so also.

7.20 Saved Policy ENV 39 of the Chester District Local Plan seeks the retention/reinstating of historic routes within the city centre, as such development proposals that will lead to the loss of any such routes will not be permitted, whilst proposals that include the reinstatement of history routes will be permitted where appropriate. As such, where possible, the proposed redevelopment has retained and reinstated such routes, assisting in reintegrating the Northgate area with the adjoining areas of Chester City Centre. The layout of the Scheme has sought to re-establish historic street names within it, including Stone Street, Peacock's Court and the extension of Crook Street in a north-south direction.

7.21 Saved Policy ENV 41 of the Chester District Local Plan requires any development within the Conservation Area to *'show a very high quality of design reflected in all its component parts which will contribute positively to the townscape of an historic city of international importance'*. Whilst Policy ENV 41 seeks to ensure that new development reflects the character and context of the Conservation Area, the Chester District Local Plan does acknowledge scope for new modern design within the conservation area, providing that it is of very high quality. This clearly demonstrates the Council's objective to sustain and enhance the quality of the city centre and the detailed Scheme will have to comply with this policy.

7.22 Saved Policies ENV 42 and ENV 43 of the Chester District Local Plan provide further clarity with regards to the Council's objective of ensuring that new development within the city centre does not adversely affect the historic character of the city centre, or indeed conflict with the principle functions of the city centre (i.e. sub-regional shopping centre). The Scheme complies with these policies.

7.23 Given that the proposed development site is not identified as being at risk of flooding (Environment Agency) the requirement of the development proposals with regards to flooding relates solely to ensuring that the proposals do not increase flood risk elsewhere. Nonetheless, this application was supported by a FRA/Drainage Strategy that satisfies the Council/Environment Agency in this regard.

7.24 The architectural approach that has been adopted within the proposed Chester Northgate scheme must incorporate renewable energy generation and / or energy saving measures. This was addressed within the Design & Access Statement that supported the application.

7.25 The Cheshire West and Chester Local Plan 2015 reflects the objectives of the NPPF with regards to ensuring new developments incorporate energy efficiency measures, and energy generation technologies where possible. This requirement is identified within Policies ENV 6 and ENV 7. The detailed design of the Scheme will have to comply with these policies.

7.26 Key Principle 13 of the Council's residential design SPD requires new residential development to incorporate renewable energy production to provide at least 10% of the development's predicted energy requirements.

7.27 The Scheme either complies with the relevant policies of the Local Development Plan already or where compliance can only be secured at detailed design stage, conditions have been attached to the planning permissions to ensure that compliance is achieved.

NPPF - National Policy

7.28 Since its adoption in March 2012, the National Planning Policy Framework ('NPPF') sets out the Government's planning policies for England and how these are expected to be applied. Coupled with the National Planning Practice Guidance ('PPG'), the NPPF provides the national policy and guidance that should be used in the determination of planning applications. Consequently, the NPPF was a material consideration in the determination of the planning applications for the Chester Northgate development proposals.

7.29 Those parts of the NPPF that were considered relevant to the consideration and determination of the planning applications relate to ensuring the vitality of town centres, promoting sustainable transport, delivering a wide choice of high quality homes, requiring good design, promoting healthy communities, and conserving and enhancing the historic environment.

7.30 At the heart of the NPPF (paragraph 17) and wider Government guidance is the presumption in favour of sustainable development, which should be considered as a 'golden thread' that runs through both plan-making and decision-taking. In this regard, the Scheme has sought to:

- Secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Encourage the effective use of land by reusing land that has been previously developed (brownfield land) that is not considered to be of high environmental value;
- Promote a mixed-use development that will generate multiple benefits in the urban area of Chester;
- Conserve heritage assets in the city centre in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations; and

- Focus this significant development in a highly sustainable location that will encourage the fullest possible use of public transport, walking and cycling.

7.31 As regards economic growth, the Scheme demonstrates that the Council is proactively planning to meet the development needs of businesses and support an economy fit for the 21st century, as required by paragraph 20 of the NPPF. This is in line with the Government's commitment to developing a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right place, at the right time, to support growth and innovation in Chester city centre, as advocated in paragraph 7 of the NPPF.

7.32 The Scheme also demonstrates that the Council is committed to promoting a competitive city centre environment and will strengthen and support the vitality of the city centre by providing customer choice and allocating the Northgate site to meet the development needs of primary town centre uses such as retail and leisure. This is fully in accordance with paragraphs 23-27 of the NPPF.

7.33 The Council is committed to supporting a strong, vibrant and healthy community in Chester by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being. This demonstrates how the Council has undertaken its social responsibility in conjunction with its economic and environmental roles.

7.34 Of primary importance is that the Scheme is appropriate for its location. As set out in the Environmental Statement, the effects of pollution on health, the natural environment or general amenity and the potential sensitivity of the area of development to adverse effects from pollution have been carefully taken into account by the Council. This is in full accordance with Paragraph 120 of the NPPF.

7.35 Paragraphs 126-141 of the NPPF provide national level guidance in relation to heritage and conservation matters. Paragraph 128 is concerned with the level of assessment that should be undertaken in terms of the potential impact of a development proposal on the conservation of heritage assets. The Council has sought to protect the heritage assets of Chester and mitigate any harm to those assets whilst achieving substantial public benefits. This is particularly true in relation to archaeological remains and is wholly in line with the guidance set out in paragraph 133 of the NPPF.

7.36 In fact, the Council has looked for opportunities for new development within the Chester City Conservation Area to enhance or better reveal the significance of the city's heritage assets and as such, the Scheme should be treated favourably. Paragraph 138 of the NPPF acknowledges that not all areas of a Conservation Area will necessarily contribute to its significance and that the *"loss of a building (or other element) which makes a positive contribution should either be treated as substantial harm or less than substantial harm, taking into account the significance of the element affected"* and *"its contribution to the significance of the Conservation Area...as a whole"*. This is true of the Scheme for elements such as DIAL House and listed buildings at Watergate Street, Northgate Street and the Town Hall.

7.37 In conclusion, the Scheme represents the sustainable redevelopment of brownfield land in a highly accessible city centre location. In particular, the Scheme accords with the "town centre first" approach advocated in the NPPF, and will help meet identified quantitative and

qualitative retail need in the Borough. The scale and mass of the Scheme has been carefully considered so that the historic built environment is protected and enhanced.

PPG

7.38 Those elements of the PPG that were considered most pertinent in the determination of the planning applications relate to conserving and enhancing the historic environment, ensuring the vitality of town centres, and the importance of good design.

7.39 The guidance provided by the PPG in relation to each of these areas has been considered fully, alongside the corresponding sections of the National Planning Policy Framework, in the determination of the planning applications. It was considered that the Scheme complied with the PPG.

Other Relevant Policy Documents

7.40 In addition to the Development Plan Documents which form the Development Plan, the Council has adopted a range of Supplementary Planning Guidance (hereinafter 'SPGs') and Supplementary Planning Documents (hereinafter 'SPDs') which provide further planning guidance and were considered in the determination of the Hybrid Planning Application. These SPGs and SPDs are as follows:

- Affordable Housing SPD (July 2007)
- Design for Residential Development SPD (July 2007)
- Sustainable Development SPD (July 2008)
- Open Space Provision in New Housing Developments SPG (October 1999)
- Parking Provision within Development in Chester SPG (March 2003)
- Public Art SPG (July 2004)

7.41 Much of the content of the SPGs and SPDs will inform the detailed design of Phase 2 of the Scheme.

7.42 The Chester One City Plan (2012) is a single coordinated strategy that sets out the overarching vision and direction of travel for the City, under which all development projects must sit. It is led by the Chester Growth Partnership and the Council in conjunction with private, public and voluntary sector partners. The Plan identifies and seeks to strengthen the Northgate area as a retail and visitor destination and reverse the trend in its decline in the retail rankings. The design of the proposed new mixed-use development seeks to integrate with and complement the existing built form and established retail offer in the city centre whilst adding variety and choice to this offer.

7.43 The application site has been considered within the Chester Characterisation Study of City Centre Conservation Areas (2010). This Study is in response to saved policy ENV38 of the Chester District Local Plan. This Study identifies the site as Area A8 (Market Area) and describes the 1960s indoor market hall and the adjacent bus station and office tower all as being out of character with the prevailing urban form and townscape and presenting a poor appearance.

Summary

7.44 In summary, the Scheme is supported by planning policy at all levels.

8 CONTRIBUTION TO LOCAL WELL BEING

Economic well being

8.1 The Northgate area represents the main and only redevelopment opportunity within the historic city centre that can provide the range and mix of uses to complement the existing city offer and provide the opportunity for the necessary level of investment to redress Chester's continuing fall in the national retail hierarchy. This will enable the city to protect its competitiveness and viability and enable Chester to continue to function as the only sub regional centre.

8.2 The principal economic structural issues that Chester Northgate will address in the city centre and borough include:

- Retail rank indicators have shown a sharp decline;
- Comparison goods units (and floorspace) is in decline;
- Vacancy is above national average, but low in the larger size units;
- Footfall is in decline; and
- A lack of department stores.

8.3 Northgate will support some 2,834 full time equivalent employees following completion and 990 full time equivalent jobs per year during the demolition/construction phase. It is proposed that the local community will have access to training and employment opportunities.

8.4 The range of uses in Chester Northgate, including a cinema, food and beverage, quality public realm, a modern market, a new 4 star hotel with conferencing and spa facilities and parking and public transport will enable the city centre to build upon its night time economy and the opportunity for extending trading hours resulting in an increase in shopper and visitor spend. Linked trips will also be encouraged through the mix of uses the scheme will bring.

8.5 The Scheme will act as a catalyst to bring confidence for investment in the city centre from investors, developers and occupiers which is unlikely to occur in the absence of the Scheme being developed out.

Social Wellbeing

8.6 The Scheme provides the only opportunity at a scale that can enhance the vitality and viability of the existing centre, that can have a commensurate effect on the wider surrounding area and that will focus developments in locations that will facilitate competition from which all consumers will benefit. This will ensure the availability of a wide range of shops, leisure facilities, employment, residential, public realm, parking, public transport, disabled facilities and easily accessible facilities and will result in the re-use of previously developed land within the urban area. Northgate has been designed to seamlessly integrate into the wider area of the city centre and in doing so will provide the opportunity for sustainable economic and social benefits for growth and investment in the city centre and wider area including:

- Increased housing stock;
- Increased affordable housing;
- Increased retail and employment floorspace;
- New Leisure and food and beverage establishments
- Increased hotel facilities;
- Upgrade of utilities provision and opportunity to upgrade services such as broadband;
- Increased and upgraded high quality public realm;
- Public facilities, including two sets of public toilets, 24 hour access changing places and shopmobility;
- Replacement community facilities for DIAL House; and
- Improved cycle facilities and access throughout the Scheme.

8.7 The new market with cinema above, in close proximity to food and beverage outlets and the new Storyhouse development, will provide the opportunity for a community hub ‘place to meet’ to be established as part of the wider leisure and food and beverage offer that will spill out on to the new square behind the existing library building. This will contribute to a new cultural heart for Chester.

Environmental Wellbeing

8.8 The Scheme provides the opportunity to make a valuable contribution to the environmental wellbeing of the area. The following issues have been identified and are addressed in the Chester Northgate planning application and the conditions attached to the planning permission:

- Ground conditions, including contamination and ground gas;
- Archaeology;
- Townscape and Visual Character;
- Impact on Conservation Area and Listed Buildings;
- Landscaping and Trees;

- Air quality,
- Improved energy efficiency and carbon emissions across the Site
- Noise and Vibration;
- Traffic and transport;
- Drainage;
- Energy Network Issues;
- Climate Change Issues;
- Lighting; and
- Biodiversity and Nature Conservation.

9. DELIVERY OF THE SCHEME

Can the scheme be delivered by other means?

9.1 The only way to ensure that a comprehensive and cohesive regeneration project is constructed, which delivers all of its intended outcomes for Chester city centre, is by the Council acquiring all of the Order Land and having control over delivery of the whole development.

9.2 Before making the Order, the Council considered two particular properties or groups of properties within the Order Land which might be suggested as capable of being delivered as standalone elements of the Scheme and therefore not necessary to acquire under the Order.

9.3 In respect of Merchant House, a fully tenanted and recently refurbished office property falling within Phase 2 of the Scheme, the Council proposes to make substantial changes to the building at ground floor level, introducing higher ceilings (leading to the loss of office space at first floor) and a high quality retail space and public toilet facilities, the responsibility for which the Council does not wish to abrogate onto a third party. The building fronts onto a new principal thoroughfare to be created as part of the Scheme and therefore the changes to the ground floor are critical to the street scape. Unless the Council acquires the building, there is no guarantee that the changes at ground floor level will take place and there is no agreement in contemplation with the current owners to ensure that this element of the Scheme is delivered. Further, whilst the works are ongoing the tenants of the building will need to be relocated for health and safety reasons and the inclusion of the property within the Order will ensure that the Council can deliver a vacant building for the necessary duration of the construction works.

9.4 Further, potential major investors in a regional asset of this lot size will wish to maximise their management control of the entire scheme environment including the ownership of Merchants House for the following reasons:

- Maximising value through control of the tone in lettings and other asset management initiatives.
- Common approach to rent reviews and timing of negotiations.
- No potential direct letting competition within the scheme from a third party.

- Retain control of the tenant mix throughout the retail streets by identifying and letting to specific styles of tenant and trades.
- Seek to provide an active frontage at the heart of one of the key streets.
- Consistent lease and general approach which is completely aligned with the entire development scheme.
- Control of consistent tenant window presentation and design.
- Create economies of scale so reducing tenant service charge via a consistent management approach in the provision of services for all scheme environments.
- Efficient configuration of holdings for future redevelopment and refurbishment.
- Any future investment in the estate will maximise returns to the incumbent investor rather than third parties.

9.5 Secondly, the Council considered that it might be suggested that an element of the scheme could be delivered independently at 14-20 Watergate Street. The Council is currently in negotiations with the owners and tenants of these properties to deliver this element of the Scheme themselves, therefore negating the need to compulsorily acquire the interests, however this area forms a principal entrance to the Scheme and the Council needs the ability to acquire the interests in the event that the owners do not deliver the works in accordance with the Council's timetable, which is being driven by contractual requirements in agreements for lease with the anchor tenants. A separate planning permission also exists for these properties, authorising the same works to them that the main Scheme planning permission authorises, however the works cannot be delivered without the agreement of the current tenants of the properties, Costa, Reiss and Sainsbury's. Whilst discussions are ongoing with all interested parties, the Council believes that agreement with Sainsbury's will not be reached by the owners in the necessary timescales and therefore needs the ability to compulsorily acquire all interests in this property to deliver a comprehensive Scheme.

9.6 A barrel vaulted cellar to the rear of 68 Watergate Street and running underneath the Trinity Street properties is included within the Order Land. It is believed that the cellar is listed. A road will be constructed over the top of the cellar and at this time it is not known whether an engineering solution can be delivered which does not require any interference with the cellar. In the event that the road can be constructed without the need to acquire the cellar, it is likely that rights of access into the cellar will still be required to inspect for any maintenance issues caused by the operation of the road in future. Including the cellar within the Order ensures that the Council can deliver the Scheme if a construction solution avoiding it cannot be found. Listed building consent may be required if works to the cellar are necessary and it is confirmed that it is a listed structure.

Funding

9.7 The Council is in a strong financial position and has a proven track record of using its financial standing to invest in the delivery of key regeneration projects. It has net assets totalling £740 million, including £126 million of cash reserves.

9.8 The Council delivers a wide range of services to its residents and has a gross revenue budget of £742m. Since its inception in 2009, the Council has had a very strong record of being well managed and has delivered significant savings in order to address the well publicised funding challenges for local government. Over the period April 2009 to March 2017 the Council has made gross savings of £166m, reinvested £62m into priority services

and generated net savings to the council tax payer of £104m. Budget 2017-18 includes a further package of savings for 2017-20 totalling £31.9m gross. The resultant balanced budget for 2017-18 represents a significant achievement and a demonstration of how the Council is managed in a prudent way.

9.9 The Council actively uses its financial strength to invest in the Borough in order to deliver or facilitate major regenerative change. In total the Council has invested £787 million between 2009 and 2017 on capital projects and has budgeted a further £235 million over 2017-20. The following projects demonstrate the Council’s commitment to investing in the borough:

- Barons Quay – Northwich. This £80 million development has delivered a 200,000 sq ft thriving leisure and retail quarter within Northwich, an historic market town. This was funded by prudential borrowing with a robust business case that delivers a return to the Council over the long term.
- Chester Theatre: The £37 million “Storyhouse” theatre, library and cultural centre was delivered by the Council and funded by the Council (£33 million) in partnership with four funding partners including Arts Council and MBNA (£4 million total). The delivery of this project has marked a substantial growth in the City’s cultural offer and night time economy.
- Investment in Leisure: Significant investment in the borough’s leisure facilities including Northwich Memorial Court and entertainment complex (£16.2m), Ellesmere Port Sports and Leisure Village (£16.2m) and Chester City Baths Refurbishment (£2.5m).
- Chester Northgate: Significant investment in bringing the scheme forward to a planning permission and securing key anchor tenants.

9.10 The Council has already invested heavily in the Scheme, acquiring 85% of the land needed to deliver it. The Council has resolved to fund the Scheme up to the end of “Key Stage 2”, which is the point at which the scheme is “contractor and funder ready”. The Council's expenditure and funding commitments to date are set out in the table below (figures in bold represent funding commitments):

Investment	(£m)
Acquisition of ING’s assets in the development site, including the Forum Shopping Centre	21.000
Development costs to planning determination - Development management - Design and technical fees - Legal fees - Letting fees	5.400
Development costs budgets to start on site - Development management - Design and technical fees - Legal fees - Letting fees - Site assembly fees including CPO allowance	11.250
Construction of new bus interchange and	15.000

relocation of existing off site	
Storyhouse Theatre, library and Cultural Centre (relocated off Chester Northgate Site)	37.000
Capital value of Council owned “on site” assets, earmarked for demolition.	c15.000
Budget for enabling works to expedite delivery of programme	5.000
Total	109.650

9.11 The Council has also committed to providing the budget to enable the acquisition of all remaining land interests necessary to deliver the Scheme. The budget for acquisition of these interests is additional to the commitments set out in the above table and to the Council’s capital budget 2017-2020 of £235 million.

9.12 This significant investment/commitment to invest means that there is no financial impediment to the Council progressing the Scheme to the point at which a contractor can commence the construction phase.

9.13 During the period up to start on site, the Council is undertaking a search for a funding partner for the scheme. It is therefore the Council’s central assumption that the construction phase of the Scheme will be funded by an institutional developer/investment fund. The ability to be able to secure a funder will be dependent on viability and the following paragraphs describe the current position as regards the scheme development appraisal.

9.14 The current development appraisal for the Scheme, at this stage of the development process, does not deliver a level of viability that would be acceptable to a traditional, private sector developer. This scenario was known and understood at the outset of the project as the Scheme has come about due to the failure of the market to deliver a commercially funded scheme.

9.15 Despite this, the Council is convinced that the development is necessary to secure the long term sustainability of one of the country’s most historic and beautiful cities. As the Council’s financial objectives are different to that of the private sector it is able to use its financial resources to resolve the prime development risks, of planning permission and necessary consents, pre-letting, and land acquisition. It does not need to recover a high cost of capital, it does not need to target a predetermined level of “profit on cost” and it does not need to provide a return within a specified time period. It simply seeks to deliver regeneration to this key area of the city within a manageable level of risk to the Council and its taxpayers.

9.16 Although the objectives and risk parameters are different from a traditional development appraisal, the Council carries out a commercial development appraisal in order to manage financial risk and to enable the future funding of the Scheme. The development appraisal summary at November 2016 is shown in the table below:

Chester Northgate	November 2016
Net Development Value (NDV)	£283m
Total Development Cost - Excludes CWAC land value	£263m

Profit on Cost	£20.1m
Yield on Cost	5.6%

9.17 This appraisal was reported to Council in December 2016 and was a key consideration in its decision to recommend the continuation of the Scheme.

9.18 The Council has taken the decision to continue as developer through to the point at which the project is ready to commence work on site. A key consideration in this decision was that removing the final principal barriers to delivery will enhance the value of the project and enable the Council to maximise value when it brings on board a funder for the Scheme. Given the inherent quality of Chester and the Chester Northgate scheme, global investment market research has shown that with a lower risk profile and shorter period to delivery there is investment demand for opportunities of the quality and size of Chester Northgate.

9.19 Strutt and Parker are the Council's appointed funding and investment advisor for the Scheme following a procurement process undertaken early in 2016. Strutt and Parker are acting in the capacity of funding agents and will be working closely with the Council to deliver an acceptable and viable funding structure.

9.20 From the outset of the project the Council has been aware that outside factors can impact on the fundability and viability of the scheme at any point in time. In December 2016, the Council committed to providing up to a further £11.250 million to remove the final principal barriers to delivery – detailed design, lettings and site assembly costs and fees. The Council also committed to providing up to £5 million to fund preconstruction enabling works that will enhance the deliverability of the scheme. In addition to the £16.250 million described here, the Council committed to making available funding to make the necessary asset backed acquisitions which will consolidate its ownership position on site. This development expenditure will be advanced in line with agreed risk controls and development milestones. The Council has made these funding decisions with full visibility on the fact that the Scheme may never reach the level of viability that would be acceptable to a commercial or institutional investor.

9.21 With this in mind the Council considered to what extent it is prepared to provide further financial support to the scheme, beyond the current level of commitments. As part of this decision making process full Council (the highest decision making body within the CWaC Council constitution) noted the likelihood that it may be required to provide further financial support. This was based on the best financial information available at the time and is subject to a full business case and assessment of the risk (as would be the case for any prudent developer or Council).

9.22 The Council noted that there are many different ways that it could be asked to support the scheme including providing gap/viability funding, writing off historic expenditure and/or providing funding for the delivery of early phases. In making its decision in December 2016 the Council noted that it may be required to make a further financial commitment to Chester Northgate beyond Key Stage 2 to guarantee delivery of the Scheme, deliver the identified public benefits and protect the significant investment already made.

9.23 During the Autumn of 2017, the Council will undertake its annual review of Scheme progress and risk, with the findings and associated recommendations reported to Council

through its established governance structure. A key consideration as part of this review will be to assess how the funding environment has changed given the significant progress made on the Scheme over the last 12 months. This is with a view to ensuring the funding strategy and approach that will be taken forward in the latter part of Key Stage 2 is most appropriate given the circumstances at the time. All options for the Council to provide continued support for the scheme including gap/viability funding, writing off historic expenditure and/or providing funding for the delivery of early phases will be considered. In a scenario where the Council is required to inject further cash into the Scheme in order to support viability, then it has the ability to do so either from its substantial cash reserves or by raising a loan through the Public Works Loan Board. Any additional financial support would be subject to approval, business case and assessment and management of the relevant risks.

Previous Scheme

9.24 The previous scheme which was promoted by ING for the regeneration of Northgate was granted planning permission originally in 2005 and then 2007. The permission was renewed in 2011 but the scheme had effectively been abandoned in 2008, at the time of the global financial crises and subsequent recession. The ING scheme, whilst retail led, included many public facilities, including a new bus interchange, theatre and library all on the development site and provision for new city and council offices off site. Many of these elements have been delivered by the Council as enabling works for the current Chester Northgate scheme. The Council resolved to terminate its development agreement with ING in 2012 and continue to progress a comprehensive redevelopment of the Chester Northgate area, subsequently acquiring ING's assets including the Forum Shopping Centre. In progressing the current Scheme, the Council sought to deal with the public-sector deliverables as separate Council led developments, in order to help de risk the Scheme for private funding. The theatre, library and bus station have all been funded separately to the Scheme and developed off site with no requirement to provide new Council offices. The Scheme is much more geared to mixed use income producing uses that align with current market requirements.

Timescales

9.24 The current construction programme proposes a start on site for Phase 0 and Phase 1 in November 2018 with a construction period of 22 months. Construction of phase 2 is programmed to commence in September 2020 with a build out period of 24 months.

9.25 The Council has secured a number of pre-lets with anchor tenants and the construction programme above reflects the requirements of these contractual arrangements. Conditional agreements for lease have been exchanged with Picture House (to take the 6-screen cinema in phase 1), with the Crowne Plaza hotel (to relocate to a new 4* hotel in phase 1) and with House of Fraser (to take the department store in phase 2).

Conclusion

9.26 The Council is satisfied that the Order Land represents all of the land needed to deliver the Scheme and that the inclusion of all plots is necessary to deliver the outcomes that are intended to be delivered. There is no other means of delivering the Scheme which does not require the Order to be made.

9.27 The Council is satisfied that it has the available resources required to deliver the

Scheme, including the costs of compensation payable as a result of the compulsory purchase and the construction costs of the Scheme, to enable it to deliver the Scheme.

9.28 The Order is necessary to deliver the Scheme within the construction programme. Without the Order, the programme may not be achieved and the anchor tenants, which are necessary to make the development viable, may be lost.

10. HUMAN RIGHTS AND PUBLIC SECTOR EQUALITY DUTY

10.1 The Human Rights Act 1998 incorporated into UK law the European Convention on Human Rights (“the Convention”). The Convention includes provisions which aim to protect the rights of the individual (including companies and other corporate bodies). In resolving to make the Order, the Council has considered the rights of the property owners affected by the Order generally and, in particular, under the following Articles of the Convention:

Article 1 of the First Protocol

Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.

Article 6 – Right to a Fair Trial

In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice...

Article 8 Right to respect for private and family life

1 Everyone has the right to respect for his private and family life, his home and his correspondence.

2 There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

10.2 In Articles 1 and 8 referred to above (and in respect of many of the provisions of the Convention) the rights afforded to an individual are “qualified rights”; this means that they do not prevent proposals affecting those rights providing the interference is proportionate and justified. The public authority seeking to affect those rights is obliged to satisfy itself that it has struck the correct balance between the rights of the individuals affected and the public interest in delivering the Scheme.

10.3 In particular, the Article 8 rights of the residential occupiers of Moray Court and Trinity Street must be considered. The small number of residential occupiers displaced by the Scheme will be assisted by the Council to find alternative, suitable accommodation, which the Council believes is available within the local community, and the Scheme itself will deliver an uplift in the number of residential units, including affordable housing, that is available in the city centre. On balance, the interference with a small number of residential occupiers' Article 8 rights is considered proportionate and justified when weighed against the public benefits that the Scheme will deliver.

10.4 As set out in this statement, the Council considers that the Scheme will deliver significant public benefits to its area. In the circumstances, and given that the interests affected by the proposals will be limited, given the scale of the Scheme and the nature of the land interests affected, the Council considers that the proposed compulsory purchase order would not constitute an unlawful interference with the individuals' property rights given the overall public benefits which will be delivered if the Scheme is progressed.

10.5 Furthermore, the compulsory purchase process provides those affected with a right to object to any order being confirmed and this objection will be considered by an independent Inspector appointed by the Secretary of State, at a public inquiry. Any person affected by the proposed Order will be entitled to compensation in respect of any loss they may incur as a result of their rights or interests being affected by the Order.

10.6 The Council has also paid due regard to its public sector equality duty under section 149 of the Equality Act 2010 ("PSED"). This proposal for development, which necessitates compulsory purchase intervention to bring the project to fruition, complies with Policy SOC5 (Health and Well-being) of Cheshire West and Chester Local Plan (Part 1) 2015, which plan positively to contribute to the advancement of equality and good relations within its area. The Council has completed an Evidence Based Equality Analysis of the Scheme, which concludes that the Scheme will have an overall positive effect on those groups identified.

10.7 The PSED is a relevant factor in the Council's decision to make the Order but the PSED does not impose a duty to achieve the outcomes in s.149. The PSED is only one factor that needs to be considered when making a decision and may be balanced against other relevant factors. The Council also took into account other relevant factors in respect of the decision to make the Order, including financial resources and policy considerations.

10.8 The Council has given consideration to all the protected characteristics in the Equality Act 2010 to ensure that any potential impacts of the proposed Order on these groups of people have been considered and where possible mitigated. In particular the project will have significant positive impacts by providing a safe and more accessible shopping and leisure environment in Chester city centre, designed with input from the Council's Corporate Access Forum and disability group representatives. Changes to the Scheme were made during its early development to respond to consultation feedback received. As a result, the Scheme includes:

- a shop-mobility service for those with impaired mobility;
- a Changing Places 24 hour facility;
- ability to provide up to an additional 4% disabled parking spaces, if future demand is there;

- amended palette of public realm materials and street furniture to provide users, including the elderly and disabled, with a more comfortable experience; and
- an additional ramp has been designed into Hunter Street at a lesser gradient, providing easier access for the elderly and less able as well as wheelchair and pushchair users.

10.9 The Scheme conforms fully to relevant equalities standards and legislation and has been designed to the Designing out Crime standard to the benefit of all users but particularly to those with protected characteristics who may be more susceptible to crime.

11 ATTEMPTS TO ACQUIRE BY AGREEMENT

11.1 The Council is progressing, or has attempted to progress, negotiations with all parties known to have a land interest that is required for the Scheme with a view to acquiring their interests or creating the necessary rights by private treaty. Negotiations will continue throughout the compulsory purchase process and the Council will actively work to achieve the relocation of affected businesses wherever possible and assist in the relocation of residential occupiers.

11.2 Key properties that need to be acquired for the Scheme include:

- Merchant House - offer made to freeholder to purchase the property. Negotiations are ongoing. All tenants were notified in advance of making the Order.
- Hamilton House - offer made to freeholder to purchase the property. Negotiations are ongoing.
- United Services Club - Heads of Terms have been issued and discussed with the Committee containing a proposal to relocate the Club to a Council owned property outside of the Scheme but within Chester city centre. Negotiations are ongoing, alongside detailed feasibility studies for the relocation proposals.
- Rear of 60 Watergate Street (Antiques workshop) - Heads of Terms issued and discussed with the business owner and his professional advisors. Proposal to relocate to a Council owned property. Negotiations are ongoing alongside detailed feasibility studies for relocation proposals.
- 68 Watergate Street and Trinity Street residential units and garages - Negotiations with the owners and their agents ongoing. Inspections have taken place.
- Moray Court residential units - Offer made and accepted to purchase no 3 Moray Court, with offers made to the owners of numbers 1 and 2 Moray Court.
- Dial House – not to be displaced from the site unless and until details of alternative equivalent provision has been confirmed and provided to satisfy a planning condition. Relocation options will be in place prior to confirmation of the Order. If a suitable off-site premises cannot be secured, Dial House will be offered a place in the Scheme.

11.3 Appendix 1 sets out details of contact with affected parties.

11.4 The Council are also in negotiation with the owners and occupiers of 14 – 20 Watergate Street to agree the reconfiguration of the property at row level and above to create an enhanced connection at grade and row level to Watergate Street from the Northgate Scheme.

11.5 Statutory undertakers have apparatus in the vicinity of the Order Land. The Council is aware of the location of this equipment and interests and is in discussion with the undertakers regarding the relocation and maintenance of the services in the area.

11.6 Chester Market is to be relocated as part of the Scheme. Further detail is set out from paragraph 14.5 below. Consultation and negotiations with market traders has been ongoing since October 2015 as part of the pre-application consultation process for Chester Northgate and from August 2016 as part of the application process for the new market. The majority of the current market traders will be relocated into the new market hall and acquisition of their interests is being dealt with either by private agreement or under the provisions of the Landlord and Tenant Act. The Council intends to use its Landlord and Tenant Act powers to acquire the interests of those traders who are not relocating but all interests in the market hall have been included within the Order to ensure that the Council can bring forward the Scheme within its development timescales if it is unable to gain possession of the trader interests through the Landlord and Tenant Act.

12. COMPELLING CASE IN THE PUBLIC INTEREST

12.1 Compulsory purchase interferes with private ownership and land interests and compulsory purchase powers should only be exercised where there is a compelling case in the public interest to justify exercising them.

12.2 The Northgate area is the only site that is capable of delivering the step change that is necessary to ensure Chester retains its position in the retail hierarchy and remains a key sub-regional destination for leisure and tourism in the future, as well as the destination of choice for local residents. Whilst the Council recognises that some businesses and residential occupiers will be displaced by the Scheme, delivery of the Scheme is the only option to deliver the Council's aspirational outcomes and ultimately, the Scheme's benefits will outweigh any harm that is caused by the exercise of compulsory purchase powers.

12.3 The Council is working with all affected owners and occupiers and those who abut the Scheme but may not be directly affected by the Order to ensure that any disruption is kept to a minimum and any harm caused to the continued operation of businesses is mitigated as far as possible. The Council is committed to working with the small number of residential occupiers affected by the Scheme to assist in relocating them to suitable alternative accommodation or to ensure that their enjoyment of their property is not diminished by either construction or operation of the Scheme. As with all affected parties, the Council is committed to helping with professional fees incurred in any relocation and the Scheme will bring about a net increase in residential units.

12.4 The Council will be granting all necessary rights to existing owners and occupiers to continue to access their properties once the Scheme is complete where access arrangements are changing. For example, 1 Hamilton Place currently comprises a number of bed sits which fall outside of the Order Land but whose vehicular access will be impacted by new traffic restrictions imposed by the Scheme. The Council has designed the highway layout to ensure that occupiers of the units can still gain vehicular access to the property whilst maintaining a general restriction on vehicular movements during peak hours. The owners and occupiers of properties on Hunters Walk, outside of the Order Land, currently enjoy access rights over a

ramped walkway to the rear of the properties which will be acquired by the Council. The Council intends to regrant the rights of access to these properties once works are complete.

12.5 For the reasons set out in this Statement and taking all factors into account, the Council considers that the public benefits to be delivered by the Scheme outweigh any harm caused to private interests and that a compelling case in the public interest exists to confirm the Order.

13. SPECIAL CONSIDERATIONS

Crown Land

13.1 The Ministry of Defence, a Crown body, has a freehold interest in 64 Watergate Street. The car parking spaces to the rear of these premises, also Crown land, are required for the Scheme. A Crown interest cannot be acquired compulsorily under Section 226 of the 1990 Act, it is therefore necessary to agree terms by private treaty to enable the Crown interest to be acquired. Negotiations are ongoing to provide replacement car parking facilities and it is expected that an agreement will be reached before the Order is confirmed.

Disused Burial Ground

13.2 The site contains an historical Unitarian burial ground. The land is not consecrated and the last interment took place in excess of 50 years ago. A large portion of the former chapel and burial ground lies under existing built development, however an area of the burial ground has not previously been built upon but will be so pursuant to the Scheme. No surface remnants of the former use remain on the undeveloped portion and a Ministry of Justice licence was previously granted in 2015 for evaluation of the area in connection with the development of the Scheme.

13.3 The Council owns the land forming part of the disused burial ground. The Council acquired the land by agreement in 1963. The Council will comply with the requirements of the Disused Burial Grounds (Amendment) Act 1981 before any development takes place and will obtain a licence for exhumation from the Ministry of Justice. The length of time lapsed since the last interment took place at the chapel and the previous granting of a licence for exploration of the site leads the Council to believe that the presence of the disused burial ground does not amount to an impediment to delivery of the Scheme.

Public Open Space

13.4 A very small parcel of open space land, totalling 4 square metres, is included within the Order Land. It is a sliver of land that falls at the very edge of a larger open space, abutting the highway. The land has been maintained by the Council for a substantial period of time as part of the wider area of open space. The Land Registry declined the Council's application to have the title to the land registered in its favour, not accepting the Council's position that the sliver arises from a discrepancy in the highway boundary plan. The sliver is therefore included within the Order to ensure good title to all land necessary to deliver the Scheme can be obtained.

13.5 An application has been made to the Secretary of State at the same time that the Order has been submitted for confirmation, seeking a certificate under section 19 of the Acquisition of Land Act 1981 that Special Parliamentary Procedure will not apply to the Order because

the area of open space included within the Order Land is below the de minimis threshold set out in the 1981 Act and that replacement land is not necessary in the interests of the public because the Scheme will deliver new and improved public spaces and facilities.

14. RELATED ORDERS AND APPLICATIONS

Highways Stopping Up Order

14.1 In order to construct and manage the eventual operation of the Northgate development, including controlling vehicular access outside of core hours to create a high quality environment for pedestrians, it will be necessary to permanently stop up a number of existing highways within the site.

14.2 The Council is making an application to the Secretary of State for Transport for a Stopping Up Order pursuant to Section 247 of the Town and Country Planning Act 1990, concurrently with submitting the Order for confirmation. The subsoil of the highways to be stopped up forms part of the Order Land.

14.3 The Section 247 application is seeking to stop up the following highways permanently:

- Hunter Street: part of Hunter Street located between Hunters Walk and No. 9 Hunter Street;
- Hunters Walk: located between Hunter Street and Princess Street;
- Princess Street: located between St. Martin's Way and the Town Hall;
- Trinity Street: located between the Guildhall and Princess Street;
- Hamilton Place: located between Trinity Street and DIAL House;
- Crook Street: located between Hamilton Place and rear of No. 44 Watergate Street;
- Goss Street: located between Hamilton Place and Crook Street; and
- Adjacent to Goss Street: located between Hamilton Place and Goss Street.

14.4 In addition, the Section 247 application is seeking to create the following new highway as part of the overall access strategy:

- Hunter Street: realignment of the existing Hunter Street carriageway between Hunters Walk and St. Martin's Way;
- Edwards's Street: new carriageway to the north of the Guildhall, No. 44-68 Watergate Street and No. 22-26 Watergate Street
- Edwards's Street: new carriageway to the north of No. 14-20 Watergate Street; and
- St. Martin's Way: located to the east of the existing carriageway between Hunter Street and the Guildhall.

Relocation of Chester Market

14.5 Chester Market is governed by the Chester Improvements Act 1845 and the Chester Corporation Act 1929, which provides in section 75(2) that any discontinuance or relocation of the market is subject to ministerial approval. An application has been made to the Secretary of State for consent to close the current market and to construct and operate a new market hall as part of the Scheme.

14.6 The Scheme involves the permanent relocation of Chester Market from its current

position in the outdated Forum development to a new position in phase 1 of the Scheme. The Market will be in a high-profile position with a principal access onto the new Market Square. The Square will also contain new food and beverage units, access to a six-screen multiplex cinema, and access to a new arcade leading into Town Hall Square through a reconfigured and refurbished former library building. The new market will provide modern and flexible accommodation, including direct access to back of house areas for food operations, and will provide easy access to a new 163-space car park in phase 1 below the new hotel, Shopmobility on Hunter Street and new WC facilities and 24-hour Changing Places facilities. The market will be highly accessible with additional entrances off Princess Street and Hunter Street, providing a total of 5 entrances in to the Market Hall.

14.7 The combination of these improvements is intended to create a greatly enhanced shopping experience for existing customers whilst at the same time, broaden the market's appeal and attract a wider range of users. The relocation will provide more convenient and spacious premises and whilst the current gross floor space of the market is slightly larger than the new gross floor space to be created, the useable space in the new building is considered to be more spacious and convenient for retailers and customers due to improved layout and minimising wasted non-trading space, aligned closely with the back of house accommodation that will provide a modern market configuration for current trading requirements and practices.

14.8 The Council considers that the statutory requirements for relocating the market have been met by the Scheme.

14.9 The Council has asked the respective Secretaries of State to hold any necessary inquiry as a joint inquiry dealing with the Order, the market relocation application and the s.247 application together.

15. CONTACT DETAILS

15.1 Copies of the Order, Order Map and this Statement of Reasons can be inspected at the Council's office in the Forum Shopping Centre, Chester, CH1 2HS between the hours of 8.30 and 17.00 Monday to Friday .

15.2 Owners and occupiers of properties affected by the Order who wish to progress discussions for the acquisition of their interest should contact Helen Kirkham at GVA (0151 471 6715 or helen.kirkham@gva.co.uk) in the first instance.

15.3 The Council will assist, wherever practicable, occupiers of properties affected by the Order to relocate to alternative premises.

16 LIST OF DOCUMENTS

The following documents will be relied upon by the Council at inquiry:

- Cheshire West and Chester Borough Council (Chester Northgate) Compulsory Purchase Order 2017 and Order Map
- Report of the Cabinet dated 30 November 2016
- Report of the Council dated 15 December 2016

- Planning permissions and listed building consents listed in paragraphs 5.10 and 5.11 of this statement
- Extracts of the NPPF; policies of the CWAC Local Plan, the Chester District Local Plan and listed SPDs SPGs and other policy documents referred to in this statement
- Environmental Statement
- Planning application documents and approved plans
- Memorandum of Understanding – Cheshire West and Chester Borough Council
- The Venuescore shopping centre ranking 2016
- S.247 application and supporting statement
- Market relocation application
- Application for s.19 consent
- Evidence Based Equality Analysis – Cheshire West and Chester Borough Council

Appendix 1
Contact with Affected Parties