

Application No: 23/4024M

Location: Land Adjoining Jenny Heyes, HEYES LANE, ALDERLEY EDGE, SK9 7LH

Proposal: Permission in principle (Stage 1) for an affordable housing exception site and associated works

Applicant: Mrs A Wood

Expiry Date: 15-Mar-2024

SUMMARY

The site is located within the open countryside and Green Belt and the proposal comprises 100% affordable housing to serve an identified local need. Therefore the proposals qualify as an exception to inappropriate development in the Green Belt.

The proposals would contribute towards to local affordable housing needs of Alderley Edge and a development of 9 units would be appropriate in terms of density in this location. It is considered that a suitable layout of development could be achieved that overcomes flood risk concerns, amenity, highway and tree issues.

There are no ecological issues highlighted at this stage.

Overall, the principle of small-scale residential development in this location would not result in any conflict with the development plan.

The application is therefore recommended for approval.

SUMMARY RECOMMENDATION

APPROVE

REASON FOR REFERRAL

This application is referred to Cheshire East Council's Northern Planning Committee by Councillor Craig Browne for the following reasons;

CELPS Policy PG3 – the proposed development site is in the North Cheshire Green belt and exceptional circumstances have not been demonstrated (three further brown field sites in Alderley Edge remain available, but not developed: Red Roofs, Hole Farm & Holmfield – two of these are in council ownership, one in the ownership of Peaks & Plains)

Wilmslow NP Policy TH1 – ribbon development at gateway or entrance sites (the proposed development site is at the entrance/gateway to Wilmslow & Alderley Edge, being sited on the Ward Boundary)

Wilmslow NP Policy PR3 – connectivity to a safe and accessible pedestrian network (the proposed development site is technically in Wilmslow, but visually connected to Alderley Edge; however, there is no pedestrian footway connecting the site to either of the two service centres).

Wilmslow NP Policy TA4 – connectivity to safe and well lit sustainable travel routes for walking and cycling (access/egress to and from the proposed development site is on a series of sharp bends in the road, with severely restricted visibility. The most obvious route into Alderley Edge is over a narrow bridge without a footpath on either side of the carriageway)

Alderley Edge NP Policy AE9 – (ensure that the green belt gap between Alderley Edge & Wilmslow is protected)

DESCRIPTION OF SITE AND CONTEXT

The site comprises a parcel of land some 0.2ha in area located on the north eastern fringe of Alderley Edge (although falls within the Parish of Wilmslow) and is on the southern side of Heyes Lane. To the immediate north and south is remaining open field, with development surrounding the site on 3 sides to the north, west and south, and open fields to the east. Whitehall brook runs to the south. Boundaries are marked by trees and hedgerows.

The site lies within the open countryside and Green Belt. The site falls within flood zone 1 with land surrounding the southern boundary falling within flood zones 2 and 3 that follow Whitehall Brook.

DESCRIPTION OF PROPOSAL

This application seeks Permission in Principle (PiP Stage 1) for the construction of an affordable housing exception site and associated works.

An indicative site plan accompanies the application and demonstrates how the site could be divided into 9 plots with access from Heyes Lane, access road with visitor parking, parking court and turning head all within the site.

The application is accompanied by the following documents;

- Planning Statement
- Affordable Housing Statement
- Indicative Site Plan

RELEVANT HISTORY

15/3535M - The construction of a new driveway to access Jenny Heyes from an existing gateway entrance into the parcel of land also owned by the applicant adjoining the property to replace an otherwise dangerous existing vehicular access to the said property - Refused / 28-Sep-2015. Refused on the grounds of inappropriate development within the Green Belt.

15/0766M - The construction of a new driveway to access Jenny Heyes from an existing gateway entrance into the parcel of land adjacent to Jenny Heyes and thereby close and replace an otherwise dangerous existing access to the said property – Withdrawn 24-Apr-2013

RELEVANT PLANNING POLICY

By virtue of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application should be determined in accordance with the development plan unless material considerations indicate otherwise.

Cheshire East Local Plan Strategy 2010-2030 – Adopted July 2017

MP1 Presumption in favour of sustainable development
PG1 Overall Development Strategy
PG2 Settlement Hierarchy
PG3 Green Belt
PG6 Open Countryside
SD1 Sustainable Development in Cheshire East
SD2 Sustainable Development Principles
SC4 Residential Mix
SC5 Affordable Homes
SC6 Rural Exceptions Housing for Local Needs
SE1 Design
SE3 Biodiversity and Geodiversity
SE4 The Landscape
SE5 Trees, Hedgerows and Woodland
SE6 Green Infrastructure
SE12 Pollution, Land contamination and land instability
SE13 Flood risk and water management
CO1 Sustainable Travel and Transport

Cheshire East Site Allocations and Development Policies Document (SADPD)- Adopted December 2022

PG 8 Development at local service centres
GEN1 Design principles
ENV1 Ecological Network
ENV2 Ecological implementation
ENV3 Landscape character
ENV4 River Corridors
ENV6 Trees, hedgerows and woodland implementation
ENV7 Climate Change
ENV12 Air quality

ENV15 New development and existing uses
ENV16 Surface water management and flood risk
ENV17 Protecting water resources
HOU 1 Housing Mix
HOU 12 Amenity
HOU 13 Residential Standards
HOU 14 Housing Density
HOU 16 Small and Medium Sized sites
INF1 Cycleways, bridleways and footpaths
INF3 Highways safety and access

Wilmslow Neighbourhood Plan (2019)

Policy H2: Residential Design.
Policy H3: Housing Mix.
Policy TH1: Gateways into Wilmslow

Other Material Planning Considerations

National Planning Policy Framework (2023)
National Planning Policy Guidance
Alderley Edge Neighbourhood Plan

CONSULTATIONS (External to Planning)

Environment Agency – Objection and recommend refusal due to absence of a flood risk assessment.

Local Lead Flood Authority – No objection subject to condition requiring detailed surface water drainage scheme.

Strategic Housing – No objection.

United Utilities- No objection

Strategic Highways –

Ward Member – No representations received

Wilmslow Town Council – Recommend refusal.

- Inappropriate in the Green Belt and will negatively impact on the openness of the Greenbelt, the benefits of which will not outweigh the resulting harm.
- proposal is contrary to Policy NE1 of the Wilmslow Neighbourhood Plan (Countryside Around the Town) and the have not demonstrated or sensitively responded to guidance identified as part of the Wilmslow Landscape Character Assessment, a supporting document to the Wilmslow Neighbourhood Plan.
- Proposals do not comply with the Wilmslow Neighbourhood Plan, Policies TH1 Ribbon Development at a Gateway or Entrance Site; PR3 Connecting to a safe and accessible pedestrian network; and TR4 Connecting to safe and well-lit sustainable routes for walking and cycling.
- Access to and from the site is at a dangerous location and the developer has not demonstrated how this issue will be satisfactorily overcome.

Alderley Edge Parish Council – Recommend refusal.

- Inappropriate development within the Greenbelt
- Final SADPD recommended site should stay in the Greenbelt
- Access is dangerous with no reference of how this would be managed
- Dangerous precedent if Neighbourhood plans of Wilmslow and Alderley Edge are overridden.
- Proposals are contrary to following policies;
Wilmslow NP policy TH1 which prevent ribbon development at town entrance/gateways
AENDP AE1 as brownfield sites should be developed first,
AENDP AE9 Landscape Character and Access - Development should ensure the adequate separation of the built up area of Alderley Edge and Wilmslow.
AENDP AE13 Views and Townscape – Development proposals must not harm characteristic features in the landscape.
Wilmslow NP PR3 development proposals should seek to improve pedestrian connectivity through the Town Core.
Wilmslow NP KS1 retention and creation of new routes for cycling and walking. Green infrastructure assets such as mature trees and hedgerows to be retained.
Wilmslow NP LSP3 new development has to integrate with existing walking and cycling routes.

Wilmslow NP TA4 ensure appropriate access to schools via safe and well-lit sustainable transport routes, such as for walking and cycling.

REPRESENTATIONS

1 representation of support has been received and is summarised below;

- There is a need for affordable housing in Wilmslow and Alderley Edge.

13 letters of representation have been received from residents and 1 representation from 'Residents of Wilmslow' objecting to the proposal on the following grounds:

Principle

- This will open the flood gates for development in the Greenbelt
- Is there true affordable housing in Alderley edge and Wilmslow
- Application refers to housing need of Alderley Edge but site is in Wilmslow therefore impossible to consider exceptional circumstances
- Proposals do not meet Wilmslow or Alderley Edge neighbourhood plan policy
- Proposals set a dangerous precedent by disregarding neighbourhood plans
- This site is inappropriate
- Loss of green belt land
- The site would rely on use of Alderley Edges amenities and should be considered against Alderley edge policies.
- Local schools are oversubscribed and this will add pressure to that.
- There are more suitable sites in Alderley Edge e.g. Holmfield, Hole Farm Field which are brownfield not green belt land.
- Proposals do not align with SC6 and criteria for small sites as it is not connected to existing or proposed services
- Contradicts NP policy TH1 which prevents ribbon development at town entrances

- It is important that polices and principles of the Neighbourhood Plans are given significant weight so as to protect the individual character of both communities, their aspirations too.

Visual Amenity

- Overdevelopment
- This site is in direct view from 'The Edge'
- Alteration of existing character of Alderley Edge
- New build affordable housing would take away from existing 1800's properties in the area
- Threat to characteristic features of the landscape

Highways

- Poor access on a dangerous bend.
- This is a dangerous access
- Lack of footpath
- A dangerous blind corner on a fast road
- Cars speed up at this section of road
- Proposals do not connect to a safe and accessible pedestrian network
- Heyes Lane struggles with existing traffic without added pressure of more traffic
- Van slid off road at the exact proposed entrance spot
- Additional vehicles will create more parking issues and traffic
- Not enough parking shown on proposed plans
- The access is not identified and approved

Ecology

- Rare birds nest in the trees

Flooding

- Increased flow through Whitehall Brook contributes to flooding on A34 and this development will exacerbate the problem.
- Increased flood risk
- Increased development increased flood risk
- Stream is getting higher every year and will eventually flood
- There is often water laying across the road

Environmental

- Additional noise disturbance
- Disruption to wildlife
- Noise during construction
- Proposals fail to preserve green infrastructure assets

Amenity

- Loss of amenity
- Loss of privacy to neighbouring properties as result of loss of trees

Other

- Viability assessments are a loophole for developers to escape their affordable housing obligations.
- Any financial assessments should be put in the public domain. [Officer note: There are no financial or viability assessments accompanying this application]

OFFICER APPRAISAL

Procedure

The permission in principle consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development.

The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.

The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage.

It is not possible for conditions to be attached to a grant of Permission in Principle and its terms may only include the site location, the type of development and the amount of development. Where permission in principle is granted by application, the default duration of that permission is 3 years.

Principle of development in the Green Belt / Open Countryside – Location and Land Use

The application site is located within the Parish of Wilmslow and within the Open Countryside and Green Belt.

Paragraph 152 of the National Planning Policy Framework outlines that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 154 of the NPPF and Policy PG3 of the Cheshire East Local Plan Strategy apply a general presumption against development in the Green Belt, subject to certain exceptions.

Paragraph 154(f) outlines one such exception as "*limited affordable housing for local community needs under policies set out within the development plan (including policies for rural exception sites)*". This exception is reflected in Policy PG3(3)(v) of the CELPS, which identifies limited affordable housing for local community needs under policies set out in the Local Plan as an exception to inappropriate development.

The site also lies within the open countryside and as such, is subject to the requirements of Policy PG6. Policy PG6 of the CELPS states within the open countryside, only development that is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers,

or for other uses appropriate to a rural area will be permitted. Exceptions include affordable housing in accordance with the criteria contained in Policy SC 6 'Rural Exceptions Housing for Local Needs'.

Paragraph 78 of the NPPF states that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

The relevant local plan policy to assess rural exceptions housing for local needs is CELPS Policy SC6. The Alderley Edge Neighbourhood Plan (AENP) outlines that rural exceptions housing will be considered in line with CELPS Policy SC6. This policy sets out the requirements against which the proposal must be considered. The policy states that proposals for rural affordable housing schemes will be supported by the Council subject to all of the criteria below being met. Each of these will be addressed in turn;

1. Sites should adjoin Local Service Centres and Other Settlements and be close to existing employment and existing or proposed services and facilities, including public transport, educational and health facilities and retail services;

The site lies within the Parish of Wilmslow but is adjacent to the settlement boundary of Alderley Edge (a Local Service Centre as identified under policy PG2 of the CELPS), separated only by Whitehall Brook. The site is approximately 1km walk from Alderley Edge village centre, with its associated services and facilities, its railway station; which provides services to Manchester and Crewe; and the bus stops located on London Road which provide services to Macclesfield and Manchester Airport via Wilmslow.

2. Proposals must be for small schemes; small schemes are considered to be those of 10 dwellings or fewer. Any such developments must be appropriate in scale, design and character to the locality;

The proposal seeks permission in principle for "an affordable housing exception site and associated works", and whilst the number of units are not confirmed at this stage, an indicative layout plan has been provided to show 9 no. dwellings, which would meet the above criterion. Matters of scale, design and character would be considered at the technical details consent stage and are therefore not for consideration as part of this application.

3. A thorough site options appraisal must be submitted to demonstrate why the site is the most suitable one. Such an appraisal must demonstrate why the need cannot be met within the settlement;

The site directly adjoins the settlement boundary of Alderley Edge, a local service centre as designated by the settlement hierarchy. SADPD policy PG8 advises that Local services centres will be expected to accommodate 3,500 new homes and it is expected that the housing element will be addressed by windfall going forward, in line with other policies in the local plan.

The applicant has noted that the '*settlement boundary adopted for Alderley Edge tightly encloses the village. Other than infrequent opportunities for redevelopment and potential intensification of existing housing plots or previously developed land (which themselves are further constrained by other restrictions such as by Conservation Area designation), opportunities to deliver new housing within the settlement boundary are very limited*'. The applicant suggests that this level of restriction is reflected in the numbers of housing

completions in Alderley Edge (Housing Monitoring Report, base date 31 March 2022) that since 2010, only 95 no. dwellings (net) have been delivered in Alderley Edge, equating to approximately 8 no. dwellings per annum.

One site within the settlement boundary, Holmefield, owned by Peaks and Plains, and is considered below. Red Roofs and Hole Farm were also considered by the applicant which fall within the Green Belt. These sites were raised as potential alternatives by the Ward Councillor in his call-in request.

Holmefield – Proposals have been advanced to demolish the existing 32 no. apartments for the over 55s, no redevelopment proposals have yet been formulated. Peaks & Plains Housing Trust advise ‘plans are underway to continue to work with interested local partners to redevelop this site in Alderley Edge to build much-needed affordable homes’ (Peaks and Plains Website, February 2024).

To maintain the current position stated in the Needs Report (for an additional 17 dwellings), the 32 no. dwellings at Holmefield would need to be replaced within the village boundary. There are no known sites suggested by the applicant that could accommodate this level of development within the settlement boundary of Alderley Edge. The housing needs assessment had not at the time of preparation included the displaced Holmefield residents which would further inflate the level of local need.

Whilst the Holmefield site could be redeveloped at a higher density, to provide more than 32 no. affordable homes, ultimately there is no guarantee that this would or could occur as Peaks and Plains advise ‘*demand for these small and outdated flats at Holmefield is low, while the demand for modern efficient affordable homes in the areas is high*’ (Peaks and Plains website).

Red Roofs / Hole Farm - Both of the sites do not fall within the settlement boundary of Alderley Edge and are within the Green Belt. Any proposal for affordable housing on this land would need to comply with the same policy tests and Green Belt exemptions as the proposal at Jenny Heyes.

As the Red Roofs/Hole Farm site is not within the settlement, it is not considered to be any more suitable than the application site. Notwithstanding this view, the sites are also both within the ownership of the Council and no development proposals exist.

The application site

The land between Whitehall Brook and Jenny Heyes was considered as a potential site allocation during the SADPD process by the LPA, along with other small housing allocations in the Green Belt. The Alderley Edge settlement report August 2020, part of the evidence base for the SADPD, assessed these parcels of land grading them on their basis of contribution to Green Belt purposes, ranging from major contribution, significant contribution, contribution, down to no contribution. The assessment findings for the application site are summarised below;

Green Belt Purposes	Assessment
1. Check the unrestricted sprawl of large built-up areas	Contribution

2. Prevent neighbouring towns merging into one another	No contribution
3. Assist in safeguarding the countryside from encroachment	Contribution
4. Preserve the setting and special character of historic towns	Contribution
5. Assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Significant contribution
Overall evaluation	The site makes a significant contribution to assisting in urban regeneration but a contribution or no contribution to the other four purposes. It is a small, well contained site and overall is considered to make a 'contribution' to Green Belt purposes.
Overall Assessment	Contribution

As shown above, the site was concluded as making a 'contribution' to Green Belt purposes. This site was the only site location assessed of the 13 considered at that stage to make a "contribution" to the Green Belt; there were no other sites that were considered to make a lower or equal contribution to Green Belt purposes.

The applicant considers that it is inescapable that any windfall development opportunities that may exist on Green Belt land at Alderley Edge must take place on land that contributes to the Green Belt.

They state that historically low levels of housing development in Alderley edge demonstrate that windfall opportunities within the settlement boundary are heavily constrained.

Whilst this site was not selected as an allocation, the evidence at that time during the selection process for the SADPD did find that the site was adjacent to the settlement and in a sustainable location which meets the accessibility criteria for the majority of services and facilities listed in CELPS Policy SD 2.

The site does have some built development on 3 sides and was found to be the least harmful site to Green Belt purposes when compared to alternative locations.

4. In all cases, proposals for rural exceptions housing schemes must be supported by an up-to-date Housing Needs Survey that identifies the need for such provision within the parish;

The application is supported by an Affordable Housing Statement which considers the findings of the Alderley Edge Parish Housing Needs Report, published in January 2023. This survey

concluded that there is a need for 17 affordable dwellings and represents an up-to-date Housing Needs Study.

Whilst the site is within the parish of Wilmslow, it is directly adjacent to Alderley Edge and development here would effectively function as part of Alderley Edge. Given the pattern of development in this area, the housing officer considers that it is appropriate for the housing needs survey to consider the housing needs of Alderley Edge Parish. Information gathered as part of the preparation for the Alderley Edge Neighbourhood plan identified affordable housing as the highest priority in new housing. AENP policy AE2 clarifies that affordable housing will be required in line with the applicable policies of the CELPS

5. Occupancy will, in perpetuity, be restricted to a person in housing need and resident or working in the relevant parish, or who has other strong links with the relevant locality in line with the community connection criteria as set out by Cheshire Homechoice, both initially and on subsequent change of occupancy. This could include Key Workers and Self Build;
6. The locality to which the occupancy criteria are to be applied is taken as the parish, unless otherwise agreed with Cheshire East Council;
7. To ensure that a property is let or sold to a person who either lives locally or has strong local connections in the future, the council will expect there to be a 'cascade' approach to the locality issue appropriate to the type of tenure. Thus, first priority is to be given to those satisfying the occupancy criteria in relation to the parish, widening in agreed geographical stages

The above criteria are all matters which would be addressed as part of the Technical Detail consent and associated Section 106 legal agreement. However, the applicant has indicated their intention to work proactively with the Council to achieve this.

In light of the above, the proposal is considered to accord with CELPS policy SC6, and objectives set out within CELPS policies PG1, PG2, PG3, PG7 and SC6; and SADPD policy PG8 in this regard. The proposals accord with paragraph 154(f) of the Framework and would not be an inappropriate form for development in the Green Belt.

Other location matters

Alderley Edge Parish Council, Wilmslow Town Council and residents have raised concerns that the proposals do not meet the requirements of Wilmslow NP Policy TH1 which seek to prevent further ribbon development on town entrances or gateways. However, the site is not on one of the listed roads within the policy nor does it result in ribbon development. Moreover, it would fill part of an area surrounded by development of 3 sides.

Amount of development

CELPS policy SC6(2) requires proposals for rural exception sites to be small, comprising sites of 10 dwellings or fewer.

The Permission in Principle (PiP) process is limited to development proposals of between 1 and 9 dwellings, total development of under 1,000 sqm and a site hectare of under 1 hectare.

The indicative proposal comprises 9 no. dwellings and is on a site of 0.2 hectare and therefore meets the requirements of the PIP process CELPS policy SC6.

CELPS Policy PG1 states that sufficient land will be provided to accommodate the full, objectively assessed needs for the Borough of a minimum of 36,000 homes, at a net average of 1,800 dwellings per year. SADPD policy PG8 identifies that the ten settlements that comprise the Local Service Centres (LSC), such as Alderley Edge, shall contribute 3,500 dwellings to that overall requirement. The policy does not determine how this is distributed between the 10 LSC. There are no allocated sites without planning permission in Alderley Edge and no dedicated housing allocations.

As detailed above the construction of a rural exception site for 9 no. affordable dwellings in this sustainable location would not be inappropriate development in the Green Belt. Housing needs assessments conclude that a level of local need exists for affordable housing in Alderley Edge.

Policy AE9 of the Alderley Edge Neighbourhood plan seeks to secure adequate separation of Alderley Edge and Wilmslow addressing the landscape design principles:

1. Development proposals on the edges of the built-up area will be required to provide an appropriate transition from the wider rural area to the built form of the settlement, with landscaped buffer zones using locally appropriate species in boundary treatments;
2. Development proposals must not significantly harm, individually or cumulatively, characteristic features within the local landscape.

The site proposes 9 dwellings, with a density of around 37 dwellings a hectare. SADPD policy HOU 14 requires a net density of at least 30 per hectare. Any future technical detail application would need to address a design and layout which reflect the rural nature of the surroundings.

The proposals would introduce development on this currently green site but would be surrounded by built form beyond the remaining section of field. Land levels dip down towards the brook which would place development at a lower level than neighbouring residential development to the north and north west. It is currently screened from public view by mature trees and vegetation and is not prominent from public viewpoints. The site does not have a strong visual connection to the surrounding landscape. Any future application would need to secure appropriate landscaping along the boundary to maintain this tree-lined character present along this section of Heyes Lane. The indicative layout demonstrates this may be possible.

Adequate land surrounds the site to enable appropriate outdoor amenity space for each plot and to provide adequate privacy distances between existing and proposed development.

Highways/Accessibility

CELPS Policy CO 1 deals with sustainable travel and transport. It supports a shift from car travel to public transport and seeks to guide development to sustainable and accessible locations.

SADPD policy INF3 requires that amongst other things, proposals provide safe access to and from the site for all highway users and incorporate safe internal movement in the site to meet the requirements of servicing and emergency vehicles. Development traffic should be

satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, incorporating measures to assist access to, from and within the site by pedestrians, cyclists and public transport users and meets the needs of people with disabilities. WNP policy TA4 requires applications to demonstrate how they can ensure appropriate access to schools via safe and well-lit sustainable transport routes such as walking and cycling. Residents and the Town and Parish Council have all raised concerns regarding highway safety and access issues.

Whilst this application is for a permission in principle, any future application would need to address the issue of access. Safe and convenient pedestrian access would need to be provided in accordance with LPS Policy CO 1 and WNP TA4, bearing in mind that the current footpath provision from Alderley Edge is narrow, on the other side of Heyes Lane, and ends at the bridge over the brook.

Although a site-specific transport statement would be required for the technical application, the applicant has advised that previous highway assessments were carried out on the site as it was promoted as a housing allocation thorough the SADPD process. At that time an access feasibility appraisal concluded that requisite visibility splays of 2.4m x 33m could be provided in each direction. The highway officer raises no concerns regarding the trip generation of this site and the visibility splays would be acceptable.

This would be formally considered as part of the technical detail consent.

Ecology

Section 15 of the NPPF considers the conservation and enhancement of the natural environment. Local Plan Policy SE 3(5) requires all developments to aim to positively contribute to the conservation of biodiversity. This is reflected within SADPD policy ENV 2.

The National Planning Practice guidance is clear that permission in principle must not be granted for development which is habitat development (development which is likely to have a significant effect on a qualifying European site, referred to as habitats sites in the National Planning Policy Framework (either alone or in combination with other plans or projects); is not directly connected with or necessary to the management of the site, and; the competent authority has not given consent, permission, or other authorisation in accordance with regulation 63 of the Conservation of Habitats and Species Regulations 2017.)

The Council's ecologist confirms there are no SSSI (or other designated sites) issues associated with this site. There would be a need for habitat/protected species surveys as part of the technical detail application.

Trees

CELPS Policy SE5 seeks to ensure the sustainable management of trees, woodland and hedgerows including provision of new planting to provide local distinctiveness within the landscape, enable climate adaptation resilience, and support biodiversity. Furthermore, the planting and sustainable growth of large trees within new development as part of a structured landscape scheme is encouraged in order to retain and improve tree canopy cover within the

borough as a whole. Similarly SADPD policy ENV 6 requires proposals to retain and protect trees, woodland and hedgerows. Proposals should include measures to secure the long-term maintenance of newly planted trees.

The site is surrounded by established hedgerows and tree cover bordering the Whitehall Brook. The indicative proposal suggests that the development area would be less than 10 metres to the north of the brook and an established linear group of trees which border the water course. None of the trees are afforded statutory protection.

The location of the indicative access indicates a section of hedgerow would need to be removed to create the new access and associated visibility splays and this hedgerow may be subject to the Hedgerow Regulations 1997. Where proposed development is likely to result in the loss of existing agricultural hedgerows which are more than 30 years old, a Hedgerow Removal Notice would be normally required under the Hedgerow Regulations 1997. However, there are some circumstances where hedge removal can be exempt from the Regulations, for example,

- To make a new opening in substitution for an existing one which gives access to land (in which case the existing access must be planted up with hedge plants within 8 months),

or

- To obtain access to land where another means of access is not available or is only available at disproportionate cost.

The Council's Arboriculture officer consider that the hedge in question may meet one of the historic criteria in the Regulations. Nevertheless, if the applicant can demonstrate that an exemption would be applicable, a full assessment may not be required but the amount of hedgerow to be removed in its entirety to accommodate the access would need to be indicated on the proposed plans.

As part of the technical details consent, an arboricultural assessment should inform the layout and ensure that trees and hedgerows are retained to maintain the landscape character of the area and to ensure appropriate relationships are achieved in terms of separation.

Flooding and Drainage

Paragraph 165 of the Framework advises that inappropriate development in areas at risk of flooding should be avoided, by directing development away from areas at highest risk. The Planning Practice Guidance clarifies that the aim should be to keep development out of medium and high flood risk areas (Flood Zones 2 and 3).

Policy SE13 of the CELPS states that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation.

Representations have raised concerns over flood risk at the site.

Whitehall brook runs along the southern boundary of the development site and the Environment Agency's (EA) Flood Maps show that land adjacent to the watercourse is affected by Flood Zones 2 and 3. The EA have objected to the proposals in the absence of a Flood Risk Assessment (FRA) which they consider is required to demonstrate that the proposed

development will be safe from fluvial flooding over its expected lifetime, taking the impacts of climate change into account.

However, the applicant states that the site falls within Flood Zone 1 and that only land adjacent to the boundary with Whitehall Brook is within Flood Zone 2 and 3.

The NPPF advises that a sequential, risk-based approach should apply to the location of development. If the sequential test set out in the NPPF should be applied to the proposal, paragraph 167 advises that development should not be permitted if there are reasonably available sites appropriate for the development in areas with a lower risk of flooding. In this case, as the majority of the site is within Flood Zone 1 and the area in dispute is the southernmost section of the site, it is considered that the site is of a sufficient size for the development to be accommodated within a part of the site that lies wholly in Flood Zone 1 and would therefore pass the sequential test.

Consequently, whilst the EA objection is noted, along with the concerns raised in representation, it is considered that a FRA is not required with this permission in principle application. These matters would be dealt with as part of a subsequent application for technical details consent.

Contamination

CELPS policy SE12 seeks to ensure that all development is located and designed so as not to result in a harmful or cumulative impact upon air quality, surface water and groundwater, noise, smell, dust, vibration, soil contamination, light pollution or any other pollution which would unacceptably affect the natural and built environment, or detrimentally affect amenity or cause harm. In most cases, development will only be deemed acceptable where it can be demonstrated that any contamination or land instability issues can be appropriately mitigated against and remediated, if necessary.

The application is for new residential properties which are a sensitive end use and could be affected by any contamination present or brought onto the site. This matter would be dealt with at the Technical Details stage.

Other Matters Raised by Representations

Concerns have been raised over the impact upon local infrastructure (schools). The development falls below the required trigger to mitigate the impact upon schools.

Residents have raised concerns about the precedent that the approval of this application may set and the subsequent threat to the Green Belt. However, as detailed above this application meets the tests required for the proposals to be considered as a rural exception site which is an exceptional form of development in the Green Belt. Furthermore, each application is determined on its merits.

Conclusion

The site is located within the open countryside and Green Belt and the proposal comprises 100% affordable housing to serve an identified local need. Therefore the proposals qualify as an exceptional form of development which would not be an inappropriate in the Green Belt.

The proposals would contribute towards to local affordable housing needs of Alderley Edge and a development of 9 units would be appropriate in terms of density in this location. It is considered that a suitable layout of development could be achieved that overcomes flood risk concerns, amenity, highway and tree issues.

There are no ecological issues highlighted at this stage.

Overall, the principle of small-scale residential development in this location would not result in any conflict with the development plan.

The application is therefore recommended for approval.

RECOMMENDATION

Approve

It is not possible for conditions to be attached to a grant of Permission in Principle. Where Permission in Principle is granted by application, the default duration of that permission is 3 years.

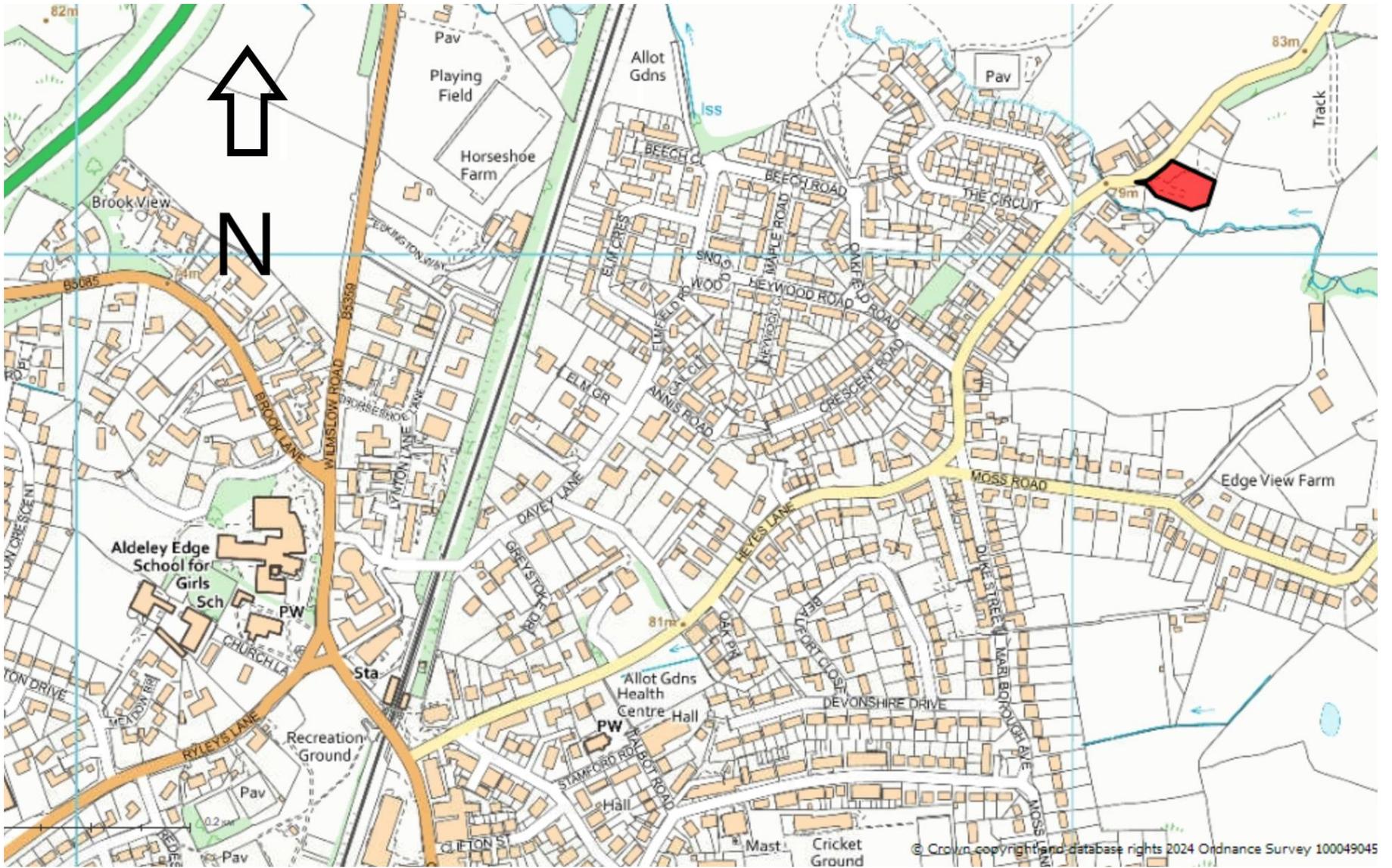
It is not possible to secure a planning obligation at the Permission in Principle stage.

The Planning Practice Guidance advises that if the local planning authority considers it appropriate on planning grounds they may shorten or extend these periods, but should clearly give their justification for doing so. Applications for technical details consent must be determined within the duration of the permission granted.

In order to give proper effect to the Committee's intentions and without changing the substance of the decision, authority is delegated to the Head of Planning, in consultation with the Chair (or in their absence the Vice Chair) of Northern Planning Committee to correct any technical slip or omission in the wording of the resolution, between approval of the minutes and issue of the decision notice.

Application for Permission in Principle

RECOMMENDATION: Approve without conditions



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