

Application No: 25/0454/PIP
Application Type: Permission in Principle
Location: Land Off Waterloo Road, Poynton, Cheshire East, SK12 1RZ
Proposal: Permission in Principle for up to 2 no. dwellings
Applicant: Henderson Homes Ltd
Expiry Date: 14-November 2025

Summary

- The application site is in the Greenbelt.
- An Outline Planning Application for two houses on the site, was withdrawn in 2022.
- That proposal would have been assessed against the 'limited infilling in a village' exemption test, in CELPS Policy PG3, and in Paragraph 154(e) of the Framework.
- The previous application predated the changes to the NPPF in December 2024.
- This application is submitted on the basis of the new 'grey belt' exception test in Paragraph 155 of the Framework.
- This proposal is also submitted in the form of a Permission in Principle (PiP) application.
- The scope of the considerations for permission in principle is limited to location, land use and the amount of development. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted.
- In terms of location, the application is considered to be grey belt, as the site does not 'strongly' contribute to the purposes of the Green Belt, as defined by the tests in paragraph 143 of the NPPF.
- In term of land use, the application site include some areas at risk of surface water flooding, and there is a Grade II Listed Building adjacent the site. However, these issues are not considered to represent 'strong' reason to restrict the development.
- The site is considered to be in a sustainable location.
- There currently is an unmet need for housing in Cheshire East.
- In terms of amount, it is considered that a scheme comprising of up to two dwellings could be accommodated on this site in some configuration.
- It is less clear how a development on the site could be achieved, whilst protecting the TPO trees on the frontage and providing a safe access. However, these matters will be assessed at the Stage 2 (*Technical Design Stage*).

Summary Recommendation

Approve

1. REASON FOR REFERRAL:

- 1.1. The application relates to a departure from the development plan, which the Head of Planning is minded to approve, and under the terms of the Constitution it is required to be determined by the Northern Planning Committee.

2. DESCRIPTION OF SITE AND CONTEXT:

- 2.1. The application site is a 0.25ha site located on Waterloo Road, in Poynton.
- 2.2. The rectangular shaped site is bounded to the north by Waterloo Road, whilst to the east and west are residential properties also fronting Waterloo Road. Open fields with boundary hedgerows are to the south.
- 2.3. The site is largely flat, and it is undeveloped and now vacant land. There is an access point with a dropped curb to the southwestern corner of the site which leads to a small area of cobbles and hardstanding.
- 2.4. Trees and hedgerow are present to all the boundaries of the site, and a Group Tree Preservation Order is in place covering trees on the site frontage.
- 2.5. The houses to the east of the site fronting Waterloo Road comprise a mix of a dormer bungalow (No.7), a detached house (No.5) and two semi-detached houses (No.1 and No.3) all of which are set back from the edge of the footpath, with front gardens and car parking.
- 2.6. No.1 Waterloo Road is located on the corner of Waterloo Road, where it meets Coppice Road. Coppice Road leads into Poynton centre to the north and west and ribbon development lines the road to the south and east.
- 2.7. Travelling west and south from numbers 1-7 Waterloo Road, the application site forms a gap in built form before reaching No. 56 and No. 57 Waterloo Road and Waterloo House. Waterloo House is Grade II Listed.
- 2.8. The site is located on the edge of the settlement of Poynton, where the settlement boundary runs along Waterloo Road encompassing the built area of Poynton to the west and north of Waterloo Road.
- 2.9. The land and properties to the south and east of Waterloo Road are located in the Green Belt.

3. DESCRIPTION OF PROPOSAL:

- 3.1. The application proposals seek planning permission in principle for the development of up to two residential dwellings.

4. RELEVANT PLANNING HISTORY:

- 4.1. An Outline Planning Application for the erection of two dwellings on the site was submitted in April 2022, under reference 22/1483M.
- 4.2. However, this scheme was withdrawn.

5. NATIONAL PLANNING POLICY

- 5.1. The National Planning Policy Framework (NPPF) was first published by the Government in March 2012 and has since been through several revisions. It sets out the planning policies for England and how these should be applied in the determination of planning applications and the preparation of development plans.
- 5.2. At the heart of the NPPF is a presumption in favour of sustainable development. The NPPF is a material consideration which should be taken into account for the purposes of decision making.

6. DEVELOPMENT PLAN POLICIES:

- 6.1. 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.
- 6.2. For the purposes of considering the current proposals, the development plan consists of the Cheshire East Local Plan Strategy (CELPS), The Site Allocations and Development Policies Document (SADPD), and The Poynton with Worth Neighbourhood Plan (PNP).

Cheshire East Local Plan Strategy (CELPS) 2017:

- 6.3. CELPS was adopted in July 2017 and sets out policies to guide development across the borough over the plan period to 2030. The relevant policies of the CELPS are summarised below:
- MP1 Presumption in Favour of Sustainable Development
 - PG1 Overall Development Strategy
 - PG2 Settlement Hierarchy
 - PG3 Green Belt
 - SD1 Sustainable Development in Cheshire East
 - SD2 Sustainable Development Principles
 - IN1 Infrastructure
 - IN2 Developer Contributions

- SE1 Design
- SE2 Efficient Use of Land
- SE4 The Landscape
- SE5 Trees, Hedgerows and Woodland
- SE7 The Historic Environment
- SE13 Flood Risk and Water Management
- CO1 Sustainable Travel and Transport
- Appendix C Parking Standards

Site Allocations and Development Policies Document (SADPD) 2022

6.4. The Site Allocations and Development Policies Document (SADPD) is the second part of the Cheshire East Local Plan and provides detailed planning policies and land allocations in line with the overall approach set out in the Local Plan Strategy. The SADPD was adopted as part of the development plan at the Full Council meeting on 14 December 2022. The relevant policies of the SADPD are summarised below: -

- PG8 Development at local service centres
- PG9 Settlement boundaries
- PG10 Infill villages
- GEN1 Design principles
- ENV1 Ecological network
- ENV6 Trees, hedgerows and woodland implementation
- ENV15 New development and existing uses
- ENV16 Surface water management and flood risk
- RUR5 Best and most versatile agricultural land
- HER3 Conservation areas
- HER4 Listed buildings
- HOU1 Housing mix
- HOU12 Amenity
- HOU13 Residential standards
- HOU14 Housing density
- HOU16 Small and medium sized sites
- INF1 Cycleways, bridleways, and footpaths

6.5. Poynton Neighbourhood Development Plan (PNDP):

6.6. The PNDP passed referendum on the 10 October 2019. The plan was made on the 21 November 2019. The relevant policies of the PNDP are summarised below: -

- EGB1 Surface Water Management
- EGB8 Protection of rural landscape
- HOU3 Proposed Housing Site Allocations
- HOU6 Housing mix
- HOU7 Environmental considerations
- HOU8 Density and site coverage
- HOU11 Design

7. RELEVANT SUPPLEMENTARY PLANNING DOCUMENTS OR GUIDANCE

7.1. Supplementary Planning Documents and Guidance do not form part of the Development Plan but may be a material consideration in decision making. The following documents are considered relevant to this application:

- SuDS SPD
- Environmental Protection SPD
- Ecology and Biodiversity Net Gain SPD
- Developer Contributions SPD
- Cheshire East Design Guide SPD
- Housing SPD
- Housing Strategy 2013-2023

8. CONSULTATIONS (External to Planning):

8.1. Poynton Town Council:

Object to the scheme for the following reasons: -

- It will lead to a loss of openness and urbanisation of a semi-rural area in the Green Belt which is contrary to the National Planning Policy Framework;
- The proposed development is an inappropriate form of development in this location as it is not sympathetic to the existing open greenfield site, immediately adjoining properties or the character or the surrounding housing area;
- The proposed development is contrary to relevant policies of the Poynton Neighbourhood Plan 2019. As a cramped and intrusive form of development on the eastern semi-rural fringe of the town;
- The Town Council does not agree with the applicant's claim that the site can be regarded as "limited infilling in a village";
- The proposed houses would project significantly further back into open land than 7 Waterloo Road to the north and 56 and 57 Waterloo Road to the south. It therefore cannot be regarded as "limited infilling" of a "gap" between houses;
- The Town Council notes that the land was used for agricultural purposes and does not qualify as a "brownfield" site for planning purposes;
- The Town Council does not agree that this land falls within the category of "grey belt". It fulfils Green Belt purpose (a) as defined in Paragraph 143 of the NPPF: "to check the unrestricted sprawl of large built-up areas" so is not "grey belt".
- The site is not accessible, and all trips are likely to be by private car;
- Loss of Trees contributing to Amenity. The proposed development by virtue of its size and siting would result in the direct loss of existing trees which are of amenity value to the area. The site includes trees protected by a Tree Preservation Order;
- Undeveloped land of this type provides an essential habitat for endangered species such as bats, badgers, frogs, toads, newts, butterflies, moths and hedgehogs. Even if boundary trees are retained, the loss of garden space and increased proximity of new houses will drive away wildlife;
- The loss of open land will reduce absorption of rainfall and increase run-off into the unnamed culverted stream (sometimes called Coppice Stream)

which runs under Waterloo Road and then through Poynton to Poynton Brook. This caused severe flooding in June 2016 and July 2019. During the 2016 and 2019 Poynton floods, Waterloo Road was closed and several houses in the area were flooded out. We understand that the land was used in the past as a marl pit. Marl is impermeable and this confirms the land is at serious risk of flooding;

- The Environment Agency's interactive map shows part of the site is rated "High Risk" for surface water flooding;
- Possibly Contaminated Land;
- Increased Use of Dangerous Junction;
- Listed Building: Waterloo House, a Grade 2 listed building, is close to the site;
- Coal Mining;
- Development Unneighbourly;
- Loss of privacy; and
- Utilities - Public utilities are under strain in the semi-rural areas of Poynton.

8.2. United Utilities:

No objections

8.3. Flood Risk Manager:

No objections, subject to Conditions.

8.4. Environmental Health:

No objections.

8.5. Coal Authority:

No objections.

8.6. Cheshire East Highways:

Further information is required on whether the necessary visibility splays at the proposed access point can be provided due the frontage trees and hedges.

9. REPRESENTATIONS:

9.1. 45 letters of representation have been received, and their objections can be summarised as follows: -

- Flooding Concerns;
- Existing Strain on Drainage Infrastructure;
- Increased Traffic and Safety Issues;
- Loss of Green Space and Biodiversity;
- Misuse of the "Permission in Principle" Process;
- Loss of Trees;
- Impact on Listed Building;
- This was rejected three years ago, and the circumstances have not changed since then so therefore should be rejected again.

9.2. A neighbouring property has also submitted a Green Belt/Flooding Rebuttal.

10. OFFICER APPRAISAL:

Determination Framework:

- 10.1. The proposal is for permission in principle (PiP). The Planning Practice Guidance (PPG) advises that this is an alternative way of obtaining planning permission for housing-led development.
- 10.2. The permission in principle consent route has two stages: the first stage (or PiP stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed proposals are assessed. This appeal relates to the first of these 2 stages.
- 10.3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted¹. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted.
- 10.4. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and amount of development.

Location:

- 10.5. The site is located within the Green Belt. This site is not previously developed.

Inappropriate development:

- 10.6. The Framework identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristics of the Green Belt being their openness and permanence. The Framework goes on to state that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 10.7. Paragraph 154 of the Framework notes that the construction of new buildings in the Green Belt should be regarded as inappropriate. Several exceptions are listed in Paragraph 154. One of the exceptions included is the limited infilling in villages. Policy PG3 of the Cheshire East Local Plan Strategy 2017 (CELPS) also includes this exception. Therefore, the CELPS, insofar as it is relevant to this issue, is consistent with the Framework.
- 10.8. Policy PG10 of the Cheshire East Site Allocations and Development Policies Document 2022 (SADPD) addresses which settlements are defined as infill villages. Poynton is not listed in this policy. Policy PG10 states that outside of the village infill boundaries, development proposals will not be considered to be limited infilling in villages when applying CELPS Policy PG3.

¹ PPG Paragraph: 012 Reference ID: 58-012-20180615

- 10.9. Therefore, when considering a development proposal against this exception to inappropriate development, there are two key matters to look at:
- Whether the location is in a village; and
 - Whether the proposals represent limited infilling.

In terms of the definitions;

There is no definition within The Framework of 'limited infilling'.

The glossary to the CELPS defines 'infill development' as: -

"The development of a relatively small gap between existing buildings."

The glossary to the SADPD defines 'infill development' as:

"Infill development is generally the development of a relatively small gap between existing buildings. The scale of infill development will depend upon the location of the site."

There is no definition within the Framework of 'village'.

There is no definition within the CELPS of 'village'.

The glossary to the SADPD does however define 'Infill village' as: -

"Infill villages are settlements within the 'other settlements and rural areas' tier of the settlement hierarchy. They do not have a settlement boundary and are Infill village within the open countryside, but they do have a defined infill boundary, in which limited infilling can be allowed."

Whether the location is in a village:

- 10.10. In this instance, this particular site lies outside of the Poynton settlement boundary, but it is not within a defined village infill boundary and under Criterion 4 of Policy PG10, development proposals will not be considered to be limited infilling in villages when applying CELPS Policy PG3 (Green Belt).
- 10.11. Therefore, considering the development plan policies alone, this development at this site is not limited infilling in a village and the proposals would be considered to be inappropriate development in the Green Belt.
- 10.12. However, under planning law, applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration and there is no definition of what constitutes a village for the purposes of applying paragraph 154(e).
- 10.13. Whilst the development plan does define the locations within which limited infilling in villages is permitted, case law establishes that when applying the NPPF policy directly to the case, the boundary of a village defined in a local

plan may not be determinative in considering whether a site is within a village and that regard should also be had to the situation on the ground as well as any relevant policies.

10.14. As a result, the decision-maker, will need to carry out an on the ground assessment of whether the site is within a village for the purpose of the NPPF Green Belt test and, if it is, whether this (as a material consideration), indicates that a decision should be made other than in accordance with the development plan.

10.15. There is no specific guidance on the factors that must be considered, but recent appeal decisions indicate that Inspectors have had regard to whether the site is physically and functionally part of a village. Some of the factors considered have been: -

- Whether the site is within the built-up environment of a village and/or surrounded by other development;
- Whether it is readily accessible from local services and amenities;
- Its visual and physical relationship with a village;
- Whether it is connected to a village by ribbon development;
- The presence or absence of walking routes and safe pedestrian connectivity to a village;
- Whether the surrounding pattern of development is denser with prominent built form, or whether it is more loose-knit and less dense; and
- Whether existing development is visually prominent and whether there are more domestic boundary treatments such as close boarded fences, gateways, or manicured hedging.

10.16. In this particular case, Poynton is clearly a town, rather than a village. It is a key service centre in the settlement hierarchy and, as a higher-order centre, the development plan has allocated a number of large sites (including through making Green Belt boundary alterations) to meet development needs arising in Poynton over the plan period and also identified safeguarded land to meet potential longer-term development needs. It has a defined town centre in SADPD Policy RET1 (Retail hierarchy) and it has its own Town Council.

10.17. These issues (and arguments) were raised at a recent appeal in Poynton², on Squirrels Chase, off Lostock Hall Road. In upholding that appeal, the Inspector stated: -

“In consideration of all of these matters, the development would not immediately accord with Policy PG10 of the SADP as it would be located outside of a designated infill village boundary as listed within the policy. The site is also located outside of the settlement boundary as set out in the Poynton Neighbourhood Development Plan 2019”.

² APP/R0660/W/24/3342165

10.18. The Inspector concluded that: -

“However, in assessing the spatial and visual circumstances of this specific case, I find that the appeal site would be located in a village for the purposes of paragraph 154 (e) when undertaking an ‘on the ground’ assessment.”

10.19. In consideration of the specific characteristics in this case in terms of the spatial pattern of development as well as the appearance of the site within the context of other development, it is accepted that the site is located in a village for the purposes of paragraph 154(e) of the Framework. This is bearing the above in mind and given that Poynton can be assessed in this manner in relation to infilling applications.

Whether the proposals represent limited infilling:

10.20. With regard to infill, whilst the Framework does not include a definition of ‘limited infilling’, SADPD Policy PG10 and GNP Policy G1 both define limited infilling as “the development of a relatively small gap between existing buildings”. These policies however do not define what is “a relatively small gap”.

10.21. Case law³ has established that whether a development constitutes limited infill or not is a matter of fact and planning judgement for the decision maker.

10.22. The division of the site into two equally sized plots of a depth comparable to No7. could generally respond to the size, scale and shape of plots on the south side of Waterloo Road. There could also be consistency in terms of; the siting of each dwelling; the residential use of the site; and in terms of the footprint of the proposed dwellings in comparison to the properties either side of the site. The character and appearance of the proposed dwellings would also respond to the local area.

10.23. However, a gap in excess of 50 metres is not considered to be a relatively small gap between existing buildings in the context of the linear row of development along Waterloo Road which is not characterised by large gaps between dwellings. In the round, it is considered that the proposal would not be limited infilling in villages.

Grey Belt

10.24. However, Paragraph 155 of the Framework now identifies further circumstances where development is not inappropriate in the Green Belt. Paragraph 155 states that: -

*“Development of homes should not be regarded as inappropriate where: -
(a) the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;*

³ R (Tate) v Northumberland County Council v Susan Leffers-Smith [2018] EWCA Civ 1519

- (b) there is a demonstrable unmet need for the type of development proposed;*
- (c) the development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of the Framework; and*
- (d) where applicable the development proposed meets the ‘Golden Rules’ requirements set out in Framework paragraphs 156-157.”*

10.25. It is acknowledged that CELPS Policy PG3 would usually be a key policy for determining the appropriateness of development in the Green Belt, however the policy is no longer consistent with the NPPF as it does not include ‘grey belt’ in the list of exceptions. However, Paragraph 225 of the Framework states that due weight should be given to policies according to their degree of consistency with the Framework.

Definitions and Restrictions

10.26. The NPPF defines ‘Grey Belt’ in Annex 2 as:

Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.

10.27. The application site in this case would constitute ‘other land’.

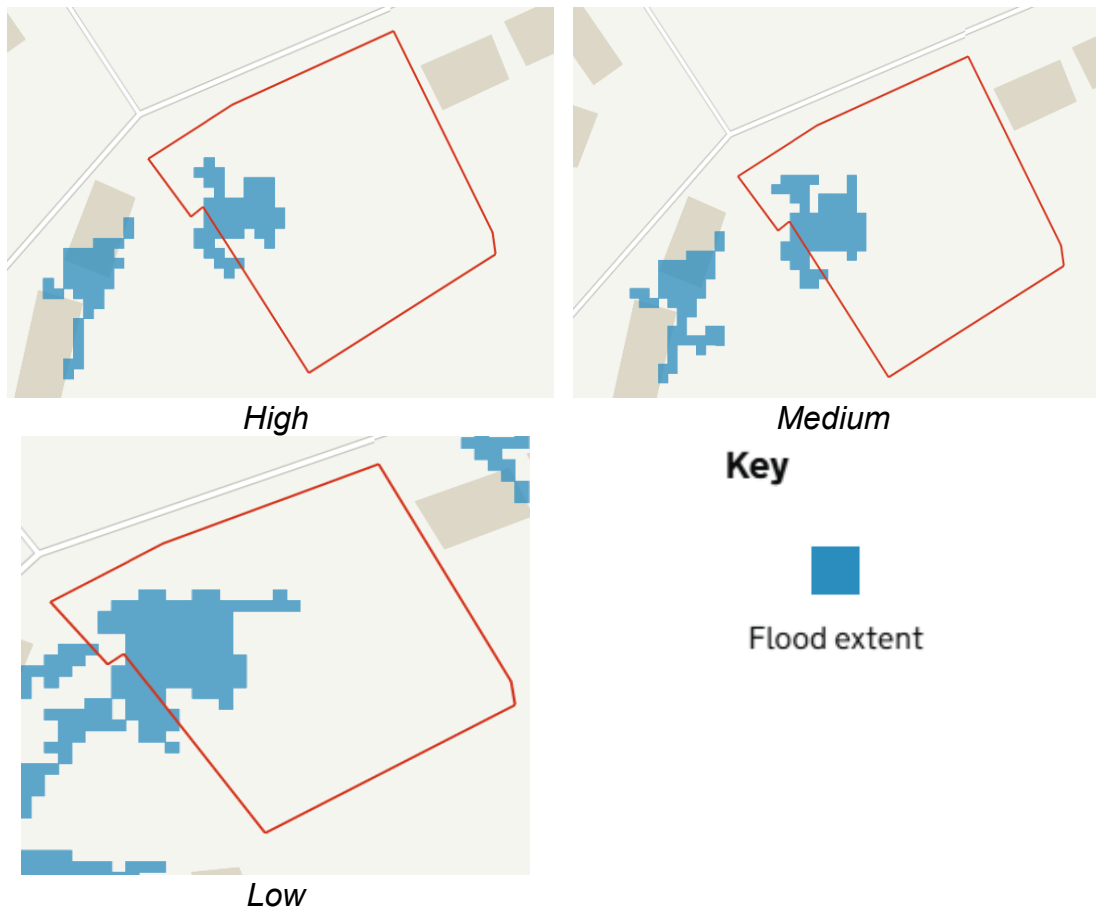
10.28. Footnote 7 identifies protected areas or assets of particular importance, where the overall scale, type or distribution of development can be restricted.

10.29. Footnote 7 reads as:

Footnote 7: The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.

10.30. The application site is not with an SSSI, a Local Greenspace, nor a National Park.

10.31. There is some localised medium/high risk surface water flooding within the application site. This area covers a minority of the site, and it is not clear at this stage whether there will be any built development in this part of the site.



10.32. Footnote 7 confirms that areas at risk of flooding are counted as areas of particular importance.

10.33. National planning policy for flood risk is contained in Chapter 14 of the Framework and in Planning Practice Guidance (PPG) for Flood Risk and Coastal Change. The PPG was updated on 17 September 2025⁴.

10.34. A 'strong' reason for refusal based on flooding must, to Officers mind, go beyond mere technical conflicts, even if they are important. There must be substantive risks and harms that go beyond policy.

10.35. It is noted that the LLFA have not objected to the application and there is nothing to suggest a satisfactory drainage design cannot be achieved. It is not therefore considered that this is a 'strong' reason for refusing or restricting the development proposed.

10.36. The application site is also within 35m of a grade II listed property (Waterloo House). Waterloo House is also visible form the proposed site.

10.37. Government Guidance states that *"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential*

⁴ Paragraph 7-027

*harm amounts to substantial harm, total loss or less than substantial harm to its significance*⁵.

- 10.38. There is no information on any potential layout, nor on the proposed properties, their materials or any landscaping scheme to evaluate the effect upon the setting and character of the designated heritage asset (Waterloo House).
- 10.39. However, this application clearly does not propose any works to Waterloo House, nor its demolition. Therefore, any harm to the Waterloo House would not amount to 'substantial harm' or higher (total loss). That being said, any development on this site, given its proximity and intervisibility to Waterloo House is likely to be above the threshold of 'no harm'.
- 10.40. Any harm would likely to be 'less than substantial', although where on that scale the proposals would be, would be determined once the details are known.
- 10.41. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposals.
- 10.42. Footnote 7 confirms that Heritage Assets are counted as assets of particular importance.
- 10.43. It is considered that a 'strong' reason to refuse a grey belt application on heritage ground would be when any harm to a heritage asset would amount to substantial harm or higher.
- 10.44. Assessing the test of '*less than substantial harm*' is a common practice and would be achievable within the technical design stage.

Purposes of the Green Belt

- 10.45. The question in relation to whether the site should be classed as 'grey belt' is initially a question of whether the site does not strongly contribute to either purpose (a), (b) or (d) of the Green Belt as defined by paragraph 143 of the NPPF.
- Purpose (a) is – 'to check the unrestricted sprawl of large built-up areas'.
 - Purpose (b) is – 'to prevent neighbouring towns merging into one another'
 - Purpose (d) is – 'to preserve the setting and special character of historic towns'
- 10.46. With regards to '*Purpose A*' (*sprawl*), the site is within the built-up envelope of Poynton, and it does not extend any further southwards than the existing gardens to the adjoining properties. The site is highly contained physically, functionally and visually with built development either side of the land. The site does not perform strongly in terms of the unrestricted sprawl of large urban areas for the purposes of paragraph 143(a).

⁵ Paragraph 212.

Image: Application site coloured blue in relation to the surrounding built-up area coloured red



10.47. With regard to '*Purpose B*' (*towns merging*), the site provides little contribution in this regard given its siting within the confines of the built-up envelope of Poynton and the highly contained nature of the site as noted above. Again, there is existing built development either side of the site and there are no implications for the merging of settlements. The site does not perform strongly in terms of merging of settlements for the purposes of paragraph 143(b)

10.48. Finally, in regard to '*Purpose D*' (*character of historic towns*) of the Green Belt, this relates to preserve the setting and special character of historic towns. It is considered that the contribution that the land subject to the application makes to the special character of historic towns is 'Weak'. This is because of how far away the application site is to Poynton centre, subsequently having no visual, physical, or experiential connection to the historic aspects of the town.

10.49. As such, the application proposals are deemed to meet this key test as to whether a site represents Grey Belt in that the site is not considered to 'strongly' contribute to either purposes a, b or d.

Need

10.50. The application proposes the erection of up to two dwellings.

10.51. The Cheshire East Local Plan Strategy was adopted on the 27 July 2017 and forms part of the statutory development plan. The plan sets out the overall strategy for the pattern, scale and quality of development, and makes sufficient provision for housing (36,000 new dwellings over the plan period, equating to 1,800 dwellings per annum) in order to meet the objectively assessed needs of the area.

- 10.52. As the plan is more than five years old, deliverable housing land supply is measured using the local housing need figure (plus 5% buffer), which is currently 2,603 dwellings per year rather than the LPS figure of 1,800 dwellings per year.
- 10.53. The National Planning Policy Framework (NPPF) identifies the circumstances in which relevant development plan policies should be considered out-of-date. These include:
- Where a local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with appropriate buffer) or:
 - Where the Housing Delivery Test Measurement indicates that the delivery of housing was substantially below (less than 75% of) the housing required over the previous three years.
- 10.54. In accordance with the NPPF, the council produces an annual update of housing delivery and housing land supply. The council's most recent Housing Monitoring Update (base date 31 March 2024) was published in April 2025. The published report identifies a deliverable five-year housing land supply of 10,011 dwellings which equates to a 3.8-year supply measured against the five-year local housing need figure of 13,015 dwellings.
- 10.55. The 2023 Housing Delivery Test Result was published by the Department for Levelling Up, Housing & Communities on the 12 December 2024 and this confirms a Housing Delivery Test Result of 262%. Housing delivery over the past three years (7,392 dwellings) has exceeded the number of homes required (2,820). The publication of the HDT result affirms that the appropriate buffer to be applied to the calculation of housing land supply in Cheshire East is 5%.
- 10.56. In the context of five-year housing land supply, relevant policies concerning the supply of housing should be considered out-of-date and consequently the 'tilted balance' at paragraph 11 of the NPPF is engaged.
- 10.57. As such, the proposals would be acceptable under paragraph 155 (b) as the type of development proposed is housing, and there currently is an unmet need for housing in Cheshire East.

Locational Sustainability

- 10.58. The Framework is clear that, when reviewing Green Belt boundaries, the need to promote sustainable patterns of development should determine whether a site's location would be appropriate for the kind of development proposed. Similarly, when making decisions regarding planning applications on grey belt land, authorities should ensure that the development would be in a sustainable location. For the purpose of these decisions, where grey belt land is not in a location that is or can be made sustainable, development on this land is inappropriate.
- 10.59. Whether locations are sustainable should be determined in light of local context and site or development-specific considerations. However, in reaching these judgements, national policy is clear that authorities should consider

opportunities to maximise sustainable transport solutions, as set out in paragraphs 110 and 115 of the NPPF.

- 10.60. Paragraph 110 of the Framework seeks to actively manage patterns of growth to support the objectives in Paragraph 109 of the Framework. In this instance, the most relevant objective in Paragraph 109 (when considering whether the development would be in a sustainable location for the purposes of Paragraph 155 of the Framework) is pursuing opportunities to promote walking, cycling and public transport using a vision-led approach.
- 10.61. This objective needs to be considered in the context that Paragraph 110 also states that opportunities to maximise sustainable transport will vary between urban and rural areas.
- 10.62. In other words, some allowance should be made for a site's rural location. However, that does not mean that all sites in rural areas should be considered equally. Some will be better placed for development than others when considering access to services and facilities.
- 10.63. The Development Plan of Cheshire East sets out what can be described as a vision-led approach to the sustainable location of development through a spatial strategy. It seeks to direct development to built-up areas with the precise location depending on accessibility to facilities by suitable travel modes. Thus, the development plan identifies sustainable locations for development through Policies MP1 and PG1.
- 10.64. That said, CELPS Policy SD1 (Sustainable Development in Cheshire East) states that we should "make best use of previously developed land where possible". In addition, DELPS Policy SE2 (Efficient Use of Land) states that "the council will encourage the redevelopment / re-use of previously developed land and buildings".
- 10.65. In terms of the site sustainability assessment, CELPS Policy SD2 is supported with a guidance Table 9.1 which recommends the distances to local services and amenities. The application site performs as follows below.

Criteria	Recommended	Description	Distance
Public Transport			
Bus Stop	500m	391, 392 and 393 bus route – hourly service	100m
Public Right of Way	500m	Trafalgar Road (Poynton-with-Worth FP35)	40m
Railway Station	2km	Poynton Railway Station	2.5km
Open Space			
Amenity Open Space	500m	Hockley Road Play Area	220m
Children's Playground	500m	Hockley Road Play Area	220m

Outdoor Sports	500m	high school playing fields ⁶ leisure centre tennis courts	1km				
Public Park/Village Green	1km	Hockley Play Area Brecon Park	220m 1.2km				
Services and Amenities							
Convenience Store	500m	Co-Op Food Poynton (and to Park Lane)	1.1km				
Supermarket	1km	Waitrose, Aldi, Morrisons	1.2km				
Post Box	500m	Coppice Lane	275m				
Post Office	1km	Poynton Post Office	1.6km				
Bank or Cash Machine	1km	In Waitrose - (Lond Road S) In Morrisons - (London Road S)	1.1km 1.1km				
Pharmacy	1km	Boots (Park Lane)	1.5km				
Primary School	1km	Worth Primary School	575m				
Secondary School	1km	Poynton High School	1km				
Medical Centre	1km	Priorsleigh (off Park Lane)	1.2km				
Leisure Facilities	1km	Poynton Leisure Centre ⁷	1km				
Local Meeting Place / Community Centre	1km	Poynton Christian Fellowship	600m				
Public House	1km	Farmers Arms (Park Lane)	1.2km				
Child Care Facility (nursery or crèche)	1km	Tree Tots Nursery and Brook House Farm Pre-School	1km				
<table> <tr> <td>KEY</td> <td>Pass</td> <td>Marginal</td> <td>Fail</td> </tr> </table>				KEY	Pass	Marginal	Fail
KEY	Pass	Marginal	Fail				

10.66. The site is within the confines of Poynton and is highly accessible in terms of key services and amenities. It is approximately 100 metres away from bus stops on Waterloo Road and Coppice Lane with services available such as the nos. 391, 392 and 393 to destinations such as Stockport, Macclesfield and Bollington.

10.67. The site is approximately 400 metres away from Worth Primary School, and 700 metres away Poynton High School, and a kilometre from Vernon Primary School.

10.68. Just over kilometre away is Poynton High Street (Park Lane) and the wide range of services, shops and amenities available e.g. Poynton Civic Centre, Poynton Library, Priorsleigh Medical Centre, shops, restaurants and cafes.

10.69. Although within the designated Green Belt, the site is functionally on a day-to-day basis part of Poynton. Poynton is identified as a Key Service Centre and it has already been identified as a sustainable location for new housing development and growth.

⁶ Unsure on public access arrangements

⁷ Yew Tree Lane, rear pedestrian entrance

10.70. Therefore, for the reasons above, the application proposals in this instance are considered to be locationally sustainable and therefore meet the exception to inappropriate development in the Green Belt as set out in paragraph 155 of the NPPF.

Golden Rules

10.71. NPPF Paragraph 155 (d), states that 'Where applicable, the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156 and 157 below.'

10.72. As this application does not meet the criteria of a 'major' development, none of the Golden Rules apply.

Inappropriate development conclusions

10.73. The application site is assessed as not falling within any of the exceptions to inappropriate development in the Green Belt as set out in Policy PG3 of the CELPS or paragraph 154 of the NPPF. The application site is accepted as representing 'grey belt' which considering the exception within paragraph 155 of the NPPF. The site is considered to be in a sustainable location.

10.74. As such, the proposals are considered to fall within the exceptions to inappropriate development in the Green Belt. The application proposals are therefore not considered to represent inappropriate development in the Green Belt.

Land Use:

10.75. The proposed land use is for residential purposes.

10.76. Officers are keen to make sure that new residential development creates satisfactory living environments for both new and existing residents. Therefore, we need to look at any '*in principle constraints*' the site has for a residential use. It is noted that issues of Flooding and Heritage have been assess above.

Arboricultural Implications:

10.77. CELPS Policy SE5 relates to Trees Hedgerows and Woodland. It seeks to protect trees hedgerows and woodlands, that provide a significant contribution to the amenity, biodiversity, landscape character, or historic character of a surrounding area. SADPD Policy ENV6, seeks to protect trees and woodlands worthy of formal protection from development unless certain circumstances apply.

10.78. The Macclesfield Rural District Council (Waterloo Road, Poynton) Tree Preservation Order 1973 affords protection to selected trees scheduled within Area A1 of the Order. The trees scheduled comprise of Beech, Elm, Sycamore, Birch and Yew. Under the Area designation, only trees that were present when the Order was made are protected.

- 10.79. All the trees subject to the TPO form a linear group along the northern boundary of the site adjacent to Waterloo Road. The group is very characteristic of the sylvan nature of Waterloo Road and overall, the trees collectively make a significant contribution to the amenity of the area.
- 10.80. The site is currently accessed by an existing field gate off Waterloo Road which leads to an area of hardstanding that runs parallel with the site boundary with 56 Waterloo Road to the south west. It should be noted that the existing access is modest and insufficient in terms of its geometry to provide a suitable access for two dwellings.
- 10.81. The application has not provided any details on the location of the proposed access into the site having regard to the functionality and safety of the adjacent highway and the impact this may have due to the close proximity of existing protected trees.

Highway Access, Safety and Parking Provision:

- 10.82. CELPS Policy CO1 deals with Sustainable Travel and Transport. It seeks to encourage a shift away from car travel to public transport, cycling and walking. SADPD Policy INF3 relates to highway safety and access. It sets out the circulation and access criteria for new development. This includes amongst other matters, the provision of adequate visibility splays, manoeuvring vehicles and emergency vehicles.
- 10.83. There is sufficient space within the site for off-street parking provision to be in accordance with CEC parking standards for up to two dwellings.
- 10.84. The Council Head of Strategic Transport has stated that, further information is required on whether the necessary visibility splays at the proposed access point can be provided due the frontage trees and hedges. This would be secured at the technical details stage.

Ecology

- 10.85. CELPS Policy SE3 deals with biodiversity and geodiversity. It seeks to protect areas of high biodiversity and geodiversity. It also requires all development to aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity
- 10.86. The site is not covered by a statutory or non-statutory nature conservation designation. The proposed works are unlikely to have an impact on any statutory nature designated sites, including SSSI's and RAMSAR sites. The Council's Ecologist has therefore advised that there are no ecological constraints to warrant withholding a permission in principle for this application.
- 10.87. Any subsequent application would be expected to include a Biodiversity Metric, unless justification for exemption from mandatory Biodiversity Net Gain can be provided, and a Preliminary Ecological Appraisal to establish any potential ecological constraints on proposed work.

Contamination

- 10.88. The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site.
- 10.89. Given the history of the site, significant contamination is unlikely, to warrant an objection to a residential use at this stage. Any Technical Matters Consent would need to address contamination risks.

Amenity

- 10.90. A residential use is compatible with the mainly residential surroundings. Although there are farm buildings in close proximity of the site, there are numerous other dwellings in close proximity that are already affected by the general noise, disturbance and odours of living next to such buildings. As such, the proposed land use is acceptable in principle in terms of living conditions.
- 10.91. Any subsequent application would be expected to meet or exceed the separation distances

Land Use Summary:

- 10.92. Bearing in mind therefore, the land use elements of the permission in principle scheme are deemed to be acceptable.

Amount:

- 10.93. This proposal seeks to bring forward up to two dwellings on this site of 0.25 hectares, giving an overall density of 8 dwellings per hectare.
- 10.94. SADPD Policy HOU14 (Housing Density) states that “*residential development proposals will generally be expected to achieve a net density of at least 30 dwellings per hectare*”.
- 10.95. Whilst this target is somewhat higher than that which is provided, it is considered to be an appropriate balance to making efficient use of land and preserving the local character.
- 10.96. It is considered that a scheme comprising of up to two dwellings could be accommodated on this site in some configuration, to be agreed at stage 2. The ‘amount’ of development is therefore deemed acceptable.

11. HEADS OF TERMS AND CONDITIONS:

- 11.1. 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 amount of development⁸.

⁸ Paragraph: 020 Reference ID: 58-020-20180615

- 11.2. The PPG⁹ advises that where permission in principle is granted by application, the default duration of that permission is 3 years.
- 11.3. Planning obligations (S.106 Legal Agreements) cannot be secured at the permission in principle stage.

12. PLANNING BALANCE

- 12.1. The proposed development lies within the Green Belt.
- 12.2. The proposals are not considered to fall within the 'limited infilling in villages' exception to inappropriate development. In consideration of the exception within paragraph 155 of the NPPF, that relating to grey belt, it is accepted that the application site represents grey belt land, it is also considered that the application site falls in a sustainable location. As such, it is also deemed that the proposals fall within the grey belt exception to inappropriate development in the Green Belt.
- 12.3. The Council cannot demonstrate a 5-year housing land supply. Paragraph 11 (d) of the NPPF, in conjunction with footnote 7, states that planning permission should therefore be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed.
- 12.4. The provision of up to two dwellings would be a benefit in the absence of a 5-year housing land supply, should a stage 2 permission be granted, the scheme would only provide a small addition to the supply.
- 12.5. The impact of the development on residential amenity, noise, air quality, contaminated land, highways, heritage & design, landscaping, ecology and drainage and flood risk would all be considered at the Technical Details Stage.

13. CONCLUSIONS:

- 13.1. For the reasons set out above, and having taken account of all matters raised, it is recommended that this application is approved.

14. RECOMMENDATION:

- 14.1. Approve Permission in Principle.

In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatives / planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Planning has delegated authority to do so in consultation with the Chairman of the Northern

⁹ Paragraph: 014 Reference ID: 58-014-20180615

Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

