

## Northern Planning Committee Agenda

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<b>Date:</b>	<b>Wednesday 14th January 2026</b>
<b>Time:</b>	<b>10.30 am</b>
<b>Venue:</b>	<b>The Capesthorne Room - Town Hall, Macclesfield, SK10 1EA</b>

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Please note that members of the public are requested to check the Council's website the week the Northern Planning Committee meeting is due to take place as Officers produce updates for some or all of the applications prior to the commencement of the meeting and after the agenda has been published

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The agenda is divided into 2 parts. Part 1 is taken in the presence of the public and press. Part 2 items will be considered in the absence of the public and press for the reasons indicated on the agenda and at the top of each report.

Please Note: This meeting will be live streamed. This meeting will be broadcast live, and a recording may be made available afterwards. The live stream will include both audio and video. Members of the public attending and/or speaking at the meeting should be aware that their image and voice may be captured and made publicly available. If you have any concerns or require further information, please contact Democratic Services in advance of the meeting.

### **PART 1 – MATTERS TO BE CONSIDERED WITH THE PUBLIC AND PRESS PRESENT**

#### **1. Apologies for Absence**

To receive any apologies for absence.

#### **2. Declarations of Interest/Pre Determination**

To provide an opportunity for Members and Officers to declare any disclosable pecuniary interests, other registerable interests, and non-registerable interests in any item on the agenda and for Members to declare if they have a pre-determination in respect of any item on the agenda.

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For requests for further information

**Contact:** Rachel Graves

**E-Mail:** [rachel.graves@cheshireeast.gov.uk](mailto:rachel.graves@cheshireeast.gov.uk)

**To register to speak on an application please email:** [Speakingatplanning@cheshireeast.gov.uk](mailto:Speakingatplanning@cheshireeast.gov.uk)

3. **Minutes of the Previous Meeting (Pages 5 - 8)**

To approve the Minutes of the meeting held on 12 November 2025 as a correct record.

4. **Public Speaking**

A total period of 5 minutes is allocated for each of the planning applications for the following:

- Ward Councillors who are not members of the Planning Committee
- The relevant Town/Parish Council

A period of 3 minutes is allocated for each of the planning applications for the following individuals/groups:

- Members who are not members of the planning committee and are not the Ward Member
- Objectors
- Supporters
- Applicants

5. **25/2053/FUL - LAND OF THE FORMER KNOWLE HOUSE, SAGARS ROAD, HANDFORTH, SK9 3EA: Erection of care home facility to provide 76no. bedspaces including new parking, landscaping and other works to facilitate the development (Pages 9 - 54)**

To consider the above planning application.

6. **25/3610/OUT - LAND AT PIGGIN SHAW, ALTRINCHAM ROAD, SK9 5NW: Outline application for the phased development of up to 4 residential self-build, custom-build or open market dwellings, all matters reserved apart from primary access point and associated infrastructure (Pages 55 - 74)**

To consider the above planning application.

7. **25/3557/FUL - QC65 FIRST AVENUE, POYNTON, STOCKPORT, SK12 1ND: Change of use of QC65, First Avenue from Use Class B2 (General Industry) to Use Class B8 (Storage and distribution) and alterations to the existing building (Pages 75 - 88)**

To consider the above planning application.

8. **25/4184/PIP - LAND AT LOSTOCK HALL ROAD, POYNTON: Permission in principle for one dwelling (Pages 89 - 110)**

To consider the above planning application.

9. **25/3963/PIP - CAUDEBEC CONGLETON ROAD, ALDERLEY EDGE, CHESHIRE EAST, SK9 7AL: Permission in principle for the construction of up to 2 dwellings (Pages 111 - 128)**

To consider the above planning application.

10. **25/1197/FUL - DAWSON FARM BUXTON ROAD, BOSLEY, MACCLESFIELD, CHESHIRE EAST, SK11 0PX: Demolition of existing agricultural buildings and dwellinghouse, and construction of new replacement dwellinghouse with associated renewables and landscaping (Pages 129 - 156)**

To consider the above planning application.

**Membership:** Councillors M Beanland, S Bennett-Wake, T Dean, K Edwards, A Harrison, S Holland, T Jackson, J Knight, J Smith, J Snowball, F Wilson (Vice-Chair) and M Warren (Chair)

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**CHESHIRE EAST COUNCIL**

Minutes of a meeting of the **Northern Planning Committee**  
held on Wednesday, 12th November, 2025 in the The Capesthorne Room -  
Town Hall, Macclesfield, SK10 1EA

**PRESENT**

Councillor M Warren (Chair)  
Councillor F Wilson (Vice-Chair)

Councillors M Beanland, S Bennett-Wake, T Dean, K Edwards, A Harrison, S Holland, T Jackson, J Smith and J Snowball

**Officers in attendance**

Paul Wakefield, Planning Team Leader  
Nick Hulland, Principal Planning Officer  
Emma Hood, Principal Arboriculture Officer  
Neil Jones, Highways Officer  
Andrew Poynton, Planning and Highways Lawyer  
Rachel Graves, Democratic Services Officer

**21 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**22 DECLARATIONS OF INTEREST/PRE DETERMINATION**

In relation to Item 7: 25/0958/PIP Land off Bolshaw Farm Lane, Heald Green, Councillor J Smith declared in the interests of openness that she was one of the ward councillors for this application and stated that she had not taken part in any discussions on the application.

In relation to Item 6: 25/0454/PIP Land of Waterloo Road, Poynton, Councillor M Beanland declared in the interests of openness that he was a member of the Poynton Town Council Planning Committee and when that committee had considered this application, he had not taken part any discussion or decision and had not predetermined the application.

In relation to Item 6: 25/0454/PIP Land of Waterloo Road, Poynton, Councillor S Holland declared in the interests of openness that she knew one of the public speakers on this application but had not discussed the matter with them.

## 23 MINUTES OF THE PREVIOUS MEETING

### **RESOLVED:**

That the minutes of the meeting held on 1 October 2025 be confirmed as a correct record.

## 24 PUBLIC SPEAKING

The public speaking procedure was noted.

### **25 25/1064/OUT - LAND ADJOINING JENNY HEYES HEYES LANE, ALDERLEY EDGE, CHESHIRE EAST, SK9 7LH: OUTLINE PLANNING APPLICATION FOR 9 DWELLINGS (ACCESS CONSIDERED ALL OTHER MATTERS RESERVED).**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Wilmslow Town Councillor Jon Newell, Alderley Edge Parish Councillor Ali Bates and Mr Stephen Harris (Agent).

A written statement was read out on behalf of Councillor Craig Browne (Alderley Edge ward member).

### **RESOLVED:**

That the application be REFUSED against officer recommendations, for the following reasons:

Inappropriate development in the Green Belt – Site does not meet the definition of Grey Belt as it makes a strong contribution to purpose (a) and is contrary to paragraph 155a. Proposal also contrary to paragraph 155c, as it is not in a sustainable location

Should the application be the subject of an appeal, approval is given to enter into a S106 Agreement with the following Heads of Terms:

<b>S106</b>	<b>Amount</b>	<b>Trigger</b>
Provision of Affordable Housing	2 affordable units should 8 or 9 dwellings come forward at Reserved Matters.  1 affordable unit should 7 dwellings come forward at Reserved Matters	To be completed before 50% of the market housing is sold or let
On-site incidental open space management and maintenance	Establishment of a private management company	Prior to the occupation of the first dwelling

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 had delegated authority to do so in consultation with the Chair of Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**26 25/0454/PIP - LAND OFF WATERLOO ROAD, POYNTON, CHESHIRE EAST, SK12 1RZ: PERMISSION IN PRINCIPLE FOR UP TO 2 NO. DWELLINGS**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Councillor Jos Saunders (ward councillor), Poynton Town Councillor Laurence Clarke, Jennie Jefferies (objector) and Mr Gareth Salthouse (agent).

**RESOLVED:**

That the application be REFUSED against officer recommendations, for the following reasons:

Inappropriate development in the Green Belt – Site does not meet the definition of Grey Belt as it makes a strong contribution to purpose (a) and is contrary to paragraph 155a. Proposal also contrary to paragraph 155c, as it is not in a sustainable location. Additional harm to the Green Belt arising from conflict with Green Belt purpose c) – safeguarding the countryside from encroachment

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 had delegated authority to do so in consultation with the Chair of Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**27 25/0958/PIP - LAND OFF BOLSHAW FARM LANE, HEALD GREEN, CHEADLE, CHESHIRE EAST, SK8 3JZ: PERMISSION IN PRINCIPLE FOR UP TO 6NO. DWELLINGS**

Consideration was given to the above planning application.

The following attended the meeting and spoke in relation to the application:

Handforth Town Councillor Roger Small and Mr Matt Claxton (agent).

**RESOLVED:**

That the application be REFUSED against officer recommendations, for the following reasons:

Inappropriate development in the Green Belt – Site does not meet the definition of Grey Belt as it makes a strong contribution to purpose (a) and is contrary to paragraph 155a. Proposal also contrary to paragraph 155c, as it is not in a sustainable location. Additional harm to the Green Belt arising from conflict with Green Belt purpose c) – safeguarding the countryside from encroachment.

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 had delegated authority to do so in consultation with the Chair of Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

**28 CHERSHIRE EAST BOROUGH COUNCIL (CHELFORD - LAND SOUTH OF PEPPER STREET) TREE PRESERVATION ORDER 2025**

The Committee considered the report on the background and issues surrounding the making of a Tree Preservation Order on 15 July 20205 at land south of Pepper Street, Chelford, and the considered the representation made to the Council with regard to the content of the Tree Preservation Order.

**RESOLVED:**

That the Tree Preservation Order at Land south of Pepper Street, Chelford, be confirmed with no modifications.

The meeting commenced at 10.30 am and concluded at 2.49 pm

Councillor M Warren (Chair)

Application No: 25/2053/FUL

Application Type: Full Planning

Location: Land Of The Former Knowle House, Sagars Road, Handforth, SK9 3EA

Proposal: Erection of care home facility to provide 76no. bedspaces including new parking, landscaping and other works to facilitate the development.

Applicant: Wrightcare Developments Ltd and Deansgate M5 Ltd

## Summary

The proposal is for erection of a new residential care home with associated parking, landscape and access. The development would include 76 bedrooms providing residential and dementia care. There has previously been a residential home on the site which was demolished following a fire.

The proposal is inappropriate development in the Green Belt. There are no other exceptions under Green Belt policy that would apply in this case. As a major housing proposal, the 'Golden Rules' under NPPF paragraph 155/156 apply. There are not considered to be very special circumstances that outweigh Green Belt harm.

The Council has a 'Home First' strategy of care aimed at keeping people living independently for as long as possible. The Council is in the process of updating an Accommodation Strategy with regard to housing with specialist care, however at present there is not sufficient date to formally object to the planning application with regard to identified need. The delivery of 76 bed care units would help relieve an identified unmet need including the provision of residential care and specialist dementia care and would contribute to housing land supply. Parking and impact on highways is on balance acceptable. Developer's contributions would be required for the NHS.

The height and elevational treatment of the building and relationship with nearby buildings is considered acceptable and due to separation distances, there are no significant residential amenity concerns.

However the design appears to be a standard design that has been applied to the site which raises a number of issues with the layout and legibility. There are a number of matters highlighted, relating to the relationship with the Local Wildlife Site / Priority woodland, surface water drainage and the Dobbin Brook, tree root protection areas and social relationship with trees to the south.

There is outstanding information required in relation to Biodiversity Net Gain.

## Summary recommendation

Refuse

### 1. REASON FOR REFERRAL

1.1. The application relates to a 'Small-Scale Major Development', 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 site comprises an area of land, some of which was previously occupied by a private nursing care facility which was demolished (following a fire) in 1996. The site covers an area of approximately 1.07 hectares. It is located within the Green Belt and the Bollin Valley locally designated landscape. The site is bounded to the west by Dobbin Brook which is located in a woodland corridor, to the south by an area of woodland and to the east by existing residential development. The site is accessed from Sagars Road to the north, with an access driveway to the south where the site opens out to a cleared area of land.

## **3. DESCRIPTION OF PROPOSAL**

3.1. The proposal is for the construction of a new build 76 bed care home to provide nursing and residential care for a range of needs including dementia care within a specialist unit.

3.2. The Council offers a pre-application advice service for major development. No pre application advice was provided for the current care home proposal. An informal enquiry was made, and the applicant's agent was directed to the formal pre-application service, but this was not taken up.

## **4. RELEVANT PLANNING HISTORY**

20/3562M - Erection of 26 dwellings of which 13 affordable with improvement to existing access. Refused 09-04-2021 APP/R0660/W/21/3284310 Appeal Dismissed

13/3883M - Residential development of 20 dwellings and associated works. Refused 31-01-2014

02/1131P - Replacement dwellinghouse – Withdrawn 12.08.2002

01/0507P - Residential development of footprint of Knowle House (outline) – Refused 25.04.2001

96/0564P - Two 48 bedroomeed nursing homes – Refused 03.03.1996

96/1725P - Rebuilding of Knowle House to provide nursing care unit (outline application) – Withdrawn 13.01.1997

71134P - Health care facility to include 24 bed acute care unit 12 bed nursing care unit 12 no. Low dependency units administrative unit and 16 no. Garages

## **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. 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.

5.2. The latest version of the NPPF was released in December 2024, with further amendments in February 2025. Of particular relevance are chapters in relation to: Achieving sustainable

development, Decision making, Promoting healthy and safe communities, Making effective use of land, Achieving well designed places and Conserving and enhancing the historic environment.

## 6. DEVELOPMENT PLAN POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Document was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

### **Cheshire East Local Plan Strategy (LPS)**

MP1 Presumption in Favour of Sustainable Development

PG1 Overall Development Strategy

PG 3 Green Belt

PG 6 Open Countryside

SC3 Health and Wellbeing

SC4 Residential Mix

SD1 Sustainable development in Cheshire East

SD2 Sustainable development principles

SE 1 Design

SE 3 Biodiversity and Geodiversity

SE 4 The Landscape

SE 6 Green Infrastructure

SE 8 Renewable and Low Carbon Energy

SE12 Pollution Land Contamination and Land Instability

CO 1 Sustainable Travel and Transport

CO 4 Enabling Business Growth Through Transport Infrastructure

Appendix C Parking Standards

### **Site Allocations and Development Policies Document (SADPD)**

PG 9 Settlement boundaries

GEN 1 Design Principles

GEN 5 Aerodrome safeguarding

ENV 3 Landscape Character

ENV 5 Landscaping

ENV 6 Trees, hedgerows and woodland implementation

ENV 7 Climate Change

ENV 12 Air Quality

ENV 14 Light Pollution

ENV 15 New development and existing uses

ENV 16 Surface water management and flood risk

HOU 1 Housing Mix

HOU 2 Specialist Housing Provision

HOU 8 Space, accessibility and wheelchair housing standards

HOU 12 Amenity

HOU 13 Residential standards  
INF 3 Highway safety and access  
INF 9 Utilities

## 6.3. Handforth Neighbourhood Plan

Policies of the Neighbourhood Plan relevant to the consideration of this application are:

H1 New Housing in Handforth  
H2 Providing appropriate House Types, Tenures and Sizes to meet Local Needs  
H8 Landscape and Biodiversity  
H9 Trees and Hedgerows  
H11 Encouraging High Quality Design  
H12 Surface water management  
H13 Supporting the Local Economy  
H16 Congestion and Highway Safety  
H18 Promoting sustainable transport  
H19 Improving access to the countryside in Handforth and the surrounding area

## **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:

### **7.2. SuDS SPD**

Ecology and Biodiversity Net Gain SPD  
Developer Contributions SPD  
Cheshire East Design Guide SPD  
Cheshire East Local Landscape Designation Review 2018  
Housing SPD  
Housing Strategy 2013-2023  
Council's Housing Monitoring Update April 2025  
Vulnerable and Older Persons' Housing Strategy 2020-2024  
Cheshire East Local Landscape Designation Review 2018  
Green Belt Assessment Update 2015

## **8. CONSULTATIONS (External to Planning)**

**United Utilities:** Condition requested for drainage scheme. Advice provided.

**Environmental Protection:** Noise impact assessment accepted, to be conditioned. Informatives/ conditions provided in relation to hours of construction, dust management, piling, air quality, light pollution.

**Contaminated Land:** Comments made regarding submitted Geotechnical report. No formal objection raised, conditions and informatives requested in the case of an approval.

**Highways:** Further information requested regarding parking provision initially. No objections on receipt of additional information.

**Adult Social Care:** The Council promotes a 'Home First' strategy to optimise independence as long as possible. The Council is in the process of updating the Market Position Statement

and developing an Accommodation Strategy which will provide a clearer view of future commissioning intentions and systems capacity. The Head of Service does not actively support the application at this stage, however at present there is not sufficient date to formally object to the planning application with regard to identified need.

**Strategic Housing:** No objection – does not trigger Council's affordable housing policy.

**NHS** – concerns raised over Primary Care and community services capacity and impact on existing service provision in the area. The NHS has provided a number of responses, including requesting a developer contribution. The final response has raised an objection.

**Manchester Airport** – conditions requested relating to exterior lighting, solar panels, birdstrike control and landscaping. Informatives are requested in relation to drones, dust, cranes and tall equipment. On reconsultation a query was raised over the BNG statement.

**LLFA** – Following receipt of additional information – no objections.

**Handforth Town Council** – Strongly recommends refusal

- 20/3562M for 26 dwellings appeal upheld – Green Belt harm, urban sprawl in gap between Handforth and Wilmslow. Since then Fairways estate surely means development of Knowle House site would not now cause substantial harm to openness.

Green belt land in Dean valley ensures separation between Handforth and Wilmslow. Therefore site's contribution to Green belt is now minimal. Other reasons for objection:

- Care home not needed. – other carehomes nearby listed, a number include respite/dementia care. Home First strategy. Closure of homes in Stockport. Does not demonstrate a need.
- Additional pressure on GP and related health services.
- Access to site - narrow in poor state of repair. Parking concerns on Sagars Road.
- May contradict with HNP H1 para 4 – new housing supported provided appropriate and safe access can be achieved.
- Lack of surface water drainage information.
- Outside of settlement boundary – subject to policies including CELPS PG6.
- Adjacent to SSSI Dobbin Brook Clough – impact on flora and fauna and tranquillity of the woodland walk (APP/R0660/W/21/3284310)
- Site not recommended for development in HNP. Concern over design, conflict with H11 para.1.
- Possible Japanese knotweed on site.

Following amendments (December 2025) - Town Council object raising the same issues above, with the exception of drainage matters.

## 9. REPRESENTATIONS

### 32 representations raising concerns/objections received in response to the initial proposals, from 26 addresses

- Access unsuitable for construction or increased traffic
- Impact on local infrastructure – roads, healthcare. Recent 250 house development already significant impact.
- Congestion, cars often parked along Sagars Rd reducing it to single lane for most of its length.
- Gateway is used as a turning area as road beyond not fit for vehicles.
- Noise, dust and vibration impact from traffic and construction
- Noise from bike/motorbike parking close to neighbours
- Noise from mechanical plant – concerned that this relies on a future review.
- Roads damaged by construction traffic. Request for financial contribution.

- Funding request for improving pedestrian and cycle networks
- Invest in local green space
- Safety concerns.
- 7.5T weight limit on Sagars Rd – access via Meriton Rd/ Hampson Cres has had continuous site traffic for over a number of years with Fairways development.
- Wheel washing mitigation not carried out on other development, likely again.
- Low pressure water supply – will be exacerbated by increased demand
- Loss of green space. Impact on adjacent area used for recreation and wellbeing
- No material change since previous refusal/appeal.
- Green Belt objections
- Site adjacent to SSSI, impact on wildlife, hedgehogs , bats, owls
- Insufficient parking on site.
- Flooding concerns off site, poor drainage.
- Bus service timings unsuitable for shift workers
- No off site parking for operatives vehicles.
- Request for all residents of Sagars Rd and Queens Terrace are notified.
- Other carehomes nearby, no need for another carehome.
- Impact on property value
- Imposing design not welcoming or homely.
- Too large for the site
- Land contamination concerns
- Handforths requirements covered mainly by Growth village. Queries over housing requirement methodology.
- Disappointing loss of onsite biodiversity in BNG metric (off site compensation)
- Concern over management of invasive plant species on the site.
- Overlooking concerns
- Concern over changes post permission
- Land contamination concerns
- Handforths requirements covered mainly by Growth village. Queries over housing requirement methodology.

## **Representations received following amendments and reconsultation (December 2025):**

- 13 objections from interested parties including Patients Participation Group (PPG)
- Concerns over disruption and vibration from construction traffic and additional traffic, following other recent development in the area.
- No significant changes to satisfy loss of Green Belt land and other previous objections.
- Impact on health services
- No definitive demonstration of need for another carehome in the area
- There is a need for affordable housing
- Insufficient parking
- Noise concerns
- Negative impact on woodland, ecology, Dobbin Brook.
- Overlooking of neighbours
- Drainage concerns
- Patients Participation Group (PPG) for Handforth Health Centre - Objection.
- 2 care homes in the immediate vicinity with vacancies, no further need.
- Attracts people from outside CE
- Residents initially self funded but then CE are expected to pay
- Impact on GP practices, less appointments for Handforth residents
- Input needed from other health services as well.

## Procedural Matters

9.1. Neighbours have been consulted and a site notice was erected by the site boundary. The application site has been reduced in scale during the application process to remove small areas along the eastern boundary from the site edged red, in line with the applicant's ownership.

## 10. OFFICER APPRAISAL

### Principle of the development

10.1. The application site is located within the Green Belt. The current application site has previously been occupied by Knowle House, a care home destroyed by fire and subsequently demolished.

10.2. Paragraph 154 of the NPPF states that development in the Green Belt is inappropriate. A number of exceptions are given within paragraph 154 which are broadly consistent with CELPS policy PG 3. This includes (g) *limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.*

10.3. The NPPF definition for previously developed land includes the following: *Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed). It also includes land comprising large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.*

10.4. The NPPF definition excludes land that was previously developed but where the remains of the permanent structure or fixed surface have blended into the landscape.

10.5. Application 20/3562M for 26 dwellings and associated works on the site was refused due to conflict with Green Belt policy. A second reason for refusal was due to no details of how it would protect, restore and enhance the character and appearance of the Bollin Valley Local Landscape Designation Area. The application was dismissed at appeal (ref: APP/T3725/W/18/3218529).

10.6. The inspector's decision considered the site as previously developed land, although noting that it should not be assumed that the whole of the curtilage of previously developed land should be developed, in accordance with the NPPF definition of previously developed land. The proposal was found to amount to substantial harm to Green Belt openness, and therefore inappropriate development in the Green Belt. Additional Green Belt harm was considered in terms of conflict with Green Belt purposes (a), (b) and (c).

10.7. The current proposal likewise would introduce a substantial amount of built form to the site, resulting in an impact on openness. Given that the existing site is currently vacant with the exception of some remains of the former development at ground level there would be harm to openness as a result of the proposals. It is considered that the current proposal would result in substantial harm to Green Belt openness and as such would not meet the exception within the NPPF for previously developed land.

10.8. Since determination of application 20/3562M there have been changes in planning policy both at national and local level. Most significant for this application is the amendments to the

NPPF in December 2024, introducing the concept of ‘Grey Belt’, with subsequent minor update to the NPPF and also associated National Planning Practice Guidance notes to assist in interpretation of the NPPF changes, in February 2025.

10.9. Although the current application proposals do not fall into any of the exceptions to inappropriate development in the Green Belt within paragraph 154 of the NPPF and Policy PG3 of the CELPS, consideration needs to be given to Paragraph 155 of the NPPF, which introduces a new exception to inappropriate development.

10.10. Paragraph 155 states that *‘The development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where all the following apply:*

- 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.*
- 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 this Framework; and*
- d. *Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below.’*

10.11. The Planning Statement asserts that the proposed development meets the new ‘grey belt’ exception. The following considers whether the site would be classed as ‘Grey Belt’:

### Identifying Grey Belt – Purposes a,b and d (NPPF par 155 (a))

10.12. Grey Belt is defined within Annex 2: Glossary of the NPPF as:

*‘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.’*

10.13. The question in relation to whether the site should be classed as ‘grey belt’ is initially 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’

10.14. The Green Belt Assessment Update 2015 for Cheshire East considered a number of parcels of land under the Green Belt purposes within the NPPF. This includes a larger parcel of land which the current application forms a part, listed within the Assessment as HF01. HF01 was found to have a significant contribution to the Green Belt under an assessment of Green Belt purposes.

10.15. It is necessary to consider the contribution of the wider parcel of land as well as the site’s contribution to this wider parcel of land. The following assessment considers the above purposes in relation to the application site, also referencing the considerations within the 2015 Assessment.

10.16. The Green Belt assessment 2015 considered the larger parcel of land, extending to the south east, to the south of Knowle Park and Valley Drive, to the west of Manchester Road. Site HF01 was considered to make a major contribution to the green belt. It was considered to have a strong contribution to Purpose (a), having a role in preventing southward sprawl of Handforth as well as ribbon development along Manchester Road. The assessment notes the parcel HF01 as having strong boundaries including from wooded area to the north and River Dean to the south. The current application site is a small part, to the north west of parcel HF01.

10.17. The inspector's decision in relation to application 20/3562M considered as follows in relation to that proposal: *The current physical boundary along the edge of the Knowle Park estate provides a clear distinction between the built-up area and surrounding Green Belt. In my opinion, the spread of built development of this size across an open site which has no buildings on it would amount to urbanisation and sprawl. The fact that it would be contained by existing landscape features is not a sound basis for me to conclude that the development would not conflict with purpose (a).*

10.18. The subsequent PPG guidance provides additional steps in assessment since the issue of the updated NPPF.

#### Purpose (a) (Sprawl)

10.19. Under assessment for Purpose (a) (Sprawl) using paragraph 005 of the PPG, an area that contributes strongly is likely to be free of existing development, and lack physical feature(s) in reasonable proximity that could restrict and contain development. Also likely to include all of the following features:

- be adjacent or near to a large built up area
- if developed, result in an incongruous pattern of development (such as an extended "finger" of development into the Green Belt)

10.20. With regard to Purpose (a) (Sprawl) it is considered that the contribution that the land subject to the proposed residential development is 'Moderate'.

10.21. Whilst there are no existing buildings on the site, the site does contain remains of development. The site is largely enclosed on all sides, with residential development to the east, woodland to the west and south, and the narrow access strip between these two off Sagars Road to the north. These physical features do provide restriction and containment for development within the site. However, it is noted that there is some proposed incursion into the edges of the woodland.

10.22. The site is adjacent to the settlement boundary of Handforth, and around 250 metres north of the edge of the Stanneylands development extension to Wilmslow. Both of these are identified as Key Service Centres in policy PG 2 of the CELPS. As such it would be considered to be adjacent or near to a built up area.

10.23. Part of the consideration for Purpose (a) (Sprawl) relates to whether the site would result in a "an incongruous pattern of development (such as an extended "finger" of development into the Green Belt)".

10.24. The site is to the west of the Knowle Park area. The site is wider at the south, where the main development would be a relatively consolidated block rather than spread across the entire site. It would be a wedge shape of development alongside a built up area and on balance would not be considered an incongruous pattern of development.

10.25. The site contributes to the role of the larger parcel referenced above as HF01 in preventing sprawl. However in consideration of the remaining gap to the south this would remain largely consistent in separation from development to the south, as that which exists further to the east towards Manchester Road.

10.26. In accordance with the PPG guidance the land subject to the application proposals is on balance not deemed to 'strongly contribute' to the purposes of the Green Belt in relation to Purpose (a) (Sprawl).

Purpose (b) (preventing towns merging).

10.27. Purpose (b) relates to the merging of towns, not villages. Under planning practice guidance relating to an assessment under purpose (b) a strong contribution would have the following features:

*Assessment areas that contribute strongly are likely to be free of existing development and include all of the following features:*

- forming a substantial part of a gap between towns*
- the development of which would be likely to result in the loss of visual separation of towns*

10.28. A moderate contribution would be areas that are *likely to be located in a gap between towns, but include one or more features that weaken their contribution to this purpose, such as (but not limited to):*

- forming a small part of the gap between towns*
- being able to be developed without the loss of visual separation between towns. This could be (but is not limited to) due to the presence or the close proximity of structures, natural landscape elements or topography that preserve visual separation*

10.29. With regards to Purpose (b) (towns merging), it is considered that the application site's contribution that the land subject to the development with regards to the merging of towns would be 'Moderate'. This is because the site lies adjacent to or near a large built-up area and includes features that weaken its contribution, in the form of landscape elements and existing boundary edges as described above. The 2015 assessment likewise found that HF01, along with HF02 played a major contribution to preventing Handforth and Wilmslow merging. It is noted that Wilmslow and Handforth have merged in places and these parcels were considered vital to maintain the gap. This site however is a relatively small part of a gap.

Purpose (d) (Setting and character of historic towns)

10.30. The 2015 Green Belt update considered parcel HF01 not to contribute to purpose (d) as Handforth is not an historic town. This remains the case and the site would not contribute strongly to purpose (d).

Identifying grey belt – Footnote 7

10.31. Footnote 7 states the following:

*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.*

10.32. The woodlands surrounding the site are a Local Wildlife Site. It is not a Site of Special Scientific Interest nor a habitat site as defined under paragraph 194. The site is within Flood Zone 1 where there is not a high risk of flooding. There are no designated heritage assets or other constraints within the paragraph above other than that of designated Green Belt.

10.33. Based on the assessment above under the relevant Green Belt purposes, there is no strong reason for refusing or restricting development purely within Green Belt considerations.

*Identifying grey belt – Conclusions*

10.34. Given that the site is not considered to strongly contribute to purposes (a), (b) and (d) of the Green Belt and there is no other strong reason under footnote 7 for refusing or restricting development, the site can be considered as 'grey belt'.

*Grey belt and fundamentally undermining purposes of Green Belt (155a)*

10.35. The second part of paragraph 155a requires consideration as to whether the development would fundamentally undermine the purposes taken together of the remaining Green Belt across the area of the plan.

10.36. The inspector's decision to the previous application on the site found conflict with purpose (c), which sought permission for 26 dwellings spread across the site. The current application does introduce further activity to the site but with built form within a more consolidated block. Even if it is considered that there is some level of encroachment under the current proposal, this would be limited in the context of the parameters of 155a. With regard to (d) the site is not urban land, although it is partially derelict land. Therefore its reuse in principle would not undermine purpose (d).

10.37. Given the scale of the proposals in relation to the whole Green Belt across Cheshire East, it is not considered in this case that the proposal would fundamentally undermine the purposes (a, b, c, d and e taken together) of the remaining Green Belt area across the plan.

*Unmet Need (155b)*

*Housing Land Supply*

10.38. The Cheshire East Local Plan Strategy was adopted on the 27th 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.

10.39. 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.

10.40. 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.

10.41. 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.

10.42. 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%.

10.43. 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.

#### *Need for Care Home*

10.44. Policy HOU2 of the SADPD advises that the delivery, retention and refurbishment of supported and specialist housing, which meets an identified need, will be supported. Supported and specialist housing should be designed to satisfy the requirements of the specific use or group it is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development and meet the requirements of other relevant local plan policies. Policy SC 4 of the Cheshire East Local Plan Strategy states the following : Development proposals for accommodation designed specifically for the elderly and people who require specialist accommodation will be supported where there is a proven need; they are located within settlements; accessible by public transport; and within a reasonable walking distance of community facilities such as shops, medical services and public open space.

10.45. The submitted Needs Assessment includes at appendix 2, the following table shows a breakdown of existing registered care for the elderly within a residential nursing environment in the borough.

	Home	Registered Beds	Dementia Beds	Total Rooms	Ensuite Rooms
Residential Care	33	1,351	1,055	1,320	922
Nursing Care	47	2,805	2,524	2,807	2,405
<b>Total</b>	<b>80</b>	<b>4,156</b>	<b>3,579</b>	<b>4,127</b>	<b>3,327</b>

10.46. This is followed by an assessment of demand, identifying an undersupply of 569 ensuite bedrooms for the elderly across the borough by 2030.

	Current Total Elderly	2030 Total Elderly
<b>Demand</b>		
Statistical demand (incl. forecasts)	3,426	3,896
<b>Supply</b>		
Current supply of en suite bedrooms	3,327	3,327
<b>Outstanding Need</b>		
Under supply in terms of en suite bedrooms	99	569

10.47. Cheshire East Council's strategy is 'Home First' to optimise independence for as long as possible, supporting people to remain in their own home.

10.48. The Head of service for Urgent & Emergency Care and New Models of Care has acknowledged the robustness of the assessment of need submitted by the agent and does not dispute the identified need. Anecdotally there are increased vacancies across existing homes and there is an estimated approximately 414 new beds across the borough within 'a significant pipeline of planning applications' plus a further potential 71 beds in extension applications.

10.49. Closures referenced by the applicant's documents include locations outside of the borough, which would not demonstrate a need for additional care home provision in Cheshire East. It should also be considered that there is a wider impact of additional care home developments, which may place further strain on primary care, community services and workforce availability.

10.50. The Council is in the process of updating the Market Position Statement and developing an Accommodation Strategy which will provide a clearer view of future commissioning intentions and systems capacity. The Head of Service does not actively support the application at this stage, however at present there is not sufficient data to formally object to the planning application with regard to identified need.

10.51. The needs assessment considers other recent applications for care home beds to take into account other provision, with a need for beds outstanding. The current proposal would relieve some of this unmet need having regard for the unmet need including provision of specialist dementia care and as such it is considered to comply with policy HOU 1. In accordance with the Council's Housing Monitoring Update April 2025, housing completions include older person's bed spaces, where each residential bedspace is counted as a single gain, counting towards housing delivery targets. This is a significant benefit of the proposal.

10.52. Matters such as staff recruitment and retention policies and demonstration of viability issues would not be determinative in the planning assessment. The applicant is advised that the financial model should not rely on the local authority funding places and would have no obligation if a service user can no longer cover the weekly care fees. The proposal is to include dementia care within the development as well as more general residential and nursing care.

10.53. Overall, there is a clear and demonstrable unmet need for the type of development proposed.

Sustainable location (155c)

10.54. Paragraph 155 (c) sets out that the development should be in a sustainable location. It states that particular reference should be made to paragraphs 110 and 115 of the NPPF. 10.1.32 Paragraph 110 of the NPPF states that significant development should be focused in locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.

10.55. Paragraph 115 of the NPPF states that a) sustainable transport modes are prioritised, b) safe and suitable access can be achieved c) the design of the scheme should meet national guidance and d) any highways impact mitigated.

10.56. The site is at the edge of a built up area where there are existing services. The Paddock local shopping area is located around 0.7 km from the site, with shops, a bus stop, and adjacent to a play area. Handforth Health Centre is located at the east end of Sagars Road, approximately 600m from the site entrance. The planning statement notes public transport links with a bus stop 600m to the east along Sagars Road, with the 130 and 132 bus routes between Handforth, Manchester Airport, Handforth Dean Macclesfield and Wilmslow. Handforth railway station is approximately 750m east of the site. It is noted also that these distances are taken from the entrance to the site which has a relatively long driveway to the building itself.

10.57. Sagars Road from the west side of the site entrance has pavements and street lighting. The site is clearly within an area that has walkable access to key services. The site is considered to be in a sustainable location.

Golden Rules (155 d)

10.58. 'Golden Rules' under paragraphs 156 and 157 relate to contributions and affordable housing requirements for housing development in the Green Belt. The proposals are not use class C3 dwellings of the Town and Country Planning (Use Classes) Order 1987 (as amended) and Strategic Housing have commented that it would not trigger requirements for affordable housing under CELPS policy SC 5. Whilst the council's policy under SC 5 does not specify requirement for affordable housing for this type of development, in accordance with the revised NPPF, Golden Rules apply under paragraph 155-156 for major housing proposals. As a major housing proposal, these rules would therefore apply. No affordable housing contributions have been offered, as such the proposal does not meet the Golden Rules of the NPPF and fails to comply with the requirements of the NPPF.

Grey Belt conclusion

10.59. The proposal would be inappropriate development in the Green Belt. Concerns raised in representations with respect to the location have been taken into consideration. Following the above assessment it is considered whilst other Grey Belt considerations are met, the proposals would not meet the requirements of Golden Rules as a major housing proposal.

**Design and impact on the character of the area, and impact of design on future residents.**

10.60. New development should respect and enhance the existing architectural design themes, materials and scale within the immediate area and also not to detrimentally impact built heritage assets without clear and convincing justification given to outweigh any defined harm. The most applicable policies for consideration are SD1, SD2, SE1 and SE7 of the CELPS and GEN 1, HER 1, HER 4 of the SADPD, as well as chapters 12 and 16 of the NPPF.

10.61. GEN 1 of the SADPD seeks for development to create high quality beautiful and sustainable buildings and places, avoiding the imposition of standardised and /or generic design solutions where they do not establish and/or maintain a strong sense of quality and place. Handforth Neighbourhood Plan Policy H11 (Encouraging High Quality Design) requires that proposals should not feature designs specific to a generic scheme and must display how they take account of the locally distinctive character of the surrounding environment.

10.62. SE 1 seeks for development proposals to achieve a sense of place through a number of means including encouraging innovative and creative design solutions that are appropriate to the local context.

10.63. The design officer has applied an assessment under the Building For a Healthy Life (BFHL) template, although noting as it is not a standard housing proposal it is not a perfect fit for this model.

10.64. Natural Connections - lack of clarity has been raised over pedestrian connection to Sagars Road. It is understood that the access road would have a pedestrian walkway alongside which would provide this access

10.65. Walking, cycling and public transport - subject to a footway access the development is within walking distance of Handforth Station and local bus services. This is also discussed above within the sustainability considerations for the Green Belt assessment.

10.66. Facilities and Services – A number of facilities are proposed within the development (eg hairdressers, cinema room) and the site is within reasonable proximity to other facilities within Handforth and a wider selection in Wilmslow. There is open space within the enclosed front communal garden and the woodland walk, considered as appropriate in initial design comments. However comments from the landscape team noted that the security fence to the northern side is close to residents windows. The Open Space officer has provided informal comment raising concerns of enclosure by a 1.8m high fence. As elsewhere it is noted that there is no secure shared garden area – the central one being also the main access, and the rear woodland walk being access through the carpark and around the plant area.

10.67. Homes for everyone – the specialist housing would not normally trigger affordable housing policy, but as noted in order to qualify as an exception to inappropriate development affordable housing in accordance with the Golden Rules should be provided. There is no affordable provision within the scheme.

10.68. Making the most of what's there – Mature trees border the south are noted as retained within the design officers response, however further consideration by the arboricultural officer raised concerns elsewhere in terms of social proximity and extent of pruning required. The building is noted as being of a similar scale to neighbouring properties, with regard to being two story in height although with a larger footprint.

10.69. A memorable character – The Design consultee has commented that the area does not have an overriding architectural style, consisting of varied of two storey post war brick and tile semi-detached and detached houses . The low key design approach is supported, subject to materials palettes for the building and hard surfaces, in line with the CE Design Guide. The scale and massing is a relatively large floorplate building in the area, but with a precedent of a larger building on the site with the former home destroyed by fire understood to have been larger than the buildings typically nearby. Limiting the building to two-storeys, along with the use of a relatively shallow pitch has reduced the potential overlarge roof issues created by the deep plan, and this coupled with the articulation of the two wings helps to reduce the bulk. This is further assisted by the addition of the cladding to the protruding balcony terrace elements and some textured brick detailing creating a clean and contemporary building.

Following further discussion, the elevational treatment has been further amended to remove stone cills and include further articulation with textured brick. Proposed elevations include only one of the two inner faces of the wing, it is assumed the northern side would be a mirror image of the southern side. A condition can be included in the case of an approval, for a 100mm reveal to windows to create a shadow line for visual interest and rather than flush windows. Amendments have provided greater attention to detail on the rear elevation, with a more prominent gable and brick detailing which is positive in terms of the external appearance of the building, given that there is a rear entrance which would serve as access for staff, ambulance parking and overflow visitor parking.

10.70. Well defined streets and spaces - This is not directly relevant to a development of this type. It is noted that the building encloses a shared garden area, surrounded by private patios. However, this area also serves as the main entrance to the building.

10.71. Easy to find your way around – Although considered easy to navigate in the initial design consultee response, later comments by the landscape consultee raised concerns about reliance on signage and about the access by ambulance. Ambulance parking has now been provided at the back, and a canopy over the rear entrance has been provided on the revised elevations, in response to comments from the landscape officer. Following informal comments from Open Space regarding wearability and accessibility for wheelchair users, the woodland walkway has been amended from loose gravel to a bound gravel surface. The internal layout has been amended, but it remains the case that there are effectively two entrances, the front entrance from the limited number of visited parking spaces, including one accessible parking space, would lead through the central garden area to the front entrance inside the V shaped plan. The overflow parking however would lead to a small lobby then a series of 3 further internal doors before leading to the main reception area. Whilst this may be acceptable for staff arrivals it is less coherent for visitors accessing the area via the overflow parking or for ambulance staff.

10.72. Cycle and car parking – as a higher need care home for people in receipt of daily care car parking is focussed on the needs of staff and visitors. The carparks are separated with some limited visitor parking at the front and with overflow and staff parking at the rear. Cycle storage is also provided at the frontage. Amendments have provided ambulance parking at the rear adjacent to the rear entrance in response to queries by the landscape officer in terms of layout.

10.73. Green and blue infrastructure - Concerns were raised initially regarding water management. SuDs features have been included in the drainage strategy although not shown on plans and would need to be conditioned.

10.74. Back of pavement, front of home – Ground floor rooms have provided outside space with raised planters to separate from public areas which is positive. It is noted however that those on the northern elevation are relatively close looking out onto the entrance driveway. Waste storage has been shown to be at the rear of the building, design comments requested enclosure for these and concerns were raised by the landscape team requesting the clustering of plant away from the busy parking area, to enhance the user experience of the rear landscape. Amendments show the bin storage area adjacent to the rear wall of the building. However the amendments also show a large plant area central to the parking area, separating the building visually and functionally from the woodland walk, and is now more prominent and visually intrusive than the original site plan. A query was raised by officers as to whether the plan could be altered to have the kitchen at the southern end, effectively mirroring the proposed layout, to enable access to bin store further from the carpark and access. The applicants team advised that the kitchen layout had already been designed and did not want to consider alternatives.

10.75. It is noted that the proposal is very similar to a recent development, Castlewood carehome for 68 beds in Clitheroe by the same provider. It is understood that an important driver in the design was for no bedroom windows to overlook a carpark. This is achieved by the siting of bedroom windows either side of the two 'wings' of the V shaped plan, with services at the centre facing towards the carpark at the rear, and a smaller parking area at the end of one of the 'wings'. Whilst this is a positive aspect in the design, it is noted that the current proposal differs in being for a larger number of rooms but on a site with constraints of the surrounding woodland. The Clitheroe site differs in directly fronting the road to the south, with a greater number of parking spaces at the front than at the Handforth site. The Clitheroe site includes a resident's garden area adjacent to the west side of the site, separate from the central courtyard and access area and parking areas. Key differences are for example approximately 12 metre separation at Clitheroe from ground floor windows to the side access road around to the rear, with additional buffering from a hedge in between. There is also a more compact arrangement of external services, at the far end of the carpark, compared to the current proposal where the carparking wraps around a large plant area, separating the building visually and functionally from the woodland walk. Generally whilst there have been attempts to address concerns raised by officers, it would appear that a standard design approach has been taken that was used elsewhere and reapplied to this application site, rather than a genuine approach to allow the constraints of the surroundings to inform and shape a site specific design.

10.76. In comparison whilst the overall site area is larger for the current site this includes the extended driveway and the tree constraints around the edges of the site, overall resulting in a more cramped situation at Handforth than appears to be the case from the approved plans for the Clitheroe site. The access driveway along the northern side of the site is from 8.6 metres from the road edge, to around 4.3 metres at the western end of this elevation, resulting in a restricted arrangement of patio areas for some of these rooms, and close relationship to the access road.

10.77. As noted above the woodland walk would be separated from the building by a rear carpark and large external plant enclosure. The woodland walk offers seating areas, but it appears that it would need to be accessed through or around the edge of the carpark rather than easily accessible from the building. The Golden Rules seek to secure good quality greenspaces within a short walk, on site or off site. The success of the woodland walk is heavily compromised by its positioning. The allotment space in the south west corner would likely be heavily shaded by the trees immediately to the south. The windows to the southern elevation would also have potential to be impacted by the close proximity of tree canopies which are shown to be significantly cut back to accommodate the development, considered in more detail in the Arboricultural section of the report.

10.78. The proposals have been amended following initial comments from officers. Officers have been advised that dementia patients would be accompanied whilst outside in the central landscaped gardens, such that the access through this area to the main front entrance would not be a concern for vulnerable residents. However it has not been demonstrated if an alternative layout would be possible, with provision of separate private amenity spaces, away from busy access points. Again as with the design section above it is considered that the standardised design has resulted in issues which could potentially have been considered at an earlier design stage.

10.79. Overall to summarise whilst there are a number of matters which have not been raised as objections in the design response, with further consideration and assessment by the landscape officer it appears that there are a number of matters relating fundamentally to the design and layout of the site. The design appears to be a standardised layout which does not adequately respond to the constraints of the site, resulting in a cramped development with

issues in the layout which conflict with Policies HNP policy H11, SADPD GEN 1, CELPS SD 2 and SE 1.

## **Landscaping**

10.80. CELPS policy SE 4 seeks for development to conserve landscape character and to incorporate appropriate landscaping. In Local Landscape designation areas, the council will seek to conserve and enhance the quality of the landscape to protect it from development which is likely to have an adverse effect on its character and appearance and setting. Here development is considered to be acceptable in principle, measures will be sought to integrate it into the landscape character. SADPD policy ENV 5 seeks for landscaping schemes to meet criteria including responding to topography, landscape features and existing green and blue infrastructure. ENV 3 relates specifically to Landscape character and Local Landscape Designations.

10.81. The site is within the Bollin Valley Local Landscape Designation (LLD) area. The LVA as initially submitted was reviewed and found lacking in detail in terms of local character assessment and receptor weight to the Bollin LLD. The site was previously built on and in an area of enclosure through an urbanised side and wooded boundaries. The proposals are overall modest in height in respect to the surrounding mature wooded landscape. The site does not deliver characteristics which would typically closely associate it with the Bollin LLD, even though it is within it. These features mean it is for the most part associated with the adjacent built development, and is considered not to have major adverse visual impacts overall within the Bollin Valley LLD due to the mature woodland screening, and height and scale. There is a discretionary footpath around the western and southern boundary of the site, within the edge of the woodland, which is marked on maps on the Handforth Parish Council. There may be some local negative visual effects which could be overcome with planting buffer zones. Revisions have included buffer planting in response to these comments, details and specifications of which can be secured by condition. Overall, the proposals are acceptable under the above policy, with regards to the Local Landscape Designation (LLD) area.

10.82. Landscaping has also been considered above within the overall design section, relating to internal to the site itself.

## **Amenity**

10.83. SADPD Policies HOU 12 and HOU 13 between them require that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to 1. loss of privacy; 2. loss of sunlight and daylight; 3. the overbearing and dominating effect of new buildings; 4. Environmental disturbance or pollution; or 5. traffic generation, access and parking. Policy HOU13 provides standards for housing allowing light and privacy between buildings, with reference to Table 8.2 in the SADPD. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties. Handforth Neighbourhood Plan Policy H11 (Encouraging High Quality Design) is also relevant.

10.84. The built form has been designed not to encroach within a 22-metre distance of existing dwellings. Taking into consideration the separation distances within table 8.2 of policy HOU13 these distances are acceptable back to back between 2 storey buildings. The closest distance from the building to the boundary to the east side, understood to also be the boundary to residents gardens, is around 14 metres, with the proposed building at an angle such that the elevations would not directly face towards these neighbouring properties, and there is the benefit of screening from planting to much of these boundaries. Whilst there would be a

significant built form, taking into consideration that the proposal follows the surrounding pattern of two storey buildings, and the separation distances it is considered on balance that there would not be a substantial harm to neighbouring properties in terms of overbearing impact, loss of light or privacy and is acceptable under relevant policies above.

## **Parking, Highways safety and Traffic Generation**

10.85. Policy H11 of the HNP seeks for provision of on site parking in accordance with Cheshire East Local Plan Strategy Standards.

10.86. The site is proposed for a 76 bed care home where most vehicle trips would typically be for staff and visitors. The existing access and private access driveway would be retained. Details of space for turning of refuse / delivery vehicles has been submitted and is considered acceptable. 34 parking spaces are proposed on the revised site plan, including one accessible EV parking space plus 2 other accessible spaces. 20% are proposed as cable -enabled bays. Ambulance parking space and turning space for large vehicles is provided on the revised plans in addition. CELPS appendix C standards are for 1 space per three beds, plus 1 per resident staff and 1 per non resident staff. The Transport statement indicated unknown staff numbers at this stage. Subsequent information provided by the agent indicates 15 residential and 8 non residential. As such the proposal would be significantly below that of the CELPS standard.

10.87. The submitted Transport Statement includes TRICS data to estimate vehicle trips to and from the site in peak hours, estimating 13 trips (0800-0900) and 10 trips (1600-1700). The Highways consultee requested further information and is now satisfied with the parking provision, turning areas and bin storage provision. Figure 6.1 in the statement makes an assumption of 10 vehicles for overnight staff and peak occupancy is expected not to exceed 20 vehicles across a typical day. It is not clear how this is calculated in terms of the ratio of staff to visitors within this, particularly taking into account the staffing levels provided above.

10.88. The parking provision equates to 0.43 spaces per bed. Whilst there are some other care homes with comparable or lower ratios it is noted that there are concerns raised locally about on street parking. The Highways consultee has commented that the site is large enough to accommodate further parking if required, but provision of unused hard standing is not good practice. Overall however on balance there are no objections with regard to parking provision on the basis of the information provided in terms of staffing.

10.89. The access driveway would remain an unadopted road. The Highway consultee has considered the predicted level of traffic within the submitted information, anticipating this to have a minor traffic impact and not to cause any capacity issues on the local road network. As noted above in consideration of sustainability of the location, there are bus services within walking distance of the site. A travel plan can be requested by condition.

10.90. Details are included for a covered cycle storage facility for 10 cycles. The requirement under Appendix C for C 2 uses is 1 space per 10 units for sheltered residential accommodation or 1 space per 10 staff for hospitals. The care homes use would not fall within either of these categories but taking into account the anticipated number of staff at any one time this would be considered acceptable. However given that there are concerns over the cramped layout on the site it is considered that there is a knock on effect on the parking provision which could be addressed in a reconsideration of the design overall at an early stage.

## Trees

10.91. CELPS policy SE 5 requires that all developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience and support biodiversity. SADPD ENV 6 seeks for development proposals to seek to retain and protect trees, woodlands and hedgerows. The site is within the Bollin Valley Locally Designated Landscape Area.

10.92. Under HNP policy H9, trees which are identified as making a significant contribution to the amenity, biodiversity and landscape character of the surrounding area must be preserved and development which would adversely impact upon them will not normally be supported unless substantial public benefits can be demonstrated, and their loss adequately demonstrated. Furthermore new developments should be designed to protect existing health mature trees either through the provision of TPOs or a permanent arboriculture management programme for the site.

10.93. HNP Policy H8 requires that new development will be expected to protect and / or conserve the historical and ecological qualities of the area. The policies specifically includes Woodland in the Dobbin Brook Clough, the area immediately adjacent to the site. H9 seeks for protection of Trees and Hedgerows.

10.94. Following initial feedback an updated Arboricultural Impact Assessment (AIA) and associated drawings has been submitted. This includes mitigation for loss of copper beech tree (T6). Having regard to Policy SE 5 of the Cheshire East Local Plan Strategy (CELPS), the proposed level and type of planting is considered sufficient to mitigate the impact of the Beech tree removal and maintain the site's landscape character.

10.95. The AIA indicates that proposed hard surfaces, new buildings, and landscaping works will encroach into the Root Protection Areas (RPAs) of several trees and states that calculated RPA incursions are provided in Table 4. Table 4 does not include any calculated RPA incursion data. As a result, it is not possible to verify the extent of encroachment or assess whether the proposals comply with the requirements of BS5837. The requirement to define the extent of new hard standing proposed within RPA's was referred to in previous consultation comments. The absence of data identifying the extent of RPA encroachment in respect of trees T3, T5, T8 and W1 where no existing hard surfacing is present and requirement of a justification for construction is contrary to the design requirements of BS5837:2012.

10.96. The building footprint extends into RPAs of the retained woodland (W1) and it is noted that the revised AIA relies on 'specialist foundations' provided by the project architect and structural engineer. Any reliance on special engineering foundations must be justified with robust, site-specific evidence demonstrating that the proposed solution is technically feasible within the constraints of the site and compatible with the structural design of the building which was highlighted in previous consultation responses. An Arboricultural Method Statement (AMS) has been provided but does not provide detailed information/methodology of how foundations are to be constructed within the area affected. Details of proposed special engineering foundation is required to demonstrate the methodology is technically feasible and minimises impact on the RPA of trees and sensitivity of the woodland edge. In this case it is not considered there is enough information to give confidence that this can be dealt with by condition.

10.97. The revised AIA states that the southern elevation of the proposed build will have adequate clearance from tree stems (Para 4.1) with only minor lateral pruning required. The matter of relationship between proposed building and retained trees was highlighted in the

previous consultation comment, having regard to social proximity, shading and availability of daylight with a request for a shading diagram and daylight/sunlight assessment. This information has not been provided. A comprehensive assessment is required to evaluate the impact of woodland W1 on the living conditions within the care home. This should include shading diagrams and a sunlight/daylight analysis addressing potential reductions in daylight, increased shading, and the visual dominance of trees, which may lead to requests for significant pruning or felling. The absence of such an assessment is inconsistent with the design principles set out in BS5837:2012 and is contrary to Policy SE 5 of the Cheshire East Local Plan Strategy (CELPS).

10.98. In response to the previous consultation, a revised site section (Revision P1) has been submitted showing the relationship between the Care Home building and woodland area W1. The section includes a feature labelled as a 'retaining wall'; however, it appears to depict a free-standing wall without any retaining function. The drawing suggests that existing ground levels and woodland will remain unchanged, but it does not provide details regarding the extent of root protection areas or whether these may be impacted. Clarification is required on the retaining wall design and function. If it has a retaining function, then engineering details are required to demonstrate that the construction will not impact on Root Protection Areas (RPAs).

10.99. A revised drainage strategy has been submitted, which appears to indicate proposed surface water drainage extending into the woodland areas to the north and south of the site. This raises potential conflicts with root protection areas (RPAs) and the need to safeguard the integrity of the woodland.

10.100. Paragraph 4.3 of the Arboricultural Impact Assessment (AIA) currently states that no proposed drainage works are under consideration. However, in light of the submitted drainage strategy, the AIA must be updated to assess the potential impacts of the proposed drainage layout on trees and woodland and follow mitigation hierarchy.

10.101. To conclude in relation to impact on trees, the updated Arboricultural Impact Assessment (AIA) and supporting documents have addressed some previous concerns, including clarification on the removal of Beech (T6) and mitigation for its loss. However, significant arboricultural issues remain unresolved.

- Absence of quantified Root Protection Area (RPA) incursion data for several retained trees (T3, T5, T8, W1), in compliance with BS5837:2012
- Lack of detailed methodology for proposed specialist foundations for the care home within RPAs of Woodland W1
- No shading diagram or daylight/sunlight assessment to address social proximity and living conditions, contrary to previous consultation requests.
- Clarification on the retaining wall design and its potential effect on RPAs.
- Revised drainage strategy not assessed within the AIA, which raises concerns around potential conflicts with RPAs and the integrity of Woodland W1.

10.102. Whilst mitigation planting is proposed, this does not overcome the lack of technical detail and assessment required to ensure the development can be delivered without unacceptable harm to retained trees and woodland. As such the proposals conflict with CELPS SE 5, ENV 6, HNP H8 and H9.

## **Ecology**

10.103. The application site is located adjacent to and partly within the boundary of the Dobbin Brook Clough Local Wildlife Site (LWS). The LWS Supports priority woodland habitats. Sites such as this receive protection through CELPS policy SE 3.

### Impact on LWS / Priority Woodland.

10.104. The submitted ecological assessment records priority woodland within the red line of the application towards the south of the site, indicating that the red line of the application extends into the boundary of the LWS in this location. The ecologist has advised that provided that the woodland edge trees can be satisfactorily retained the proposed development would not result in a significant direct impact upon the Local Wildlife Site / Priority Woodland. Conversely if it is not possible to satisfactorily retain all the trees on the woodland edge the proposals would result in a significant direct adverse impact on the LWS/ priority woodland. As noted above there is a lack of information to assess the impact on the root protection areas of trees in the woodland area W1. Consequently there is insufficient information to demonstrate that there would be no adverse impact on the LWS/ priority woodland. This relates to not only to the area of proposed build, but also to the potential impact of the proposed drainage connection through the woodland to discharge into the Dobbin Brook. This drainage connection may have an adverse effect on protected species associated with Dobbin Brook.

### Biodiversity Net Gain

10.105. The application is subject to mandatory Biodiversity Net Gain. The Council's Ecologist has advised that whilst the BNG report advises that previous comments have been addressed, a copy of the Metric spreadsheet has not been submitted. This is a statutory requirement, required prior to determination so that calculations can be validated.

10.106. Assuming that the figures quoted within the BNG statement reflect metric calculations, it is considered that the proposed development is unlikely to deliver the required net gains on site. Additional off site habitat creation will be needed to achieve the required net gain which can be dealt with by condition.

### CEC Ecological Network

10.107. The application site falls within a Core Area of the CEC ecological network. SADPD Policy ENV1 therefore applies to the determination of this application. This policy requires developments within core area to lead to an increase in Priority Habitat. This policy obligation would be fulfilled through the creation of the mixed native species hedgerows on site as part of the landscaping scheme (as shown on Rev F of the submitted landscape proposals). This planning application provides an opportunity to incorporate features to increase the biodiversity value of the development in accordance with Local Plan Policy SE 3. An ecological enhancement strategy can be submitted by condition.

### Watercourse Construction Environmental Management Plan (CEMP)

10.108. In order to safeguard the adjacent watercourses a condition is recommended to ensure that the proposed development proceeds in accordance with the submitted CEMP prepared by EW dated 24th April 2025.

Bats

10.109. The submitted preliminary Ecological Appraisal advises that the site supports moderate quality habitats for foraging and commuting bats. No bat activity surveys have been undertaken so the importance of the site for bats is not fully known. Two trees are to be removed as part of the development as indicated by the arboricultural impact assessment. These trees have been subject to a detailed bat survey and found to have no potential to support roosting bats. Therefore, roosting bats are not reasonably likely to be directly affected by the removal of these trees.

Lighting

10.110. The close proximity of the proposed access road and the siting of the building extending adjacent to the priority/LWS woodland means that there may be an adverse impact upon foraging and commuting bats and other wildlife through the installation of additional lighting. In the absence of a bat activity survey the severity of this effect is unknown. Based upon the submitted lighting scheme there is no light spill onto the woodland to the south. The lighting of the access road is however likely to result in light spill of greater than 1 lux on the adjacent woodland, although this is difficult to discern from the submitted plan. Consequently the lighting of the access road is likely to have an adverse impact upon foraging and commuting bats and other wildlife associated with the woodland edge adjacent to the access road. It is noted that back shutters are proposed for the lighting columns. It is not clear whether the benefits of the back shutters have been included in the lighting model or which way the lighting columns are orientated so that the back shutters will in fact reduce light spill onto the woodland. Clarification of these points is required, which can be by condition.

Badger

10.111. Two potential badger setts are present just offsite. No evidence of badgers using these setts was recorded during the detailed surveys of the site. Badgers are however active on this site. Based on the current status of badgers on site. The council's ecologist has advised that the proposed development will result in a minor impact on badgers as a result of the loss of potentially suitable foraging habitat. As the status of badger on a site can change in a short time scale, it is recommended that if consent is granted a condition be attached which required an updated badger survey to be undertaken and submitted prior to the commencement of development.

Hedgehog

10.112. There are records of this priority species in the broad locality of the application site, this species may therefore occur on the application site on at least a transitory basis. In order to minimise the risk of hedgehogs being harmed during site clearance and construction works, it is recommended that a condition be attached in the event that planning consent is granted.

Nesting Birds

10.113. If planning consent is granted the following condition will be required to safeguard nesting birds

Japanese Knotweed

10.114. The applicant should be aware that Japanese Knotweed (*Fallopia japonica*) is present on the proposed development site. Under the terms of the Wildlife and Countryside act 1981 it is an offence to cause Japanese Knotweed to grow in the wild. Japanese knotweed may be spread simply by means of disturbance of its rhizome system, which extends for several

meters around the visible parts of the plant and new growth can arise from even the smallest fragment of rhizome left in the soil as well as from cutting taken from the plant. Disturbance of soil on the site may result in increased growth of Japanese Knotweed on the site. If the applicant intends to move any soil or waste off site, under the terms of the Environmental Protection Act 1990 any part of the plant or any material contaminated with Japanese Knotweed must be disposed of at a landfill site licensed to accept it and the operator should be made aware of the nature of the waste.

### Ecology Conclusion

10.115. The updated BNG Metric is required prior to determination. Currently this results in conflicts under SE3 of the CELPS and ENV 2 of the SADPD. Should this information be satisfactorily be provided prior to determination it would remove a reason for refusal.

10.116. In the event that the application is approved, conditions are recommended for a Biodiversity Gain Plan, habitat creation method statement, ecological enhancements and implementation, compliance with the submitted CEMP, external lighting details, further badger survey, hedgehog reasonable avoidance and nesting bird protection.

10.117. There is currently insufficient information to assess the impact on the LWS/Priority Woodland from the proposed drainage channel through the woodland, and any potential impact on protected species associated with Dobbin Brook. As such it is not currently demonstrate that the proposals would fully comply with Policy SE3 of the CELPS, H8 of the HNP.

### **Environmental Protection**

10.118. Policy ENV15 relates to new development and existing uses. New development must effectively integrate with existing uses and existing uses must not have unreasonable restrictions placed on them as a result of it. A principal consideration in this instance would be possible environmental disturbance.

#### Noise mitigation

10.119. The proposal includes construction of a new care home. The site is located in close proximity existing residential premises as well as the new residents of the development. The building would have new mechanical plant fitted.

10.120. A noise impact assessment (NIA) has been submitted which corresponded to the proposed layout as initially shown. Environmental Protection officers have commented that any amendments to the layout must comply with the NIA or the NIA may need to be reviewed accordingly. There have been some minor changes to the layout which are unlikely to change the findings of the report. The impact of the noise from road traffic, aircraft and installed mechanical plant on the proposed development has been assessed in accordance with BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and BS4142:2014 Methods for rating and assessing industrial and commercial sound.

10.121. The report includes noise mitigation measures to ensure occupants on nearby properties are not adversely affected by noise from mechanical plant noise. The report's methodology, conclusion and recommendations are accepted. Conditions are requested for implementation of the recommendations of the report prior to occupation, and for the mitigation to be maintained for the purpose originally intended throughout the use of the development.

Light pollution

10.122. The Environmental Protection team have requested lighting to be in accordance with the External Lighting Plan submitted. However as noted above further information is requested on lighting by the ecologist. As such further assessment would be necessary before any condition wording can be confirmed in the event of an approval.

Environmental disturbance during construction.

10.123. Informatics are requested for hours of construction, demolition and grounds works and associated deliveries to and from the site. Pile foundations should be undertaken using a system which will cause the least possible degree of noise and vibration to the occupiers of nearby dwellings. Recommendations are provided including notification of the Regulatory and Health services of the commencement and times of piling work. A site-specific dust management plan is required to be retained at the development site. Details of what the plan should include can be found within the Environmental Protection consultation response on the application file and to form part of an informative to a decision in the case of an approval.

Air Quality

10.124. The scheme is considered not to be of a scale that would require an air quality impact assessment, however there is a need for consideration of the cumulative impact of a larger number of developments in a particular area. An informative is requested in relation to electric vehicle infrastructure.

10.125. A travel plan condition is requested prior to first occupation with a means of promoting low carbon transport options for staff. Transport options are also considered within the Highways section of the report.

Contaminated Land

10.126. The proposed end use is a sensitive use and could be affected by contamination present or brought to the site. The building previously on the site was destroyed by fire and therefore the land may be contaminated.

10.127. A Geoenvironmental Site Assessment has been submitted in support of the application. The Environmental Protection team have raised a number of comments on the statement, although no objections raised. Conditions are requested for Phase I and Phase II investigations and reports to be completed and approved in writing by the Local Planning Authority. If the Phase II investigations indicate that remediation is necessary, a Remediation Strategy and Verification Report would be required to be submitted and approved in writing. This would be required prior to commencement of development, other than agreed demolition and site clearance works.

10.128. Condition are also requested for testing of soil or soil forming materials to be brought to site, with evidence and verification report, prior to occupation. If further contamination not previously identified is found, further assessment would also be required by condition.

10.129. An informative is provided, advising the applicant of a duty to adhere to relevant legislation with regard to contaminated land, and for purchasers, where applicable to satisfy themselves that land contamination issues, if present have been satisfactorily discharged.

### Other matters

10.130. An energy report is included setting out proposals to incorporate sustainable energy solutions within the scheme. Details of such measures would be subject to separate assessment under building regulations.

### **Drainage and flood risk**

10.131. The site is within floodzone 1 where there is generally a low probability of flooding. A flood risk assessment has been submitted, concluding that there would be a minimal risk of flooding to the development, and of increased flood risk elsewhere.

10.132. The LLFA have provided advice and drainage information has been amended. A condition has been requested for drainage design in accordance with the proposed layout, and land drainage consent application is required. United Utilities provided comment accepting the drainage scheme layout which includes surface water drainage into the Dobbin Brook watercourse, and no surface water permitted to drain into the public sewer. SuDs features are mentioned in the drainage strategy, as permeable surfaces and planters to downspouts to slow water flow. These features are not although not specified in the hard landscape plan or other drawings and would need to be conditioned. The LLFA have also advised that as Dobbin Brook is classed as a Main River, the applicant should apply to the Environment Agency for permission to discharge into the watercourse.

10.133. The proposed surface water drainage discharge into the Dobbin Brook, has however raised concerns in impact on the Local Wildlife site and any species within the watercourse as well as potential impact on trees in the woodland area. Currently there is insufficient information to alleviate these concerns and demonstrate a suitable drainage strategy.

### **Planning Obligations**

10.134. NPPF chapter 8 and policy SC3 of the CELPS seek to support health and well-being through the planning process. Under Policy IN2 of the CELPS, developer contributions will be sought to make sure that the necessary physical, social, public realm, economic and green infrastructure is in place to deliver development, and to mitigate adverse impacts of development. The Council's Developers Contribution SPD seeks for mitigation to be sought on a case-by-case basis in consultation with relevant NHS partners. NHS services and infrastructure will be under evermore pressure due to population growth. In order to mitigate the impacts of the development on local healthcare, the NHS requested a financial contribution. However, they have subsequently, raised an objection. Given the policy position it is not considered reasonable to refuse the proposal on these grounds, and a contribution is likely to be recommended. Further details of this contribution will be provided as an update.

### **Aerodrome safeguarding**

10.135. Manchester Airports Group (MAG) have requested a number of conditions and informatics for airport safety reasons. In the interest of birdstrike avoidance, conditions are recommended for measures to prevent the site being an attractant for birds hazardous to aircraft, and for any off site BNG measures. A query has been raised on reconsultation, with regard to BNG data. It is considered that this can be dealt with by condition in consultation with MAG given that the fundamental design and layout has not significantly changed since the first consultation response was received.

10.136. Conditions are requested in relation to exterior lighting and a glint and glare assessment is required for an installation of solar photovoltaic roof panels. Informatics are requested in regarding dust, drones and cranes.

## 11.PLANNING BALANCE / CONCLUSION

11.1. The proposal would provide employment on a site which has partially been previously developed. Although staff numbers do sound to be relatively low for a care home of this scale. This is a benefit that can be afforded moderate weight.

11.2. The 76 bed care home would provide residential care for older persons including nursing and dementia care. The proposed development would deliver 76 x 1-bedroom spaces in an acceptably sustainable location. The Council is in the process of updating the Market Position Statement and developing an Accommodation Strategy, however at present there is not sufficient data to formally object to the planning application with regard to identified need. The delivery of a 76 bed care unit would help relieve an identified unmet need including the provision of specialist dementia care and would also add to the Council's housing land supply. This attracts significant weight in favour of the development.

11.3. The proposal would be inappropriate development in the Green Belt. As a major housing proposal, the 'Golden Rules' under NPPF paragraph 155/156 apply. There are no other exceptions under Green Belt policy that would apply in this case. There are not considered to be very special circumstances that outweigh Green Belt harm. This results in substantial weight against the development.

11.4. Developer contributions would be required for the NHS. Subject to a S106 agreement, this matter is neutral in the planning balance given that it is required to mitigate for the impact of the development.

11.5. There is harm arising from the matters raised in relation to the proposed layout on the site, but this is tempered by relatively limited visibility from public vantage points and is attributed limited to moderate weight. The height and elevational treatment of the building and relationship with nearby buildings is considered acceptable. Taking into consideration the separation distances, no significant impact on neighbouring amenity is anticipated. However the design appears to be a standard design that has been applied to the site which arises in a number of issues with the layout in the useability/legibility of the development. This also results in an impact on parking provision which although broadly acceptable, could be increased in line with standards if the layout was less cramped, by designing out the need for ad hoc parking within the site.

11.6. There are a number of matters highlighted, relating to the relationship with the Local Wildlife Site / Priority woodland, Dobbin Brook, tree root protection areas and social relationship with trees to the south. These matters are given significant weight against the proposal.

11.7. There is outstanding information in relation to BNG. It may be that this matter can be addressed with further information, however at the current time this is given significant weight against the proposal.

11.8. Overall whilst there are identifiable benefits with the proposal in terms of housing provision and job creation, these matters do not clearly outweigh the harm to the Green Belt and the other identified harm relating to the layout, trees/woodland and biodiversity. As such very special circumstances have not been demonstrated. The application is therefore recommended for refusal.

## 12. RECOMMENDATION

### REFUSE for the following reasons:

#### 1. Green Belt

The proposed care home is inappropriate development in the Green Belt, as it does not meet any of the identified exceptions to inappropriate development set out in local or national policy. Although not a C3 use, the application is for a major housing proposal to which the Golden Rules apply under paragraph 156 of the NPPF. No affordable housing provision has been provided, as such the proposal does not meet the Golden Rules and fails to comply with the requirements of the NPPF. Very special circumstances have not been demonstrated that would clearly outweigh the harm to the Green Belt and the other identified harm. The proposal is therefore contrary to policy PG3 of the CELPS and paragraphs 154 and 155 of the NPPF.

#### 2. Layout

The design is a standardised layout which does not adequately respond to the constraints of the site, resulting in a cramped development with issues in the layout and legibility of the site, which has a knock-on effect on parking layout and provision. The proposals conflict with HNP policy H11, SADPD GEN 1, CELPS SD 2 and SE 1.

#### 3. Insufficient Information – impact on RPAs, LWS/Priority Woodland and protected species.

The application fails to provide quantified Root Protection Area (RPA) incursion data where the proposed care home building extends into woodland W1 which relies on specialist engineering foundations. No detailed methodology or evidence has been provided to demonstrate that these foundations will be technically feasible and minimise harm to tree roots contrary to the requirements of BS5837:2012. Without this information, the Local Planning Authority cannot determine the extent of encroachment or assess whether the development can be delivered without unacceptable harm to retained trees. The revised drainage strategy indicates encroachment into woodland areas and RPAs, yet the Arboricultural Impact Assessment does not quantify or evaluate the extent of encroachment or propose mitigation. The absence of an assessment of drainage and tree rooting zones raises concerns about potential harm to retained trees and woodland contrary to Policy SE 5 of the Cheshire East Local Plan Strategy and BS5837:2012. The absence of this information results in insufficient information to be able to fully assess the impact on the Local Wildlife Site / Priority Woodland, and also any impact on protected species associated with Dobbin Brook where the drainage is proposed to discharge results in conflicts also with CELPS policy SE 3. The submitted site section shows a retaining wall adjacent to woodland W1, but its design and function are unclear. No engineering details have been provided to demonstrate that its construction will avoid harm to RPAs. The absence of this information is contrary to Policy SE 5 and BS5837:2012 and HNP H8 and H9.

#### 4. Relationship to Woodland W1

No shading diagram or daylight/sunlight assessment has been submitted to evaluate the impact of retained woodland W1 on the proposed care home. The absence of this assessment means the Local Planning Authority cannot determine whether the development would provide acceptable living conditions for future occupants, having regard to potential overshadowing, reduced daylight, and pressure for significant pruning or future tree removal. The absence of this information is contrary to Policy SE 5, ENV 6, HNP H8 and H9.

#### 5. BNG

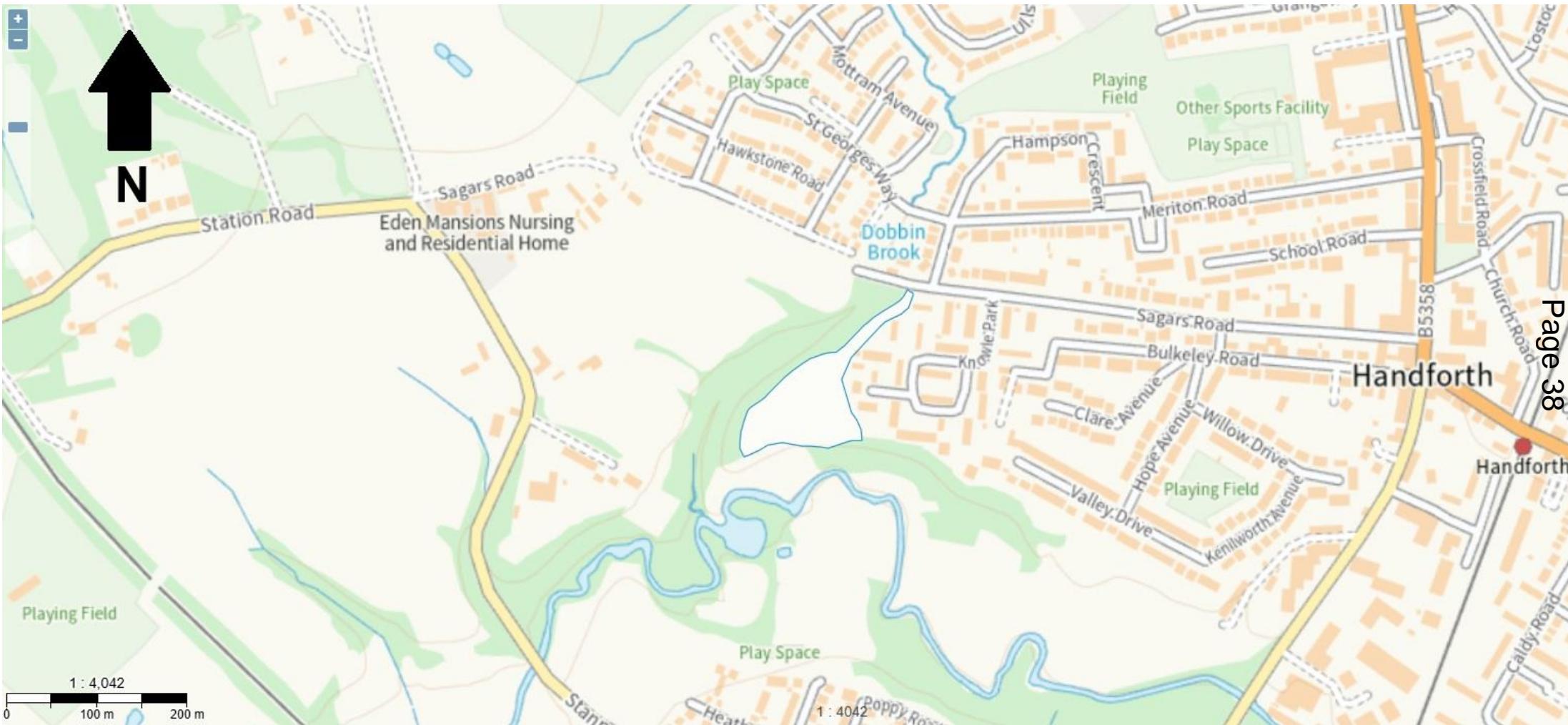
The application is subject to mandatory Biodiversity Net Gain. The application is not supported by a BNG metric calculation and does not fulfil the statutory BNG validation requirements set out in Article 7 of the Town and Country Planning (Development Management Procedure Order 2015). Planning permission cannot therefore be granted due to a lack of information in respect of mandatory Biodiversity Net Gain. The lack of a

Biodiversity metric also means that the application fails to meet the requirements of SADPD Policy ENV2.

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



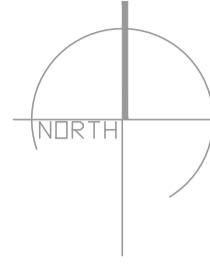
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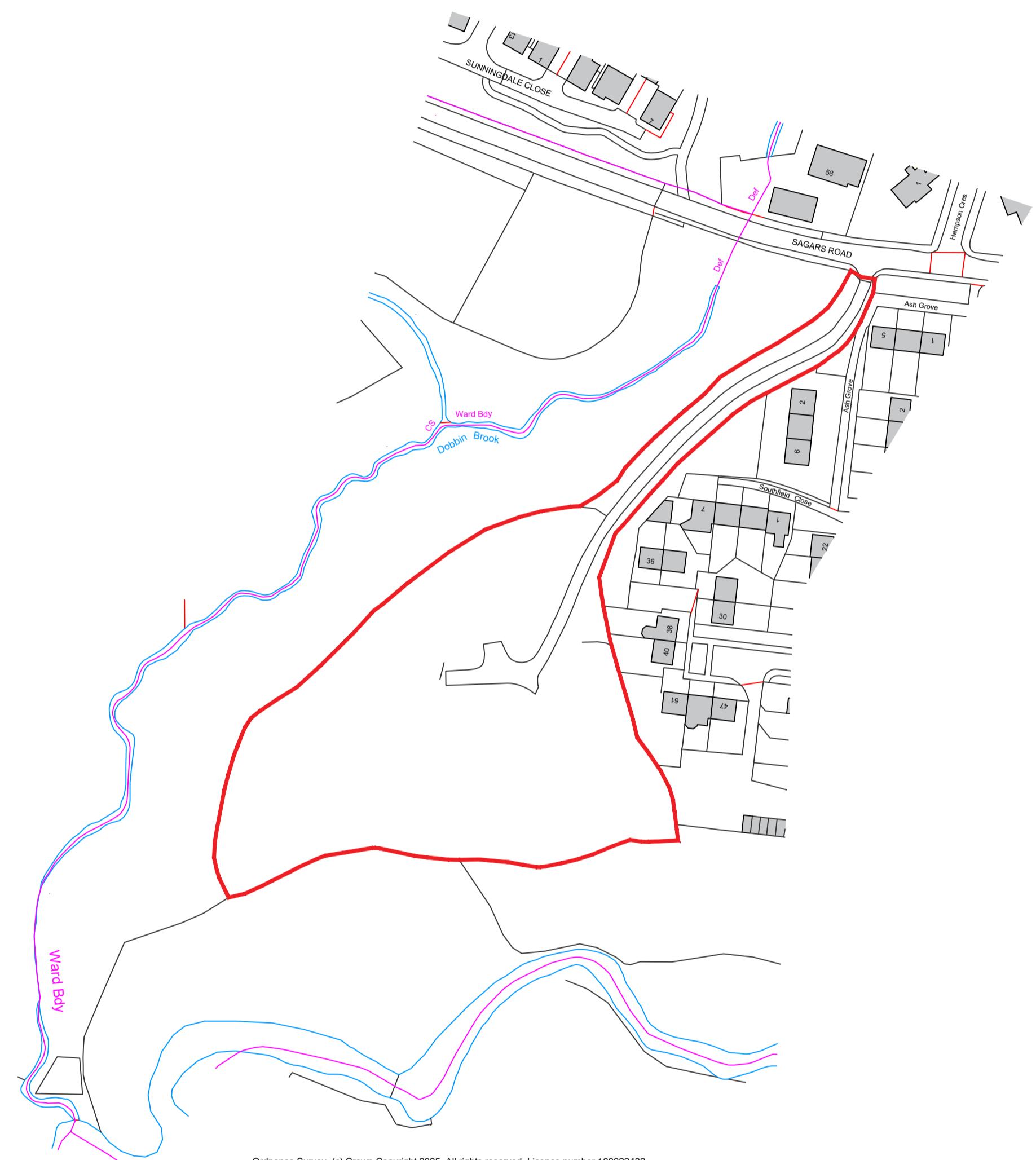
25/2053/FUL

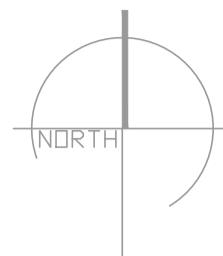
Land Of The Former Knowle House,  
Sagars Road, Handforth, SK9 3EA

0 12.5 25 37.5 50 62.5m  
1:1250



SITE AREA RED LINE BOUNDARY - 10,616m<sup>2</sup>





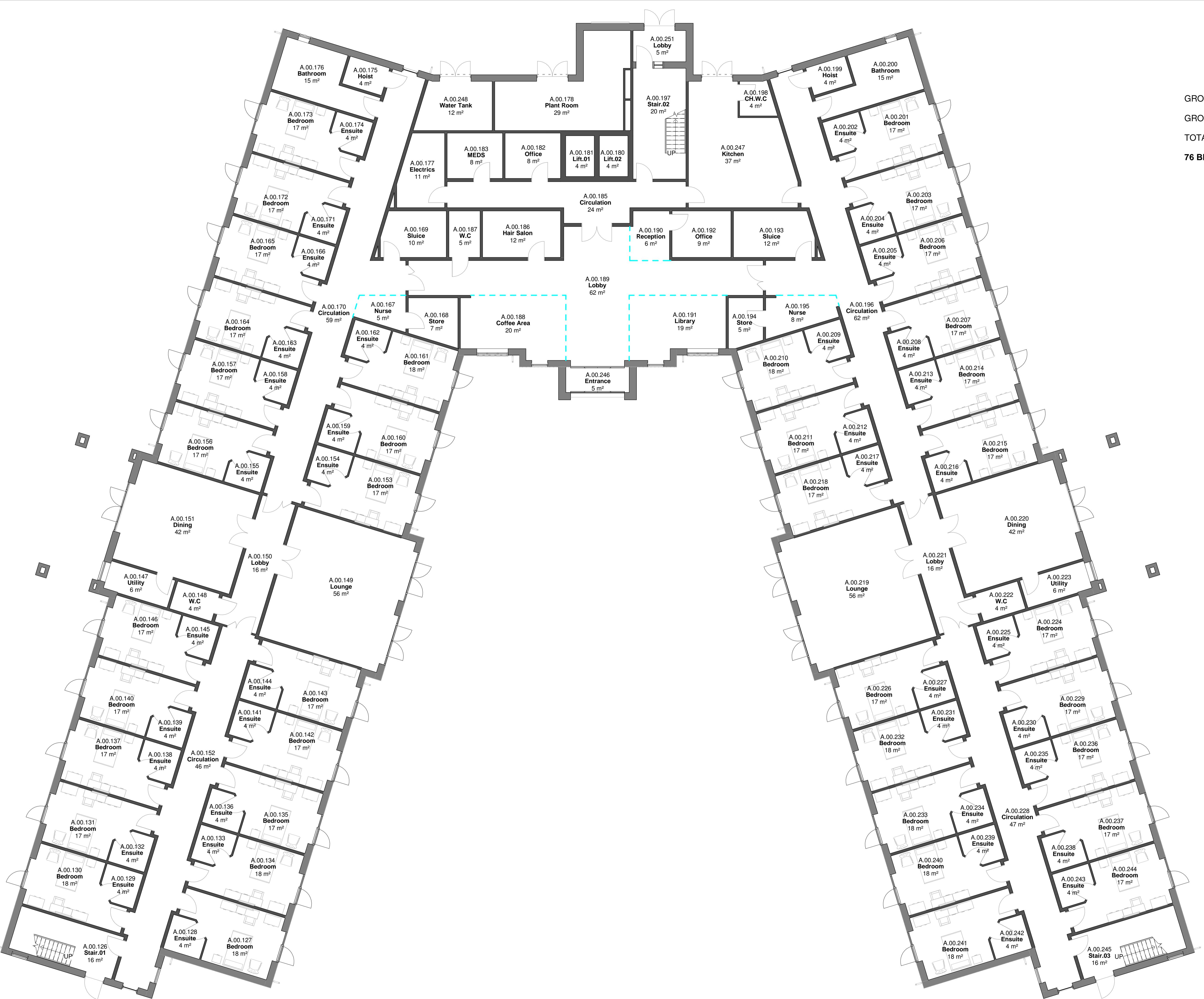
P3	Existing Trees Added	25.11.25
P2	Red Line Boundary Alterations	30.06.25
P1	Client Details Change	28.05.25
Rev.	Description	Date
Cassidy + Ashton		
www.cassidyashton.co.uk		
Architecture + Building Surveying + Town Planning		
7 East Cliff, Preston, Lancashire, PR1 3JE 10 Hunters Walk, Canal Street, Chester, CH1 4EB St Andrews Business Centre, Mold, Flintshire, CH7 1XB		T: 01772 355 355 T: 01244 402 900 T: 01352 706 246
Client		
Wrightcare Development Ltd. & Deansgate M5 Ltd.		
Project		
Proposed NewBuild Care Home Development		
Drawing Title		
Existing Site Plan		
Drawn by	MPT	Checked by
Suitability		Date
1:500	11/04/24	Scale @ A1
13263	HCH-CAA-XX-ZZ-DR-A-101	P3
C+A JOB NO. PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER		

GROSS INTERNAL GROUND FLOOR AREA - 1,832m<sup>2</sup>

GROSS INTERNAL FIRST FLOOR AREA - 1,812m<sup>2</sup>

TOTAL GROSS INTERNAL FLOOR AREA - 3,644m<sup>2</sup>

76 BEDROOM RESIDENTIAL CARE HOME



P4	Client Alterations - Rear Elevation	MPT	18.11.25
P3	Planning Alterations - Rear Elevation	MPT	12.11.25
P2	Client/Consultant Amendments - Materiality & Internal Layouts	MPT	09.10.25
P1	Client Alterations - Internals & PV Arrangement	MPT	16.09.25
Rev	Description	By	Date

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T: 01772 259 356  
T: 01244 402 900  
T: 01352 706 246

Client

Wrightcare Development Ltd. & Deansgate M5 Ltd.

Project

Proposed NewBuild Care Home Development

Drawing Title

Proposed Ground Floor Plan

Drawn by MPT Checked by N/A Date 16.09.25

Suitability S2 - INFORMATION Scale @ A1 1 : 100

13263 HCH-CAA-XX-00-D-A-200 P4

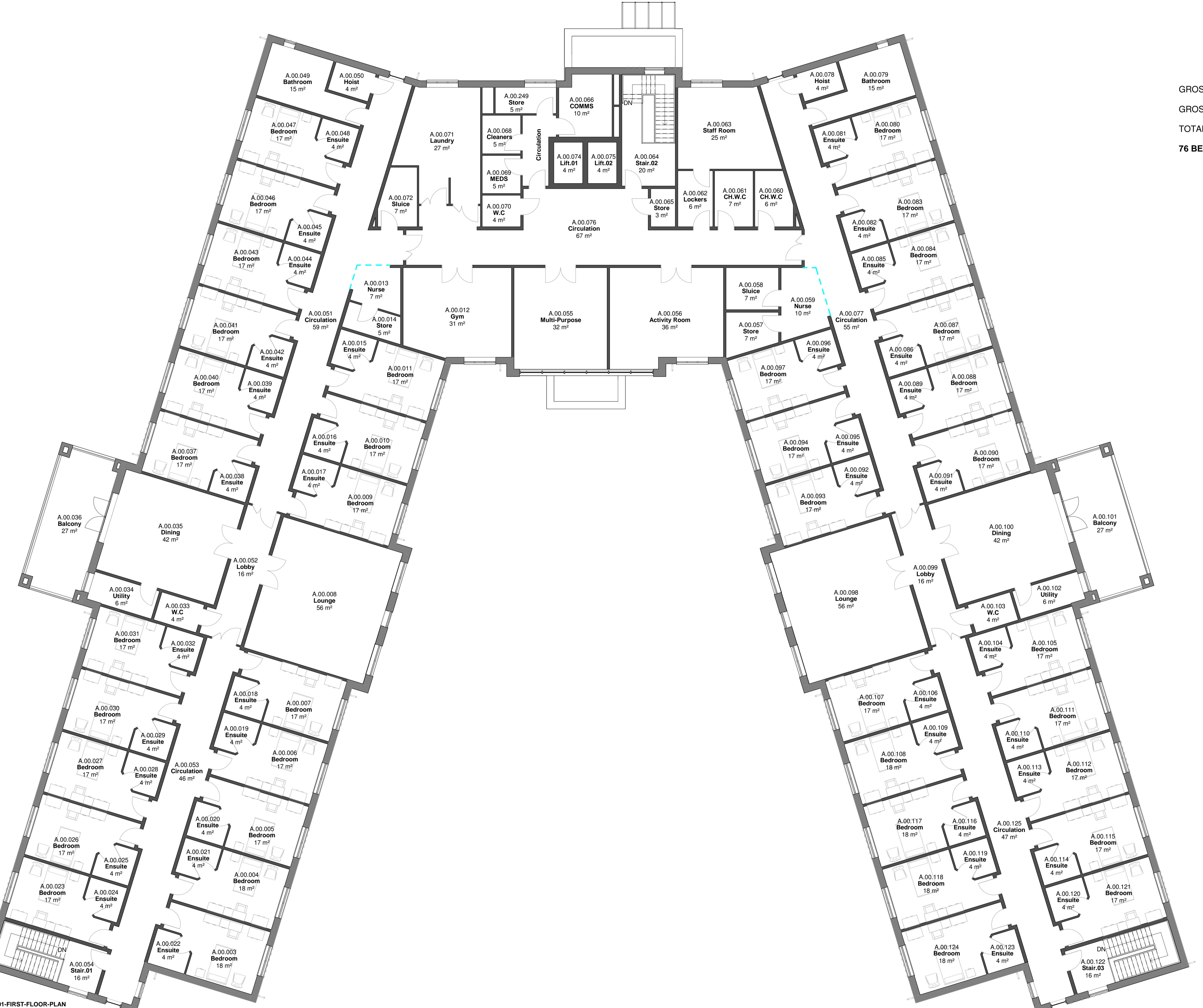
C+A JOB NO. PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER REV

GROSS INTERNAL GROUND FLOOR AREA - 1,832m<sup>2</sup>

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76 BEDROOM RESIDENTIAL CARE HOME



P4	Client Alterations - Rear Elevation	MPT	18.11.25
P3	Planning Alterations - Rear Elevation	MPT	12.11.25
P2	Client/Consultant Amendments - Materiality & Internal Layouts	MPT	09.11.25
P1	Client Alterations - Internals & PV Arrangement	MPT	16.09.25
Rev Description			By Date

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T: 01772 259 355  
T: 01244 402 900  
T: 01352 706 246

Client

**Wrightcare Development Ltd. & Deansgate M5 Ltd.**

Project  
**Proposed NewBuild Care Home Development**

Drawing Title

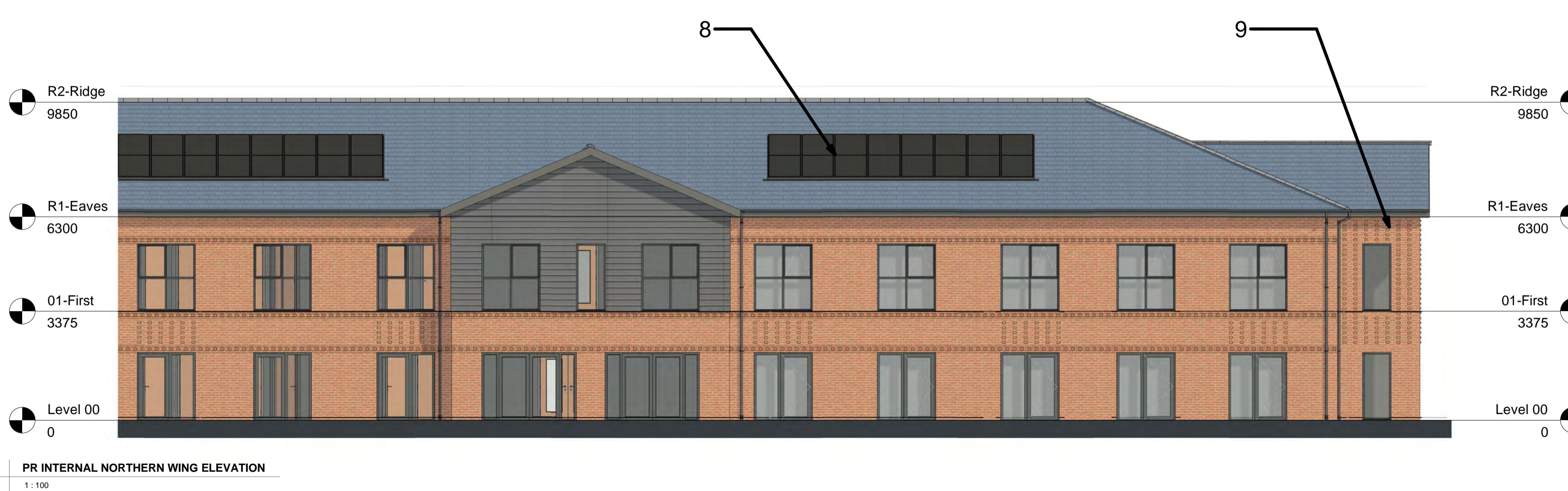
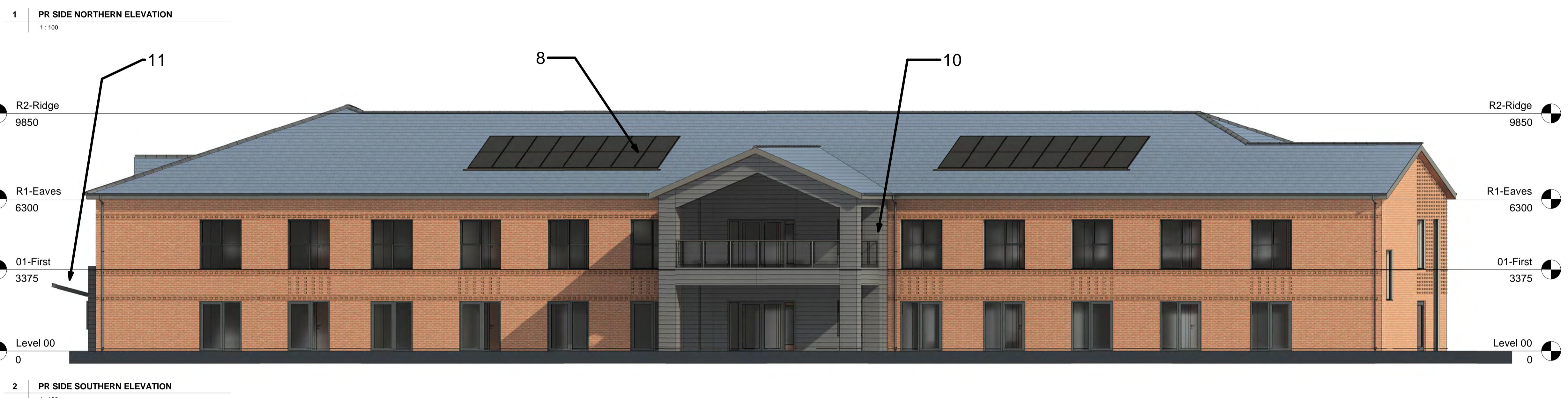
**Proposed First Floor Plan**

Drawn by MPT Checked by N/A Date 16.09.25

Suitability S2 - INFORMATION Scale @ A1 1 : 100

13263 HCH-CAA-XX-01-D-A-201 P4

C+A JOB NO. PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER REV



#### MATERIAL KEY:

1. Multi Faced Red Brickwork.
2. Wood Effect Grey Cladding.
3. Concrete Slate Effect Roof Tiles.
4. Window Heads & Sills to be Three Brick Band in English Bond to Match Brick Detailing.
5. Grey UPVC Windows & Doors.
6. Rainwater Goods to be UPVC to Match Windows & Doors.
7. UPVC Fascia & Soffits to Match Windows & Doors.
8. PV Panels Shown Indicatively, Final Numbers & Specification TBC.
9. Areas of Brick Detailing to Create Sections of Textured Facade.
10. Covered Balcony Terrace with Cladding & Glazed Balustrade.
11. Glazed Rear Entrance Canopy.

**All Materials and Finishes to be Equal or Approved and Confirmed by the Local Authority Planning.**

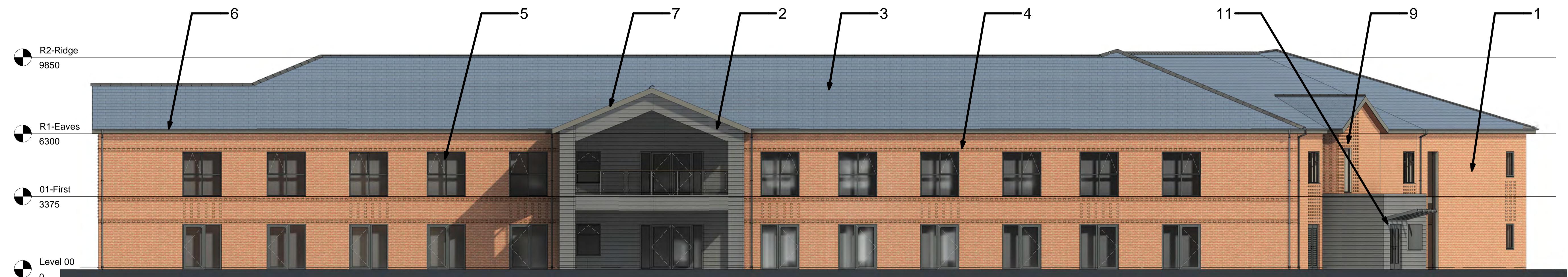
P7	Client Alterations - Rear Elevation	MPT	18.11.26
P6	Planning Alterations - Rear Elevation	MPT	12.11.26
P5	Planning Alterations - Materiality	MPT	27.11.26
P4	Client/Consultant Amendments - Materiality & Internal Layouts	MPT	09.12.26
P3	Client Alterations - Internals & PV Arrangement	MPT	16.01.27
P2	Client Details Change	MPT	28.05.25
P1	Client Comments Amendments	MPT	27.05.25

Rev Description By Date  
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10 Hunters Walk, Canal Street, Chester, CH1 4EB  
St Andrews Business Centre, Mold, Flintshire, CH7 1XB  
T: 01772 269 366  
T: 01244 402 900  
T: 01352 706 246  
Client  
Wrightcare Development Ltd. & Deansgate M5 Ltd.

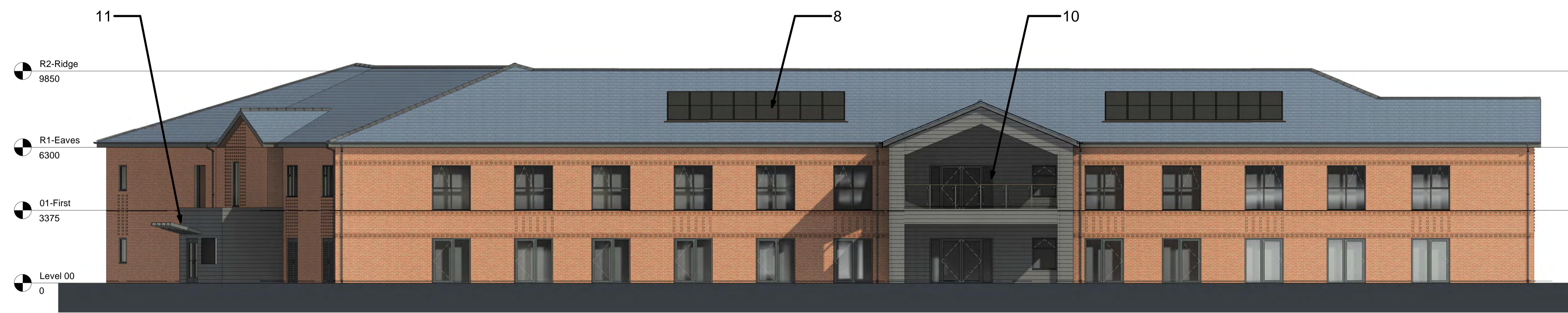
Project  
Proposed NewBuild Care Home Development

Drawing Title  
PROPOSED ELEVATIONS

Drawn by	MPT	Checked by	LM	Date	14.05.25
Suitability	S2 - INFORMATION	Scale @ A1	1 : 100		
13263	HCH-CAA-XX-ZZ-D-A-211				P7
C+A JOB NO.	PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER	REV			



1 PR NORTHERN SIDE ELEVATION  
1:100



2 PR SOUTHERN SIDE ELEVATION  
1:100

**MATERIAL KEY:**

1. Multi Faced Red Brickwork.
2. Wood Effect Grey Cladding.
3. Concrete Slate Effect Roof Tiles.
4. Window Heads & Sills to be Three Brick Band in English Bond to Match Brick Detailing.
5. Grey UPVC Windows & Doors.
6. Rainwater Goods to be UPVC to Match Windows & Doors.
7. UPVC Fascia & Soffits to Match Windows & Doors.
8. PV Panels Shown Indicatively, Final Numbers & Specification TBC.
9. Areas of Brick Detailing to Create Sections of Textured Facade.
10. Covered Balcony Terrace with Cladding & Glazed Balustrade.
11. Glazed Rear Entrance Canopy.

**All Materials and Finishes to be Equal or Approved and Confirmed by the Local Authority Planning.**

P2 Client Alterations - Rear Elevation MPT 18.11.25  
P1 Planning Alterations - Rear Elevation MPT 12.11.25  
Rev Description By Date

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Client  
**Wrightcare Development Ltd. & Deansgate M5 Ltd.**

Project  
**Proposed NewBuild Care Home Development**

Drawing Title

**PROPOSED ELEVATIONS**

Drawn by MPT Checked by LM Date 14.05.25

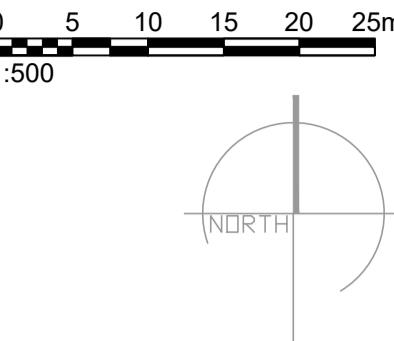
Suitability S2 - INFORMATION Scale @ A1 1 : 100

13263 HCH-CAA-XX-ZZ-D-A-214 P2

C+A JOB NO. PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER REV



P1	First Issue	17/11/25			
Rev.	Description	Date			
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Architecture + Building Surveying + Town Planning					
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St Andrews Business Centre, Mold, Flintshire, CH7 1XB					
T: 01772 355 355					
T: 01244 402 900					
T: 01352 706 246					
Client					
Wrightcare Development Ltd. & Deansgate M5 Ltd.					
Project					
Proposed NewBuild Care Home Development					
Drawing Title					
Proposed Site Section					
Drawn by	MPT	Checked by	-	Date	11/04/24
Suitability	Scale @ A1				1 : 50
13263	HCH-CAA-XX-ZZ-DR-A-215				P1
C+A JOB NO.		PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER			REV



REFER TO ARBORICULTURAL IMPACT ASSESSMENT & TREE SURVEY REGARDING SUPPORTING INFORMATION ON TREE PROTECTION & REMOVAL.

REFER TO LANDSCAPE ARCHITECT DRAWINGS & SPECIFICATION REGARDING PROPOSED LANDSCAPING, REPLACEMENT TREE PLANTING, LANDSCAPE IMPACT ASSESSMENT AND BNG.

Page 47



P6 Notation Added  
P5 Existing Trees Added  
P4 Planning Alterations - Notation Changes  
P3 Red Line Boundary Alterations  
P2 Client Details Change  
P1 Additional Tree to be Removed  
Rev. Description  
Date



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T: 01244 402 900  
T: 01352 706 246

Client

Wrightcare Development Ltd.  
& Deansgate M5 Ltd.

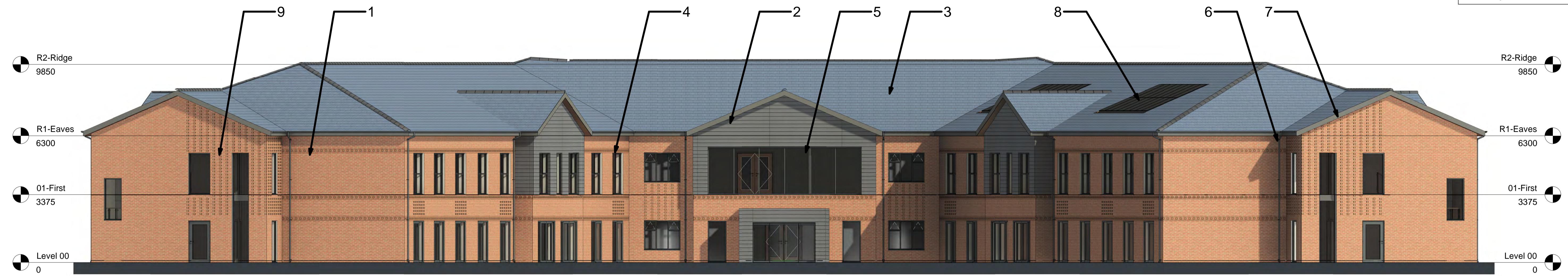
Project  
Proposed NewBuild Care Home  
Development

Drawing Title  
Existing Tree Removal Site Plan

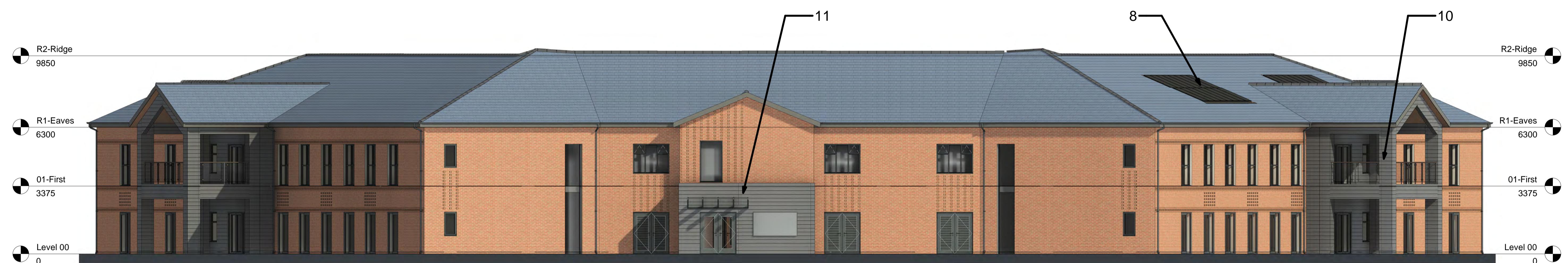
Drawn by MPT Checked by Date 11/04/24  
Suitability Scale @ A1 1: 500

13263 HCH-CAA-XX-ZZ-DR-A-102 P6

C+A JOB NO. PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER REV



1 PR FRONT EASTERN ELEVATION  
1:100



2 PR REAR WESTERN ELEVATION  
1:100



3 PR INTERNAL SOUTHERN WING ELEVATION  
1:100

#### MATERIAL KEY:

1. Multi Faced Red Brickwork.
2. Wood Effect Grey Cladding.
3. Concrete Slate Effect Roof Tiles.
4. Window Heads & Sills to be a Three Brick Band in English Bond to Match Brick Detailing.
5. Grey UPVC Windows & Doors.
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All Materials and Finishes to be Equal or Approved and Confirmed by the Local Authority Planning.

P7 Client Alterations - Rear Elevation MPT 18.11.26  
 P6 Planning Alterations - Rear Elevation MPT 12.11.26  
 P5 Planning Alterations - Materiality MPT 27.11.25  
 P4 Client/Consultant Amendments - Materiality & Internal Layouts MPT 09.10.25  
 P3 Client Alterations - Internals & PV Arrangement MPT 16.09.25  
 P2 Client Details Change MPT 28.05.25  
 P1 Client Comments Amendments MPT 27.05.25  
 Rev Description By Date

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Client  
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Project  
 Proposed NewBuild Care Home Development

Drawing Title

#### PROPOSED ELEVATIONS

Drawn by MPT Checked by LM Date 14.05.25

Suitability S2 - INFORMATION Scale @ A1 1 : 100

13263 HCH-CAA-XX-ZZ-D-A-210 P7

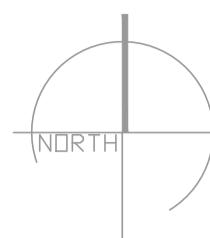
C+A JOB NO. PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER REV





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0 5 10 15 20 25m



Rev.	Description	Date
	Planning Alterations - Parking Arrangement	01.12.25
	P11 Notation Added	25.11.25
	P9 Client Alterations - Red Levelling & External Works	12.11.25
	P8 Planning Alterations - Existing Works	12.11.25
	P7 Planning Alterations - Existing Survey Added	27.10.25
	P6 Planning Alterations - Pavement & Refuse Enclosure	16.09.25
	P5 Additional Parking Added	05.09.25
	P4 Red Line Boundary Alterations	30.06.25
	P3 Client Details Change	28.05.25
	P2 Client Comments Amendments	27.05.25
	P1 Additional Tree to be Removed	14.05.25
	Rev. Description	Date

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Client

**Wrightcare Development Ltd. & Deansgate M5 Ltd.**

Project  
**Proposed NewBuild Care Home Development**

Drawing Title

**Proposed Site Plan**

Drawn by MPT Checked by - Date 11/04/24  
Suitability Scale @ A1 1: 500

13263 HCH-CAA-XX-ZZ-DR-A-103 P12

C+A JOB NO. PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER REV



**Green Dashed Line Denotes Proposed Circa 10m Travel Distance and Route for Refuse Workers to Collection Point. Refer to Vehicle Tracking for Refuse Vehicle to Enter & Exit the Site.**

**Blue Dashed Line Denotes Proposed Circa 7m Travel Distance and Route for Operational Staff from Proposed Building to Refuse Enclosure.**

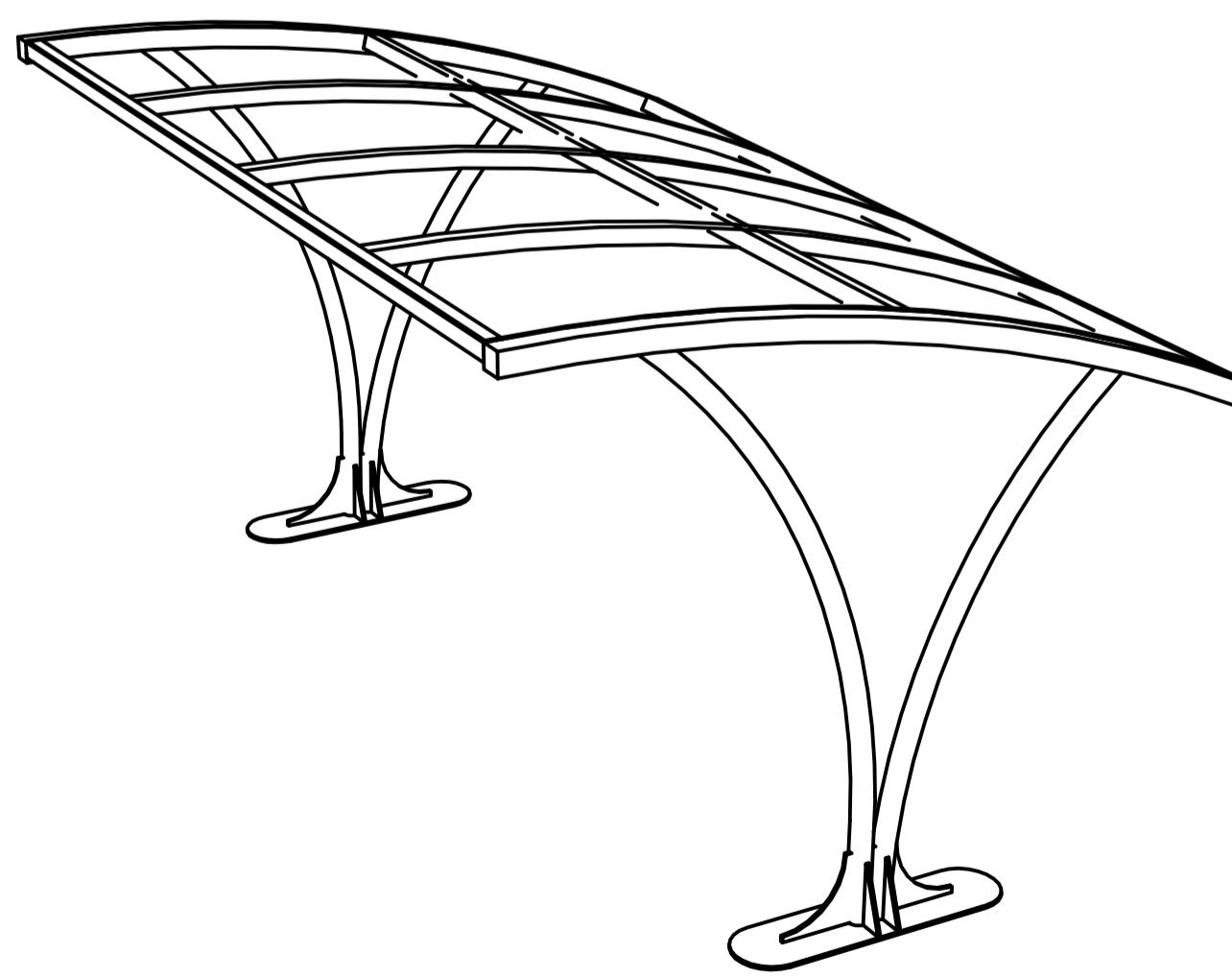
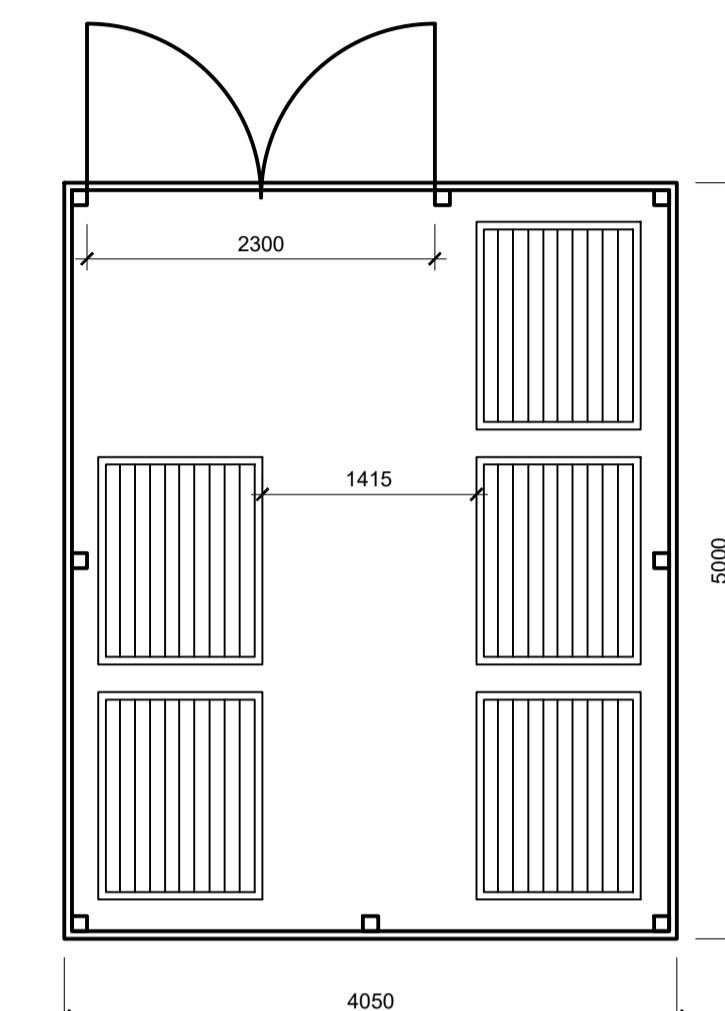
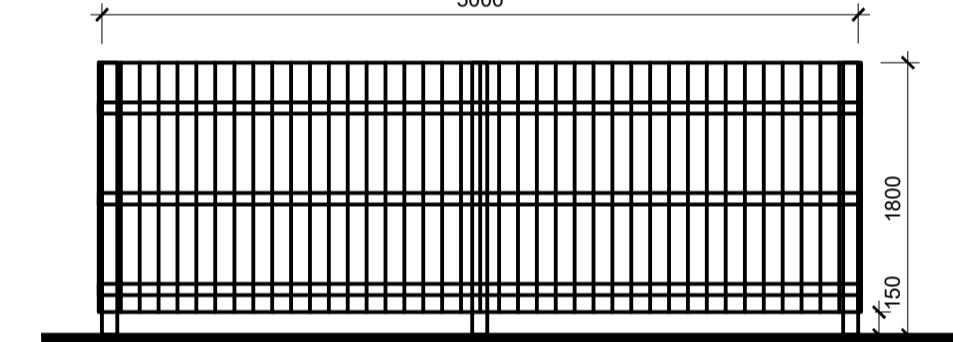
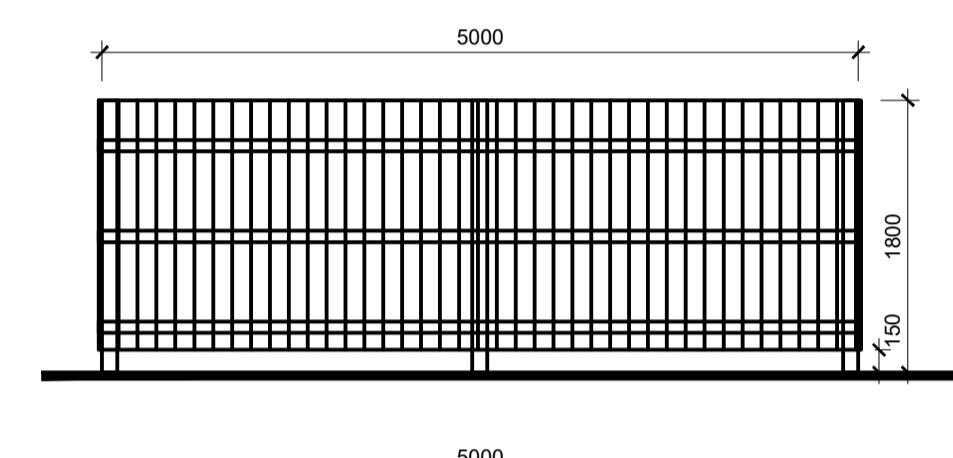
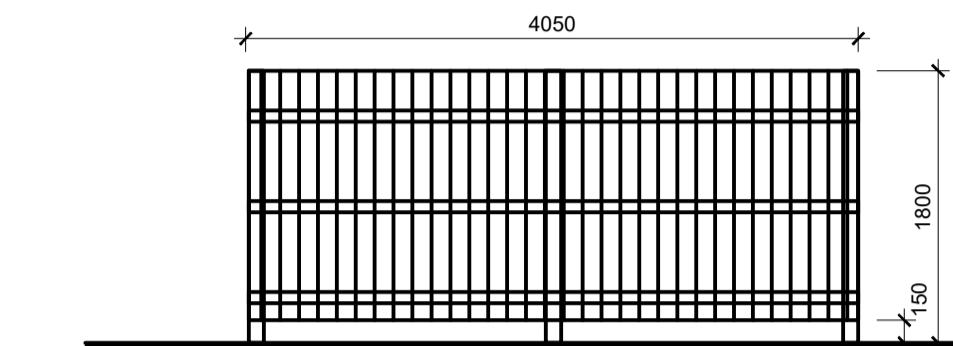
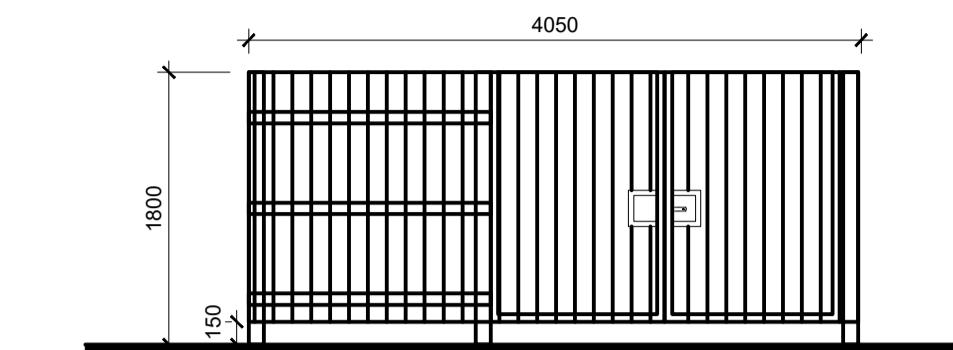
**Refuse Enclosure to Accommodate min 4no 1280ltr EuroBins with 1400mm Clearance Between each Bin for Accessibility.**

**Treated Timber Palisade Fencing:**

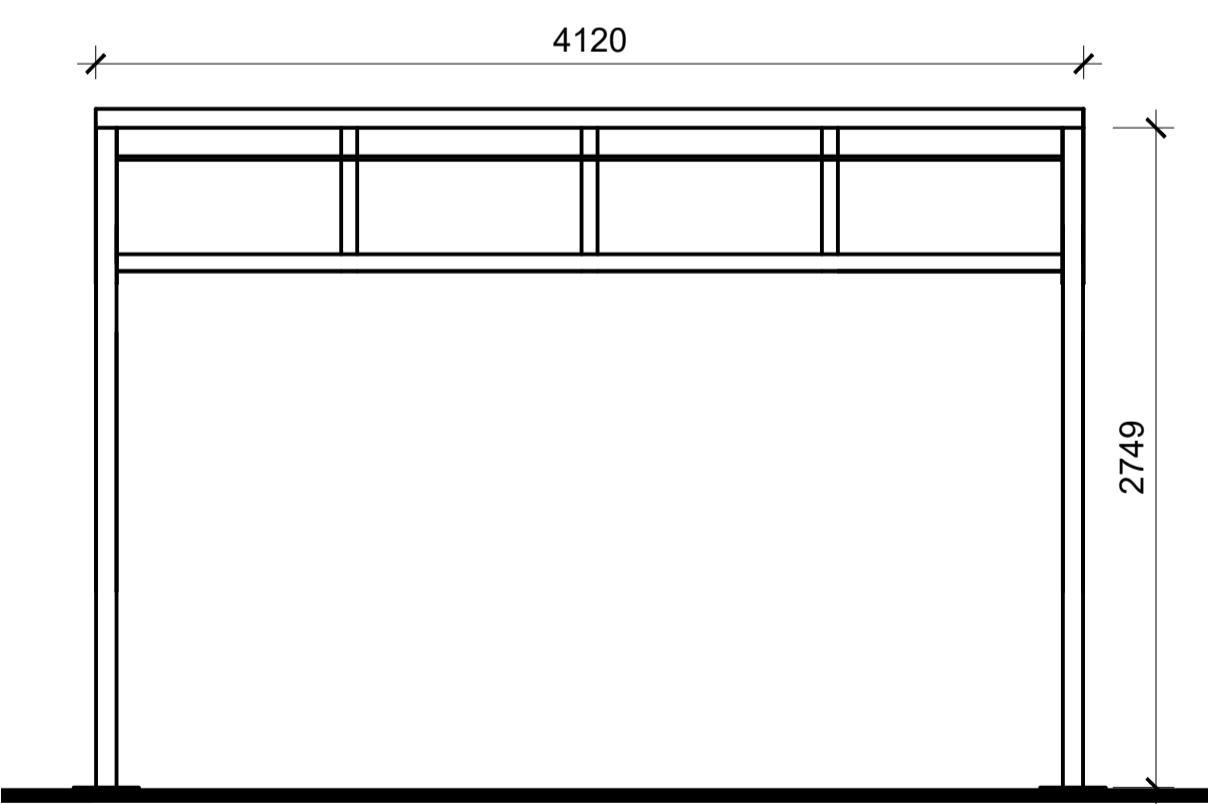
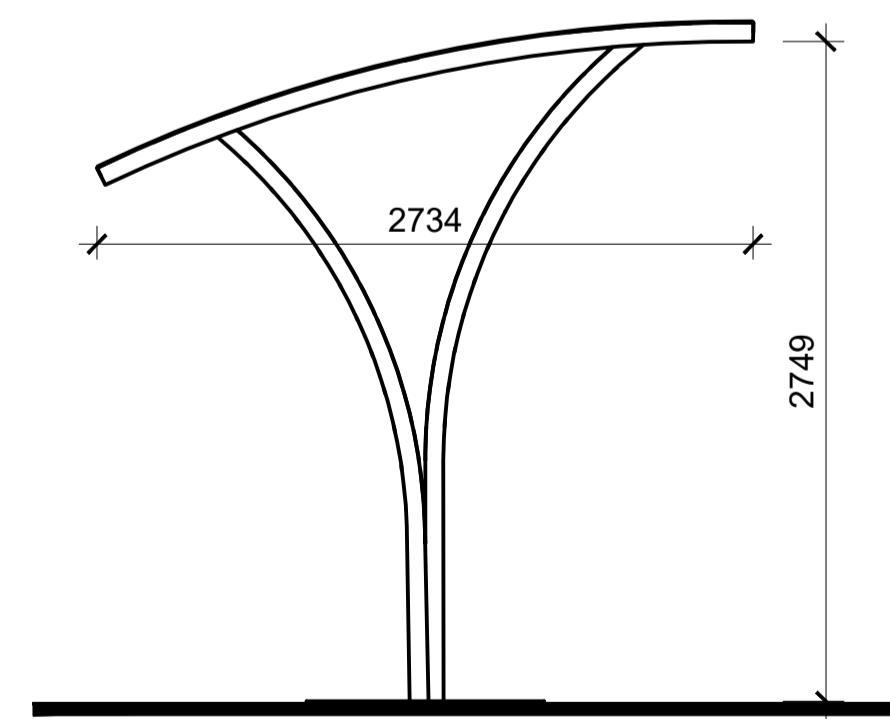
Fencing construction to generally consist of:

- Sawn tandalised (brown) treated soft wood. Timber posts min section size 100x100mm sent into 450mm3 concrete bases. post tops to be sloped to shed water.
- Cross rails (3 no) to be sawn tandalised (brown) treated soft wood. min section size 50x100mm. 100x25mm pales to be close butt boarded to full length.
- All fence fixings to be hot dipped galvanised or equal approved.
- Gate posts to be min section size 150x150mm. Sikkens or similar dark stain finish (3 coats ) exact shade to be confirmed.

**External Plant Enclosure to Match the Above Refuse Storage Specification. All Sizes & Dimensions to be Confirmed.**



**Broxap Apollo Cycle Shelter to be Galvanized Powder Coated to RAL 7016 Anthracite Grey. With 5no Harrogate Style Hooped Cycle Stands to Accommodate 10 Bicycles in Total.**



P5 Planning Alterations - Parking Arrangement  
P4 Landscaping Alterations  
P3 Client Alterations - Rear Elevation & External Works  
P2 Planning Alterations - External Works  
P1 First Issue  
Rev. Description  
Date

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**Client**  
**Wrightcare Development Ltd. & Deansgate M5 Ltd.**

**Project**  
**Proposed NewBuild Care Home Development**

**Drawing Title**  
**Proposed External Works Site Plan**

**Drawn by** MPT **Checked by** - **Date** 11/04/24

**Suitability** Scale @ A1 **1:200**


**13263 HCH-CAA-XX-ZZ-DR-A-105 P5**

**C+A JOB NO.** PROJECT - ORIGINATOR - VOL - LEVEL - TYPE - ROLE - NUMBER **REV.**

No.	% Mix	Species Name	Pot Size	Height	Density	Specification
Groundcover Evergreen Shrubs						
Ct	Choisya ternata	3L	30 - 40cm	3m2	Bushy, planted in groups of 3-5	
Vd	Viburnum davidii	3L	20 - 30cm	4m2	Bushy, planted to create larger shrub back drop	
Hv	Hebe vernicosa	3L	30 - 40cm	4m2	Bushy, planted in groups of 3-5	
Cj	Camellia japonica	3L	20 - 30cm	1m2	Bushy, planted to create aesthetic back drop	
Hg	Hedera purple pixel	3L	30 - 40cm	4m2	Bushy, planted in groups of 3-5	
Vi	Viburnum tinus	3L	20 - 30cm	4m2	Bushy, planted to create larger shrub back drop	
Ed	Escallonia donard seedling	3L	30 - 40cm	3m2	Bushy, planted to create larger shrub back drop	
Perennial Shrubs						
Eb	Erysimum 'Bowles Mauve'	3L	30 - 40cm	4m2	Bushy, planted in groups of 5-7	
La	lavandula angustifolia 'Twinkie purple'	3L	30 - 40cm	4m2	Bushy, planted in groups of 5-7	
Ls	Lupinus polyphyllus	3L	20 - 30cm	4m2	Bushy, planted in groups of 5-7	
Hs	Helleborus orientalis 'lam'	3L	20 - 30cm	4m2	Bushy, planted in groups of 5-7	
He	Heuchera 'coral bells'	3L	20 - 30cm	4m2	Bushy, planted in groups of 5-7	
Ca	Cistus 'argenteus' 'silver pink'	3L	20 - 30cm	4m2	Bushy, planted in groups of 5-7	
Rt	Rudbeckia fulgida 'Goldsturm'	3L	30 - 40cm	5m2	Bushy, planted in groups of 3-5	
Pt	Paeonia lactiflora 'pinkie'	3L	30 - 40cm	3m2	Bushy, planted in groups of 5-7	
Gr	Geranium Rozanne'	3L	20 - 30cm	6m2	Bushy and well established, planted in groups of 7-9	
Ah	Anemone hupehensis	3L	30 - 40cm	4m2	Bushy, planted in groups of 5-7	
Dp	Digitalis purpurea	3L	20 - 30cm	4m2	Bushy, planted in groups of 5-7	
Ns	Neptis six miles giant	3L	30 - 40cm	4m2	Bushy, planted in groups of 3-5	
Sa	Sedum autumn joy	3L	30 - 40cm	4m2	Bushy, planted in groups of 7-9	
Sc	Santolina Chamaecyparissus	3L	20 - 30cm	4m2	Bushy, planted to create larger shrub back drop	
Sn	Salvia nemorosa 'Blauhegel'	3L	30 - 40cm	6m2	Bushy, planted in groups of 7-9	
Sj	Scabiosa japonica	3L	30 - 40cm	4m2	Bushy, planted in groups of 5-7	
HpL	Hydrangea paniculata 'Limelight'	3L	30 - 40cm	4m2	Bushy and well established, planted in groups of 5-7	
Vb	Verbena bonariensis	3L	40 - 50cm	4m2	Bushy and well established, planted in groups of 5-7	
Hf	Hosta First Frost	3L	30 - 40cm	4m2	Bushy, planted in groups of 5-7	
Deciduous Shrubs						
Cal	Conus alba	3L	30 - 40cm	3m2	Bushy and well established, planted in groups of 3-5	
Cf	Conus alba 'Winter fire'	3L	40 - 50cm	4m2	Bushy and well established, planted in groups of 3-5	
Pb	Philadelphus bella etoile	3L	40 - 50cm	3m2	Bushy and well established, planted in groups of 3-5	
Fr	Fuchsia riccartonii	3L	30 - 40cm	4m2	Bushy and well established, planted in groups of 3-5	
Rc	Rosa Canina	3L	20 - 30cm	4m2	Bushy and well established, planted in groups of 3-5	
Ornamental Grasses						
Ck	Calamagrostis 'Karl Foerster'	3L	40 - 60cm	3m2	Bushy, planted in blocks for large impact	
Ss	Sesleria autumnalis	3L	30 - 40cm	3m2	Bushy, planted in groups of 5	
Fm	Festuca millegrana	3L	40 - 50cm	3m2	Bushy and well established, planted in small groups	
Mc	Miscanthus 'Red chief'	3L	30 - 40cm	3m2	Bushy, planted in groups	
Mt	Miscanthus 'Morning light'	3L	30 - 40cm	3m2	Bushy, planted in groups of 5	
Pr	Penisetum Kafir rose'	3L	30 - 40cm	3m2	Bushy, planted in groups of 5	

No.	% Mix	Species Name	Pot Size	Height	Density	Specification
EHS Trees						
Sau	Sorbus aucuparia	RB	4.25m	As shown	Extra Heavy Standard, 14-16cm girth, min 5 barks	
Ac	Acer campestre	RB	4.25m	As shown	Extra Heavy Standard, 14-16cm girth, min 5 barks	
Tc	Tilia cordata	RB	4.25m	As shown	Extra Heavy Standard, 14-16cm girth, min 5 barks	
Pin	Pinus nigra austriaca	RB	1.5m	As shown	Leader with laterals	
Standard Selected Trees						
Ag	Alnus glutinosa	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Cps	Catagnea Paul's Scarlet	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Bp	Betula pendula 'Jacquemontii'	RB	3 - 3.5m	As shown	Bushy multi stem, min 5x well established stems	
Ms	Malus sylvestris	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Pc	Prunus corymbosa Chanticleer	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Pg	Prunus 'Glen Ample'	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Psu	Prunus subhirtella	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Sa	Sorbus aria	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Pt	Paulownia tomentosa	RB	3 - 3.5m	As shown	10-12cm girth, min 3 barks, 1.75-2m clear stem	
Feature Trees						
Ap	Acer palmatum	CG	1.5 - 1.8m	As shown	Bushy mature shrub, min 5x well established stems	
MxL	Magnolia x loebneri Leonard Messel'	CG	1.5 - 1.8m	As shown	Bushy mature shrub, min 5x well established stems	
Cof	Carpinus betulus Fastigata	CG	4.25m	As shown	Extra Heavy Standard, 14-16cm girth, min 5 clear stem, min 5 barks	
Feature Shrubs & Topiary						
PrfT	Prunus laurocerasus	10-12L	0.8 - 1.0m	1m2	Bushy, individual feature plant to create larger back drop	
LnFT	Lonicera nitida	10-15L	45-55cm diameter	1m2	1.1-1.2m clear stem with ball head	
Single Species Hedges						
Pi	Prunus lusitanica	CG	1 - 1.2m	2.5 lin meter	Bushy, planted to create instant screen / hedge	
Mixed Native Hedge						
10%	Corylus avellana	B	60 - 80cm	3m2	Branched, min 3 barks. Planted in groups of 3-5	
50%	Cotoneaster monogyna	B	80 - 100cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 5-10	
10%	Prunus spinosa	B	60 - 80cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 3-5	
10%	Rosa canina	B	45 - 60cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 3-5	
10%	Ilex Aquifolium	B	45 - 60cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 3-5	
10%	Viburnum opulus	B	45 - 60cm	3m2	Branched, min 3 barks. Planted in groups of 3-5	
Mixed Native scrub						
15%	Corylus avellana	B	45 - 60cm	3m2	Branched, min 3 barks. Planted in groups of 3-5	
40%	Cotoneaster monogyna	B	30 - 50cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 5-10	
15%	Prunus spinosa	B	45 - 60cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 3-5	
10%	Rosa canina	B	45 - 60cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 3-5	
10%	Ilex Aquifolium	B	45 - 60cm	3m2	Branched, min 2 barks, 1+1. Planted in groups of 3-5	
10%	Viburnum opulus	B	45 - 60cm	3m2	Branched, min 3 barks. Planted in groups of 3-5	





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Application No: 25/3610/OUT  
 Application Type: Outline Planning  
 Location: Land At Pigginsshaw, Altringham Road, SK9 5NW  
 Proposal: Outline application for the phased development of up to 4 residential self-build, custom-build or open market dwellings, all matters reserved apart from primary access point and associated infrastructure.  
 Applicant: Mr Richard Sidi, Planetree Properties Ltd and Benthams Grandchildren Deed of Variation Trust  
 Expiry Date: 16-January 2026

### **Summary**

This application seeks outline planning permission for the phased development of up to 4 residential dwellings, the applicant states that these may be self-build, custom-build or open market dwellings and the development would be phased. All matters are reserved apart from access.

The application site comprises of a flat area of land that is approximately 0.32 hectares (0.8 acres) that historically accommodated a horticultural nursery with associated buildings, car parking and infrastructure.

The proposal would involve development of grey belt land, which accords with paragraph 155 of the NPPF, and is not inappropriate development in Green Belt. Based on illustrative plans, the scale and layout would reflect existing dwellings in the immediate area.

Subject to the consideration the full design details provided at the reserved matters, the proposal would not cause significant harm to the character of the area, local landscape or the amenity of nearby occupiers.

Matters in relation to trees, ecology, detailed drainage design could also be secured by condition and addressed in detail at the reserved matters stage.

### **Summary recommendation**

#### **Approve subject to following conditions**

### **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. Under the terms of the Constitution, the application is required to be determined by the Northern Planning Committee.

### **2. DESCRIPTION OF SITE AND CONTEXT**

2.1. The application site comprises of a flat area of land that is approximately 0.32 hectares (0.8 acres) that historically accommodated a horticultural nursery with associated buildings, car parking and infrastructure.

2.2. The site is a roughly triangular area of land that now has the appearance of a vegetated field. The land is surrounded by a mature belt of trees on the northwestern and eastern sides, and the site sits between Altrincham Road and Kings Road.

2.3. The site lies at the end of Piggishaw that is a shared surface private road accessed from the A538 Altrincham Road, the main road linking Wilmslow to South Manchester and Manchester Airport.

### **3. DESCRIPTION OF PROPOSAL**

3.1. This application seeks outline planning permission for the phased development of up to 4 residential dwellings, the applicant states that these may be self-build, custom-build or open market dwellings. All matters are reserved apart from access.

### **4. RELEVANT PLANNING HISTORY**

13/1700M - Outline planning application for the erection of 7 detached dwellings, refused 20<sup>th</sup> June 2013. The subsequent appeal (APP/R0660/A/13/2206198) was dismissed on 27<sup>th</sup> November 2014.

### **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. 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 POLICY**

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

#### **6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS)**

MP 1: Presumption in Favour of Sustainable Development  
PG 1: Overall Development Strategy  
PG 2: Settlement Hierarchy  
PG 3: Green Belt  
PG 6: Open countryside  
PG 7: Spatial Distribution of Development  
SD 1: Sustainable Development in Cheshire East  
SD 2: Sustainable Development Principles  
SC 4: Residential Mix  
SE 1: Design  
SE 2: Efficient Use of Land  
SE 3: Biodiversity and Geodiversity  
SE 4: The Landscape

SE 5: Trees, Hedgerows and Woodland  
SE 6: Green Infrastructure  
SE 7: This Historic Environment  
SE 9: Energy Efficient Development  
SE 12: Pollution, Land Contamination and Land Instability  
SE 13: Flood Risk Management  
CO 1: Sustainable Travel and Transport  
Appendix C - Parking Standards

6.3. Relevant policies of the Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

PG 9: Settlement Boundaries  
GEN 1: Design principles  
GEN 5: Aerodrome safeguarding  
ENV 1: Ecological network  
ENV 2: Ecological implementation  
ENV 3: Landscape character  
ENV 5: Landscaping  
ENV 6: Trees, hedgerows and woodland implementation  
ENV 7: Climate Change  
ENV 12: Air quality  
ENV 14: Light pollution  
ENV 16: Surface water management and flood risk  
ENV 17: Protecting water resources.  
HOU 1: Housing mix  
HOU 3: Self and custom build dwellings  
HOU 4: Houses in multiple occupation  
HOU 8: Space, accessibility and wheelchair housing standards  
HOU 12: Amenity  
HOU 13: Residential Standards  
HOU 14: Housing density  
HOU 15: Housing delivery  
HOU 16: Small and medium-sized sites  
INF 3: Highways safety and access  
INF 9: Utilities  
REC 5: Community facilities

6.4. Neighbourhood Plan

Policies of the Wilmslow Neighbourhood Plan relevant to the consideration of this application are:

NE1: Countryside around the Town  
A1: Countryside Stewardship  
NE2: River Valley Landscapes  
NE3: Green Links  
NE4: Countryside Access  
NE5: Biodiversity Conservation  
NE6: Development in Gardens  
TA1: Residential Parking Standards  
H1: Approach to Housing Delivery  
H2: Residential Design  
H3: Housing Mix

Wilmslow's Countryside: A Landscape Character Assessment is also of relevance.

## **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:

- Cheshire East Design Guide

## **8. CONSULTATIONS (External to Planning)**

**Highways:** No objection.

**Environmental Protection:** No objection, various conditions and informatics recommended in relation to noise, air quality, emissions and contaminated land.

**Lead Local Flood Authority:** No objection, condition recommended submission and approval of a detailed sustainable surface water management scheme.

**United Utilities:** No objection, informatics recommended in relation to United Utilities assets, sustainable drainage systems and efficient water usage.

**Manchester Airport:** No objection

**Wilmslow Town Council:** Wilmslow Town Council have recommended refusal on the grounds of being out of character with the area and inappropriate development in the Green Belt without exceptional circumstances.

## **9. REPRESENTATIONS**

9.1. Eleven representations have been received objecting to this application. The points made are summarised as follows:

- Planning permission for residential development on this same site was refused in 2013 and subsequently dismissed on appeal.
- Inappropriate development in the Green Belt, and does not constitute an exception to Green Belt Policy
- Very special circumstances have not been demonstrated to outweigh the harm that would be caused to the Green Belt
- Not Grey Belt land
- Proposal would erode the Green Belt and cause urban sprawl.
- In conflict with the national planning policy framework, and policies of the Cheshire East Local Plan and the Wilmslow Neighbourhood Plan.
- Contrary to the paragraph 143 of NPPF and Cheshire East Local Plan policies PG3 (Green Belt) and SD1–SD2 (Sustainable Development).
- Harm to the openness of the countryside
- Encroaches into protected green space.
- Need to keep a gap between Wilmslow, the airport and Greater Manchester.
- Impact on character of the area
- Harm to the Character and Openness of the Area
- Impact on landscape, previous appeal dismissed as site was in Area of Special County Value
- Loss of Privacy
- Increased Noise

- Impact on the local wildlife bats, foxes and birds in the area
- Would make no meaningful difference to the local housing land supply.
- Environmental impact on trees, wildlife, and drainage
- Highway safety concerns, in that the creation of a new access to serve four family homes will increase traffic generation and create a new conflict point on the local road network, visibility concerns, raising concerns for highway and pedestrian safety.
- The extra number of vehicles entering and exiting the development both during and after the construction would cause major disruption to the traffic flow on the A538 Altrincham Road
- Impact on the residential amenity of neighbouring properties.
- Ground Conditions and Drainage Concerns
- Approving this application would set a harmful precedent for further development on protected land
- The entrance and exit road to the properties is too narrow the problems and disruption caused to Pownall Court during the construction
- Overlooking and loss to privacy to neighbouring properties
- Would appear overbearing from neighbouring properties
- Impact on outlook and loss of view from rear of properties on Kings Road

## 10. OFFICER APPRAISAL

### Principle of the development

10.1. The application site is in the Green Belt. Paragraph 142 of the Framework attaches great importance to Green Belts. It states the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and identifies the essential characteristics of Green Belts are their openness and their permanence.

10.2. CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) supports the fundamental aim of keeping land permanently open and restricts inappropriate development which is, by definition, harmful to the Green Belt and should not be approved except where very special circumstances exist. Policy PG3 reflects the provisions of paragraph 153 of the Framework which resists inappropriate development in the Green Belt.

10.3. Paragraph 154 of the NPPF lists certain forms of development which are not regarded as inappropriate. The CELPS Policy PG3 of the Cheshire East Local Plan Strategy 2010-2030 (July 2017) replicates the Framework approach to development within the Green Belt, listing the same exceptions to inappropriate development.

10.4. In addition, paragraph 155 of the Framework identifies further circumstances where development is not inappropriate in the Green Belt. Paragraph 155 states the 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; (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.

10.5. The applicant has submitted their application on the basis that they consider the site to be grey belt under paragraph 155, and the proposal are consistent with the above. These matters are addressed below.

## Identifying Grey Belt

10.6. The NPPF defines grey belt as:

“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”.

10.7. The site is not previously developed land and is considered as ‘any other land’. The remaining purposes (a), (b) and (d) listed in paragraph 143 are:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (d) to preserve the setting and special character of historic towns

10.8. The determination on whether the site should be classed as ‘grey belt’ is initially a question about whether the site does not strongly contribute to either purpose (a), (b) or (d) of the Green Belt. The Cheshire East Green Belt Land Assessment Update 2015 (CEGBLA) is relevant to these considerations. The application site forms part of land identified in the CEGBLA as ‘WM43’, the summary of its contribution to the Green Belt was summarised as follows:

*The parcel has a limited contribution to the Green Belt. Approximately one third of the parcel is developed and therefore it has a limited degree of openness and a limited contribution in safeguarding the countryside from encroachment. The parcel has no contribution to preventing merging, or preserving the historic setting of Wilmslow. The parcel has limited contribution to preventing urban sprawl and to assisting urban regeneration.*

10.9. Each of purposes a, b and d are addressed in turn below.

### **a) to check the unrestricted sprawl of large built-up areas;**

10.10. Paragraph 143 b) specifically relates to the unrestricted sprawl of towns and cities, National Planning Policy Guidance (NPPG), expressly states that villages are not large built-up areas.

10.11. The site is near to a large built-up area of Wilmslow, there would be countryside to the north, and the development would result in a modest encroachment into an area otherwise open, however the site is contained to the west by Altrincham Road, and by King’s Road to the east, either side by existing residential development and would not result in an incongruous feature of development.

10.12. The housing on both Altrincham Road and Kings Road extend further north, the Controlling Parameter Plan and tree reports ensure the retention of the mature tree boundaries to the north.

10.13. With regards to purposes a) the CEGBLA described is contribution as:

*Contribution: The parcel is made up of strong boundaries protecting the area from further sprawl and there is already a large amount of residential development situated within the parcel so it is well connected and is also surrounded by high levels of further built development. There are green fields around the northeast of the parcel but thick woodland creates a moderate boundary in this location. The parcel could protect from sprawl but as existing development is already within the parcel then it would not impact the area greatly.*

11.19. Consequently, it does not perform strongly in terms of preventing the unrestricted sprawl of large urban areas for the purposes of paragraph 143(a).

**b) to prevent neighbouring towns merging into one another; and**

10.14. NPPG states that paragraph 143 b) relates to the merging of towns, and not villages. The application site is located adjacent to the settlement boundary of Wilmslow which is a town, however the nearest town is a substantial distance away.

10.15. With regards to purposes b) the CEGBLA described is contribution as:

*No Contribution: Does not have a role in preventing neighbouring towns merging.*

10.16. Consequently, it does not form part of a gap between towns, would not cause neighbouring towns to merge, therefore its contribution to purposes of paragraph 143(b) is weak.

**d) to preserve the setting and special character of historic towns;**

10.17. The proposals would not affect the setting and special character of historic towns. Whilst Wilmslow is an historic town, the site is well separated from the town centre, and its historic features.

10.18. With regards to purposes c) the CEGBLA described is contribution as:

*No contribution: Wilmslow is a historic town with a number of conservation areas. The conservation areas are located within the 250m buffer on the western side of Wilmslow. However, the parcel makes no contribution to this purpose as there are no conservation areas close by.*

10.19. Therefore, the proposal does not strongly contribute to any of purposes, and satisfies criterion (a), (b) and (d) of paragraph 143, insofar as they relate to the definition of grey belt land.

Identifying Grey Belt – Footnote 7

10.20. 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.'

10.21. Footnote 7 states that:

*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.*

10.22. In terms of the areas or assets listed in footnote 7, none of these would provide a strong reason for refusing or restricting development in this case.

### Identifying Grey Belt – Conclusions

10.23. Having regard to the above, the application proposals are considered to meet this key tests 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, and the areas and assets in footnote 7 do not provide a strong reason for refusing or restricting development.

10.24. Therefore, the land is considered to be Grey Belt.

### **Grey belt and fundamentally undermine purposes of Green Belt (155a)**

10.25. With regards to overall purposes of the Green Belt (a, b, c, d and e - taken together) the CEGBLA described the contribution as:

*The parcel has a limited contribution to the Green Belt. Approximately one third of the parcel is developed and therefore it has a limited degree of openness and a limited contribution in safeguarding the countryside from encroachment. The parcel has no contribution to preventing merging, or preserving the historic setting of Wilmslow. The parcel has limited contribution to preventing urban sprawl and to assisting urban regeneration.*

10.26. Taking all the above matters into account, and given the limited scale of the application site, it is considered that the proposals 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.

### Unmet Need (155b)

10.27. National planning policy requires councils to identify a supply of deliverable sites sufficient to provide a minimum of five years' worth of housing. The Housing Monitoring Update (HMU) reviews the housing delivery and supply in the borough each year, and includes information on housing completions, commitments, housing requirement, five-year supply calculation (including shortfall), relevant buffer and the number of years of supply.

10.28. The latest HMU 2023/24 provides this information at the base date of 31 March 2024, concluding that there is a 3.8-year supply of deliverable housing sites. Cheshire East is now, therefore, not able to demonstrate a 5-year supply of deliverable housing sites.

10.29. Consequently, for the purposes of criterion (b) of Framework paragraph 155, there is a demonstrable unmet need for the type of development proposed.

### Sustainable location (155c)

10.30. The site is in close proximity to a bus stop on Altrincham Road just to the south of the junction with Pigginstown, with regular services to Knutsford and Altrincham, also there is footway with street lighting along Altrincham Road into the centre of Wilmslow approximately 2km away where there is a variety of shops and services, and the train station proving links to Manchester. The Bollin Valley Cycle Trail also runs along Altrincham Road. Consequently, on balance the site is considered to be in a sustainable location, and consistent with the aims and objective of SD2 and the NPPF in this regard.

### Golden Rules (155d)

10.31. The golden rules apply to major development involving the provision of housing. In this instance the application is for up to 4 dwellings and the site area is below 0.5 hectares, it constitutes minor development and the Golden Rules do not apply.

### Green Belt Conclusion

10.32. The proposed development would utilise Grey Belt land, is not inappropriate development in the Green Belt and complies with paragraph 155 of the NPPF.

### **Design**

10.33. Policy SD 2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness. Policy SE 1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of settlements. SADPD policy GEN 1 expands on this, expecting all development proposals to contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form. These matters are also reflected in Policy H2 of the neighbourhood plan.

10.34. With regards to siting and layout, the submitted illustrative site plans show that the dwellings would be located at the end of an existing private road and would not be particularly visible from public vantage points along Altrincham Road or King's Road. An existing woodland screens the site from the Jim Evison Playing Ground to the north.

10.35. Furthermore, the illustrative plans show the retention of a band of trees along the northwestern boundary, and the retention of a buffer adjacent to Pigginstone Brook to the rear of properties along King's Road.

10.36. The illustrative layout and parameters plans show the footprints of the dwellings would be similar in area to Pigginstone Barn and Pigginstone Cottage, and the maximum height would be 8m. Based on this information the scale and design would be commensurate with those existing dwellings in the immediate area. Subject to the consideration the full design details provided at the reserved matters, the proposal and would not give rise to harm the character of the area.

10.37. It is therefore considered that the development can be accommodated on site without impacting on the wider character of the area or the prevailing landscape. The proposal would therefore be compliant with Policies SD 1 and SE 1 of the CELPS, GEN 1 of the SADPD, and H2 of the neighbourhood plan.

### **Amenity**

10.38. Policies HOU 12 and HOU 13 of the SADPD collectively seek to ensure development proposals do not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development having regard to, loss of privacy, loss of sunlight and daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution, traffic generation, access and parking.

10.39. Policy HOU13 provides standards for housing allow light and privacy between buildings, with reference to Table 8.2 in the SADPD. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

10.40. There have been concerns raised from nearby occupiers of residential properties in relation to overlooking, loss of privacy, and overbearing appearance. This application has been submitted in outline, however the applicant has provided an illustrative layout drawing which indicates that the proposed 4 dwellings could be positioned in such a way that the interface distances would significantly exceed those distances contained in policy HOU 13 and table 8.2 of the SADPD.

10.41. Furthermore, the future reserved matters application will need to include detailed plans and elevations, and design details that have regard to the context of neighbouring dwellings and demonstrate compliance with the relevant design, character and residential amenity policies.

10.42. The housing will also be expected to meet the Nationally Described Space Standards, to provide sufficient internal living accommodation, and provide suitable levels of external amenity space for new occupants.

10.43. In terms of the amount of development proposed it is considered 4 no. dwellings could be designed and accommodated within the site without causing significant harm to the living conditions of neighbouring occupiers, and comply with policies GEN 1, HOU 12 and HOU 13 of the SADPD.

### **Noise and Air Quality**

10.44. Policies SE 12 of the CELPS, ENV 12, ENV 14 and ENV 15 of the SADPD set out the Council's requirements for new development with regards to air quality, lighting and existing uses. ENV 15 states that new development must effectively integrate with existing uses and existing uses must not have unreasonable restrictions placed on them because of it. Aircraft noise is also material planning consideration, and any new noise sensitive development must meet the requirements set out in ENV13.

10.45. The Environmental Protection team have been consulted, whilst they have no objection, they have noted that the proposal could be affected by traffic noise from Altrincham Road and aircraft noise from Manchester Airport. To ensure that future occupants of the development do not suffer a substantial loss of amenity, it is recommended that a noise impact assessment (NIA) is submitted at the reserved matters stage. Should the reserved matters applications include Air Source Heat Pumps, these will also require an acoustic assessment to be submitted.

10.46. A condition is also recommended for the submission and approval for the details of any external lighting to ensure that the lighting is designed to minimise the potential loss of amenity caused by light spillage onto adjoining properties.

10.47. Due to the proximity of existing residential dwellings to the site, the following are recommended as conditions of an approval during the construction stages. This should assist developers in the prevention, minimisation and control of noise and dust arising from the construction phases of the development for the purpose of protecting the residential amenity of occupiers of nearby dwellings.

10.48. A condition was also recommended by Environmental Protection for the provision of ultra-low emission boilers, however, this is not considered to be necessary or reasonable.

10.49. Subject to the above conditions, the proposals comply with policies ENV 12, ENV 13, ENV 14 and ENV 15 of the SADPD.

## Contaminated Land

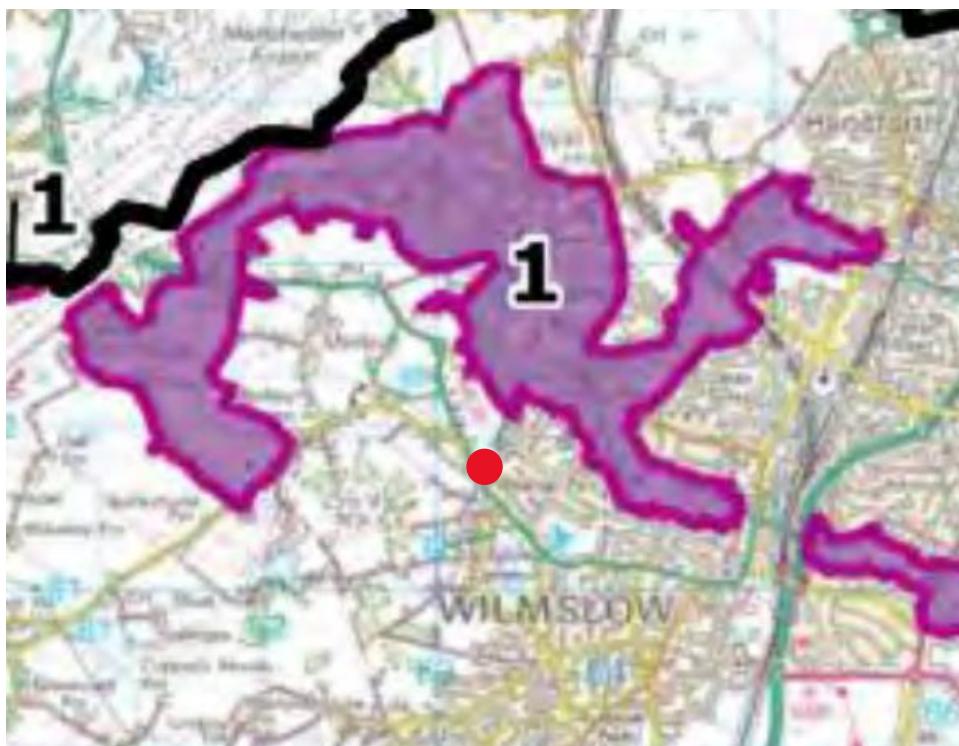
10.50. Policy SE 12 of the CELPS, seeks to ensure that sites for proposed for new sensitive uses are suitably investigated and any potential impacts are mitigated. The application is for a proposed use that would be particularly vulnerable to the presence of contamination. Residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site. The application area has a history of nursery use and therefore the land may be contaminated. No information relating to land contamination has been submitted in support of the application. As such, and in accordance with paragraphs 187, 196 and 197 of the NPPF 2024, conditions are recommended for site investigations, mitigation and validation. The Contaminated Land team has been consulted and has no objection. Subject to conditions, the proposals comply with policy SE 12.

## Landscape

10.51. The CELPS Policy SE 4 identifies that the high quality of the built and natural environment is recognised as a significant characteristic of the borough and that all development should conserve the landscape character and quality and should where possible enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. It also indicates that development will be expected to incorporate appropriate landscaping which reflects the character of the area through appropriate design and management.

10.52. Any proposals submitted at reserved matters would need to comply with CELPS Policies SE4 as well as Policy SE 1 (Design), which indicates that development proposals should make a positive contribution to their surroundings in terms of the following: sense of place, managing design quality and sustainable urban, architectural and landscape design. Policies NE1 and NE 2 of the Neighbourhood plan are also of relevance.

10.53. It is noted that the previous appeal was dismissed as site was in Area of Special County Value (ASCVs) for being within the Bollin Valley. However, these have since been replaced in the Local Plan (July 2017) with Local Landscape Designations (LLDs), the boundaries have been revised, and the site is not within the Bollin Valley LLD area. The latest version of the Bollin Valley LDD can be seen in purple area below, the red spot showing the location of the application site.



10.54. The outline proposals seek to retain the mature planting to the northwestern boundary and provide a buffer with Pigginstone Brook to the east. The Council's Landscape Officer has been consulted and has no objections.

10.55. The landscape officer has noted that the application should apply a more integrated and multifunctional Sustainable Urban Drainage (SuDs) approach to this outline stage in order to deliver an acceptable design from a Landscape/Design approach. However, from a drainage perspective the details provided are considered to be acceptable for this outline application stage. As explained below the Lead Local Flood Authority have no objection, and a condition is recommended that a final detailed drainage strategy is provided at the reserved matters stage.

10.56. The proposals are considered to be consistent with policy SE 4 of the CELPS and NE1 and NE2 of the Neighbourhood Plan.

### **Highways**

10.57. Policy INF 3 (Highway Safety and Access) of the SADPD states that development proposals should:

- i. Comply with the relevant Highway Authority's and other highway design guidance;
- ii. 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;
- iii. make sure that development traffic can be satisfactorily assimilated into the operation of the existing highway network so that it would not have an unacceptable impact on highway safety, or result in severe residual cumulative impacts on the road network;
- iv. incorporate 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; and
- v. not generate movements of heavy goods vehicles on unsuitable roads, or on roads without suitable access to the classified highway network.

10.58. Whilst appendix C (Parking Standards) and policy TA1 of the neighbourhood plan set out the relevant parking standards.

10.59. The application seeks detailed permission for the means of access. The proposal is to utilise Pigginstone which is an existing private road, no alterations are proposed to the public highway.

10.60. The road currently serves Pigginstone Barn and Pigginstone Cottage, the number of dwellings it serves would increase by up to 4 with this application. The width of the access is sufficient for the proposal, and a turning head is being provided at the end of Pigginstone for refuse collection. The Highways Officer has been consulted and has no objections.

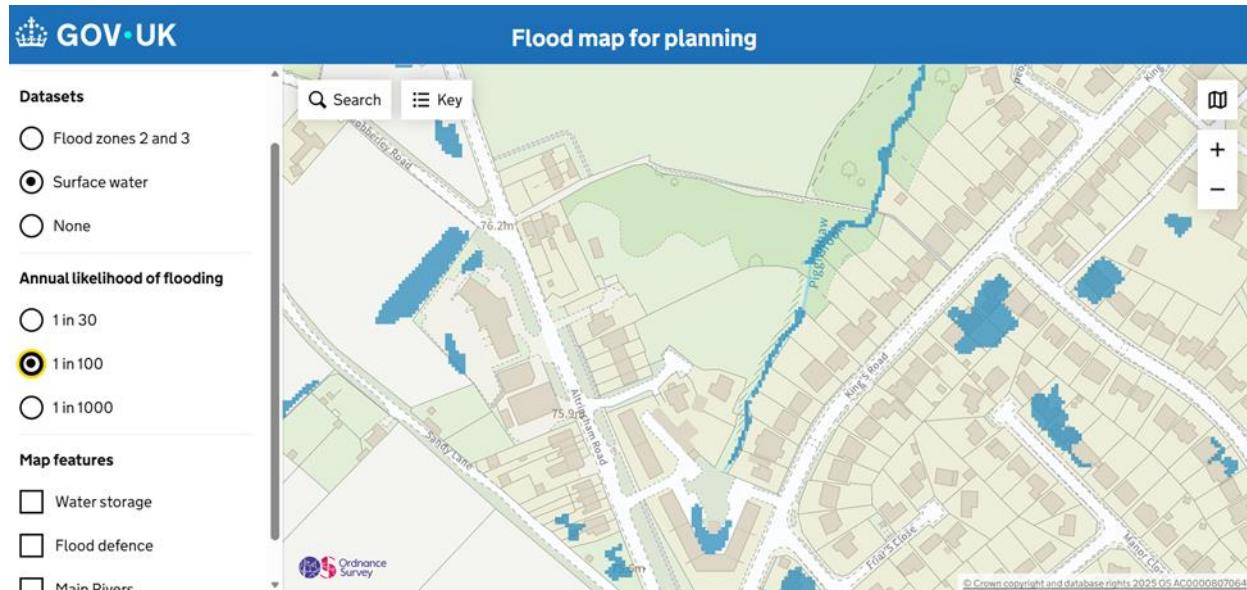
10.61. With regards to parking, the illustrative layout plan demonstrates that sufficient off-street car parking can be provided in line with the Cheshire East Local Plan Strategy in Appendix C: Parking Standards. And that parking can be provided so as to avoid impacting or protruding onto surrounding streets and pavements, in accordance with TA1 of the neighbourhood plan.

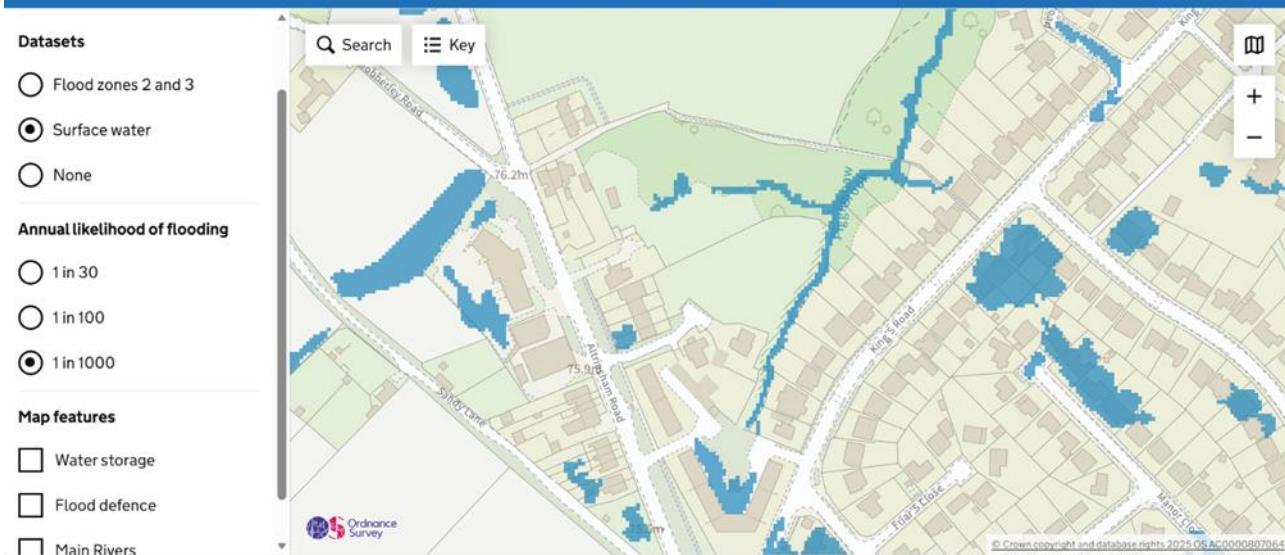
10.62. The proposals do not raise any highway safety concerns and subject to the consideration of reserved matters comply with policy INF 3 of the SADPD.

## Flooding and Drainage

10.63. Policy SE 13 of the CELPS states that new development must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity.

10.64. The application site is located within Flood Zone 1 (low probability of river/tidal flooding) according to the Environment Agency Flood Maps. There is a small pocket of 1 in 100 chance or 1 in 1000 chance of Surface Water Flooding along the brook to the southeast.





10.65. The applicant has submitted a flood risk assessment and a preliminary drainage strategy. Following initial comments from the Lead Local Flood Authority, and amended preliminary drainage strategy was provided, which has now addressed their concerns satisfactory for this outline stage.

10.66. Subject to a condition for the submission and approval of the final drainage strategy, the proposals are considered to comply with Policy SE 13 of the CELPS.

## Ecology

10.67. Policies SE 3 of the CELPS, ENV 1 of the SADPD and policy NE5 of the Neighbourhood Plan collectively seek to ensure that areas of high biodiversity and geodiversity value will be protected and enhanced, as well as recognising the importance of ecological networks.

10.68. 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 SSSIs and Ramsar Sites. The application site falls within the CEC ecological network. A preliminary ecological appraisal and biodiversity net gain report has been submitted with the application.

10.69. There is an area of priority woodland to the north of the application site, the ecologist has advised that the reserved matters should include an undeveloped buffer between the proposed dwellings and the woodland.

10.70. The submitted surveys show evidence of badger activity on site in the form of foraging activity and an outlying sett. The outlying sett is likely to be affected by the proposed development. In order to minimise the risk of badgers being harmed during site clearance and construction works the appellant's ecological consultant has recommended that the sett be closed under the terms of a Natural England license. The Council's ecologist has advised that this approach is acceptable in the event that consent was granted.

10.71. The precise impacts of the proposed development would depend upon both the layout proposed, a condition is therefore recommended requiring the reserved matters application to be supported by an updated badger survey, impact assessment and mitigation strategy.

10.72. The submitted BNG metric indicates that the proposed development would result in a net loss of -66.66% in respect of area-based habitats and fail to deliver a net gain in respect

of hedgerows. Additional off site habitat creation measures would therefore be required to achieve the required net gain. The Council's ecologist advises that in this instance this approach is in accordance with the Biodiversity Gain Hierarchy. The delivery of offsite habitat creation is a post decision matter secured by a statutory condition, and any habitat provided onsite can also be secured by way of condition.

10.73. Further conditions are recommended in relation to bats and lighting, ecological enhancements for hedgehog, and due to the site's location within an ecological network, a condition is recommended that any reserved matters application to be supported by a strategy for the incorporation of features to enhance the biodiversity value of the proposed development.

10.74. The ecology report notes that invasive plant species include Japanese knotweed outside the development boundary, near the site edge, and Himalayan balsam along the Brook corridor and in scattered patches within the site itself. This is controlled under the Environmental Protection Act 1990, and informative is recommended.

10.75. For the reasons outlined above and subject to conditions the application complies with policies SE 3 of the CELPS, ENV 1 of the SADPD and policy NE5 of the Neighbourhood Plan.

### **Trees**

10.76. Policy SE 5 of the CELPS requires that all developments should ensure the sustainable management of trees, woodlands and hedgerows including the provision of new planting within new development to retain and improve canopy cover, enable climate adaptation resilience and support biodiversity.

10.77. There are mature trees and woodland to the northwest of the application site that are protected by a Tree Preservation Order, and numerous trees to the east. The application is supported by an Arboricultural Impact Assessment and Method Statement based on the submitted illustrative site plan.

10.78. The above information indicates a way in which the site may be developed having regard to existing tree constraints within and adjacent to the site. However, aside from the access, at this stage the detailed design and layout is not currently under consideration.

10.79. The tree officer has been consulted, and has no objections, although has noted various limitations with the reports with regards to detailed analysis. He also notes that the position of the proposed access into the site presents no significant implications for trees.

10.80. The tree officer has advised that should planning consent be granted, a condition should be attached requiring a revised Arboricultural Impact Assessment and Method Statement to be submitted with the reserved matters.

10.81. Subject to the above, and consideration of the future reserved matters, the proposals are consistent with Policy SE 5 of the CELPS.

## **11. PLANNING BALANCE/CONCLUSION**

11.1. The proposal would involve development of grey belt land, which accords with paragraph 155 of the NPPF, and is not inappropriate development in Green Belt. Based on illustrative plans, the scale and layout would reflect existing dwellings in the immediate area. Subject to the consideration the full design details provided at the reserved matters, the proposal would not cause significant harm to the character of the area, local landscape or the amenity of

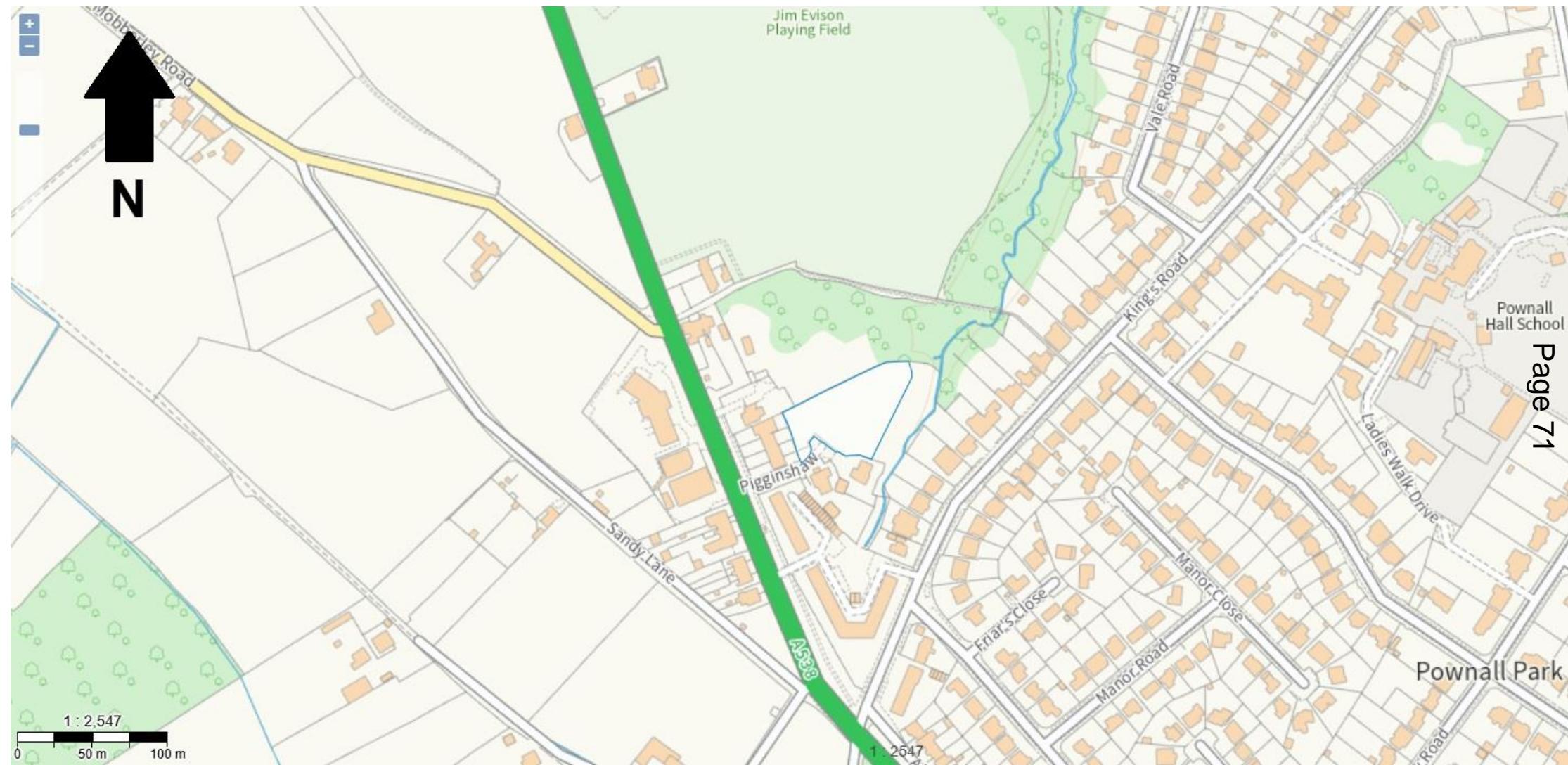
nearby occupiers. Matters in relation to trees, ecology, detailed drainage design could also be secured by condition and addressed in detail at the reserved matter stage.

## 12. RECOMMENDATION

**Approve subject to following conditions.**

1. Time limits for commencement
2. Application for approval of reserved matters within three years of the date of this permission
3. Approval of reserved matters prior to commencement
4. Approved plans
5. Phasing plan
6. Submission of drainage strategy with reserved matters
7. Submission of levels with reserved matters
8. Submission of boundary treatments with reserved matters
9. Submission of Arboricultural Impact Assessment and Method Statement with reserved matters
10. Submission of updated badger survey, impact assessment and mitigation strategy with reserved matters
11. Submission of a strategy to enhance the biodiversity value of the proposed development with the reserved matters
12. Submission of landscaping scheme with reserved matters
13. Submission of Noise Impact Assessment with reserved matters application
14. Piling method statement to be submitted
15. Dust management plan during construction to be submitted
16. Hours of construction
17. Nesting bird survey to be submitted
18. Submission and approval of materials
19. Provision of parking prior to occupation
20. Submission and approval of external lighting scheme
21. Contaminated Land: Submission/approval of Phase I report
22. Contaminated Land: Submission/approval of verification report
23. Contaminated Land: Submission/approval of SOIL verification report
24. Ecological enhancements for hedgehog to be submitted
25. BNG condition

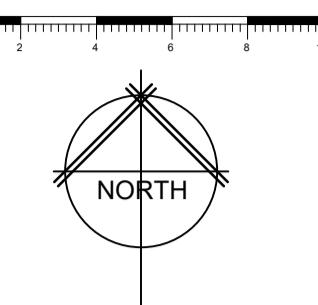
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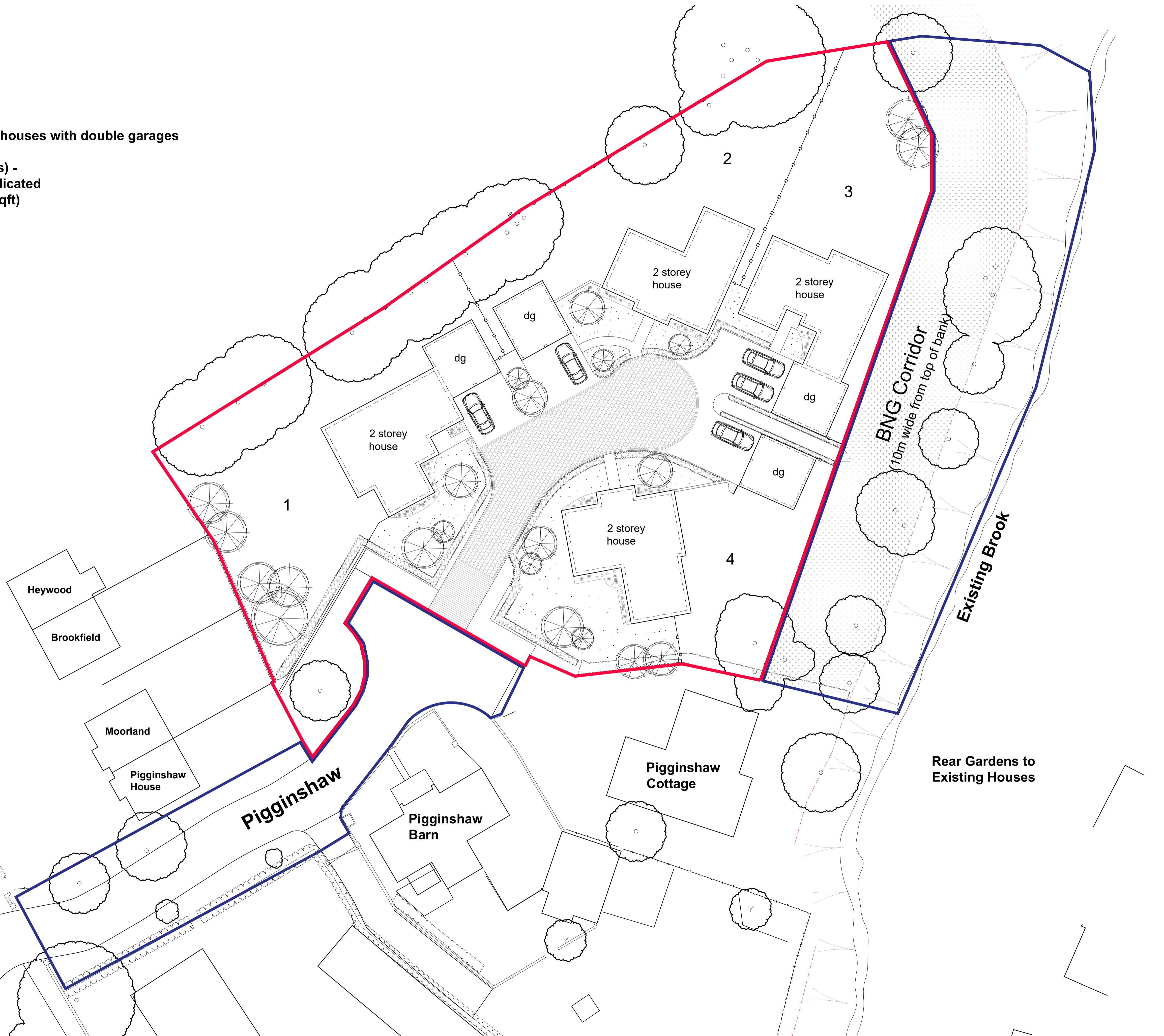
Land At Pigginsaw,  
Altrincham Road, SK9 5NW



**Schedule:**

4no. detached 2 storey houses with double garages

**Total area (incl. garages) -**  
972sqm (10,462sqft) indicated  
max 1,000sqm (10,764sqft)



Application No: 25/3557/FUL  
Application Type: Full Planning  
Location: Qc65 First Avenue, Poynton, Stockport, SK12 1ND  
Proposal: Change of use of QC65, First Avenue from Use Class B2 (General Industry) to Use Class B8 (Storage and distribution) and alterations to the existing building.  
Applicant: Mr Paul Cook, QC Poynton Ltd  
Expiry Date: 16 January 2026

**Summary**

The application is for change of use of an existing B2 (General Industrial) use to B8 (Storage and distribution) within Poynton Industrial Estate. The description has been amended during the course of the application to include retrospective removals of extensions to the main portal frame building, which has also had existing cladding and roof covering replaced. Parking provision is proposed for cars on the northern frontage and loading space along the west facing side. There are no objections from Highways or Nature Conservation. A condition is recommended in relation to noise management, following consultation with Environmental Health.

**Summary recommendation**

Approve subject to recommendations.

**1. REASON FOR REFERRAL**

1.1. The application relates to a 'Small-Scale Major Development', 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 relates to a site of approximately 1 Ha, within an established industrial estate, to the south of Poynton, within the settlement boundary of Poynton. The application site was previously known as API Laminates Ltd, in industrial use. The site comprises a double portal frame structure with smaller two storey building. There have been extensions around the sides facing towards First Avenue and Second Avenue, which had been demolished at the time of the site visit with the exception of one element on the corner of these two roads.

**3. DESCRIPTION OF PROPOSAL**

3.1. The application is for change of use of an industrial building to storage and distribution use (B8). The application has been amended during the course of the application to include the retrospective removal of extensions to the northern and western sides of the main portal frame structure. The portal frame is also having cladding and roofing materials replaced.

**4. RELEVANT PLANNING HISTORY**

4.1.25/2614/FUL Retrospective application for the demolition of outbuilding G. Approved with conditions 21-10-2025

4.2.25/0701/PRIOR-11B Prior Approval for the Removal of asbestos cement roof and wall cladding. Demolition of the two-storey office block, loading dock and sprinkler tank enclosure to the west elevation together with a single storey ancillary office block and portal frame extensions and canopies to the north elevation. As shown on demolition plan. Withdrawn 21-03-2025

4.3.17/3123M Removal of condition 5 on application number 17/1548M - Proposed loading dock bay with associated shutter door and the re locating of existing external containers / hopper/ compactors and dust infiltration unit and associated ductwork. Approved with conditions 10-08-2017

4.4.17/1548M Proposed loading dock bay with associated shutter door and the re locating of existing external containers / hopper/ compactors and dust infiltration unit and associated ductwork. Proposed loading dock bay with associated shutter door and the re locating of existing external containers / hopper/ compactors and dust infiltration unit and associated ductwork. Approved with conditions 26-05-2017

4.5.14/4357M- The proposed development is to ultimately result in the installation of an approx. 7.5m tall 400m3 sprinkler system storage tank and pump plant. The storage tank is approx. 8.2m in diameter and will be supported of a piled RC raft foundation. The pump plant is to be housed in a small steel frame structure. The sprinkler tank is to be placed in an existing industrial estate car park within the API boundary – Approved with conditions -11-11-2014.

4.6.14/0361M- Replacement wall cladding, alterations to internal wall and bricking up of existing external access doorway – Approved with conditions – 28-02-2014.

4.7.13/3859M- Application for Lawful Development Certificate for a Proposed Use or Development - Internal Knock Through, Brick up Existing Storeroom Access Doors and Replace Existing Steel Mesh Cladding with Metal Profile Wall Cladding – Negative Certificate – 13-12-2013.

4.8.04/2824P- Replacement ink drum store – Approved with conditions – 29-12-2004. 03/2623P- Two storey portacabin unit adjacent to side of loading bay – Approved with conditions – 05-12-2003.

4.9.00/2645P - Building enclosure to 2 oxidiser units serving the existing factory, 2 flues each 14m high and compactor unit – Approved with conditions – 25-01-2001.

4.10.00/2646P - Loading/unloading bay extension for covered and secure loading and unloading of raw materials and finished goods – Approved with conditions – 17-01- 2001.

4.11.00/0797P- 17 Car Parking spaces off Second Avenue – Approved with conditions – 02- 06-2000. 97/2359P- Alterations, extensions and provision of additional parking – Approved with conditions- 24-02-1998.

4.12.61214P- Proposed erection of oil storage tank/bund wall on land used for storage of empty drums. Proposed erection of chimney on land between h & I slater/cabot safety – Approved – 03-01-1990.

4.13.53797P- Extension to laminating factory for new machine, pallet making and associated offices – Approved- 10-08-1988. 21048P- Formation of new vehicular access, provision of new access doors – Approved with conditions – 31-01-1980.

## 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. 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.

5.2. The NPPF has been updated in December 2024, with further amendments in February 2025.

## 6. DEVELOPMENT PLAN POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

### CELPS

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

EG1 Economic Prosperity

EG3 Existing and Allocated Employment Sites

SE1 Design

SE12 Pollution, Land Contamination, and Land Stability

SE13 Flood Risk and Water Management

CO4 Travel Plans and Transport Assessments

Appendix C: Parking standards

### SADPD

PG 9 Settlement boundaries

GEN 1 Design principles

GEN 5 Aerodrome safeguarding

ENV 1 Ecological network

ENV 15 New development and existing uses

ENV 16 Surface water management

ENV Protecting Water Resources

HOU 12 Amenity

INF 3 Highway safety and access

## 6.3. Neighbourhood Plan

The site is within the Adlington Neighbourhood Development Plan (NDP) area. The Adlington NDP is at stage Regulation 7 – neighbourhood area designation, and as such there is no draft plan to have regard to.

## **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:

7.2. Environmental Protection SPD

## **8. CONSULTATIONS (External to Planning)**

**Environmental Protection** – No objection subject to conditions / informatives

**Lead Local Flood Authority** – No comments or objections

**Head of Strategic Transport** – No objections

**Adlington Parish Council** – No objection

## **9. REPRESENTATIONS**

9.1. Poynton Town Council – Site is in Adlington parish but borders Poynton. Significant traffic from the industrial estate goes north through the centre of Poynton. Concerns over increased traffic, presumably HGVs. No details of number of journeys. Request for these details to be provided and impact on congestion and air pollution considered. Poynton relief road opened 2023, but no new road signs at junction of First Avenue to direct traffic to Stockport to use Poynton Relief Rd 9A523) and Manchester Airport Eastern Link Rd (A555) rather than travel north through the centre of Poynton.

9.2. One letter of representation has been received objecting to the proposal on the following grounds:

- no objection to change of use
- Noise issues from the existing site previously, addressed through Environmental Health.
- Request for limitations on delivery and dispatches
- Request for hissing style reversing to vehicles rather than beeping horn type.

## **10. PROCEDURAL MATTERS**

10.1. The application has been amended to include retrospective works to alter the building including removal of extensions. Due to time constraints with the holiday period there is at the time of writing the report an ongoing re-consultation period. Any further comments will be provided by update to the committee

## **11. OFFICER APPRAISAL**

### **Principle of the development**

11.1. The application site is within a settlement boundary, in the settlement boundary of Poynton, a Local Service Centre as identified in policy PG2. The change of use from industrial to storage and distribution within an existing industrial estate in the settlement boundary would be acceptable in principle, subject to all other material considerations being acceptable.

## Design

11.2. New development should respect and enhance the existing architectural design themes, materials and scale within the immediate area and also not to detrimentally impact built heritage assets without clear and convincing justification given to outweigh any defined harm. The most applicable policies for consideration are SD1, SD2, SE1 of the CELPS and GEN 1, of the SADPD, as well as chapter 12 of the NPPF.

11.3. The removal of extensions and recladding of the building does not significantly change the overall character of the building which remains as a portal framed industrial style building within an existing industrial estate. There is no change to the height or profile of the main portal framed element. The design is acceptable in this context.

## Highways

11.4. Policy INF 3 of the CELPS relates to highway safety and access. This includes measures for access to and from the site by pedestrians, cyclists and public transport users, and to meet the needs of people with disabilities, as well as vehicle access. CELPS policy CO 4 requires travel plans to mitigate any impact on the highway network and encourage sustainable travel, for major development likely to generate significant additional journeys.

11.5. Carparking requirements for B8 uses under CELPS appendix C differ according to the type of use within B8. For warehouse storage – 1 space per 80m and 1 lorry space per 200sqm and for warehouse distribution 1 per 60 sqm and 1 lorry space per 200sqm. The proposed floor space at 6032 sqm would equate to a requirement of 75 to 100 car spaces and 30 lorry spaces. This compares to a standard for a B2 use (as existing) of 1 space per 30sqm (for the first 235sqm), then 1 per 50 sqm, with no specific requirement for lorry spaces. This would have resulted in a requirement for 148 car parking spaces for the previous floor area of 7258 sqm B2 use.

11.6. The site is within an existing industrial complex. The application form indicates an anticipated 87 employees at the site. The proposal includes 59 parking spaces, including accessible and EV spaces. Whilst this is below the standards it is an increase from the previous number of 54 car parking spaces and the Highways officer has made no objections given that it is an existing site. Additional parking has been provided by the removal of extensions and additions to the building. There is space for lorries along the eastern side adjacent to loading bays. Lorry spaces are not marked on the plan and CE Highways Standing advice does not include guidance for HGV vehicle parking space sizes. Government guidance online advises that the maximum length of articulated HGV vehicles is 16.5m (or 18 metres where incorporating a low loader trailer). There alterations to the building along the eastern frontage allows sufficient set back from the highway, allowing for vehicles to be loaded. The Highways officer has advised that lorry parking widths would be up to around 2.75 metres wide which would allow for up to 25 along the eastern facing elevation. Whilst this is less than the CELPS standard for 30 for the proposed floor area, it is considered that it would not be reasonable to refuse on these grounds. There are 6 loading bays proposed which would limit the number of vehicles that can be coming and going from the site as well.

11.7. The Highways officer has commented that B2 General Industrial uses would generally generate more trips than a storage and distribution use. More HGV trips would usually be associated with a B8 use but light traffic is likely to be reduced.

11.8. The agent has provided information based on the likely change of vehicular trips. Information has been provided based on TRICS data (Trip Rate Information Computer System). Over the day an estimated 121 HGV trips to and from the site are estimated for a B8 use of the proposed floor area. This is estimated as an additional 90 HGV trips when compared to the B2 use for

the site prior to alterations. Spread out across a typical 12hour day this equates to an average increase in HGV movements 7.5 per hour. This has been anticipated by the Highways consultee and no objection is raised.

11.9. A travel plan is recommended by condition to encourage use of sustainable travel alternatives and help to mitigate impact of traffic to and from the site, and ensure compliance with policies INF 4 and CO 4 of the local plan.

### **Amenity and Environmental Protection.**

11.10. SADPD Policies HOU 12 and HOU 13 between them require that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to loss of privacy; loss of sunlight and daylight; the overbearing and dominating effect of new buildings; environmental disturbance or pollution; or traffic generation, access and parking. Policy HOU13 provides standards for housing allow light and privacy between buildings, with reference to Table 8.2 in the SADPD. Policy SE1 of the CELPS states that development should ensure an appropriate level of privacy for new and existing residential properties.

11.11. Policy ENV15 relates to new development and existing uses. New development must effectively integrate with existing uses and existing uses must not have unreasonable restrictions placed on them as a result of it. A principal consideration in this instance would be possible environmental disturbance.

11.12. The site is within an existing industrial estate. The nearest residential properties are just over 100m to the west of the site, separated by other industrial buildings. One representation has been received from a member of the public referencing noise complaints previously relating to a building to the east, between the application site and the closest residential neighbour. The proposed use for storage would be different to industrial use.

11.13. The submission does not include details of proposed hours of operation, identification of an end user, nor outline delivery arrangements. Environmental Protection initially requested details of hours of operation be provided. As the occupier has not been identified, these hours may vary depending upon the specific end user. In the absence of details of the nature of future occupiers for the site, rather than hours of operation, it is considered reasonable to require by condition a noise management plan to be agreed and implemented prior to occupation, to consider any potential impact of noise from the site. This is particularly in relation to the loading and unloading and access to and from the site outside of daytime hours.

11.14. The application form states that the proposal would not involve the use or storage of Hazardous Substances. The proposals have been assessed by Air Quality and Contaminated Land teams, with no comments or objections received.

11.15. The site is within an area identified as a groundwater source protection zone on the adopted policies map. It is not within SPZ1 or SPZ2 which are the most sensitive areas with regard to drinking water supplies.

### **Nature Conservation**

11.16. The works are exempt from mandatory biodiversity net gain due to them being below the *de minimis* threshold. Therefore, the deemed net gain condition does not apply and a biodiversity metric is not considered necessary in this instance. There is a reasonable likelihood that protected species including bats would not have been impacted by the retrospective works.

## Flood Risk

11.17. The site is within Flood Zone 1 where there is a low risk of flooding. The LLFA have reviewed the current proposals and have no comments or objections.

## 12. PLANNING BALANCE/CONCLUSION

12.1. The proposed development, as amended, is deemed to be in accordance with all relevant policies in the development plan subject to conditions including for a noise management plan. There are not considered to be any other material considerations that would carry sufficient weight to refuse the application. Therefore, a recommendation of approval is made, subject to conditions.

## 13. RECOMMENDATION

**Approve subject to conditions**

### Conditions:

1. Development in accordance with approved plans
2. Materials as application
4. Noise management plan to be agreed and implemented prior to first occupation
5. Travel Plan to be submitted

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatics / 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 Chair of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*



25/3557/FUL

Qc65 First Avenue, Poynton,  
Stockport, SK12 1ND

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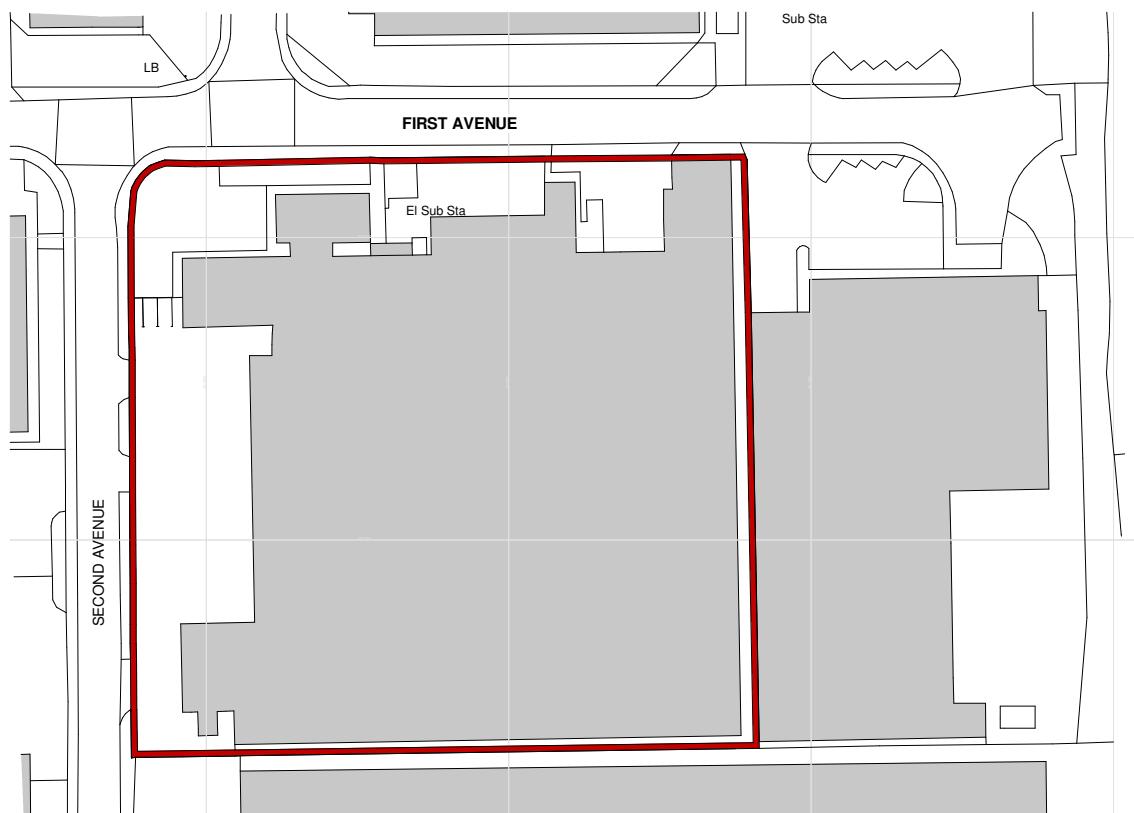
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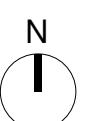
**1** Site Location Plan  
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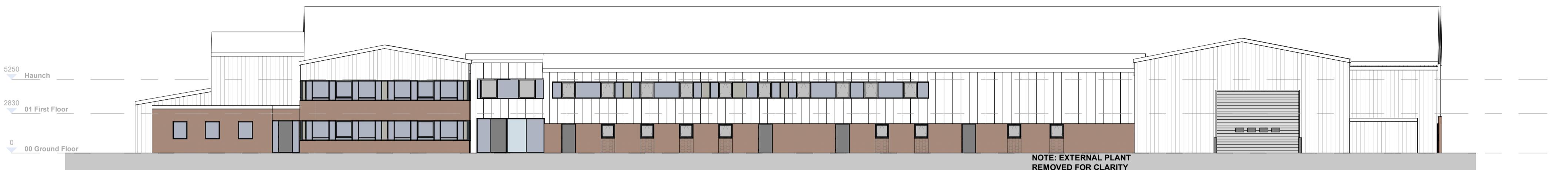
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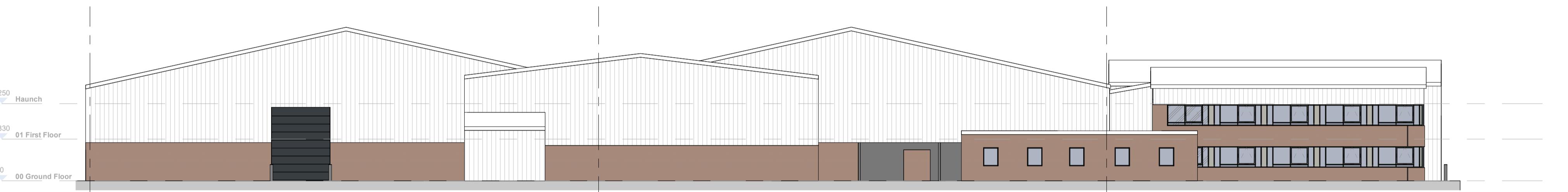
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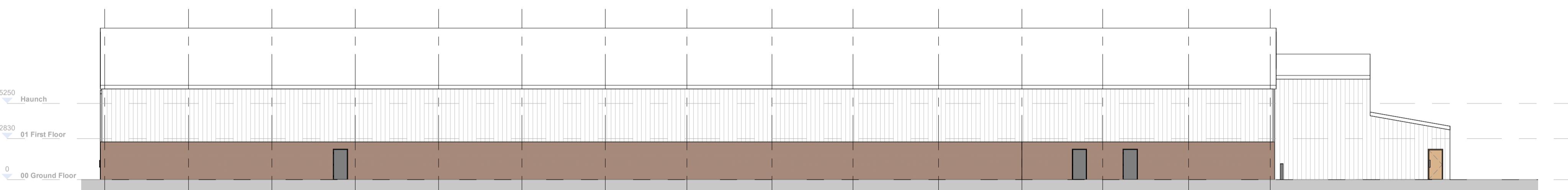
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Status	Purpose of Issue	Rev
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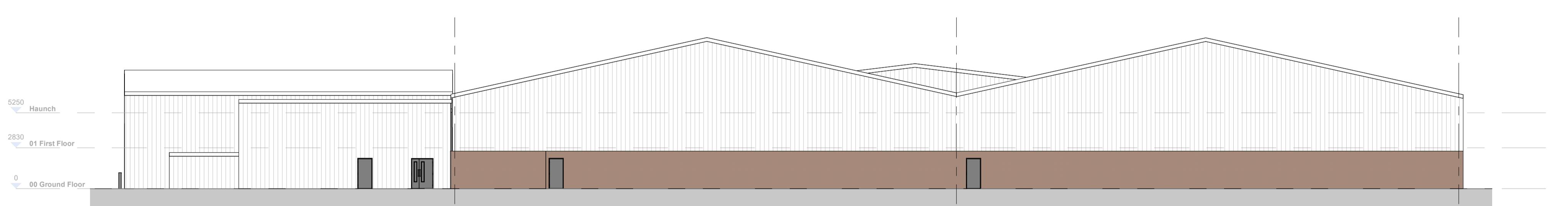
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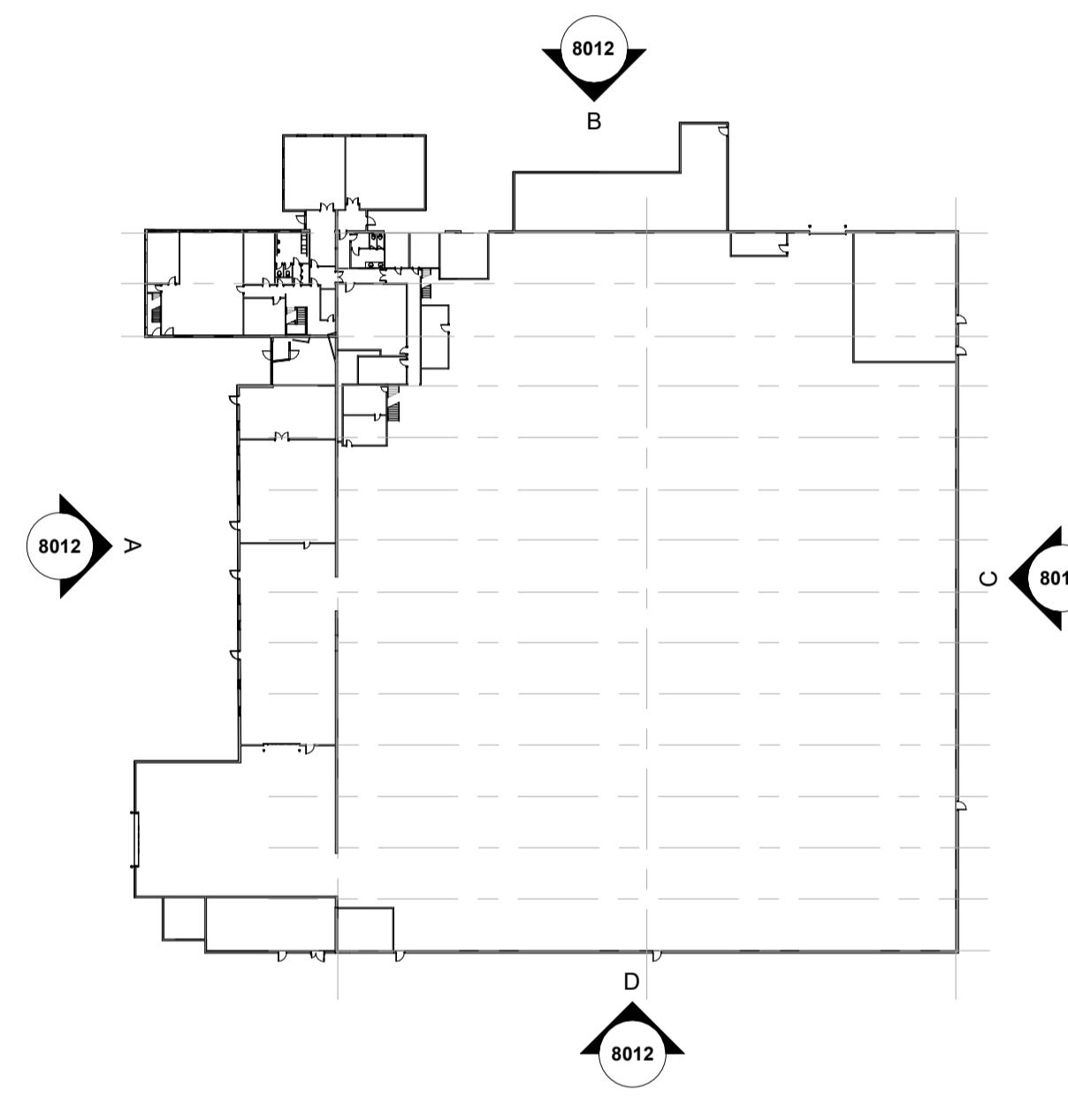
**B** 80ZZ\_GA Elevation-B - Pre-Demolition  
1:200



**C** 80ZZ\_GA Elevation-C - Pre-Demolition  
1:200



**D** 80ZZ\_GA Elevation-D - Pre-Demolition  
1:200



**5** 80ZZ\_Key Plan - Pre-Demolition  
1:750

## Notes | Post Demolition Elevations

## Key | External Materials

**1** Type: Built-up Metal Cladding  
Trapezoidal Profile Laid Vertically  
Colour: Merlin Grey BS 18 B 25

**2** Type: Built-up Metal Cladding  
Trapezoidal Profile Laid Vertically  
Colour: Anthracite RAL 7016

**3** Type: Built-up Metal Cladding  
Model: Insulated twin skinned, Vertically  
Laid Trapezoidal Cladding  
RAL 7038 - Goosewing Grey

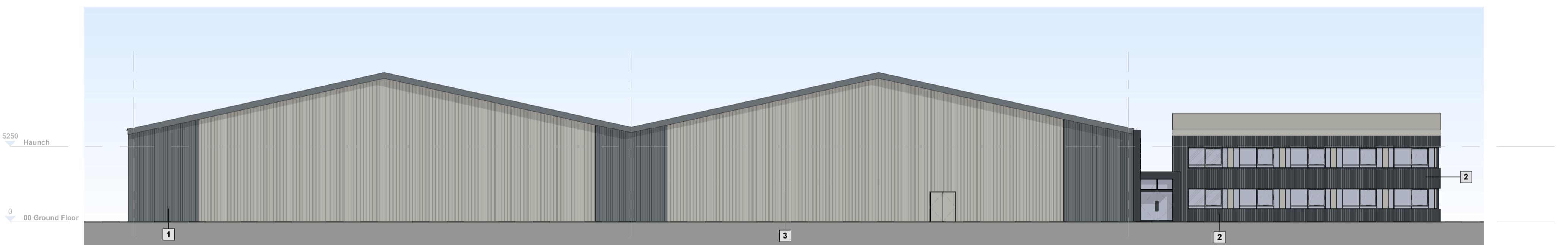
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Colour: Merlin Grey BS 18 B 25

**B** Type: Flat faced Eaves / Verges  
Colour: Goosewing Grey RAL 7038



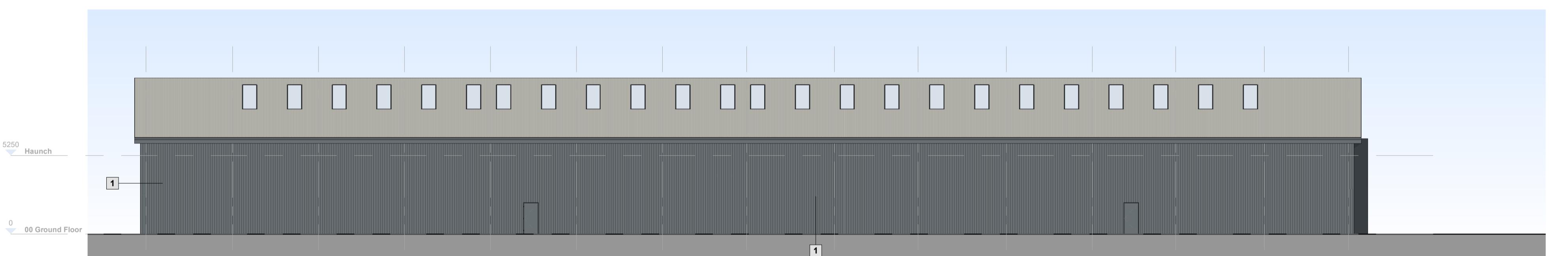
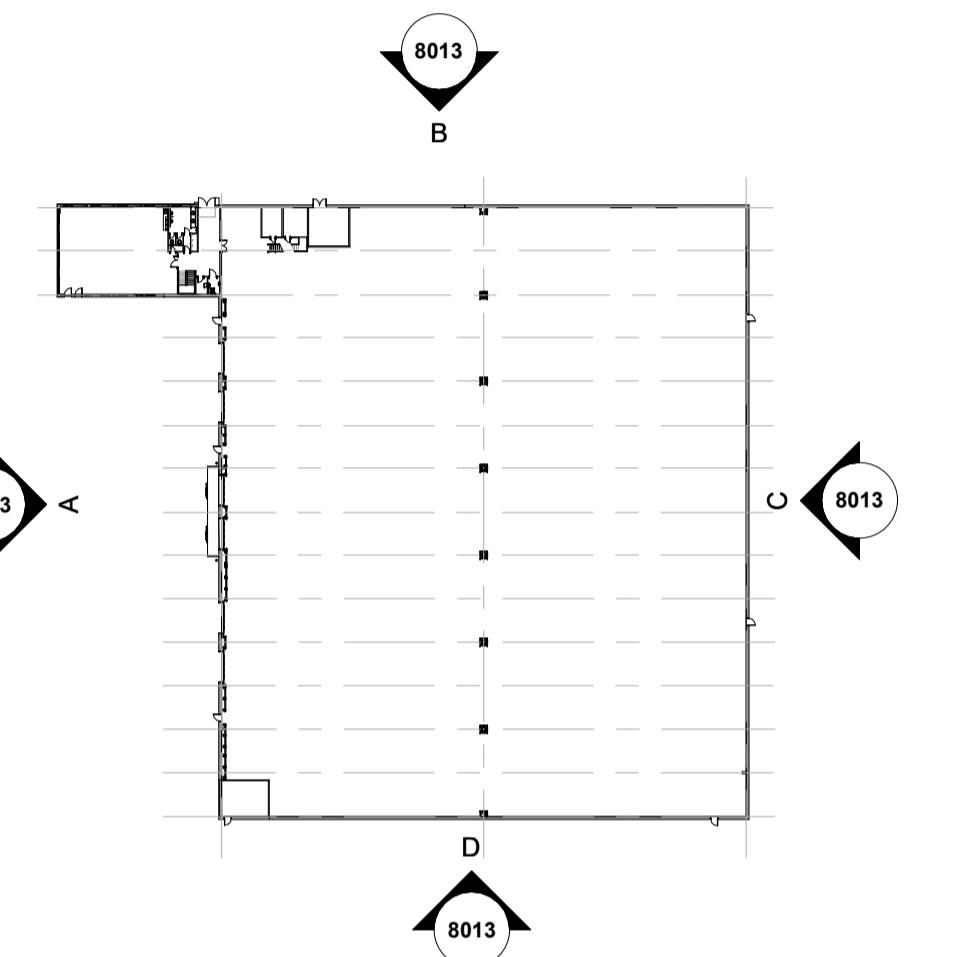
A 80ZZ\_GA Elevation-A - Post-Demolition

1:200



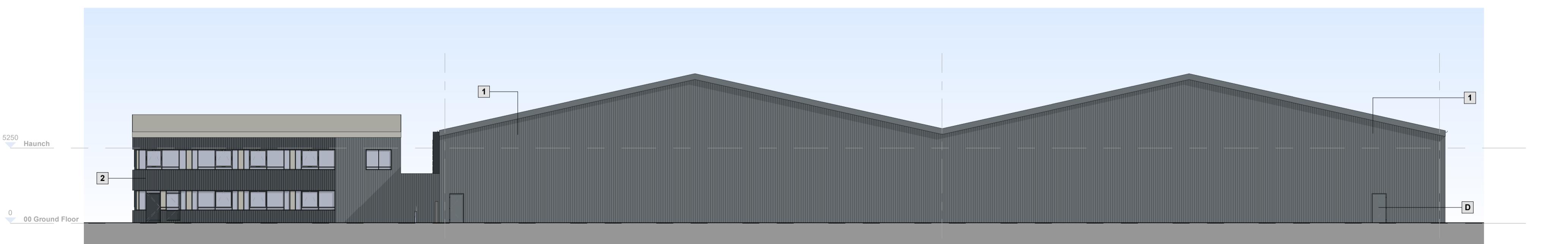
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C 80ZZ\_GA Elevation-C - Post-Demolition

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D 80ZZ\_GA Elevation-D - Post-Demolition

1:200

P01 First Issue Date LR 11/12/25 DC

P02 Update Issue LR 11/12/25 DC

P01 First Issue of Drawing LR 11/12/25 DC

Rev/ Revision Details Drawn Date Checked

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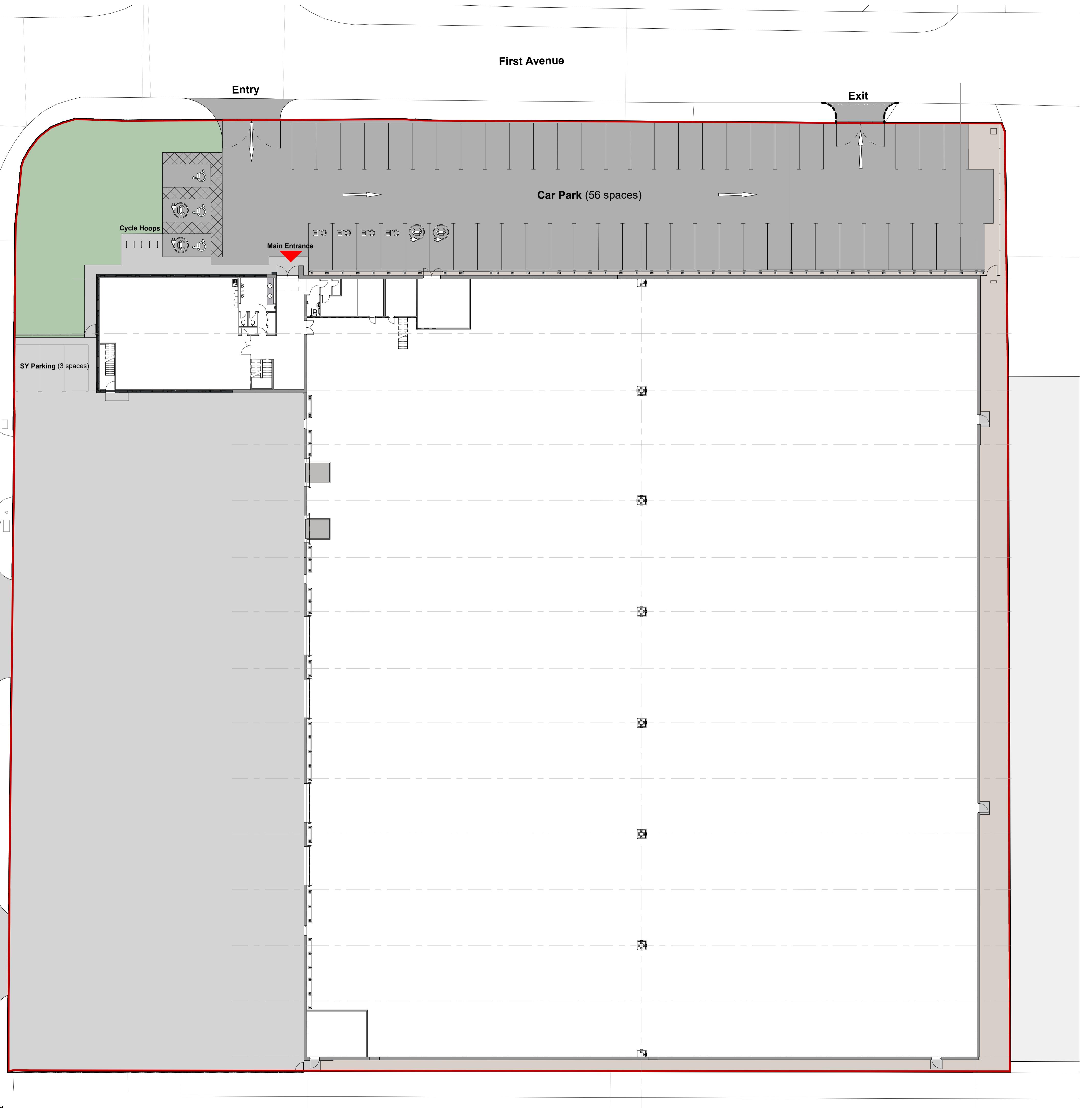
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Status Purpose of Issue Rev

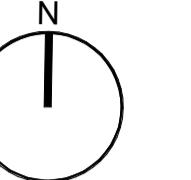
S2 FOR INFORMATION P03



Schedule_Parking	
Description	Count
Unit / Building	
Accessible Car Parking Bay	1
Accessible Parking Bay with EV Charging	2
Cable Enabled Parking Bay	4
Electric Vehicle Charging Parking Bay	2
Standard Car Parking Bay	50
Car Parking	59
Car Parking	59

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P02 Update Issue BC 09.09.25  
P01 First Issue BC 08.09.25  
Rev/ Revision Details Drawn Date Checked

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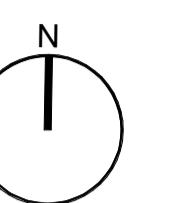
Project  
Poynton Ind. Estate, Stockport

Drawing Title  
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LPA\_Plan as Proposed

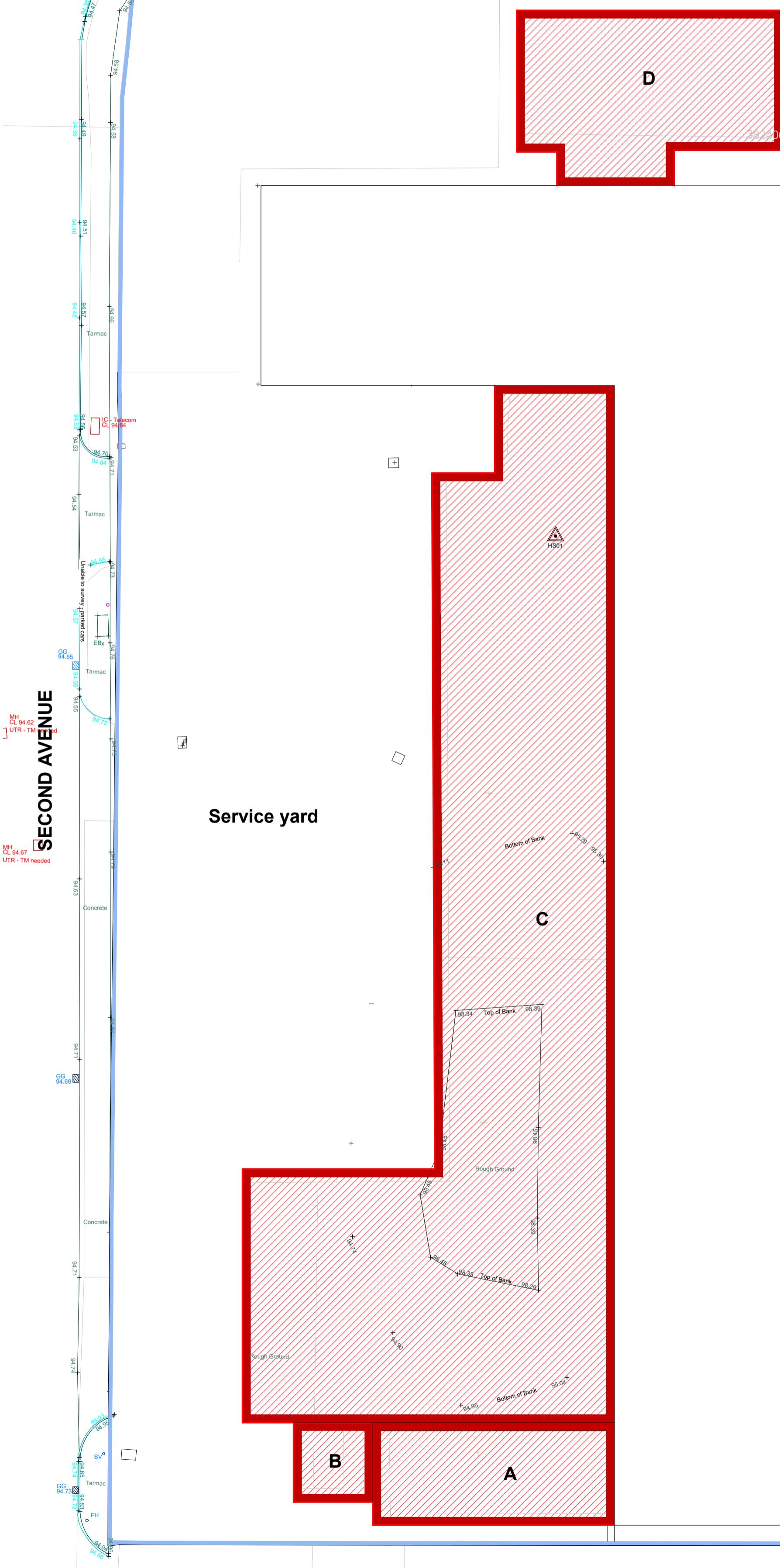
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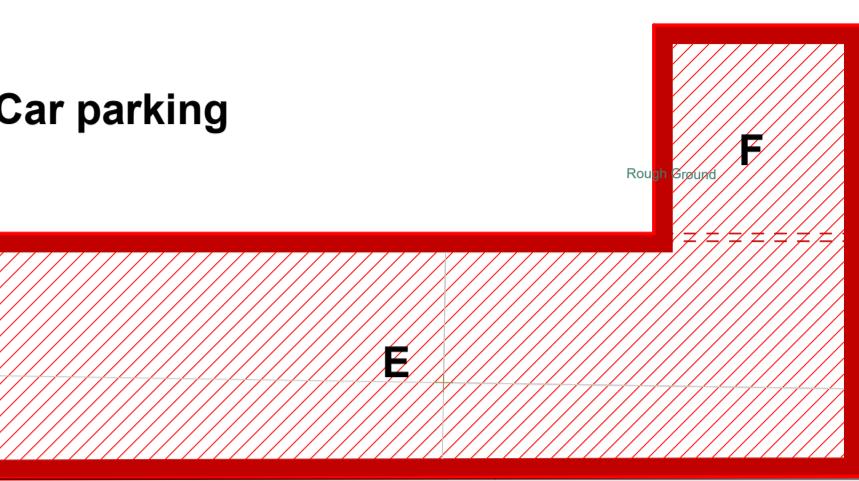
Status Purpose of Issue  
**SS REVIEW & ACCEPT BY AP** Rev  
**P02**



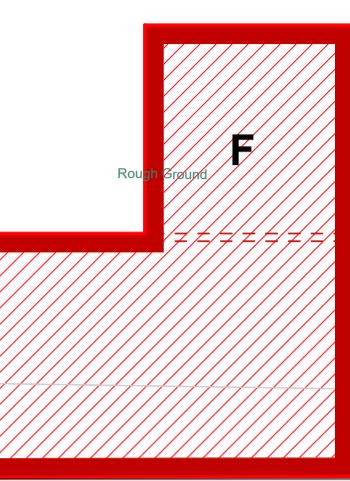
## FIRST AVENUE



## Car parking



E



F

Areas to be demolished

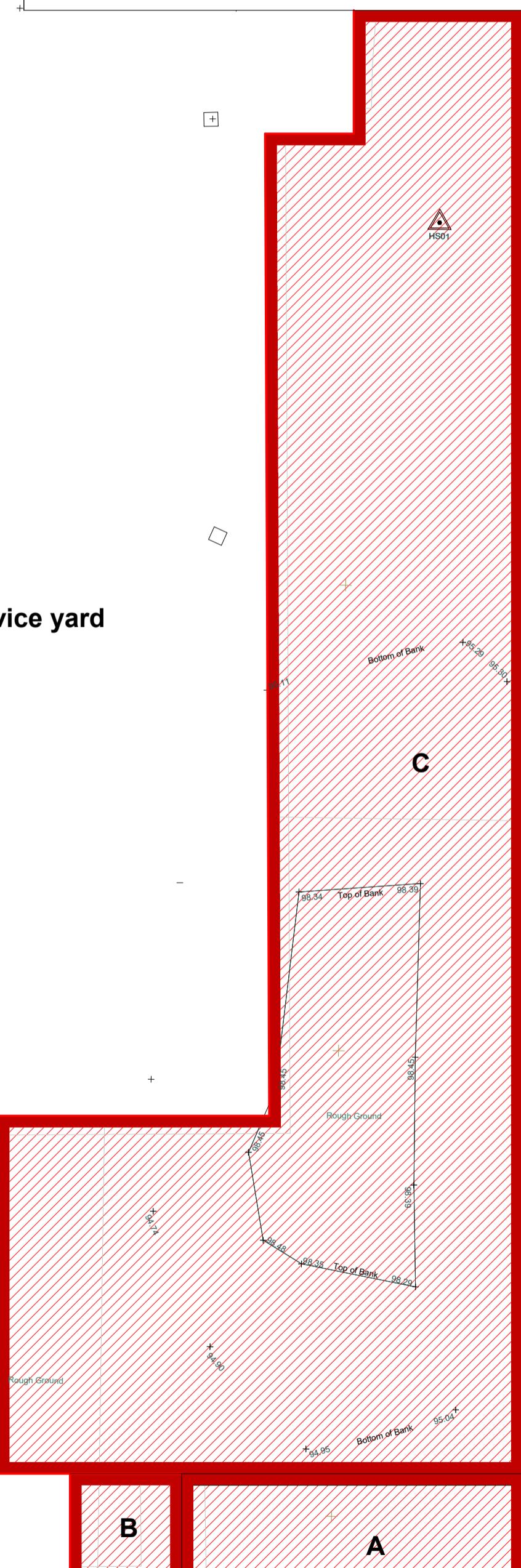
Schedule_Unit A-F Area		
Name	Area (m <sup>2</sup> )	Area (ft <sup>2</sup> )
Unit A	91.11 m <sup>2</sup>	980.7 ft <sup>2</sup>
Unit B	23.14 m <sup>2</sup>	249.0 ft <sup>2</sup>
Unit C	848.04 m <sup>2</sup>	9128.3 ft <sup>2</sup>
Unit D	151.92 m <sup>2</sup>	1635.3 ft <sup>2</sup>
Unit E & F	188.48 m <sup>2</sup>	2007.3 ft <sup>2</sup>
	1306.69 m <sup>2</sup>	14000.5 ft <sup>2</sup>

301050

## SECOND AVENUE

## Service yard

## Warehouse/Industrial Unit



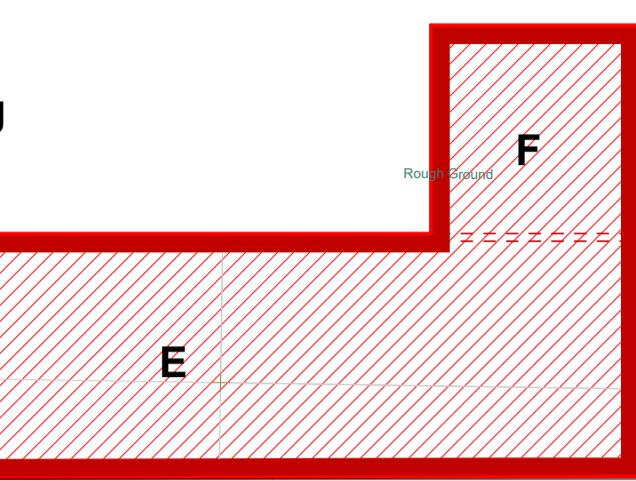
A

B

C

D

E



F

**Application No:** 25/4184/PIP

**Application Type:** Permission in Principle

**Location:** Land At Lostock Hall Road, Poynton

**Proposal:** Permission in principle for one dwelling

**Applicant:** Mr Gordon Turner

**Expiry Date:** 16 January 2026

### **Summary**

- The application proposals seek planning permission in principle for the development of one residential dwelling.
- 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.
- Given the statutory constraints of a permission in principle, it is considered that a residential scheme in principle (site location, the type and amount of development) could be provided on site.
- The presumption in favour of sustainable development applies which points towards the grant of planning permission.

### **Summary recommendation**

**Approve**

## **1. REASON FOR REFERRAL**

- 1.1. The application relates to a significant departure from Cheshire East's Local Plan Policies, 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 located at Lostock Hall Road, Poynton. The site is a vacant parcel of land which has been recently cleared of vegetation. Some tree stumps are present, but the site is now generally free from significant vegetation. The site is bounded by post and rail fencing and hedgerows to various boundaries.
- 2.2. The site is accessed via the existing private access track off Lostock Hall Road which also serves the spur to the approved development site and existing properties at 33A and 33B Squirrels Chase.
- 2.3. The site and its surrounds are washed over by a Green Belt designation, and for the purposes of the Local Plan the land is within the open countryside.

### **3. DESCRIPTION OF PROPOSAL**

3.1. The application proposals seek planning permission in principle for the development of a single residential dwelling.

### **4. RELEVANT PLANNING HISTORY**

4.1. There is no relevant planning history for the application site.

4.2. However, there are recent decisions on the nearby site at land adjacent to 33B Squirrels Chase, off Lostock Hall Road. These being: -

4.2.1. Appeal Decision APP/R0660/W/24/3342165 (November 2024): A Planning Inspector allowed an appeal for 2 detached dwellings, finding that the site was located in a village for the purposes of paragraph 154(e) of the NPPF and that the proposal constituted limited infilling. The Council had indicated it would have refused the application on Green Belt grounds, but the Inspector concluded that the development was not inappropriate.

4.2.2. Planning Permission 25/2028/FUL (October 2025): Following the appeal decision, Cheshire East Council granted planning permission for 3 detached dwellings on the same site under delegated powers. The Officer Report concluded that the site constitutes limited infilling in a village in accordance with paragraph 154(e) of the NPPF and Policy PG3 of the Local Plan. The Council accepted the Inspector's findings and applied them to grant permission for an increased number of dwellings.

### **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. 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 POLICY**

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

- MP1 Presumption in Favour of Sustainable Development
- PG1 Overall Development Strategy
- PG2 Settlement Hierarchy
- PG3 Green Belt
- PG6 Open Countryside

- PG7 Spatial Distribution of Development
- SD1 Sustainable Development in Cheshire East
- SD2 Sustainable Development Principles
- IN1 Infrastructure
- IN2 Developer Contributions
- SC4 Residential Mix
- SE1 Design
- SE2 Efficient Use of Land
- SE4 The Landscape
- SE5 Trees, Hedgerows and Woodland
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood Risk and Water Management
- CO1 Sustainable Travel and Transport
- CO4 Travel Plans and Transport Assessments
- Appendix C Parking Standards
- PG8 Development at local service centres
- PG9 Settlement Boundaries
- PG10 Infill villages
- GEN1 Design principles
- ENV1 Ecological network
- ENV5 Landscaping
- ENV6 Trees, hedgerows and woodland implementation
- ENV16 Surface water management and flood risk
- HOU1 Housing mix
- HOU12 Amenity
- HOU13 Residential standards
- HOU14 Housing density
- HOU16 Small and medium sized sites
- INF1 Cycleways, bridleways and footpaths
- INF3 Highways safety and access

6.3. Poynton Neighbourhood Development Plan (PNDP):

6.4. 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: -

- Policy EGB1 – Surface Water Management
- Policy EGB8 – Protection of rural landscape
- Policy HOU6 – Housing mix
- Policy HOU7 – Environmental considerations
- Policy HOU8 – Density and site coverage
- Policy 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:

7.2. Cheshire East Design Guide.

## 8. CONSULTATIONS (External to Planning)

**Poynton with Worth Town Council** – object on the following grounds:

- The proposed development and associated use would cause substantial harm to the character, openness and appearance of the area and in particular cause harm to the North Cheshire Green Belt within which the application site lies.
- The proposal for the redevelopment of an area of open land for residential purposes is considered to constitute inappropriate development in the Green Belt which would be detrimental to its character and openness whilst conflicting with the purposes of including land within it.
- The case put forward by the applicant to justify inappropriate development in the Green Belt does not constitute very special circumstances sufficient to outweigh the harm by reason of inappropriateness and any other harm to the Green Belt.
- The site is not part of the so-called grey belt.
- The development proposals will not be considered to be ‘limited infilling in villages’
- It would extend the developed area into an undeveloped part of the Green Belt, so constituting both urban sprawl and the encroachment of urban areas into the countryside and breach two of the five purposes of Green Belt.
- The applicant has referred to another site off Lostock Hall Road granted planning consent for two houses on appeal (ref. 23/0927M) and subsequently three houses (25/2028/FUL). However, the current application site is entirely distinct and separate from the earlier site, which therefore does not establish any type of precedent. In particular, the earlier site is largely surrounded by existing houses while this site borders open countryside.
- The intrusion of the proposed dwelling into open land would result in a loss of landscaping and detract from the character and appearance of the rural setting.
- The proposed development has inadequate access, on what the applicants concede in their Design and Access statement is a “track”. This section of Lostock Hall Road has a confusing layout, no streetlights and is unadopted.
- The nearest shops are in the centre of Poynton, a mile away. If the development proceeds, access would be by private car. The bus service along Chester Road has only one bus every hour and does not run on Sundays or in the evening.
- 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 open space and increased proximity of a new house will drive away wildlife. Increased artificial illumination is a particular threat to bats and disrupts the breeding cycles of frogs and toads. Moths and glow-worms are especially impacted by bright artificial lights.
- The proposed new house would detract from the rural nature of the area and begin a process of urbanisation. Utilities Public utilities are under strain in semi-rural areas of Poynton.

**Highways** – No objection

**Environmental Health** – No objection

**United Utilities** – No objection

## 9. REPRESENTATIONS

The application has been duly advertised by means of direct neighbour notification letters and site notice.

Five letters of representation have been received, and their comments can be summarised as follows: -

- The overhead electricity and telephone supply cables to our property pass over this ground. It is suggested that both of these supplies will be impeded by a building being built on this site.
- There were a number of established trees on this site, which appear to have been removed prior to this application being submitted, probably so that this could not be raised as a reason for objection. However, during the process of the tree removal they brought a telephone line down.
- How many more properties can be crammed into this once open space with only a single-track access, which is already much busier with traffic and disruption than was originally planned for this type of unadopted road.
- When the Council previously agreed planning permission from the same applicant for five properties to be built on the lane there was around two years of disruption caused to neighbours, Aqua Life Nursery and the general public who use this lane regularly as a public footpath. In addition, the lane became a mud bath for the whole duration of the construction of those properties.
- The site is adjacent to the electrical sub-station which feeds the area and is bounded and crossed by mains water, electricity and telecom services which supply the area, thereby preventing development within the site from being able to be provided that would be in compliance with the standards set within the Plan for layout, location and design and would be overdevelopment
- The relevant services which abut or cross the site are provided by Electricity North West, United Utilities, Virgin Media and BT, and there is no evidence within the Application that proper investigations have been carried out to ascertain the extent of those services, their location, and/or the effect that proposed development may have. In the absence of such information, and details of how any adverse effects on the operation of these services, the conflict with existing wayleaves and rights, and proof of the ability to re-negotiate and/or relocate these services, it cannot be accepted in principle that the site is suitable for residential development.
- The Planning Statement is mistaken in its interpretation of both current planning law and the quoted decision of the Inspector. The site is not in a village, it is not infill, it is not grey belt, and it is inappropriate development within the Green Belt and there are no overwhelming benefits which outweigh the presumption against.
- The only means of access to the site is from the track which abuts public footpath 70. To agree in principle with proposals which will inevitably adversely conflict with and interfere with the function and usage of this important footpath, as well as general usage of the accesses within the area, is entirely wrong in principle.

## 10. OFFICER APPRAISAL

### Preliminary Matters

- 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 application 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 permitted. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted.
- 10.4. The Local Planning Authority may not grant Permission in Principle for a major development. Major development in the case of Permission in Principle are applications which is where the number of houses is 10 or more, the floor space created is 1,000m<sup>2</sup> or more or the development is carried out on a site having an area of 1 hectare or more.
- 10.5. In this case the development is for a single unit, and the red line site has an area of less than 1 hectare (0.06ha). The floor-space to be created is unknown at this stage but would need to be assessed at the Technical Details Consent stage.
- 10.6. Therefore, 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

- 10.7. The site is located within the Green Belt.

#### Inappropriate development

- 10.8. 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.
- 10.9. 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.
- 10.10. Policy PG3 of the Cheshire East Local Plan Strategy 2017 (CELPS) seeks to protect the Cheshire East Green Belt. In that respect, its aims are broadly consistent with the Framework.
- 10.11. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraphs 154 and 155.
- 10.12. 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.
- 10.13. 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.
- 10.14. 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

- 10.15. In this instance, this particular site lies outside of the Poynton settlement boundary, but it is not within a defined village infill boundary and as such, 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).
- 10.16. 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.
- 10.17. 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).
- 10.18. 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.
- 10.19. 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.

10.20. 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.

10.21. 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.

10.22. These issues (and arguments) were raised at a recent appeal in Poynton, 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 SADPD 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".*

10.23. 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."*

10.24. 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

10.25. With regard to infill, whilst the Framework does not include a definition of 'limited infilling', SADPD Policy PG10 defines 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".

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

10.27. This site is some distance from the house to the north, and is a long, thin, roughly triangular piece of land which has no neighbours to the south. It therefore cannot be regarded as being "a relatively small gap between existing buildings."

10.28. It is considered the proposal do not represent, either limited infilling that would be located in a village, nor limited infilling or the partial or complete redevelopment of previously developed land for the purposes of CELPS Policy PG3, or the Framework test at paragraph 154 (e) or (g).

10.29. Therefore, again when judged against the wording of both local (PG3) and national policy (para 154), the proposal still represents inappropriate development in the Green Belt.

Identifying grey belt:

10.30. 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;*

*(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."*

10.31. 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. See above. However, Paragraph 225 of the Framework states that due weight should be given to policies according to their degree of consistency with the Framework.

*Identifying grey belt (purposes a, b and d)*

10.32. 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.

10.33. The application site in this case would constitute 'other land'.

10.34. Whether the site should be classed as 'grey belt' is based on an assessment of how that site contributes to the 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’; and
- Purpose (d) is – ‘to preserve the setting and special character of historic towns’.

10.35. With regards to ‘*Purpose A*’ (*sprawl*), the application site is on the edge of Poynton, a large built-up area in the context of Purpose (a). The site is bound by some existing development as with the approved development nearby. Development of this site would not extend into open land. The site is not free of existing development on its boundaries, with buildings immediately adjacent to the north, east and south. Physical features restrict development, including the access track, existing buildings, and field track and fields. Development would not result in an incongruous pattern given the existing cluster of development. The site does not strongly contribute to checking unrestricted sprawl because it is near development and features which restrict sprawl, it is not free of development on its boundaries, and strong boundaries prevent sprawl beyond the site. The site therefore passes the Purpose (a) test for grey belt.

10.36. With regard to ‘*Purpose B*’ (*towns merging*), the nearest settlement to Poynton is Woodford to the west, which is a village rather than a town. The site does not lie in a gap between towns. Development of this site would have no effect on any separation between towns. The site does not strongly contribute to preventing neighbouring towns merging because it does not lie in a gap between towns. The site therefore passes the Purpose (b) test for grey belt.

10.37. Finally, in regard to ‘*Purpose D*’ (*character*) 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’. Poynton has some historic origins, but the application site is located on the edge of Poynton in an area characterized by 20th century development including modern housing, a primary school, and commercial garden centre buildings. The site is not within or adjacent to any conservation areas and is not in a location that contributes to views of or the setting of any historic core. The site does not strongly contribute to preserving the setting of historic towns. The site therefore passes the Purpose (d) test for grey belt.

#### *Identifying grey belt – Footnote 7*

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

10.39. 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.

10.40. None of the areas or assets listed in footnote 7 apply to the application site.

#### *Identifying Grey Belt – Conclusions*

10.41. 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.

10.42. It is not considered that the application site falls within any of the policies, areas nor assets in footnote 7 that would provide a strong reason for refusing or restricting development.

Grey belt and fundamentally undermine purposes of Green Belt (155a)

10.43. Given the above, the impact of the scheme at a site-specific level would be very limited. However, the key consideration is whether there would be a fundamental impact on the remaining Green Belt across the plan area of Cheshire East as a whole.

10.44. The use of this modest site for a minor development of a dwelling would not affect the ability of the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way for the purposes of paragraph 155(a) of the Framework.

Unmet Need (155b)

10.45. The application proposes the erection of a dwellings.

10.46. 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.

10.47. 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.

10.48. 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.

10.49. 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.

10.50. 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%.

10.51. 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.

10.52. 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.

*Sustainable location (155c):*

10.53. 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.

10.54. 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.

10.55. 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.

10.56. 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.

10.57. 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.

10.58. 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.

10.59. The site is in a sustainable location with Lostock Hall Primary School adjacent, Poynton town centre accessible via footpaths providing shops, services, employment and healthcare, bus stops providing regular services, Poynton railway station within reasonable distance providing services to Manchester and Stockport, primary and secondary schools within walking distance, and recreation facilities nearby.

10.60. The November 2024 appeal decision and October 2025 planning permission both accepted that the site locationally sustainable in the round.

10.61. Given the above, the site is a sustainable location for the purposes of meeting Paragraph 155(c) of the Framework with due regard given to paragraphs 110 and 115 of the Framework and the PPG.

#### Golden Rules 155d

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

10.63. Paragraph 156 states: -

*'Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:*

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- b. necessary improvements to local or national infrastructure; and*
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces."*

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

#### Green Belt Conclusion

10.65. The site does not make a strong contribution to purposes a), b) or d) of the Green Belt as set out at paragraph 143 of the Framework and therefore comprises 'Grey Belt' land. The development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The Council cannot currently demonstrate a five-year supply of housing and there is a demonstrable unmet need for the type of development proposed. The development would be in a sustainable location having regard to paragraphs 110 and 115 of the Framework. The proposed scheme is not major development and therefore is not required to meet the 'Golden Rules' requirements set out in paragraphs 156-157 of the Framework.

10.66. It has been demonstrated above that the site and proposals would meet the requirements of paragraph 155 of the Framework, therefore the proposed delivery of housing on the site should not be regarded as inappropriate development in the Green Belt.

#### Land Use

10.67. The proposed land use is for residential purposes.

10.68. The Local Planning Authority 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.

### Highway Access, Safety and Parking Provision

10.69. 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.

10.70. 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.

10.71. There is sufficient space within the site for off-street parking provision to be in accordance with CEC parking standards for one dwelling.

10.72. The Council Head of Strategic Transport has stated that in principle, one dwelling is likely to be acceptable depending on the access design. Lostock Hall Road is a private single lane track where the site is located.

### Ecology

10.73. 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.

10.74. 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.

### Arboricultural Implications

10.75. 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.

10.76. Although no arboricultural information was submitted with the application, it can be seen that the application site was heavily treed.

10.77. Whilst this would not preclude the possibility of a residential scheme being acceptable on the site, this may constrain the design and amount of any dwellings provided.

### Amenity

10.78. SADPD Policy HOU12 states that development proposals should not significantly injure the amenities of adjoining or nearby residential properties through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation. SADPD Policy HOU13 sets out guidelines of space between buildings.

10.79. A residential use which is compatible with the mainly residential surroundings. Although there is farm land 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.

10.80. The proposal would provide adequate separation distances to existing properties with a generous garden for the proposed dwelling. No loss of light, privacy or overlooking issues are anticipated, with these matters to be addressed in detail at Technical Details Consent stage.

10.81. As such, the proposed land use is acceptable in principle.

#### Flood Risk

10.82. CELPS Policy SE13 (*Flood Risk and Water Management*) states that “all planning applications for development at risk of flooding are supported by an appropriate Flood Risk Assessment (FRA) to demonstrate that development proposals will not increase flood risk on site or elsewhere and opportunities to reduce the risk of flooding are sought, taking into account the impacts of Climate Change in line with the Cheshire East SFRA”. SADPD Policies ENV16 (*Surface water management and flood risk*) and ENV17 (*Protecting water resources*) also seek to manage surface water drainage effectively and reduce the risk of flooding elsewhere, and also to ensure development proposals will not have a detrimental impact on the flow or quality of groundwater or surface water.

10.83. It is noted that the LLFA and United Utilities have not found any reason to object to this application, subject to a planning condition to submit a drainage strategy before development commences. This of course can be provided at the technical consent stage.

10.84. The site is not within a Flood Risk Zone, and is not at risk of surface water flooding. United Utilities have commented that they will make another recommendation if a subsequent application is submitted at the Technical Detail Consent stage. They have requested further information regarding sustainable drainage systems. The previous comments apply.

#### Contamination

10.85. CELPS Policy SE12 (Pollution, Land Contamination and Land Instability) states that “The council will seek to ensure 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”.

10.86. 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.

10.87. 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.

#### Public Rights of Way

10.88. SADPD Policy INF1 relates to cycleways, bridleways and footpaths. National planning policy highlights that the transport system needs to be balanced in favour of sustainable

transport modes, giving people a real choice about how they travel. It also says that planning policies should protect and enhance public rights of way and access.

10.89. The property is adjacent to public footpath Poynton with Worth No. 70 as recorded on the Definitive Map. PROWs are of course, protected, and it appears unlikely that the proposal would affect the public right of way. This matter could be further examined at the Technical Matters Consent stage.

#### Manchester Airport (Aerodrome Safeguarding)

10.90. SADPD Policy GEN5 relates to aerodrome safeguarding. Development that would adversely affect the operational integrity or safety of any officially safeguarded civil aerodrome or associated aerodrome navigation aids, radio aids or telecommunications systems will not be permitted.

10.91. The proposed development has not been examined against aerodrome safeguarding measures. The assessment of any not conflict with any safeguarding criteria would be undertaken during the Technical Matters Consent stage.

#### Land Use Summary

10.92. Having regard to the above, the land use elements of the permission in principle scheme are deemed to be acceptable

#### Amount

10.93. This proposal seeks to bring forward a dwelling on this site of 0.6 hectares, giving an overall density of 16 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”. 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.

10.95. While detailed design is not for determination at Planning in Principle stage, the indicative proposals demonstrate that 1 dwelling can be accommodated without harm to character. The surrounding area comprises a mixture of residential properties, the primary school, and the garden centre commercial buildings. A single dwelling would sit comfortably within this context.

### **11. PLANNING BALANCE/CONCLUSION**

11.1. A Planning Authority must exercise its judgement and consider many (sometimes) conflicting issues to decide whether planning permission should be granted. This will mean examining the Development Plan and taking material considerations which apply to the proposal into account. These things must be properly considered otherwise the decision of whether or not to grant permission may be unlawful.

11.2. The application proposals seek planning permission in principle for the development of a residential dwelling.

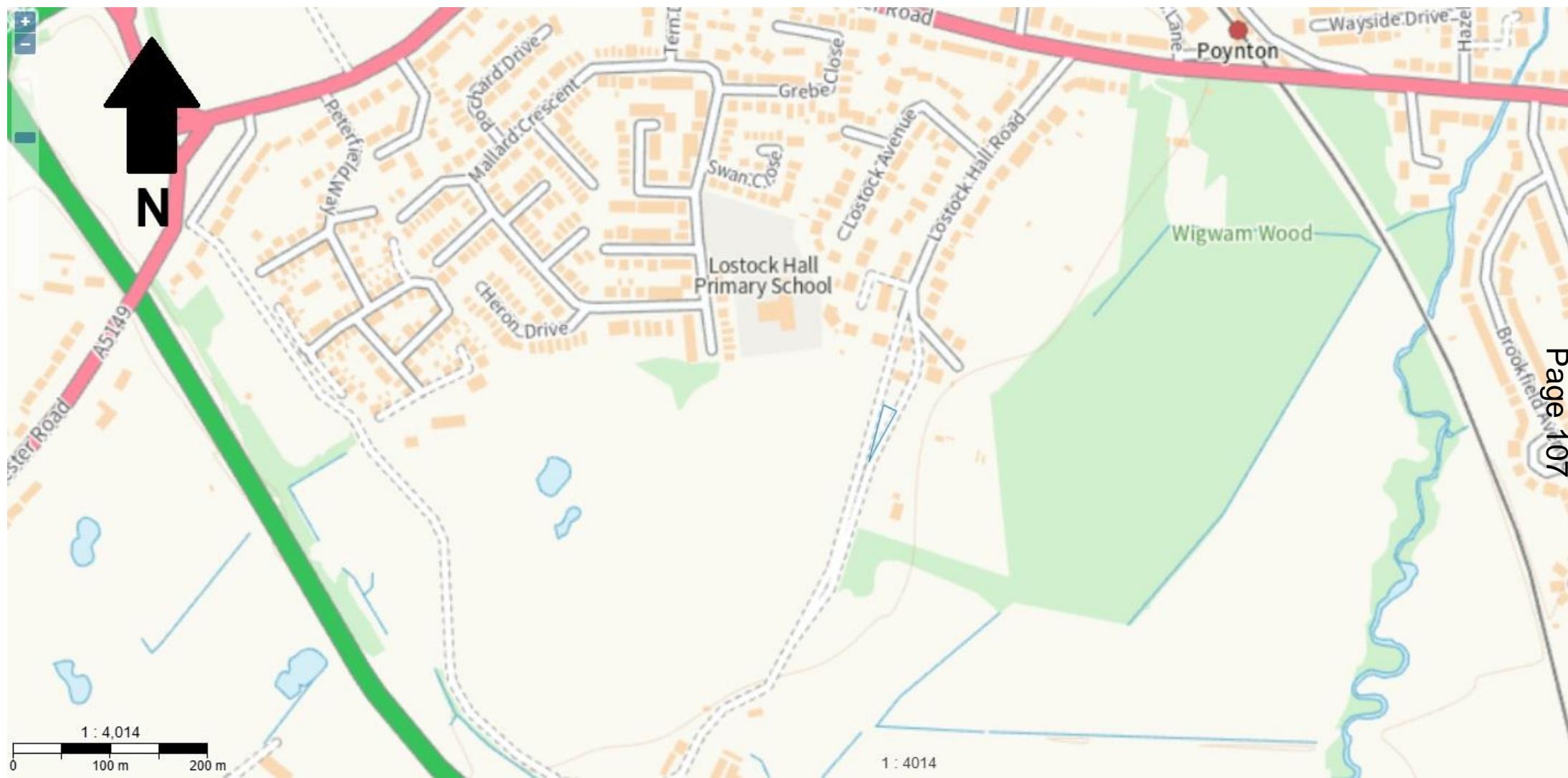
11.3. The application site is within the Green Belt and is not previously developed.

- 11.4. 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.
- 11.5. Given the statutory constraints of a permission in principle, it is considered that a residential scheme in principle (site location, the type and amount of development) could be provided on site.
- 11.6. The Council current housing land supply position is 3.8 years. In an era of national, and in this instance, local housing shortages, the provision of a unit would assist in increasing the supply of housing across Cheshire East. These matters attract moderate weight in favour of the proposal.
- 11.7. The impact of the development on residential amenity, noise, air quality, contaminated land, highways, ecology and drainage and flood risk would all be considered at the Technical Details Stage.
- 11.8. The proposal would also provide economic benefits during the construction period. The future occupiers would also provide economic benefits to the nearby area once the development would be complete through their use of nearby shops and services. These matters attract limited yet additional positive weight.
- 11.9. The benefits are that the development would provide an additional house and are a social benefit, considering the housing land supply shortfall. The benefits of the scheme also include investment in the local economy and the creation of jobs during the construction phase, increased support for local shops and businesses by the future occupants. The scheme would generate Council Tax income, which could provide a source of revenue funding for the Local Authority in delivering services as well as investing in the locality.
- 11.10. In the context of paragraph 11 of the Framework, the adverse impacts of the development when assessed against the policies in the Framework taken as a whole, including those seeking to boost the supply of homes, achieve well designed places and making effective use of land, would significantly and demonstrably outweigh the benefits. Therefore, the presumption in favour of sustainable development applies which points towards the grant of planning permission.
- 11.11. For the reasons set out above, and having taken account of all matters raised, it is recommended that this application is approved.
- 11.12. 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 development. The PPG advises that where permission in principle is granted by application, the default duration of that permission is 3 years. Planning obligations (S.106 Legal Agreements) cannot be secured at the permission in principle stage.

## **12. RECOMMENDATION**

**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 / Informatics / 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 Strategic Planning Board, provided that the changes do not exceed the substantive nature of the Committee's decision.*



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25/4184/PIP

Land At Lostock Hall Road,

Poynton

SITE LOCATION PLAN  
AREA 4 HA  
SCALE: 1:1250 on A4  
CENTRE COORDINATES: 390786 , 383352



Land at Lostock Hall Road, Poynton

Location for one dwelling edged in red



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12:06:23 29/10/2025

**Application No:** 25/3963/PIP

**Application Type:** Permission in Principle

**Location:** Caudebec Congleton Road, Alderley Edge, Cheshire East, SK9 7AL

**Proposal:** Permission in principle for the construction of up to 2 dwellings

**Applicant:** Mr Andrew O'Dua, White Pennant Limited

**Expiry Date:** 19 November 2025

### **Summary**

- The application proposals seek permission in principle for the development of up to two residential dwellings.
- 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.
- Given the statutory constraints of a permission in principle, it is considered that a residential scheme in principle (site location, the type and amount of development) could be provided on site.
- The presumption in favour of sustainable development applies which points towards the grant of planning permission.

### **Summary recommendation**

#### **Approve**

#### **1. REASON FOR REFERRAL**

- 1.1. The application relates to a significant departure from Cheshire East's Local Plan Policies, 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 site lies to the south of Alderley Edge and extends to 0.45 hectares of residential garden land fronting Congleton Road to the west.
- 2.2. The immediate area is characterised by a ribbon of development or residential development along Congleton Road. The site has existing access from Congleton Road via an existing gate. The site and its surrounds are washed over by a Green Belt designation and for the purposes of the Local Plan, the land is within the open countryside.

### **3. DESCRIPTION OF PROPOSAL**

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

### **4. RELEVANT PLANNING HISTORY**

4.1. Following a review of the Council's records, the relevant planning history for the dwelling known as Caudebec, is considered as follows:

- 4.1.1. 07/3145P: Redevelopment of site to provide two residential units and garages following demolition of two residential units and garages – Approved 16 April 2008;
- 4.1.2. 08/1900P: Demolition of sunroom extension, erection of single storey extension and external alterations – Approved 17 October 2008;
- 4.1.3. 11/0227M: Orangery style kitchen extension with roof lantern and bi-fold doors – Approved 19 April 2011;
- 4.1.4. 11/4359M: Side extension to existing dwelling to link main dwelling to ancillary annexe to create one dwelling without annexe – Approved 25 January 2012;
- 4.1.5. 17/00116M: Alterations/extension to existing dwelling and annex building. Proposed stable block and menage, external works including new access road/hardstanding and associated landscaping – Approved 3 May 2017;
- 4.1.6. 18/0684M: Proposed alterations to dwelling, and single storey side and first floor rear extensions; proposed menage; stable block; external works including new driveway, hardstanding areas, tennis court and landscaping (amendments to 17/0116M) – Approved 15 May 2018;
- 4.1.7. 18/3351D: Discharge of condition 06 on 18/0684M – Approved 13 July 2018;
- 4.1.8. 18/3652D: Discharge of conditions 07 and 08 on 18/0684M – Approved 13 August 2018; and
- 4.1.9. 21/3927M: Two storey link extension between the main dwelling and ancillary outbuilding to provide additional living accommodation – approved 22 February 2022.

4.2. The site also partially overlaps the site of an application for two dwellings as set out below:-

- 4.2.1. 21/3276M: Permission in Principle application for construction of two dwellings – Refused 2 December 2021.
- 4.2.2. That appeal was dismissed on 20 May 2022, under reference APP/R0660/W/21/3288337.
- 4.2.3. To summarise, the Inspector found that there was too much of a gap between the appeal site and further built form to the south, along Congleton Road, and as the appeal site was found to be at the end of a ribbon of development, the development would not be in 'a small gap in an otherwise built-up frontage or a relatively small gap between existing buildings' and would not be infill development.

## 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. 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 POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

- MP1 Presumption in Favour of Sustainable Development
- PG1 Overall Development Strategy
- PG2 Settlement Hierarchy
- PG3 Green Belt
- PG6 Open Countryside
- PG7 Spatial Distribution of Development
- SD1 Sustainable Development in Cheshire East
- SD2 Sustainable Development Principles
- IN1 Infrastructure
- IN2 Developer Contributions
- SC4 Residential Mix
- SE1 Design
- SE2 Efficient Use of Land
- SE4 The Landscape
- SE5 Trees, Hedgerows and Woodland
- SE12 Pollution, Land Contamination and Land Instability
- SE13 Flood Risk and Water Management
- CO1 Sustainable Travel and Transport
- CO4 Travel Plans and Transport Assessments
- Appendix C Parking Standards
- PG8 Development at local service centres
- PG9 Settlement Boundaries
- PG10 Infill villages
- GEN1 Design principles
- ENV1 Ecological network
- ENV5 Landscaping
- ENV6 Trees, hedgerows and woodland implementation
- ENV16 Surface water management and flood risk
- HOU1 Housing mix
- HOU12 Amenity
- HOU13 Residential standards

- HOU14 Housing density
- HOU16 Small and medium sized sites
- INF1 Cycleways, bridleways and footpaths
- INF3 Highways safety and access

6.3. Neighbourhood Plan

6.4. The Nether Alderley Neighbourhood Plan has reached Regulations 17 and 18 Stage (Examination). The examination began on the 30 October 2025. Therefore, limited to moderate weight can be given to the policies within this NP.

- HD1 Local Design and Character
- LE2 The Countryside
- H1 Housing to Address Local Needs

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

7.2. Cheshire East Design Guide.

8. **CONSULTATIONS (External to Planning)**

8.1. **Nether Alderley Parish Council** – The Parish Council has previously objected to an application on this site and we also object to this one. It is not infilling development, being at the end of a long stretch of ribbon development. It is close to the difficult junction at Welsh Row, and, above all, it is in the Green Belt. We do not consider this development to be grey belt and ask that it be refused.

8.2. **Highways** – No objections but raised concerns regarding the access.

8.3. **Environmental Health** – No objection.

8.4. **United Utilities** – No objection.

8.5. **Lead Local Flood Authority** – No objection.

9. **REPRESENTATIONS**

9.1. The application has been duly advertised by means of direct neighbour notification letters and site notice.

9.2. Two letters of representation have been received, and their comments can be summarised as follows: -

- Lack of details
- Not eligible to be a PIP
- Increased Traffic and Highway Safety Concerns
- Increased Noise Pollution
- Increased Light Pollution
- Loss and Destruction of Habitat
- Increased Litter and Environmental Degradation
- Impact on Rural Character

## 10. OFFICER APPRAISAL

### Preliminary Matters:

- 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 permitted. All other matters are considered as part of a subsequent Technical Details Consent (TDC) application if permission in principle is granted.
- 10.4. The Local Planning Authority may not grant Permission in Principle for a major development. Major development, in the case of Permission in Principle are applications where the number of houses is 10 or more, the floor space created is 1,000m<sup>2</sup> or more, or the development is carried out on a site having an area of 1 hectare or more.
- 10.5. In this case the development is for two units, and the red line site has an area of less than 1 hectare (0.45ha). The floor-space to be created is unknown at this stage but would need to be assessed at the Technical Details stage.
- 10.6. Therefore, 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

- 10.7. The site is located within the Green Belt.

### Inappropriate development

- 10.8. 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.
- 10.9. 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.
- 10.10. Policy PG3 of the Cheshire East Local Plan Strategy 2017 (CELPS) seeks to protect the Cheshire East Green Belt. In that respect, its aims are broadly consistent with the Framework.
- 10.11. The Framework further establishes that the construction of new buildings in the Green Belt should be regarded as inappropriate, subject to a number of exceptions as set out in paragraphs 154 and 155. CELPS Policy PG3 lists similar exceptions.

10.12. The 2021 refusal on the site and subsequent appeal were assessed against a previous iteration of the NPPF. However, it is again considered that there is too much of a gap between the site and further built form to the south, along Congleton Road, and as the site is at the end of a ribbon of development. Therefore, the development would still not be in 'a small gap in an otherwise built-up frontage or a relatively small gap between existing buildings' and would not be infill development for the purposes of CELPS Policy PG3(3v), or the Framework test at paragraph 154(e).

10.13. The proposals would also not be considered limited infilling or the partial or complete redevelopment of previously developed land for the purposes of the Framework test at paragraph 154(g).

Identifying grey belt:

10.14. 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;*
- (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."*

10.15. 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. See above. However, Paragraph 225 of the Framework states that due weight should be given to policies according to their degree of consistency with the Framework.

*Identifying grey belt - purposes a, b and d*

10.16. 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.

10.17. The application site in this case would constitute 'other land'.

10.18. Whether the site should be classed as 'grey belt' is based on an assessment of how that site contributes to the 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'; and

- Purpose (d) is – ‘to preserve the setting and special character of historic towns’.

10.19. With regards to ‘*Purpose A*’ (*sprawl*), it is accepted that the 2015 Green Belt Assessment concludes that the wider area makes a significant contribution to purpose (a). However, when assessed against the guidance in the PPG, the proposed development site is minor in scale at 0.45 hectares and contained within the curtilage of Caudebec, and its use would not make a harmful contribution to urban sprawl.

10.20. Furthermore, the 2015 Green Belt assessment identifies that: “*the area is well contained by the A357, the A358 and the A34 which form strong boundaries; this has contained development in Alderley Edge, Prestbury, and the northwest area of Macclesfield*”.

10.21. The application site is retained within these strong highway boundaries and does not breach them. Further, the site is enclosed by highways to the west (Congleton Road) and to the south (Artists Lane), a Public Right of Way to the east and the host dwelling of Caudebec to the north. It is agreed that development of the site would not allow any more sprawl outside of the residential enclave of Caudebec.

10.22. With regard to ‘*Purpose B*’ (*towns merging*), the 2015 CEC Green Belt Assessment concludes that the wider parcel of land makes a significant contribution to this purpose as the general area assists in preventing settlements from merging including Prestbury and Macclesfield. The NPPG now confirms that this purpose relates to the merging of towns and not villages. The land does not form part of a gap between towns.

10.23. Finally, in regard to ‘*Purpose D*’ (*character*) 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 Alderley Edge subsequently having no visual, physical, or experiential connection to the historic aspects of the town.

#### *Identifying Grey Belt – Footnote 7*

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

10.25. 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.

10.26. None of the areas or assets listed in footnote 7 apply to the application site.

#### *Identifying Grey Belt – Conclusions*

10.27. The application site is 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. It is not considered that the application site falls within any of the policies, areas nor assets in footnote 7 that would provide a strong reason for refusing or restricting development.

Grey belt and fundamentally undermine purposes of Green Belt (155a)

10.28. Given the above, the impact of the scheme at a site-specific level would be very limited. However, the key consideration is whether there would be a fundamental impact on the remaining Green Belt across the plan area of Cheshire East as a whole.

10.29. The use of this modest site for a minor development of up to two dwellings would not affect the ability of the remaining Green Belt across the area of the plan from serving all five of the Green Belt purposes in a meaningful way for the purposes of paragraph 155(a) of the Framework.

Unmet Need (155b)

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

10.31. 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.

10.32. 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.

10.33. 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.

10.34. 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.

10.35. 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%.

10.36. 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.

10.37. 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.

Sustainable location (155c)

10.38. 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.

10.39. 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.

10.40. 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.

10.41. 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.

10.42. 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.

10.43. 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.

10.44. The site is within 1.2 km of the centre of Alderley Edge where there is a range of local shopping, leisure and service facilities, school and medical centre. Bus services run along Congleton Road within walking distance of the site. The closest train station is in Alderley Edge village centre.

10.45. The centre of Alderley Edge is accessible on foot, either via Congleton Road which has a pedestrian footpath leading into Alderley Edge, or the public footpath running to the rear of the site to the east of Congleton Road. However, it must be acknowledged that walking conditions are not ideal, as there is no street lighting and pedestrians would have to manage a steep hill up into, and back from, the village.

10.46. The Council have previously assessed the sustainability of the site and consider it to be in a village and 'locationally sustainable in the round'.

10.47. Given the above, the site is considered to be a sustainable location for the purposes of meeting Paragraph 155(c) of the Framework with due regard given to paragraphs 110 and 115 of the Framework and the PPG.

#### Golden Rules 155d

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

10.49. Paragraph 156 states:

*'Where major development involving the provision of housing is proposed on land released from the Green Belt through plan preparation or review, or on sites in the Green Belt subject to a planning application, the following contributions ('Golden Rules') should be made:*

- a. affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;*
- b. necessary improvements to local or national infrastructure; and*
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.'*

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

#### Green Belt Conclusion

10.51. The site does not make a strong contribution to purposes a), b) or d) of the Green Belt as set out at paragraph 143 of the Framework and is not covered by the areas or assets listed in footnote 7 and therefore comprises 'Grey Belt' land. The development of the site would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. The Council cannot currently demonstrate a five-year supply of housing and there is a demonstrable unmet need for the type of development proposed. The development would be in a sustainable location having regard to paragraphs 110 and 115 of the Framework. The proposed scheme is not major development and therefore is not required to meet the 'Golden Rules' requirements set out in paragraphs 156-157 of the Framework.

10.52. It has been demonstrated above that the site and proposals would meet the requirements of paragraph 155 of the Framework, therefore the proposed delivery of housing on the site should not be regarded as inappropriate development in the Green Belt.

#### Land Use

10.53. The proposed land use is for residential purposes.

10.54. The Local Planning Authority are keen to make sure that new residential development creates satisfactory living environments for both new and existing residents. Therefore, it is necessary to look at any 'in principle constraints' the site has for a residential use.

### Highway Access, Safety and Parking Provision

10.55. 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.

10.56. 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.

10.57. The Council Head of Strategic Transport has stated that a potential access to this site could be difficult in providing the necessary visibility splays without affecting the boundary trees/hedges. This would be assessed at the technical details stage, and if necessary, further consents could be withheld.

### Ecology

10.58. 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.

10.59. 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.

### Arboricultural Implications

10.60. 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.

10.61. Although no arboricultural information was submitted with the application, it can be seen that the application site is heavily treed, and this is supported by formal submissions with previous applications on the site.

10.62. Whilst this would not preclude the possibility of a residential scheme being acceptable on the site, this would constrain the design and amount of any dwellings provided.

### Amenity

10.63. SADPD Policy HOU12 states that development proposals should not significantly injure the amenities of adjoining or nearby residential properties through loss of privacy, loss of sunlight/daylight, visual intrusion, noise and disturbance and traffic generation. SADPD Policy HOU13 sets out guidelines of space between buildings.

10.64. A residential use which is compatible with the mainly residential surroundings. Although there is farm land 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.

### Flood Risk

10.65. CELPS Policy SE13 (*Flood Risk and Water Management*) states that “all planning applications for development at risk of flooding are supported by an appropriate Flood Risk Assessment (FRA) to demonstrate that development proposals will not increase flood risk on site or elsewhere and opportunities to reduce the risk of flooding are sought, taking into account the impacts of Climate Change in line with the Cheshire East SFRA”. SADPD Policies ENV16 (*Surface water management and flood risk*) and ENV17 (*Protecting water resources*) also seek to manage surface water drainage effectively and reduce the risk of flooding elsewhere, and also to ensure development proposals will not have a detrimental impact on the flow or quality of groundwater or surface water.

10.66. It is noted that the LLFA and United Utilities have not found any reason to object to this application, subject to a planning condition to submit a drainage strategy before development commences. This of course can be provided at the technical consent stage.

10.67. The site is not within a Flood Risk Zone, and is not at risk of surface water flooding, except for a 1 in 1000-year storm event. United Utilities have commented that they will make another recommendation if a subsequent application is submitted at the Technical Detail Consent stage. They have requested further information regarding sustainable drainage systems. The previous comments apply.

### Contamination

10.68. CELPS Policy SE12 (Pollution, Land Contamination and Land Instability) states that “The council will seek to ensure 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”.

10.69. 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.

10.70. 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.

### Public Rights of Way

10.71. SADPD Policy INF1 relates to cycleways, bridleways and footpaths. National planning policy highlights that the transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. It also says that planning policies should protect and enhance public rights of way and access.

10.72. The property is adjacent to public footpath Nether Alderley No. 7 as recorded on the Definitive Map. PROWs are of course, protected, and it appears unlikely that the proposal would affect the public right of way. This matter could be further examined at the Technical Matters Consent stage.

Manchester Airport (Aerodrome Safeguarding)

10.73. SADPD Policy GEN5 relates to aerodrome safeguarding. Development that would adversely affect the operational integrity or safety of any officially safeguarded civil aerodrome or associated aerodrome navigation aids, radio aids or telecommunications systems will not be permitted.

10.74. The proposed development has not been examined against aerodrome safeguarding measures. The assessment of any not conflict with any safeguarding criteria would be undertaken during the Technical Matters Consent stage.

Land Use Summary

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

Amount

10.76. This proposal seeks to bring forward up to two dwellings on this site of 0.45 hectares, giving an overall density of 4 dwellings per hectare.

10.77. 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”. 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.

10.78. The immediate area is characterised by a ribbon of development or residential development along Congleton Road. This assessment had been well established, as well by the applicant in their supporting evidence for their in-fill planning application in 2021.

10.79. Given the existing tree cover within the site, the rather contrived red line plan, and that two dwellings are being proposed, it is considered that the most likely achievable layout or design would be a tandem form of development. This being with one dwelling to the front of the site, and the remaining dwelling being at the rear.

10.80. Properties are generally set towards the back of long, narrow plots that are enhanced by well-established vegetation and mature trees which impart a distinctly sylvan quality on the area. Therefore, sensitive control is necessary to ensure that the character and amenity of the surrounding residential area is not damaged.

10.81. However, the PIP is for ‘*up to*’ two dwellings, therefore the applicant may only come forward with a TDC for one dwelling, or a pair of semis at the rear of the site, or even a single building comprising two apartments. For these reasons, it is considered that a scheme comprising of up to two dwellings could be accommodated on this site in some configuration. If a form of development that is not deemed acceptable, (tandem development) that would adversely affect the character of the area, this could be resisted/negotiated during the TDC application

## 11. PLANNING BALANCE/CONCLUSION

- 11.1. A Planning Authority must exercise its judgement and consider many (sometimes) conflicting issues to decide whether planning permission should be granted. This will mean examining the Development Plan and taking material considerations which apply to the proposal into account. These things must be properly considered otherwise the decision of whether or not to grant permission may be unlawful.
- 11.2. The application proposals seek planning permission in principle for the development of up to two residential dwellings.
- 11.3. The application site is within the Green Belt and is not previously developed.
- 11.4. 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.
- 11.5. Given the statutory constraints of a permission in principle, it is considered that a residential scheme in principle (site location, the type and amount of development) could be provided on site.
- 11.6. The Council current housing land supply position is 3.8 years. In an era of national, and in this instance, local housing shortages, the provision of two units would assist in increasing the supply of housing across Cheshire East. These matters attract moderate weight in favour of the proposal.
- 11.7. The impact of the development on residential amenity, noise, air quality, contaminated land, highways, ecology and drainage and flood risk would all be considered at the Technical Details Stage.
- 11.8. The proposal would also provide economic benefits during the construction period. The future occupiers would also provide economic benefits to the nearby area once the development would be complete through their use of nearby shops and services. These matters attract limited yet additional positive weight.
- 11.9. The benefits are that the development would provide up to two additional houses and are a social benefit, considering the housing land supply shortfall. The benefits of the scheme also include investment in the local economy and the creation of jobs during the construction phase, increased support for local shops and businesses by the future occupants. The scheme would generate Council Tax income, which could provide a source of revenue funding for the Local Authority in delivering services as well as investing in the locality.
- 11.10. In the context of paragraph 11 of the Framework, the adverse impacts of the development when assessed against the policies in the Framework taken as a whole, including those seeking to boost the supply of homes, achieve well designed places and making effective use of land, would significantly and demonstrably outweigh the benefits. Therefore, the presumption in favour of sustainable development applies which points towards the grant of planning permission.

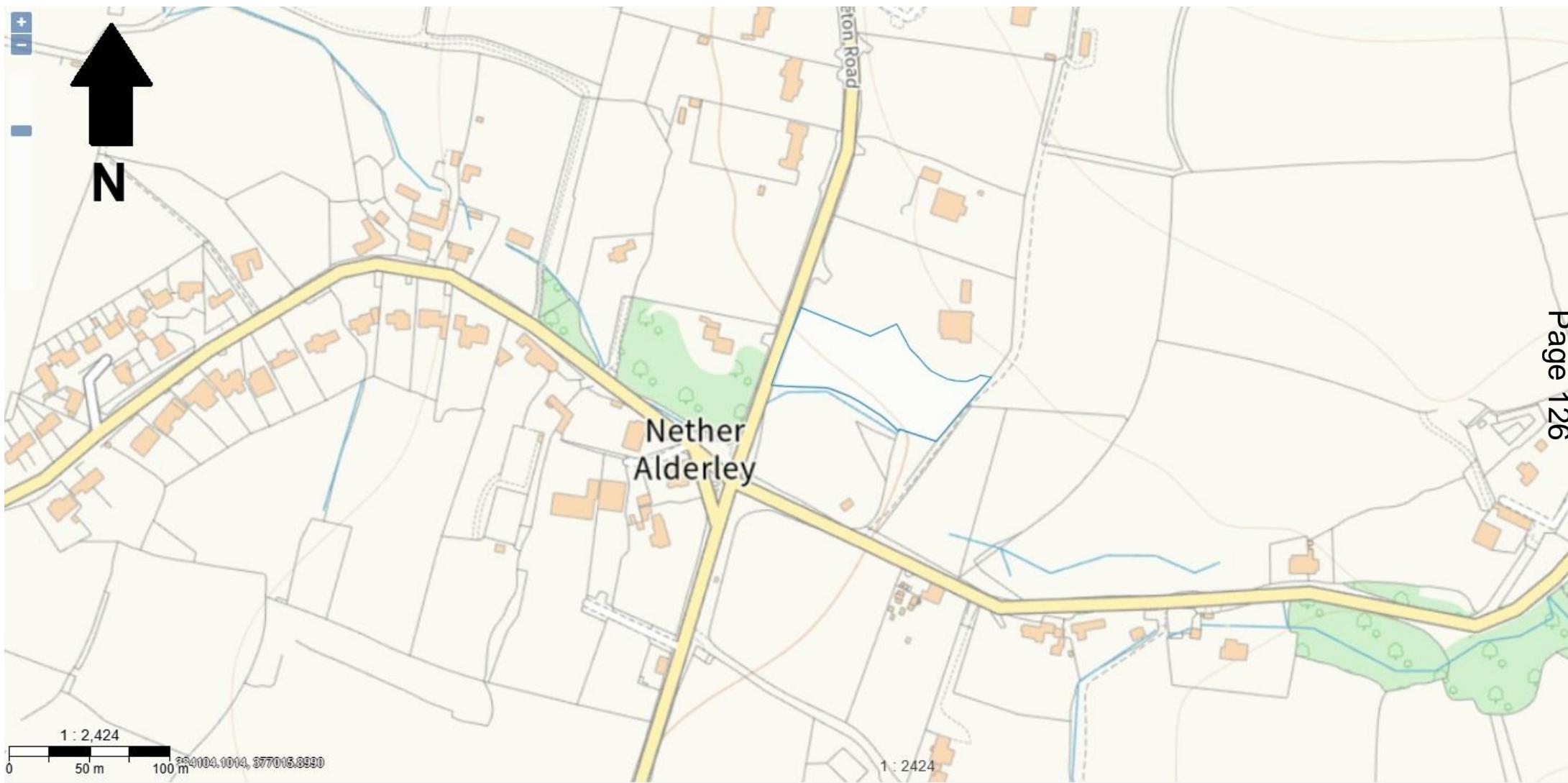
11.11. For the reasons set out above, and having taken account of all matters raised, it is recommended that this application is approved.

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

## **12. RECOMMENDATION**

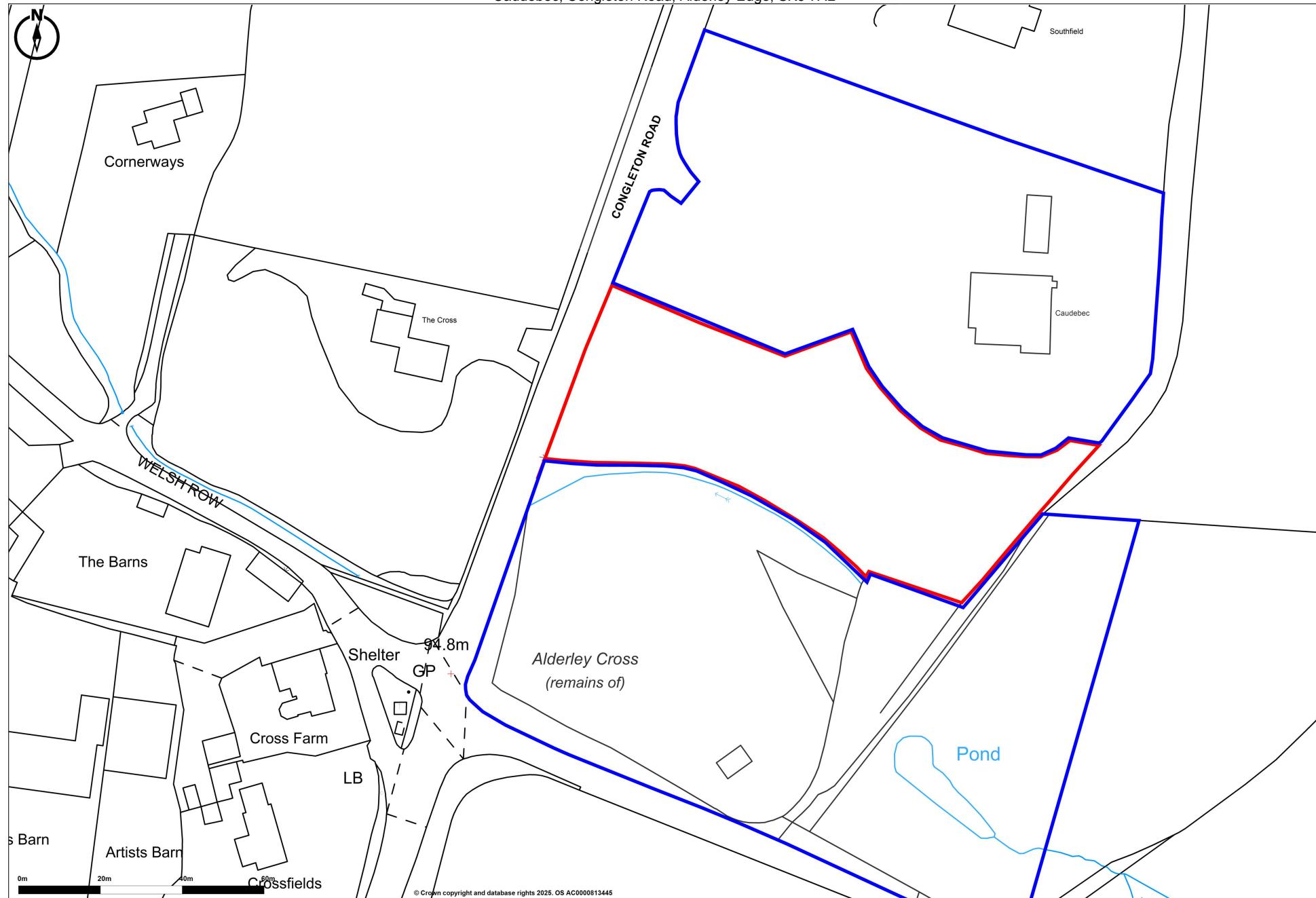
### **Approve permission in principle**

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



25/3963/PIP

Caudebec Congleton Road,  
Alderley Edge, SK9 7AL



Application No: 25/1197/FUL

Application Type: Full Planning

Location: Dawson Farm Buxton Road, Bosley, Macclesfield, Cheshire East, SK11 0PX

Proposal: Demolition of existing agricultural buildings and dwellinghouse, and construction of new replacement dwellinghouse with associated renewables and landscaping.

Applicant: Mr Alan Budden Eco Design Consultants,

Expiry Date: 16 January 2026

## Summary

The application has been submitted following the refusal of application reference 23/1174M which was not supported on the grounds that it would represent a materially larger replacement building in the Open Countryside, alongside design and landscape concerns. Due to the application being refused, a further reason for refusal was issued due to failure to accord with the Habitats Regulations.

As submitted, the application has made a meaningful reduction in the amount of built form proposed, now resulting in a net reduction in built form (as opposed to a net increase as previously proposed). Combined with the reduced visual impact the development would have on the rural character of the Open Countryside and Local Landscape Designation, the proposal is considered to comply with the relevant design and landscape policies of the Local Plan.

The proposed solar panel array has also been significantly reduced in scale compared to the previously refused scheme. The reduced scale of the solar panel array would still provide 100% of the proposed dwellinghouse's energy demand, with excess energy being returned to the grid for use elsewhere. This element of the proposal therefore carries significant positive weight with regard to renewable energy generation and energy security.

With regard to protected species, all other reasons for refusal are considered to have been adequately addressed. As such, the three Habitat Regulations tests have been met and the third reason for refusal on the previous application has also been addressed.

All other matters, including those relating to heritage, amenity, nature conservation, trees, highways, drainage and contamination are found to accord with the relevant policies of the local plan, subject to necessary conditions where needed.

## Summary recommendation

**APPROVE subject to following conditions**

### 1. REASON FOR REFERRAL

1.1. The application is referred to the Northern Planning Committee due to the site area falling within the 1 – 4ha bracket (3.6 hectares) in accordance with the terms of the Council's Constitution.

1.2. The previous application for a similar development (23/1174M) was considered at Northern Planning Committee in April 2024 where a resolution was made to approve the application. As the resolution to approve represented a departure from the development plan, the application was subsequently referred to the Strategic Planning Board where the application was refused on the grounds of the replacement building being materially larger, the character and landscape impacts of the development, and the impact on bats.

## **2. DESCRIPTION OF SITE AND CONTEXT**

2.1. The site comprises 3.6 hectares of land and buildings which form Dawsons Farm located within Bosley, to the northeast of Congleton. The farmstead is within an agricultural holding of around 36ha grazed by dairy cattle and accessed via a long track, (from the A54), which slopes upwards in a northerly direction leading to the brick farmhouse, brick barns and outbuildings and a range of modern agricultural buildings and sheds, totalling 9 buildings in all.

2.2. The existing farmhouse sits at the northern end of the site. It is a two-storey building with a brick exterior, although parts have been rendered, with a stone slate roof. There is a single storey pitched roof outbuilding on the rear elevation, with a lean-to on the west gable, with this having a corrugated sheet roof and an open porch on the front elevation.

2.3. The agricultural buildings are located to the south and east of the house and can be separated into two groups. Firstly, there are two traditional barns close to the house. The one to the south is a traditional brick barn with a stone slate roof, with a single storey outshot on the south elevation; this barn is to be retained in the proposed development for a bat roost. The second barn is a single storey building that runs north south to the east of the access road. The northern part of this is brick-built, with a blue clay tile roof, but the southern section is a later extension in a different, more modern brick and with a lower pitched roof clad with metal corrugated sheets. In addition to these buildings are several modern agricultural buildings and structures, built in a variety of materials, but primarily blockwork, grey brick, and metal and timber cladding located to the south and southeast of the farmhouse.

2.4. Within the site land falls to the west and south and rises to the north and east, with a steep rise to the northeast to Sutton Common. There are no public rights of way close to the site with Bosley public right of way FP9 running approximately 200m away to the west. The site occupies an isolated position with scattered farmsteads in the surrounding area being over 600m from the site.

2.5. The application site benefits from established trees and boundary hedgerows across the site although none of these are afforded protection by a Tree Preservation Order and the site is not located within a Conservation Area.

2.6. A habitat action plan woodland area lies immediately to the east of the site with a very small section falling within the red line.

2.7. The site lies within the Open Countryside and within the Peak Park Fringe Local Landscape Designation Area. None of the buildings on site are listed and there are no nature designations on the site although it does fall within Natural England's SSSI impact risk zones.

2.8. The site is located within Flood Zone 1 and generally within in an area at very low risk from surface water flooding, with several small areas within high-risk areas to the north of the existing buildings.

### **3. DESCRIPTION OF PROPOSAL**

3.1. The application seeks planning permission for the “Demolition of existing agricultural buildings and dwellinghouse, and construction of new replacement dwellinghouse with associated renewables and landscaping”. The application is a resubmission of application ref 23/1174M which sought approval for a similar redevelopment of the site. Following this refusal, the proposal has been amended, with a key difference being a reduction in built form now resulting in a smaller dwellinghouse and a reduced number of solar panels compared to the previous scheme.

3.2. The proposed dwellinghouse would be subterranean and would provide accommodation over three floors. Bedrooms and living spaces would be located on ground and first floor levels with garaging, storage and plant on the second floor (accessed from the rear). The dwellinghouse would be built to the Passivhaus Premium standard.

3.3. The proposed development also includes the installation of a 260 solar panel array on a parcel of land to the east of the proposed dwellinghouse and existing building to be retained. This is a reduction from the 760 solar panels proposed as part of the previously refused application.

3.4. The following plans and documents accompany the application:

- Application Form
- Planning Statement
- Design and Access Statement
- Environmental Statement
- Existing and Proposed Plans
- Landscape and Visual Appraisal Report
- Photographs and Photomontages inc. Verified Views
- Preliminary Ecological Appraisal
- Habitats Regulations Assessment Report
- Bat Roost Assessment
- Biodiversity Net Gain Statement and Metric
- Flood Risk Assessment and Drainage Strategy
- Ground Investigation Report
- External Lighting Impact Assessment
- Arboricultural Impact Assessment

### **4. RELEVANT PLANNING HISTORY**

4.1. 76825P – not decided – March 1994  
Agricultural workers dwelling

4.2. 23/1174M – refused – April 2024  
Demolition of existing agricultural buildings and dwellinghouse, and construction of new replacement dwellinghouse with associated renewables and landscaping.

### **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. 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 POLICY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions on planning applications to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Cheshire East Local Plan Strategy (2010 – 2030) was adopted in July 2017. The Site Allocations and Development Policies Documents was adopted in December 2022. The policies of the Development Plan relevant to this application are set out below, including relevant Neighbourhood Plan policies where applicable to the application site.

6.2. Relevant policies of the Cheshire East Local Plan Strategy (CELPS) and Cheshire East Site Allocations and Development Plan Policies Document (SADPD)

### **Cheshire East Local Plan Strategy (CELPS)**

MP 1 Presumption in favour of sustainable development

PG 1 Overall Development Strategy

PG 6 Open Countryside

SD 1 Sustainable Development in Cheshire East

SD 2 Sustainable Development Principles

SC 3 Health and Well-being

SE 1 Design

SE 2 Efficient use of land

SE 3 Biodiversity and Geodiversity

SE 4 The Landscape

SE 5 Trees, Hedgerows and Woodland

SE 6 Green Infrastructure

SE 7 The Historic Environment

SE 8 Renewable and Low Carbon energy

SE 9 Energy Efficient Development

SE 12 Pollution, Land contamination and land instability

SE 13 Flood risk and water management

SE 15 Peak District National Park Fringe

CO 1 Sustainable Travel and Transport

### **Site Allocations and Development Policies Document (SADPD)**

GEN 1 Design principles

RUR 5 Best and Most Versatile Agricultural Land

RUR 12 Residential Curtilages outside of settlement boundaries

RUR 13 Replacement Buildings outside of settlement boundaries

ENV 1 Ecological Network

ENV 2 Ecological implementation

ENV 3 Landscape character

ENV 5 Landscaping

ENV 6 Trees, hedgerows and woodland implementation

ENV 7 Climate Change

ENV 10 Solar Energy

ENV 12 Air quality

ENV 14 Light pollution

ENV 16 Surface water management and flood risk

ENV 17 Protecting water resources

HER 1 Heritage assets

HER 7 Non designated Heritage Assets

HOU 8 Space Accessibility and wheelchair housing standards  
HOU 12 Amenity  
HOU 13 Residential Standards  
INF 1 Cycleways, bridleways and footpaths  
INF 3 Highways safety and access  
INF 6 Protection of existing and proposed infrastructure  
INF 9 Utilities

## 7. CONSULTATIONS (External to Planning)

- 7.1. **Environmental Protection** – No objection, subject to conditions relating to the management of contaminated land before and during construction.
- 7.2. **Highways** – No objection. Access, car parking and highway impacts are considered to be acceptable.
- 7.3. **Lead Local Flood Authority** – No objection, subject to the development being carried out in accordance with the submitted FRA and Drainage Strategy.
- 7.4. **Bosley Parish Council** – “no objections or comments with respect to this application

## 8. REPRESENTATIONS

- 8.1. One comment was received from a member of public, raising the following matters:
  - No objection subject to impact on water supply
  - Potential impact of large dwelling on water to neighbouring bore hole

## 9. OFFICER APPRAISAL

### Principle of Development

- 9.1. The site is with the Open Countryside and is located within the Peak Park Fringe Local Landscape Designation. The proposals seek to demolish all existing buildings on the site (other than a two-storey brick barn) and replace with one single dwelling to the west and an array of ground mounted solar panels to the east of the site. These two elements of the proposal are considered in turn, below.

#### *Replacement Buildings*

- 9.2. CELPS policy PG6 Open Countryside sets out the main policy criteria for development in the open countryside. 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 may be made for a number of developments including:

iii. for the replacement of existing buildings (including dwellings) by new buildings not materially larger than the buildings they replace”

- 9.3. This policy also advises that acceptability of such development will be subject to compliance with all other relevant policies in the Local Plan. In this regard, particular attention should be paid to design and landscape character so that the appearance and distinctiveness of the Cheshire East countryside is preserved and enhanced.

9.4. SADPD policy RUR13 states that the replacement of existing buildings in the open countryside will only be permitted where the replacement building:

- i. is not materially larger than the existing building; and
- ii. would not unduly harm the rural character of the countryside, by virtue of prominence, scale, bulk or visual intrusion.

9.5. When considering whether a replacement building is materially larger, matters including height, bulk, form, siting, design, floorspace and footprint will be taken into account. Increases in overall building height and development extending notably beyond the existing footprint in particular have the potential to be materially larger. When assessing the net increase in floorspace between the existing building and the replacement building as part of the consideration of whether a proposal is materially larger, floorspace from any detached outbuildings in the curtilage will only be taken into account where the buildings to be replaced can sensibly be considered together in comparison with what is proposed to replace them.

9.6. The below table provides a comparison of the existing and proposed amount of development. This includes all existing agricultural buildings sought for removal, with the proposed including the dwellinghouse and also Building 6 which is to be retained. A full breakdown of individual buildings is provided in the applicant's Planning Statement.

Existing GIA	Proposed GIA	% Difference
3,228m <sup>2</sup>	2,651m <sup>2</sup>	-18%

9.7. As set out above, the proposed redevelopment of the site would amount to an 18% reduction in built form when comparing existing and proposed floorspace across the site. This is a significant reduction when compared to the previously refused application which proposed a 33% increase. The proposed reduction in built form therefore contributes to the conclusion that the development would not be materially larger than existing.

9.8. It is also important to consider the impact on the rural character of the countryside, by virtue of prominence, scale, bulk or visual intrusion as required by policy RUR 13. By nature, the proposed subterranean dwellinghouse would be largely covered by earth which reduces its visual impact on the landscape. The application is supported by several verified view images showing a realistic comparison of the application site before and after the proposed development. These demonstrate that the impact of the proposed dwellinghouse on the wider rural landscape would be reduced when viewed alongside the existing cluster of buildings which are comparative much more exposed and visible from wider viewpoints.

9.9. Whilst agricultural buildings are commonplace within the rural landscape, the demolition of the majority of existing buildings would be a welcome enhancement to the site. Overall, the replacement of existing buildings with the proposed dwellinghouse would meet the relevant exception to development in the Open Countryside under policy PG 6 and RUR 13.

#### *Solar Panels*

9.10. The application also seeks planning permission for the construction of a solar array to the east of the site. The array would be formed of 260 individual PV structures.

9.11. When assessed against the exceptions set out in CELPS policy PG 6, the proposed solar panels would not comfortably fit within any of the exceptions to development in the Open Countryside.

9.12. However, the proposed solar panels would positively contribute to the provision of renewable sources of energy and associated environmental benefits of such developments. It is

important to take these matters into consideration in order to reach a balanced judgement on whether the benefits of the scheme outweigh the development's conflict with CELPS policy PG 6.

- 9.13. Policy SE 8 is the overarching Local Plan consideration for renewable and low carbon energy installations. It supports the development of such schemes due to the wider environmental, economic and social benefits they can deliver, subject to consideration of the potential impacts including landscape, habitats, residential amenity and air traffic.
- 9.14. Policy ENV 10 provides further policy guidance on solar installations, stating that where solar photovoltaics do not fall within permitted development, these will be encouraged where they do not conflict with other local planning policies, particularly in relation to the impact upon heritage assets, conservation areas and the principles set out in Policy SE 8.
- 9.15. In May 2019 Cheshire East Council committed to becoming a carbon neutral organisation by 2025. Due to the financial landscape of the council, this aim has been reset to 2027, however it remains to be one of the most ambitious targets in the country for carbon neutrality. A further pledge has also been made for the entire borough to achieve carbon neutral status by 2045.
- 9.16. At a national level, Chapter 14 of the NPPF sets out how development proposals should meet the challenges of climate change, flooding and coastal change. It states that the planning system should support the transition to a low carbon future in a changing climate. Paragraph 168 states that local planning authorities should recognise that even small-scale projects provide a valuable contribution to significant cutting greenhouse gas emissions
- 9.17. In this case, the proposed solar panel installation would provide 100% of the energy demand for the proposed dwellinghouse. It would also feed any excess energy into the grid, supporting the wider transition to renewable energy. Therefore, there would be no reliance on fossil fuels which represents a significant benefit to the proposed development as a whole. The Planning Statement advises that the household would use only electric vehicles and therefore the zero emission merits of the proposed development would extend to the occupier's mobility. Whilst the exclusive use of electric vehicles is not a determinative matter which could be secured via condition, it nevertheless demonstrates the wider benefits of the development.
- 9.18. The solar panels have been calculated to produce 97,708 kWh/a, exceeding the 120kWh per square meter of footprint area criteria for Passivhaus Premium. This is likely to save 20.2 tonnes of CO2 per annum, which represents a significant environmental benefit.
- 9.19. The proposal is therefore considered to contribute to tackling the challenges of climate change through reduction of dependence on fossil fuels. The reduced reliance on fossil fuels would also assist in improving energy security.
- 9.20. Furthermore, the proposed development would not be a permanent fixture to the ground, being relatively straightforward to remove – therefore reducing the permanence of the development. Policy SE 8 advises that conditions are attached in the event of approval to secure the removal of the infrastructure and restoration of the land once the scheme is ready for decommissioning. A condition is therefore recommended to secure this.
- 9.21. Therefore, on balance the wider benefits associated with renewable energy production in this case would outweigh the identified conflict with Open Countryside policies.

## Design, Character and Appearance

9.22. Policy SD 2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness in terms of scale, materials and design features. Policy SE 1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the quality, distinctiveness and character of an area.

9.23. SADPD policy GEN 1 expands on this, expecting all development proposals to contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form in terms of scale, height, density, layout, grouping, form, siting, good architecture, massing and materials.

9.24. The proposals will result in the removal of all buildings, except a two-storey brick barn, and replacement with a single contemporary 3-storey house built to Passivhaus Premium standard (which is a building design standard for an energy efficient building which uses minimal space heating or cooling and that will produce considerably more energy than it uses and be a net contributor). This is in addition to the solar panels proposed.

9.25. The house would be located in a depression on a south facing slope to the west of the site, with engineering works to recontour the land to accommodate the dwelling.

9.26. The application is accompanied by a detailed design and access statement and it is clear that a very thorough process has been undertaken to develop the proposals. Pre-application discussion have also taken place with officers following the refusal of a previous application.

9.27. In refusing the previous application, a significant factor was the appearance of the dwelling:

"Overall, the dwelling would be a significant scale and would be prominent within the site and an uncharacteristic building when compared to the existing traditional farmstead. The dwelling would not be in keeping with the vernacular and would present a bland and austere northern elevation resembling a service access rather than the entrance point to a dwelling. The southern elevation by virtue of its scale and with the evenly spaced gritstone clad pillars, regular openings and glazing patterns has the appearance of a hotel rather than single dwelling."

9.28. The current application has undergone significant reductions in scale compared to the previously refused scheme. Large urbanising features and heavy hard landscaping has now been omitted, resulting a much more subdued appearance. The dwellinghouse as proposed now comfortably sits within the plot as a result of the reduced scale, mass and bulk. The Design Officer previously commented that the proposed dwelling would be unobtrusive to the point of being almost invisible from all vantage points. This is particularly relevant now that the scale of the proposal has been meaningfully reduced as part of this resubmission.

9.29. In terms of the solar panel array, these were previously found to be at odds with the countryside location and would appear obtrusive and detrimental to the character of the countryside to which this site forms a part. The number of solar panels has been reduced from 760 to 260 individual panels. Together with the significant weight attached to the environmental benefits of the array, the visual impact is outweighed by the positive enhancements the proposal would make to wider renewable energy and energy security considerations.

9.30. The curtilage extension was previously found to have a detrimental impact on the character and appearance of the surrounding open countryside. This has been addressed as part of the current proposal, with a much tighter and more appropriately sized curtilage being drawn around the proposed dwellinghouse.

9.31. For the above reasons, the proposed development is considered to have successfully addressed the previous reasons for refusal in relation to design, character and appearance. The proposal would accord with the relevant policies of the development plan.

### **Landscape**

9.32. Between them, CELPS policy SE 4 and SADPD policy ENV 3 recognise the high quality of the built and natural environment as a significant characteristic of the borough. It states that all development should conserve the landscape character and quality and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes. All development is expected to incorporate appropriate landscaping which reflects the character of the area through appropriate design and management.

9.33. SADPD policy ENV 3 identifies Local Landscape Designations which represent the highest quality and most valued landscapes in the area of the borough covered by the Cheshire East Local Plan. In Local Landscape Designations, CELPS policy SE 4 and ENV 3 state that the Council will seek to conserve and enhance the quality of the landscape and to protect it from development which is likely to have an adverse effect on its character and appearance and setting. Where development is considered to be acceptable in principle; measures will be sought to integrate it into the landscape character of the area. Where development may affect a local or national (i.e. Peak District National Park) designation a full understanding of the context, characteristics and significance should be provided.

9.34. SADPD policy ENV 5 states that where appropriate, development proposals must include and implement a landscape scheme. The proposed landscape scheme should respond sympathetically to the existing landscape and should enhance the quality, setting and layout design of the development. Landscape schemes should include satisfactory provision for the maintenance and aftercare of the scheme.

9.35. The site lies within the Peak Fringe Local Landscape Designation (LLD) which recognises that the area is an extension of many of the special qualities associated with the nationally protected Peak Park landscapes. The naturally varied undulating landform and buildings of local materials add sense of place including stone walls, dispersed settlements, farms, and narrow winding lanes all feature in the summary of special qualities of the area. Most of the site lies within the Upland foot slopes Landscape character type.

9.36. The site currently comprises a series of traditional and non-traditional but typical farm buildings. The farmland is attractive and characteristic of the Peak Fringe Area with panoramic views within the site to the south and west over the Cheshire Plains.

9.37. In refusing the previous application, it was concluded that the scale and form of the gritstone-clad dwelling would not be in keeping with the vernacular of the Peak Fringe and the architectural design would not be exceptional. It was also found that the development would contrast with the existing landscape context and would have an adverse effect on the character of the landscape.

9.38. Whilst the application would still result in the loss of a cluster of buildings which form a traditional farmstead within the LLD, the proposed development has evolved in order to reduce its impact on the landscape to a degree which can now be considered acceptable.

9.39. The application has been submitted following pre-application discussions involving the Landscape Officer whereby reductions in scale have been a welcome amendment, in addition to greater detail provided in order to better understand the landscape visual impact.

9.40. Following pre-application discussions and amendments during the course of the application, the Landscape Officer advises that they have no objection to the proposed development. A number of conditions are recommended in order to control the landscape impact in terms of planting plans, details of earthworks, lighting as well as a 30 year management plan to ensure ongoing maintenance of the approved landscaping.

### **Heritage Conservation**

9.41. CELPS policy SE 7 seeks to enhance and conserve the borough's varied and extensive historic environment.

9.42. The buildings on site are of a traditional form and appearance and appear on the tithe maps (1885-1889). As concluded with the previous application at Dawsons Farm, the existing buildings do not meet the criteria to qualify as non-designated heritage assets. The Heritage Conservation Officer agreed with this conclusion, and as such no significant heritage concerns are raised.

### **Amenity**

9.43. Policy SE 1 of the CELPS expects all development to be designed to ensure an appropriate level of privacy for new and existing residential properties. Policy HOU 12 of the SADPD states that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development. HOU 13 sets out the minimum standards expected in order to achieve a suitable level of privacy and light.

9.44. Dawsons Farm is situated in a relatively isolated location with no immediate neighbouring properties. The nearest property is Sourbutts Farm approximately 500 metres to the southwest of the site. Given this distance and the siting and design of the proposed replacement dwelling, the proposal will not harm the amenities of any neighbouring properties.

9.45. With regard to living conditions for future occupiers, all habitable rooms (bedrooms, living rooms, dining rooms etc) would have windows in the southern elevation of the building enabling daylight to enter and a suitable outlook provided. Other rooms including a gym, cinema room, kitchen, games room, storage spaces and plant are located toward the rear of the building where the subterranean nature of the building would result in no natural daylight or outlook. However, it is not necessary for these rooms to have a source of daylight in order to provide suitable living conditions.

9.46. Accordingly, the proposed development is found to be acceptable with regard to amenity and living conditions.

### **Nature Conservation**

9.47. CELPS policy SD 1 expects all development to contribute to the protection and enhancement of the natural environment. CELPS policy SE 3 sets out criteria relating to biodiversity at a strategic level including matters relating to the impact on designated sites,

habitats and protected species. It expects all development to aim to positively contribute to the conservation and enhancement of biodiversity.

9.48. SADPD policy ENV 1 identifies the ecological network of the borough which includes core areas, corridors, stepping stones, restoration areas and the Meres and Mosses catchments. Depending on which component of the network a site forms part of, development proposals should increase the size, quality or quantity of habitat; improve connectivity, resilience and function of the network or minimise adverse impacts from pollution and disturbance. SADPD policy ENV 2 expects all development proposals to deliver a net gain in biodiversity in line with national policy and sets out the level of information a planning application is expected to include where there are likely to be biodiversity or geodiversity considerations.

#### *Statutory Nature Designated Sites*

9.49. It is advised that there is a reasonable likelihood that a Statutory Nature Designated Site, such as SSSI or SAC sites, will not be impacted by the proposed works.

#### *Biodiversity Net Gain (BNG)*

9.50. Mandatory Biodiversity Net Gain applies in this instance. The submitted biodiversity metric calculates a 36.47% habitat net gain, 30.10% hedgerow net gain and a 66.67% watercourse net gain. It is advised that the metric is suitable, and the proposed works adhere to the biodiversity gain and mitigation hierarchy. It is therefore advised that sufficient information regarding Biodiversity Net Gain has been submitted at this stage. The biodiversity gain condition must therefore be secured with any planning approval, which relates to the deemed gain condition.

9.51. The proposed habitat creation and enhancement measures are considered to be 'significant' and therefore a Habitat Creation Method Statement and Habitat Management and Monitoring Plan condition is required.

#### *Birds*

9.52. Nesting birds were recorded on site, which are protected under the Wildlife and Countryside Act 1981. A condition to safeguard breeding birds during nesting season is therefore recommended,

#### *Bats*

9.53. Evidence of bat activity in the form of a number of minor roosts have been recorded within the buildings and a tree on site. The usage of the building by bats is likely to be limited to single or small numbers of animals of each species using the buildings for relatively short periods of time and there is no evidence to suggest a significant maternity roost is present.

9.54. The loss of the roosts associated with the buildings on this site, in the absence of mitigation, is likely to have a low impact upon bats at the local level and a low impact upon the conservation status of the species concerned as a whole. The submitted report recommends the installation of bat boxes on the nearby trees and also features for bats to be incorporated into the retained barn building as a means of compensating for the loss of the roost and also recommends the timing and supervision of the works to reduce the risk posed to any bats that may be present when the works are completed.

9.55. The nocturnal surveys are now ~2 years old for the most recent surveys. However, the extent of bat roosting on site is reasonably understood, with bat surveys covering two bat activity

seasons. It is advised that the extent of bats utilising the site has been established, and therefore a planning decision can be issued. However, a full suite of updated surveys may be required to apply for a Natural England protected species licence. This must be undertaken prior to the commencement of works.

9.56. Furthermore, if determination of the application is delayed for any reason past April 30th 2026 (i.e. into the next bat activity season) then a site visit will be required to update the appraisal of the buildings and advise whether any update nocturnal surveys are necessary to inform the application.

9.57. It should be noted that since a European Protected Species has been recorded on site and is likely to be adversely affected by the proposed development the local planning authority must have regard to whether Natural England would be likely to subsequently grant the applicant a European Protected Species License under the Habitat Regulations. A license under the Habitats Regulations can only be granted when:

- (i) The development is of overriding public interest,
- (ii) There are no suitable alternatives and
- (iii) The favourable conservation status of the species will be maintained.

9.58. With regard to the first test (i), the proposed development is recommended for approval. As such, it is acknowledged that the development accords with local and national planning policy and can therefore be considered to be of overriding public interest.

9.59. The second test (ii) requires consideration of alternatives. In this case, there are no alternatives presented which would be considered suitable.

9.60. Finally, with regard to the third test (iii), on the submitted Proposed Site Plan, tree T2 (as identified in the bat survey reports) would be retained as part of the proposed development. The submitted bat report includes proposals to minimise the disturbance of T2 during the felling of adjacent trees. The Nature Conservation Officer advises that if planning consent is granted the proposed mitigation/compensation is acceptable and is likely to maintain the favourable conservation status of the species of bat concerned and as such, test (iii) would be met.

9.61. Accordingly, all three tests are met and therefore Natural England would be likely to grant the relevant licence under the Habitat Regulations.

#### *Hedgehog and Brown Hare*

9.62. These two priority species may occur in the broad locality of the application site, but the proposed development is not likely to result in a significant impact upon them.

#### *Amphibians/Reptiles*

9.63. There are no ponds within the vicinity of the application site, so consequently amphibians are not reasonable likely to be affected by the proposed development. In terms of Reptiles, no evidence of their presence was recorded during the desk-based assessment. The submitted ecological assessment however identifies the potential loss of habitat for these species. These species (if present) would also be at risk of being harmed during the construction stage. The Nature Conservation Officer advises that the risk of reptiles being killed or injured during works could be addressed through the implementation of a Construction Environmental Management Plan. A condition is therefore recommended requiring a CEMP to be prepared.

### *Potential Local Wildlife Site (pLWS)*

9.64. The submitted ecological assessment refers to a Potential Local Wildlife Site (pLWS) being present on site, but no details of this are provided. Details of the potential Local Wildlife Site have been submitted by Cheshire Wildlife Trust and the Nature Conservation Officer advises that only a small part of the application site falls within the boundary of the pLWS and no significant habitats are present where there is an overlap between the two Local Wildlife Site and the application site.

9.65. In the event that planning consent is granted a condition requiring the submission and implementation of a CEMP to safeguard the pLWS during the construction phase.

### *Ecological Enhancements*

9.66. The Nature Conservation Officer advises that that the proposed bat boxes, bird boxes and habitat creation is considered to be suitable to provide ecological enhancements on site, in line with local policy ENV 1.

### **Trees**

9.67. CELPS policy SE 5 states that development proposals which will result in the loss of, or threat to, the continued health and life expectancy of trees, that provide a significant contribution to the amenity, biodiversity, landscape character or historic character of the surrounding area, will not normally be permitted. SADPD policy ENV 6 expands on this, expecting proposals to retain and protect trees.

9.68. The application site is located within open countryside and benefits from established hedgerows and trees within and adjacent to the site boundary. The site is not within a Conservation Area and no Tree Preservation Orders are present on the site.

9.69. As noted previously, the farm and existing natural landscape features are not highly visible from adjacent roads or public rights of way. As a result, the tree losses as proposed would be unlikely to have a significant impact on the wider amenity of the area. There is additional tree and hedgerow planting proposed and the provision for replacement planting of native species and high canopy trees could be secured via detailed landscaping condition on any approval.

9.70. A Tree Protection Plan has been prepared in support of the application. A condition is therefore recommended ensuring adherence to this plan during the demolition and construction phase.

9.71. Subject to the above matters being secured via condition, the proposed development would have an acceptable relationship with existing trees in accordance with policies SE 6 and ENV 6.

### **Flood Risk and Drainage**

9.72. CELPS policy SE 13 states that all planning applications for development at risk of flooding must be supported by an appropriate Flood Risk Assessment (FRA) to demonstrate that development proposals will not increase flood risk on site or elsewhere and opportunities to reduce the risk of flooding are sought, taking into account the impacts of Climate Change in line with the Cheshire East SFRA. New development will be required to include or contribute to flood mitigation, compensation and / or protection measures, where necessary, to manage flood risk associated with or caused by the development.

9.73. SE 13 continues to state that all developments, including changes to existing buildings, seek improvements to the current surface water drainage network and be designed to manage surface water. This should include appropriate sustainable drainage systems (SuDS) and green infrastructure to store, convey and treat surface water prior to discharge with the aim of achieving a reduction in the existing runoff rate, but must not result in an increase in runoff.

9.74. SADPD policy ENV 16 expands on this, setting out the criteria that development is expected to meet in relation to the management of flood risk and drainage, with SuDS being encouraged. It expects development proposals to clearly demonstrate how surface water runoff can be appropriately managed.

9.75. The LLFA initially objected to the proposed development due to the lack of a detailed drainage strategy. A detailed Flood Risk Assessment and Drainage Strategy was subsequently submitted during the course of the application.

9.76. The LLFA have reviewed the additional information and advise that their objection can be lifted subject to the development being carried out in accordance with the submitted details, and with a whole site maximum discharge rate not exceeding 5.9 l/s.

### **Contaminated Land**

9.77. CELPS policy SE 12 states that development for new housing or other environmentally sensitive development will not normally be permitted where existing air pollution, soil contamination, noise, smell, dust, vibration, light or other pollution levels are unacceptable and there is no reasonable prospect that these can be mitigated against.

9.78. Where a proposal may affect or be affected by contamination developers are required to provide a report which investigates the extent of the contamination and the possible affect it may have on the development and its future users, the natural and built environment. 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.

9.79. The Contaminated Land team advise they have no objection to the application. They advised that the application is for a proposed use that would be particularly vulnerable to the presence of contamination and residential properties are a sensitive end use and could be affected by any contamination present or brought onto the site. The application site also has a history of agricultural use and therefore the land may be contaminated.

9.80. GEA report J22287 Rev1, Desk Study & Ground Investigation Report (November 2022) was submitted in support of the application. Environmental Protection Officers advise that the investigation was constrained by the buildings currently present on site and therefore those areas may be a source of potential contamination at the site.

9.81. An area of significant infill was identified on-site that may represent a ground gas risk to the proposed development. A ground gas risk assessment should therefore be undertaken.

9.82. The desk study identifies that pesticides, detergents and fuels may have been stored in quantity at the site. Areas of fuel and chemical storage should be targeted in any supplementary investigation.

9.83. The finalised position of the proposed development was unknown at the time of the report issue. Soils, including topsoil, in proposed garden areas and soft landscaping should be proved suitable for retention in a sensitive residential end-use.

9.84. Asbestos has also been identified at the site.

9.85. As such, and in accordance with paragraphs 187, 196 and 197 of the NPPF 2024, this Environmental Protection Officers recommend a number of conditions which must be adhered to in order to appropriately deal with the risk of contaminated land.

### **Highways**

9.86. Amongst several other matters, CELPS policy SD 1 states that all development proposals should provide safe access and sufficient car parking in accordance with adopted highway standards. SADPD policy INF 1 supplements this and expects all development to provide safe access to and from the site for all highway users and incorporate safe internal movement in the site.

9.87. Cheshire East Highways advise that the use of the existing farm access to the adopted highway network, in lieu of the existing agricultural use, is acceptable. There is sufficient space within the site for off-street car parking provision to be in accordance with CEC parking standards.

9.88. The commuter peak hour and daily traffic generation associated with the change of use, would not be expected to have a material impact on the safe operation of the adjacent or wider highway network.

9.89. Accordingly, the Head of Strategic Transport has no objection to the planning application.

### **Agricultural Land Quality**

9.90. Policy SD1 of the CELPS states that development should, wherever possible (and amongst other matters), protect the best and most versatile agricultural land. Policy SD2 of the CELPS states that all development will be expected to avoid the permanent loss of areas of agricultural land quality 1, 2 or 3a, unless the strategic need overrides these issues.

9.91. Paragraph 174 of the NPPF states that planning decisions should contribute and enhance the natural and local environment by recognising the benefits of (amongst other matters) best and most versatile agricultural land. Agricultural land falling within classes 1-3a are classed as 'Best and Most Versatile' BMV.

9.92. According to the 2010 Natural England Land Classification Map for the North West Region, the site falls within land which is either Grade 4 'poor' quality or Grade 5 'Very poor' quality.

9.93. According to a more up to date (2017) map produced by Natural England, which considers the likelihood of parcels of land being Best and Most Versatile, the map shows that the site as being of moderate likelihood of BMV.

9.94. In consideration of both maps, the site is not understood to comprise BMV Land.

### **Other Matters**

9.95. Comments were received from a member of public raising concern that the proposed dwellinghouse may impact access to water from their bore hole. This is not a material planning consideration. Any disputes between landowners with regard to private water supplies would be a civil matter.

9.96. The Safeguarding Authority for Manchester Airport has assessed the previous proposal and its potential to conflict aerodrome safeguarding criteria and advise that they have no objections. The same conclusion can be reached with the current reduced scheme.

## 10. PLANNING BALANCE/CONCLUSION

10.1. The application has been submitted following the refusal of application reference 23/1174M which was not supported on the grounds that it would represent a materially larger replacement building in the Open Countryside, alongside design and landscape concerns. Due to the application being refused, a further reason for refusal was issued due to failure to accord with the Habitats Regulations.

10.2. As submitted, the application has made a meaningful reduction in the amount of built form proposed, now resulting in a net reduction in built form (as opposed to a net increase as previously proposed). Combined with the reduced visual impact the development would have on the rural character of the Open Countryside and Local Landscape Designation, the proposal is considered to comply with the relevant design and landscape policies of the Local Plan.

10.3. The proposed solar panel array has also been significantly reduced in scale compared to the previously refused scheme. The reduced scale of the solar panel array would still provide 100% of the proposed dwellinghouse's energy demand, with excess energy being returned to the grid for use elsewhere. This element of the proposal therefore carries significant positive weight with regard to renewable energy generation and energy security.

10.4. With regard to protected species, all other reasons for refusal are considered to have been adequately addressed. As such, the three Habitat Regulations tests have been met and the third reason for refusal on the previous application has also been addressed.

10.5. All other matters, including those relating to heritage, amenity, nature conservation, trees, highways, drainage and contamination are found to accord with the relevant policies of the local plan, subject to necessary conditions where needed.

10.6. Accordingly, the proposed development is recommended for approval.

## 11. RECOMMENDATION

**Approve subject to following conditions:**

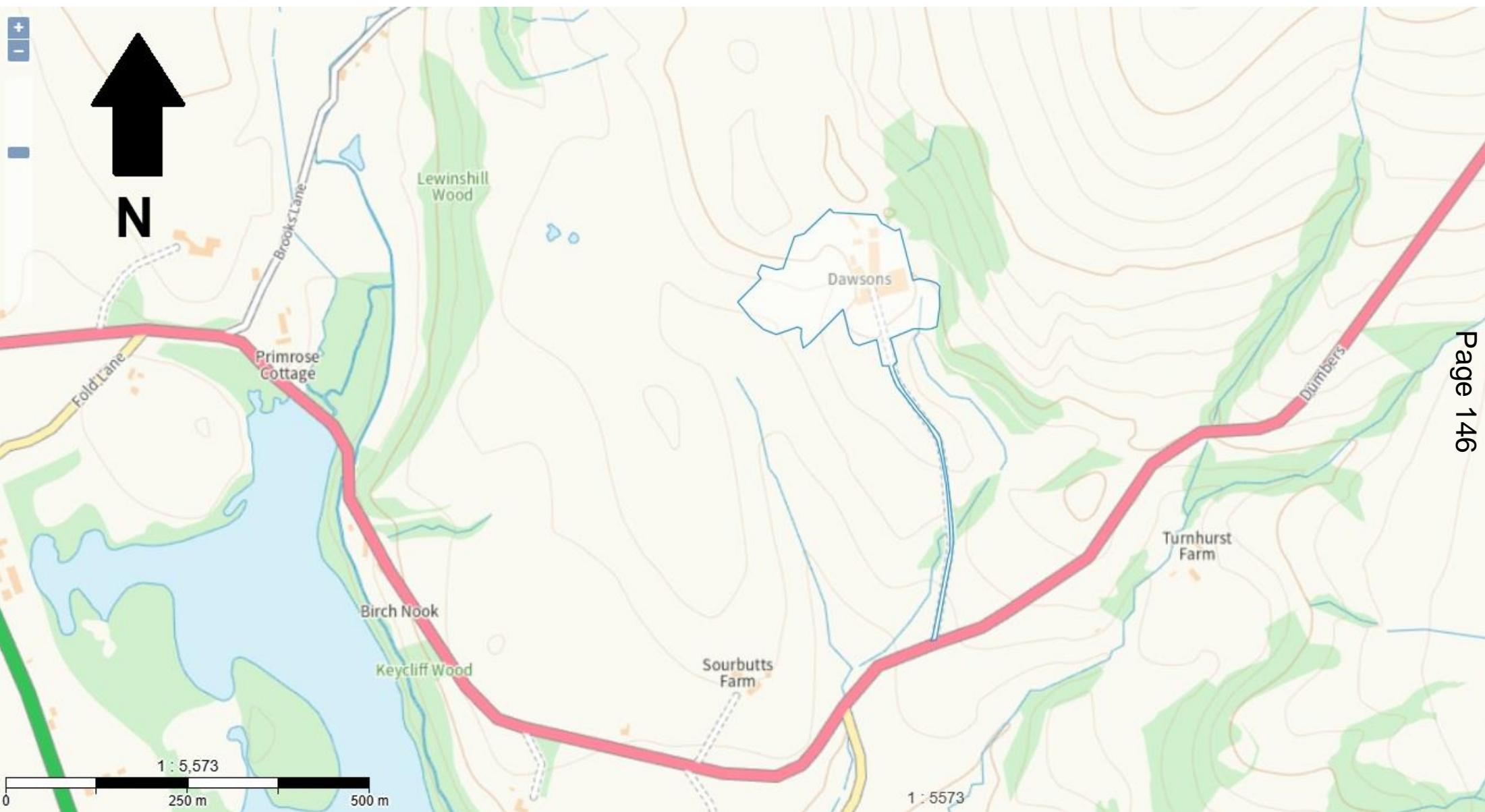
1. Three-year commencement
2. Approved plans
3. Materials samples to be submitted
4. Biodiversity net gain plan to be submitted
5. Habitat creation method statement to be submitted
6. Nesting bird safeguarding measures
7. Bat licence to be submitted
8. Updated badger survey to be submitted
9. Construction Ecological Management Plan (CEMP) to be submitted
10. Ecological enhancement scheme to be submitted
11. Detailed landscaping plans to be submitted
12. Development in accordance with tree protection plan
13. Development in accordance with drainage strategy
14. Contamination investigation and remediation to be submitted
15. Contamination verification report to be submitted
16. Contaminattion of imported soils to be tested with results submitted

- 17. Removal of solar panels following decommissioning**
- 18. Demolition of existing buildings prior to occupation**

*In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions / informatics / 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 Chair of the Northern Planning Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.*



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25/1197/FUL

Dawson Farm Buxton Road,  
Bosley, Macclesfield, SK11 0PX





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**C** 14.03.25 Boundary updated MS AB  
**B** 10.01.24 Contour heights added KS AB  
**A** 21/11/22 Existing watercourse added KS AB  
**O** 31/10/22 First Issue KS AB

REVISION DATE DESCRIPTION BY CHECKED

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**STATUS**

**PLANNING**

**CLIENT**

**DS**

**PROJECT**

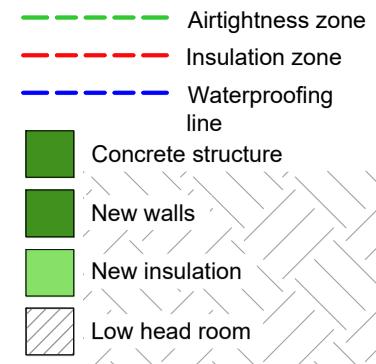
**Dawsons Farm, Macclesfield**

**DRAWING NAME**

**Existing site plan**

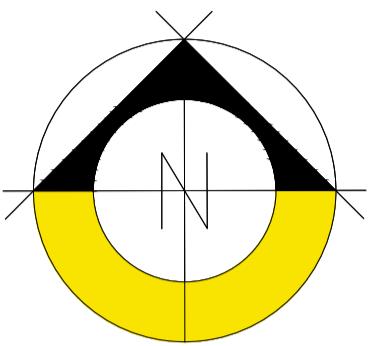
**SCALE** 1:500 **SIZE** A1  
**JOB NO.** E3355 **DRAWING NO.** 005 **REVISION** C  
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**1** Existing Site Plan  
1:500



NOTES  
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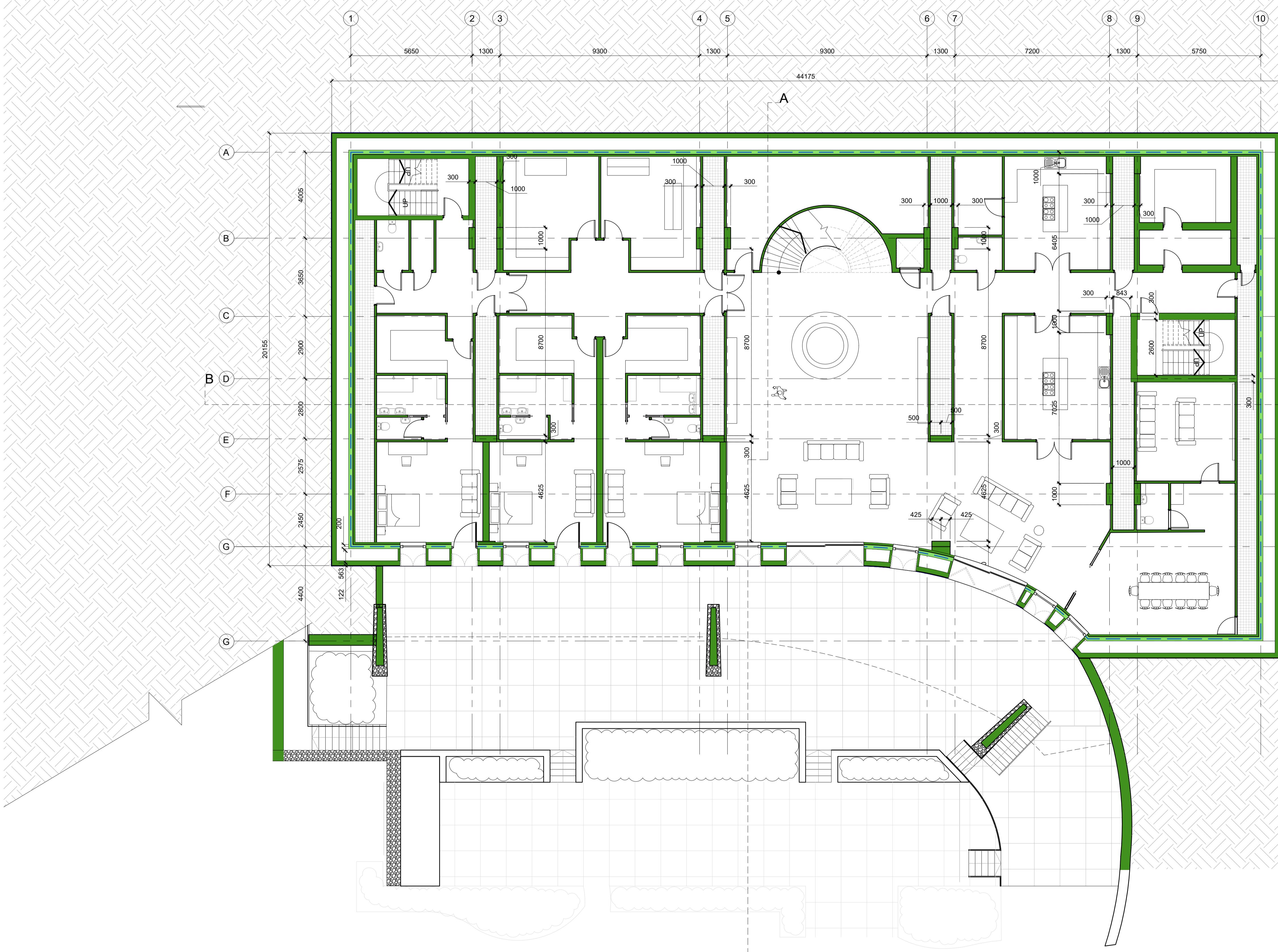
Scale 1:100  
2 m 0 2 4 m



GIA Ground Floor 802 m<sup>2</sup>  
GIA Overall 946 m<sup>2</sup>

DRAFT

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REVISION	DATE	DESCRIPTION	BY	CHECKED
D	04.02.25	House Reduced in Size	TR	AB
C	22.08.24	Updated landscape	MS	AB
B	22.05.23	Revised to be smaller	KS	AB
A	31.01.23	General updates	KS	AB
0	06.12.22	First Issue	KS	AB

REVISION DATE DESCRIPTION BY CHECKED

eco design  
consultants

Architects & Environmental Consultants

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STATUS

PLANNING

CLIENT

DS

PROJECT

Dawsons Farm, Macclesfield

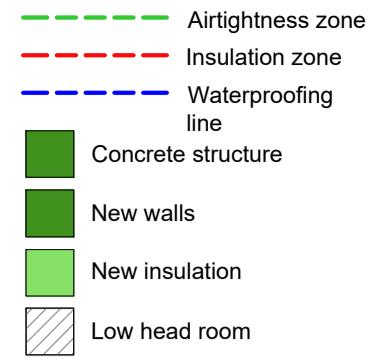
DRAWING NAME

Ground Floor Plan

SCALE: 1:100 SIZE: A1

JOB NO. DRAWING NO. REVISION

E3355 075 D



**NOTES**  
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Read in conjunction with all relevant structural, mechanical and electrical engineers and landscaping

Scale 1:100

4 m

2 m

0

2

4 m

A scale bar at the top shows a series of vertical tick marks followed by a horizontal bar divided into four segments, with numerical labels 0, 2, and 4 m below it. Below the scale bar is a circular diagram. The circle is divided into four quadrants: the top-left and bottom-left quadrants are black, and the top-right and bottom-right quadrants are yellow. A vertical line with a horizontal crossbar passes through the center of the circle. A small 'N' is positioned near the top of this line, indicating North.

GIA Ground Floor 802 m<sup>2</sup>  
GIA Overall 946 m<sup>2</sup>

REVISION	DATE	DESCRIPTION	BY	CHECKED
D	04.02.25	House Reduced in Size	TR	AB
C	22.08.24	Updated landscape	MS	AB
B	22.05.23	Revised to be smaller	KS	AB
A	31.01.23	General updates	KS	AB
0	06.12.22	First Issue	KS	AB

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STATUS  
**PLANNING**

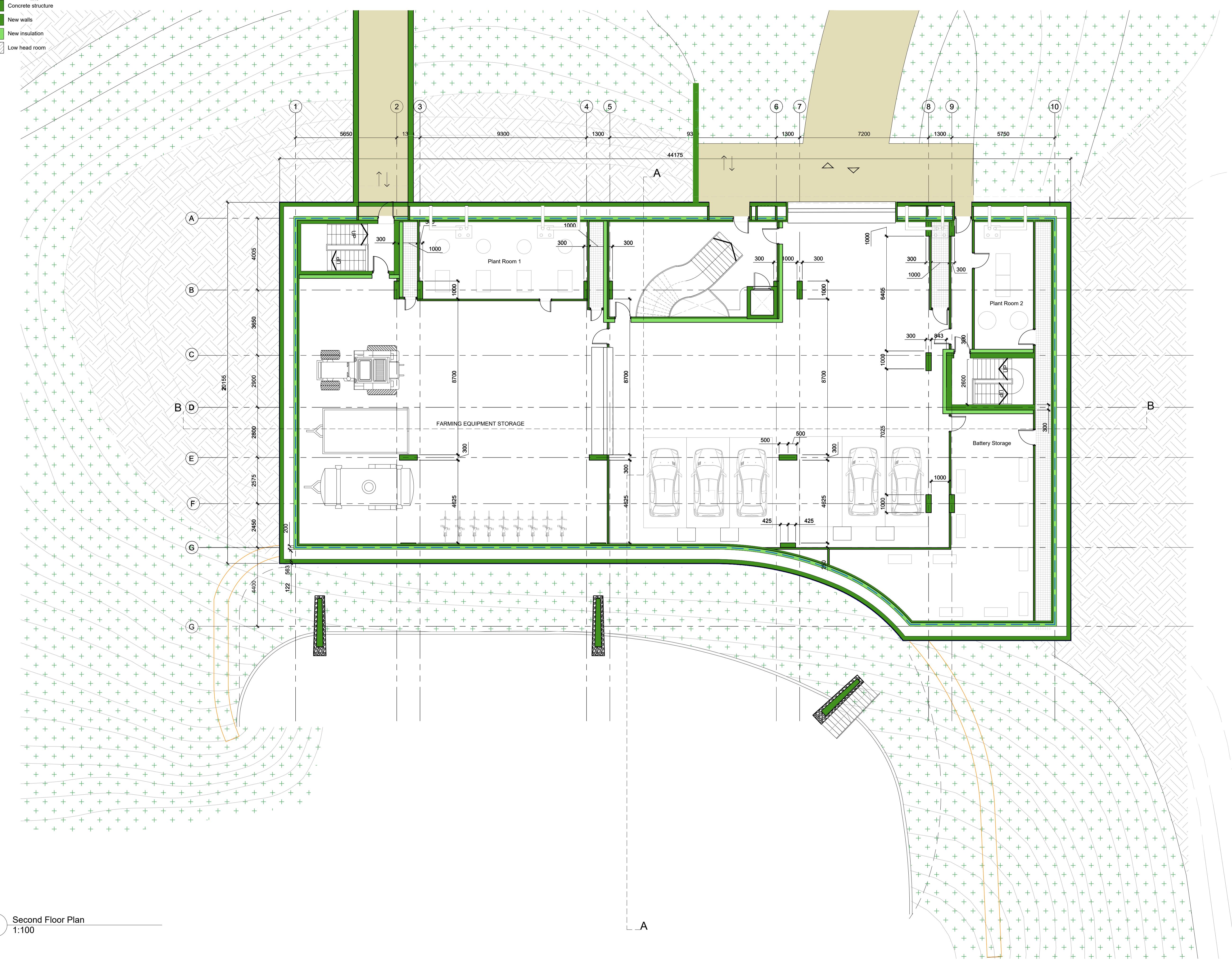
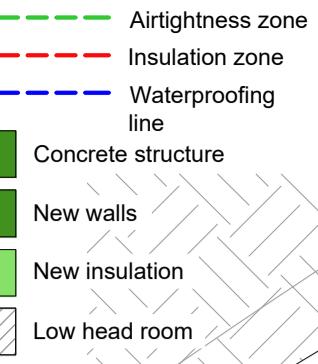
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# DS

# Dawsons Farm, Macclesfield

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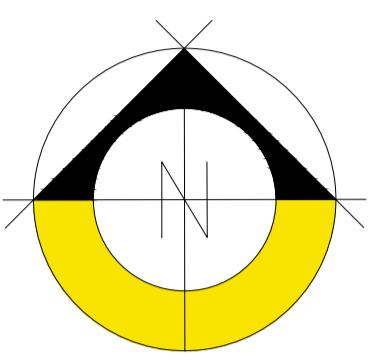
All modifications, alterations, or changes to the project design, specifications, materials, or methods must be reviewed and approved by the Principal Designer. No changes are to be implemented without prior discussion and written consent from the Principal Designer. This process ensures that all design intents and structural integrity are maintained and that any potential impacts on the project are fully assessed. Failure to adhere to this protocol may result in non-compliance with design standards and the Building Safety ACT, and could affect project timelines and costs.



3 Second Floor Plan  
1:100

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Scale 1:100  
2 m 0 2 4 m



GIA Ground Floor 802 m<sup>2</sup>  
GIA Overall 946 m<sup>2</sup>

**DRAFT**

REVISION	DATE	DESCRIPTION	BY	CHECKED
D	04.02.25	House Reduced in Size	TR	AB
C	22.08.24	Updated landscape	MS	AB
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STATUS

PLANNING

CLIENT

DS

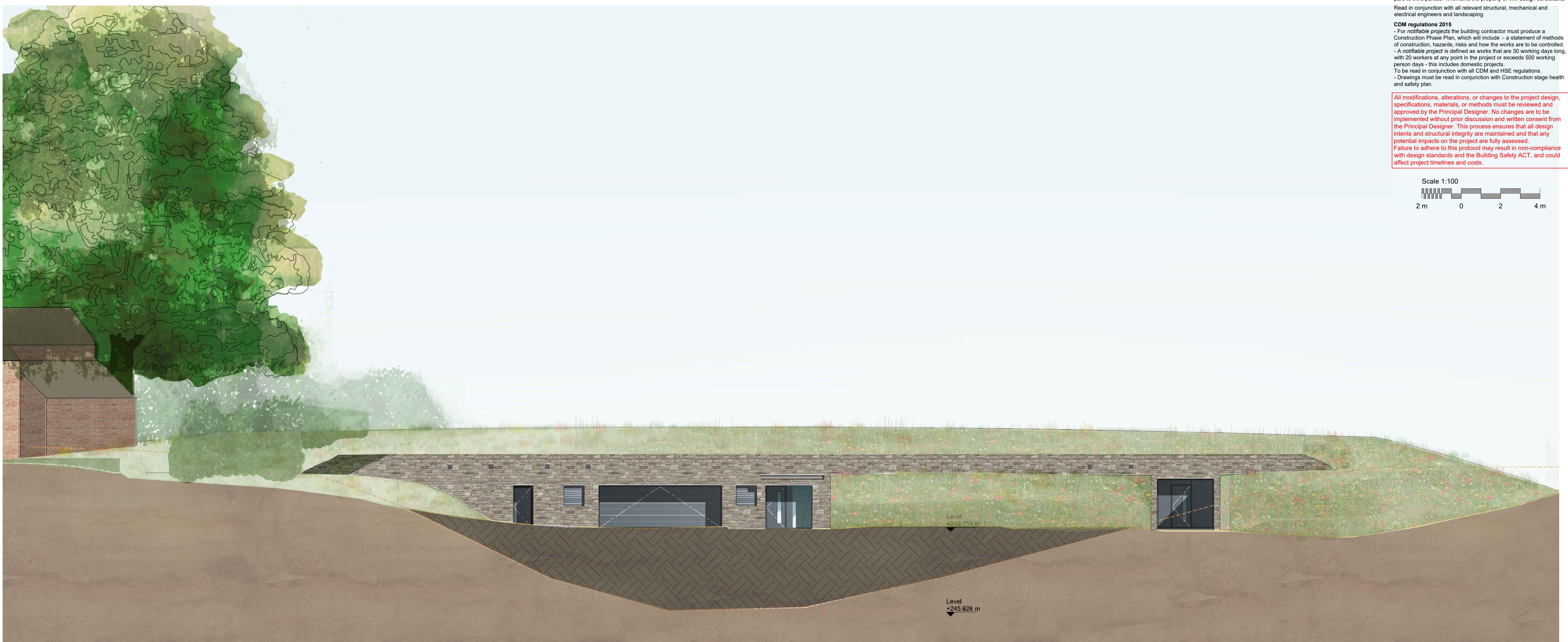
PROJECT

Dawsons Farm, Macclesfield

DRAWING NAME

Second Floor Plan

SCALE: 1:100  
SIZE: A1  
JOB NO. E3355  
DRAWING NO. 077  
REVISION: D  
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C 04/02/25 Planning MS AB  
 B 08/01/25 Planning KY AB  
 A 28.08.24 Pre-planning MS AB  
 0 23.08.24 First issue MS AB

REVISION DATE DESCRIPTION BY CHECKED

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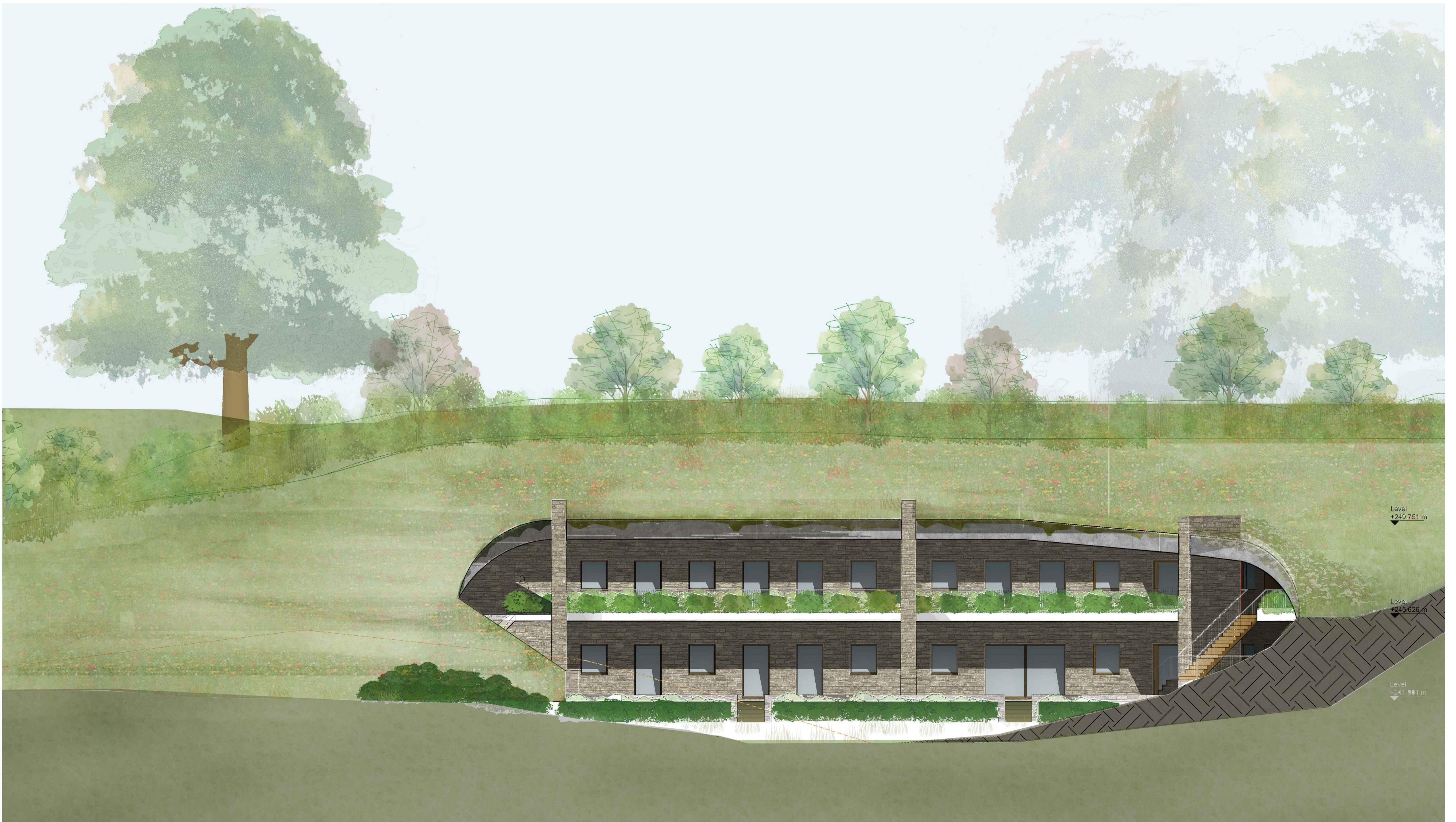
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STATUS  
Planning

PROJECT  
Dawsons Farm,  
Macclesfield

DRAWING NAME  
Proposed North Elevation

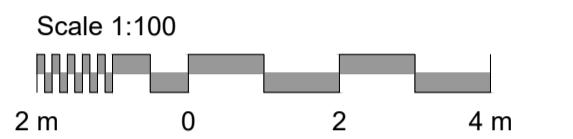
Client	DS	SCALE	1:100	SIZE	A1
JOB NO.	E 3355	DRAWING NO.	102	REVISION	C



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**CDM regulations 2015**  
 - For notifiable projects the building contractor must produce a Construction Phase Plan, which will include - a statement of methods of construction, hazards, risk and how the works are to be controlled.  
 - A notifiable project is defined as works that are 30 working days long, with 20 workers at any point in the project or exceeds 500 working persons.  
 To be read in conjunction with all CDM and HSE regulations.  
 - Drawings must be read in conjunction with Construction stage health and safety plan.

**All modifications, alterations, or changes to the project design, specifications, materials, or methods must be reviewed and approved by the Principal Designer. No changes are to be implemented without prior discussion and written consent from the Principal Designer. This process ensures that all design intents and structural integrity are maintained and that any potential impacts on the project are fully assessed. Failure to adhere to this protocol may result in non-compliance with design standards and the Building Safety ACT, and could affect project timelines and costs.**

Scale 1:100  


Page 156

REVISION	DATE	DESCRIPTION	BY	CHECKED
C	04/02/25 Planning	MS AB		
B	08/01/25 Planning	KY AB		
A	28.08.24 Pre-planning	MS AB		
O	23.08.24 First issue	MS AB		

STATUS

Planning

PROJECT

Dawsons Farm,  
Macclesfield

DRAWING NAME  
**Proposed South Elevation**

Client	SCALE	SIZE
DS	1:100	A1
JOB NO.	DRAWING NO.	REVISION
E 3355	100	C