

Application No: 25/1396/OUT
Application Type: Outline Planning
Location: Land South Of Hassall Road, Winterley, Cheshire East,
Proposal: Outline application for the phased development of up to 3 residential self-build, custom-build or open market dwellings in with the primary access point being defined, with associated infrastructure and ancillary facilities.
Applicant: Corso Construction Ltd
Expiry Date: 23-October 2025

Summary

The proposed development would result in residential development located beyond the Winterley Infill Village Boundary Line and would conflict with policy PG6 of the CELPS. This would also result in a change to the rural character of the site and a small loss of agricultural land.

The proposal is considered to be sustainably located, but despite this the proposal conflicts with the Development Plan as a whole.

However, the Council is unable to demonstrate a five-year supply of housing, and paragraph 11d of the NPPF is engaged. The NPPF seeks to boost significantly the supply of housing and the development of up to 3 houses would make a small contribution to meeting the Councils housing need.

Small and medium sized sites can make an important contribution and be built out very quickly (this is emphasised in Policy HOU16 of the SADPD and paragraph 73 of the NPPF). There would also be economic benefits through the construction and occupation of the proposed development. Social benefits would also be provided in terms of the proposed housing provision and would potentially provide custom/self build dwellings.

The adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. The proposed development would benefit from the presumption in favour of sustainable development which weighs heavily in support of the proposed development. Therefore, the application is recommended for approval.

Recommendation

APPROVE SUBJECT TO CONDITIONS

1. REASON FOR REFERRAL

- 1.1. The proposal represents a departure from the Local Plan as it seeks new dwellings within the Open Countryside and does not meet any of the exceptions within Policy PG6.

2. DESCRIPTION OF SITE AND CONTEXT

- 2.1. The application site forms a parcel of land between 72 and 98 Hassall Road, Winterley.
- 2.2. Residential properties are sited to the north, east and west and open land to the south.
- 2.3. The site includes a boundary hedging to Hassall Road with some trees to the western boundary. One tree is covered by Tree Preservation Order and is located to the eastern boundary of the site.

3. DESCRIPTION OF PROPSAL

- 3.1. This is an outline application for the phased development of up to 3 residential self-build, custom-build or open market dwellings in with the primary access point being defined, with associated infrastructure and ancillary facilities.
- 3.2. Access is included and would be taken of Hassall Road; all other matters are reserved.

4. RELEVANT PLANNING HISTORY

- 4.1. 7/12813 – O/A for 1 dwelling on parcel of land SE of No 72 – refused 27/02/1986 as contrary to Policy relating to the open countryside

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)

MP1 – Presumption in Favour of Sustainable Development
SD1 – Sustainable Development in Cheshire East
SD2 – Sustainable Development Principles
SE1 – Design
SE2 – Efficient Use of Land
SE3 – Biodiversity and Geodiversity
SE4 – The Landscape
SE5 – Trees, Hedgerows and Woodland
SE6 – Green Infrastructure
SE9 – Energy Efficient Development,

SE12 – Pollution, Land Contamination and Land Instability
SE13 – Flood Risk and Water Management
PG1 – Overall Development Strategy
PG2 – Settlement Hierarchy
PG6 – Open Countryside
PG7 – Spatial Distribution
SC4 – Residential Mix
CO1 – Sustainable Travel and Transport
CO4 – Travel Plans and Transport Assessments
IN1 – Infrastructure

Site Allocations and Development Policies Document (SADPD)

PG8 Development at Local Service Centres
PG9 Settlement Boundaries
PG11 Greenbelt Boundaries
GEN 1 Design Principles
ENV 1 Ecological Network
ENV 2 Ecological Implementation
ENV 3 Landscape Character
ENV5 Landscaping
ENV6 Trees, Hedgerows and Woodlands
ENV 7 Climate change
ENV16 Surface Water Management and Flood Risk
HOU1 Housing Mix
HOU3 Self Build and Custom Build Dwellings
HOU 8 Space, accessibility and wheelchair housing standards
HOU10 Backland Development
HOU12 Amenity
HOU13 Residential Standards
HOU14 Housing Densities
HOU16 Small and Medium Sites
INF3 Highways Safety and Access
INF 9 Utilities

6.3. Neighbourhood Plan

No Neighbourhood Plan in force for this 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. Biodiversity and Net Gain SPD

7.3. Environmental Protection SPD

7.4. SuDS SPD

7.5. Cheshire East Design Guide SPD

8. CONSULTATIONS (External to Planning)

8.1. **CEC Highways** – No objection subject to informative requiring a S184 licence to create the new vehicle crossing

8.2. **CEC Environmental Protection** – No objection subject to conditions/informatives regarding working hours, dust, electric vehicle charging, contaminated land

8.3. **CEC LLFA** – No objection subject to condition requiring a drainage strategy

8.4. **CEC Housing** – No objection

8.5. **United Utilities** – No objection subject to condition requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme

8.6. **Haslington Parish Council** – Object on the following grounds:

- Inappropriate development within the open countryside
- Does not constitute infill development
- The absence of pavements on the proposed developments side of Hassall Road presents significant safety risks

9. REPRESENTATIONS

9.1. Three letters of objection have been received which raise the following points:

- Factual errors with place names
- Are doctors taking new patients
- Not comparable to nearby appeal decisions
- Highway statement appear in favour of the development
- Lack of visibility splays
- Traffic survey should be shared with CEC Highways
- Condition required re construction parking
- Harm to open countryside
- Cumulative impact of development in Winterley and change to its character
- Lack of mains sewer
- Loss of view and light
- Increase in vehicle movements
- Noise during construction
- Impact on water pressure
- No need for new housing

10. OFFICER APPRAISAL

Principle of the development

10.1. The site lies in the Open Countryside as designated by the Cheshire East Local Plan, where policy PG6 states that 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 where there is the opportunity for limited infilling in villages; the infill of a small gap with one or two dwellings in an otherwise

built-up frontage elsewhere, affordable housing in accordance with the criteria contained in Policy SC 6 'Rural Exceptions Housing for Local Needs' or where the dwelling is exceptional in design and sustainable development terms.

10.2. The proposed development would not fall within any of the categories of exception to the restrictive policy relating to development within the Open Countryside. As a result, it constitutes a "departure" from the development plan and there is a presumption against the proposal, under the provisions of sec.38(6) of the Planning and Compulsory Purchase Act 2004 which states that planning applications and appeals must be determined "in accordance with the plan unless material considerations indicate otherwise"

Self Build

10.3. Policy HOU 3 of the SADPD states that the Council will support proposals for self-build and custom-build housing in suitable locations. Furthermore, this form of development is supported by national planning policy.

10.4. The Self-build and Custom Housebuilding Act 2015 (as amended) ('the Act') places a statutory duty on the Council to keep a register of persons who are interested in acquiring a self-build or custom-build plot, and to also grant enough suitable development permissions for serviced plots to meet this demand. The demand registered in each 12-month base period from the end of October 2015 onwards must be met by 30 October 3 years after the end of each period.

10.5. Paragraph 70 of the NPPF states that Local Planning Authorities should seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing. This is reflected in Criteria 1 of SADPD Policy HOU 3: Self & Custom Build Housing which states that the council will support proposals for self-build and custom house building in suitable locations. Further guidance is given in the supporting text at paragraph 8.22 which states that schemes for self-build and custom-build homes must still comply with policies and guidance in the development plan governing location and design of new homes. The fact that a proposed new home may be self or custom-build will not override these policies.

10.6. In addition to these policy considerations, the council also has a legal duty to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building and to grant enough planning permissions to meet the identified demand.

10.7. It is noted that the applicant has stated in the application form that the proposal is put forward as both market dwelling and self / custom build development. However, in this instance no information has been put forward to consider why/how this proposal meets the self build / custom build housing definition.

10.8. The council's performance is reported annually in the Authority Monitoring Report ("AMR"). The latest report was published in April 2024 and reports on performance up to 30 October 2023. As set out in the AMR the number of permissions granted for self and custom build plots over the last rolling three-year period has exceeded the number of registrations. In addition, should there be evidence of unmet demand in the future, it is highlighted that SADPD Policy HOU 3 contains a mechanism to require the provision of serviced plots on larger housing developments in order to meet unmet demand.

10.9. To ensure the development complies with the self-build and custom build housing definition and help meet the Council's self-build requirement, the proposed unit will be secured via condition.

Housing Land Supply

- 10.10. 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.
- 10.11. 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.
- 10.12. 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.
- 10.13. 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.
- 10.14. 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%.
- 10.15. 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.

Housing Mix

- 10.16. Policy SC4 advises that new residential development should maintain, provide or contribute to a mix of housing tenures, types and sizes to help support the creation of mixed, balanced and inclusive communities.
- 10.17. Policy HOU1 In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demand.
- 10.18. This is a small development and Policy HOU1 only requires applications to be justified by a housing mix statement where it is a major development.

Space standards

10.19. In terms of dwelling sizes, it is noted that HOU8 of the SADPD requires that new housing developments comply with the Nationally Described Space Standards (NDSS).

Number of bedrooms(b)	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37) *			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	

10.20. The bedroom numbers are not known at this stage so this will need to be addressed at reserved matters stage however the site appears large enough to accommodate the above criteria.

10.21. Therefore, the proposal complies with Policy HOU8 of the SADPD.

Location of the site

10.22. Policy SD1 states that wherever possible development should be accessible by public transport, walking and cycling (point 6) and that development should prioritise the most accessible and sustainable locations (point 17). The justification to Policy SD2 then provides suggested distances to services and amenities.

10.23. In this case the site is has a church 220m away, public house 700m away and a restaurant/take away 450m away. Other shops/amenities of Haslington are located a 30-minute walk away. The nearest bus stop is located 450m away off Crewe Road which is served by No.37 bus which has 13 services Monday to Saturday between Crewe, Sandbach and Middlewich. The stop is also served by No.38 bus which has 18 services Monday to Saturday and 5 services on a Sunday between Crewe and Macclesfield. In addition the National Cycle Route runs through Winterley along Crewe Road and provides a link to Crewe, Haslington and Sandbach.

10.24. Winterley was also deemed to be locationally sustainable as part of surrounding consented sites including appeal Ref APP/R0660/W/16/3163461 Land south of Hassall Road, Winterley (20th March 2017).

10.25. As such the site is considered to be locationally sustainable.

Residential Amenity

10.26. With regards to neighbouring amenity, Policy HOU12 advises 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.

10.27. Policy HOU13 sets standards for spacing between windows of 18m between front elevations, 21m between rear elevations or 14m between habitable to non-habitable rooms. For differences in land levels, it suggests an additional 2.5m for levels exceed 2m.

10.28. The main residential properties affected by this development are No.72, 98 Hassall Road and 81-89 (off numbers only) Hassall Road.

10.29. The proposal seeks outline consent with layout and scale being reserved matters. However, the indicative plans suggests that the site could accommodate the proposal whilst providing required interface distances to prevent significant harm to living conditions of neighbouring properties.

Future amenity

10.30. Policy HOU13 does not set an expected size of garden area but advises proposals for dwellings houses shall include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.

10.31. The illustrative plans suggest that sufficient size of garden areas could be provided.

10.32. Therefore, it appears that the proposal could be accommodated without significant harm to living conditions of neighbouring properties and complies with Policy HOU12 of the CELPS.

Air Quality

10.33. Policy SE12 of the CELPS 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.

10.34. The impact upon air quality could be mitigated with the imposition of a condition to require the provision of low emission boilers.

Contaminated Land

10.35. As the application is for new residential properties which are a sensitive end use and could be affected by any contamination present a contaminated land condition will be attached to the decision notice of any approval.

Highways

10.36. The application seeks outline consent with access included. Each property has its own access off Hassall Road. Associated visibility splays for each unit have been provided and the Councils Highways Officer states that the details are acceptable. The illustrative plan also suggests suitable parking and on-site turning areas and there is no objection raised by the Highways Officer.

10.37. The proposal is therefore considered to comply with Policy SD1 & CO2 of the CELPS, INF3 of the SADPD.

Trees

- 10.38. Policy SE5 advises that proposals should look to retain existing trees/hedgerows that provide a significant contribution to the area and where lost replacements shall be provided. Policy ENV 6 advises that development proposals should seek to retain and protect trees, woodlands and hedgerows.
- 10.39. The application site is located to the south of Hassall Road. One individual mature Oak, off site to the east is designated as tree T1 of the Cheshire East Borough Council (Haslington - Winterley, 98 Hassall Rd) Tree Preservation Order 2019. Otherwise, the site is bordered by established boundary hedgerows, with one other mature Oak, located to the southeastern corner and further ornamental boundary screening to the west.
- 10.40. The application has been supported by an Arboricultural Impact Assessment. The report appraises the outline proposal in relation to trees and demonstrates that the site could accommodate the plots without a significant impact on trees and with a sustainable above ground relationship. Some incursion into the RPA of the protected Oak is indicated at this stage but could be accommodated using no dig engineer designed surfacing.
- 10.41. The application to create the new access and suggests that the road frontage hedgerow will need to be removed to create the new access and associated visibility splays.
- 10.42. The Councils Arborist has some concerns about the suggestion that only 5 metres of hedgerow will be removed/lost to accommodate the access. The proposal involves the opening in this location to serve 3 properties and requires adjusted visibility splays which the AIA states will necessitate the transplanting of 30 metres of hedgerow, either side of the removed section. The Councils Arborist has reservations regarding the likelihood of successful re-establishment of this hedge, however, suggests that condition could be used to require replacement planting.
- 10.43. Therefore, there is no objection on tree/hedgerow grounds subject to conditions requiring tree protection and special construction measures, no dig construction and replacement planting. The proposal complies with Policy SE5 of the CELPS and ENV 6 of the SADPD.

Design

- 10.44. Policy SE1 advises that development proposals should make a positive contribution to their surroundings in terms of the creating a sense of place, managing design quality, sustainable urban, architectural and landscape design, live and workability and designing in safety. The Cheshire East Design Guide Volumes 1 and 2 give more specific design guidance. Emerging Policy GEN 1 of the SADPD also reflects this advice.
- 10.45. The street scene is characterised by a mixture of traditional semi-detached and detached primarily 2 storeys with a mixture of brick and render finishes. Therefore, up to three detached dwellings would not be out of character here.
- 10.46. The illustrative plan shows that up 3 dwellings could be accommodated on site. Whilst there is a slight concern over the spacing between properties, this would need to be addressed at reserved matters stage as would the final appearance.
- 10.47. As such, it appears that the proposal could be accommodated without significant visual harm to the character/appearance of the area complying with Policies SD1, SD2 and SE1 of the CELPS, GEN1 of the SADPD and the Cheshire East Urban Design Guide.

Ecology

Biodiversity Net Gain (BNG)

10.48. The Councils Ecologist advises that the submitted biodiversity metric is acceptable, and the application adheres to the mitigation and biodiversity gain hierarchy. Consequently, sufficient information regarding BNG has been submitted at this stage, however, the Ecologist suggests the standard BNG condition be imposed.

Breeding birds

10.49. The Councils Ecologist suggest a condition to protect breeding birds.

Ecological Enhancement

10.50. The site falls within Cheshire East Council's ecological network restoration area, which forms part of the SADPD. Ecological enhancements are therefore recommended, in line with local policy ENV 1, the National Planning Policy Framework and British Standard BS42021:2022.

10.51. Subject to conditions, the proposal complies with Policy SE3 of the CELPS, ENV1, ENV2 of the SADPD.

Landscape

10.52. The site does not form part of any protected landscape. However, its development will clearly have some landscape impact as it will occupy a site that is currently free from built form.

10.53. It is however considered that the development of the site would be viewed against the existing development to the north, east and west rather than a standalone development.

10.54. The Councils Landscape Officer raises no objection to the principle of the development of the site, though he does raise concerns about the siting of the garage close to the road. As layout is a matter reserved, this would need to be addressed at a later date.

10.55. Whilst the landscape impact is considered limited, the loss of space on the site would cause some visual harm and thus needs to be weighed into the overall planning balance, and there would be some conflict with policies PG6 and SE4.

Flood Risk

10.56. The application site is located within Flood Zone 1 according to the Environment Agency Flood Maps and the site area is not over 1 hectare so does not require a Flood Risk Assessment.

10.57. United Utilities have been consulted as part of this application and have raised no objection to the proposed development subject to condition requiring a sustainable surface water and foul water drainage scheme. The Councils Flood Risk Team have also been consulted who raise no objection subject to condition requiring a drainage strategy.

10.58. Therefore, it would appear that any flood risk/drainage issues, could be suitably addressed by planning conditions and as such the proposal complies with Policy SE13 of the CELPS & ENV 16 of the SADPD.

Land Levels

10.59. Given the nature of the site to existing properties and the variation in levels a condition will be attached to ensure that details of the proposed levels are provided.

Economic Sustainability

10.60. With regard to the economic role of sustainable development, the proposed development will help to provide new housing with indirect economic benefits including additional trade for local shops and businesses, jobs in construction and economic benefits to the construction industry supply chain.

Other

10.61. The description of development advises that the proposal seeks either open market or customer self-build dwellings. The applicant advises that they wish for this flexibility as this will be decided later in the development process. To this end a condition will be required relating to BNG should any of the units be open market dwellings to secure BNG delivery.

10.62. The majority of comments from representation have been addressed above in this report. The remaining matters are addressed below:

- Factual errors with place names – any errors do not impact on ability to consider the proposal
- Are doctors taking new patients – the proposal is under the size to require any contributions towards the NHS
- The highway statement appears in favour of the development/condition required re construction parking – no objection raised by the Councils Highways Engineer and no construction management condition has been deemed necessary given the scale of the proposal.
- Lack of mains sewer/Impact on water pressure – no objection raised by United Utilities
- Noise during construction – noise from construction would be dealt with outside of planning by environmental protection

11. PLANNING BALANCE/CONCLUSION

11.1. The proposed development would result in residential development located beyond the Winterley Infill Village Boundary Line and would conflict with policy PG6 of the CELPS. This would also result in a change to the rural character of the site and a small loss of agricultural land.

11.2. The proposal is considered to be sustainably located, but despite this the proposal conflicts with the Development Plan as a whole.

11.3. The Council is unable to demonstrate a five-year supply of housing, and paragraph 11d of the NPPF is engaged. The NPPF seeks to boost significantly the supply of housing and the development of up to 3 houses would make a small contribution to meeting the Councils housing need.

11.4. Small and medium sized sites can make an important contribution and be built out very quickly (this is emphasised in Policy HOU16 of the SADPD and paragraph 73 of the NPPF).

There would also be economic benefits through the construction and occupation of the proposed development. Social benefits would also be provided in terms of the proposed housing provision and would potentially provide custom/self build dwellings.

- 11.5. The adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF. The proposed development would benefit from the presumption in favour of sustainable development which weighs heavily in support of the proposed development. Therefore, the application is recommended for approval.

12. RECOMMENDATION

APPROVE subject to the following conditions:

- 1) Standard Condition – time limit submission of the Reserved Matters**
- 2) Standard Condition – time limit implementation of development**
- 3) Standard Condition – submission of the Reserved Matters (landscaping to include the provision of replacement hedgerow planting)**
- 4) Approved Plans**
- 5) Biodiversity Net Gain plan for any open market dwellings**
- 6) Breeding Birds**
- 7) Ecological Enhancement**
- 8) Tree Protection and Special Construction Measures**
- 9) Tree Retention**
- 10) Engineered No Dig Methods**
- 11) Drainage Strategy**
- 12) Sustainable Surface Water Drainage Scheme & Foul Water Drainage Scheme**
- 13) Unexpected Contamination**
- 14) Definition of Self Build/Custom Build**
- 15) Low emission boiler provision**
- 16) Land levels to be submitted and approved**

Informatives:

- 1. NPPF**
- 2. Construction hours**

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

